

JOURNAL OF THE HOUSE**Sixty-second Legislative Assembly**

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Bismarck, April 6, 2011

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

The prayer was offered by Sister Anna Rose Ruhland, St. Vincent's Care Center, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

POINT OF PERSONAL PRIVILEGE

REP. WINRICH rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE WINRICH

MR. SPEAKER: This week, at the University of North Dakota, the UND Indian Association (UNDIA) and the Indian Studies Association will hold the 41st annual Time Out Week and Wacipi on the UND campus in Grand Forks. Time out week is an academic event that features presentations and discussions highlighting the cultural traditions, talents, and contributions of American Indians to the community and the region. Time Out Week originated in 1969 when the students of the recently formed UNDIA, with the support of UND President Tom Clifford, invited the campus community to take "Time Out" for a week to share in and celebrate their cultural traditions. This year's events include a demonstration of contemporary American Indian cooking, a discussion with Earl Bullhead about his experiences teaching the Lakota language, and a hoop dance demonstration by Wayne Fox. In addition to affirming the cultural pride of UND's American Indian students it is an unequalled opportunity to learn the about the history and traditions of North Dakota's first citizens.

The week culminates in a three-day powwow or Wacipi (the Lakota word for celebration). The Wacipi features tradition music with flute and drum and several categories of dance competition. A traditional meal served on Saturday evening at 5:00pm is free to the public. I've had the pages distribute a memo from UNDIA Vice President Deanna Rainbow inviting each of you to enjoy the Time Out Wacipi and to join in a Grand Entry March, the first of which is Friday evening at 7:00pm.

Its forty-year history of American Indian programming and powwows sets the University of North Dakota apart in the national arena. UND is proud of this distinction and the commitment to diversity that it symbolizes. The UNDIA Annual Time Out Week and Wacipi events publicly affirm UND's long history of commitment to American Indian education and awareness.

REQUEST

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

SIXTH ORDER OF BUSINESS

SPEAKER DROVDAL DEEMED approval of the amendments to Engrossed SB 2043 and Engrossed SB 2268.

Engrossed SB 2043 and Engrossed SB 2268, as amended, were placed on the Fourteenth order of business on today's calendar.

MOTION

REP. CARLSON MOVED that the House stand in recess for five minutes, which motion prevailed.

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

SIXTH ORDER OF BUSINESS

SB 2012, as engrossed: REP. POLLERT (Appropriations Committee) MOVED that the amendments on HJ pages 1371-1381 be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

REP. KEISER REQUESTED a verification vote, which request was granted.

The question being on the motion to adopt the amendments to Engrossed SB 2012, the motion prevailed on a verification vote.

SECOND READING OF SENATE BILL

SB 2012: A BILL for an Act to provide an appropriation for defraying the expenses of the department of human services; to provide an exemption; to provide legislative intent; to provide for legislative management studies; and to provide for a department of human services study.

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 68 YEAS, 26 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delzer; Devlin; Dosch; Froseth; Grande; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Holman; Johnson, D.; Johnson, N.; Kasper; Keiser; Kempenich; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kreun; Louser; Maragos; Martinson; Meier, L.; Monson; Nathe; Nelson, J.; Owens; Paur; Pietsch; Pollert; Rohr; Ruby; Rust; Sanford; Schmidt; Skarphol; Steiner; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Drovda

NAYS: Amerman; Beadle; Delmore; Frantsvog; Glassheim; Gruchalla; Hogan; Hunskor; Kaldor; Karls; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Metcalf; Meyer, S.; Mock; Mueller; Nelson, M.; Onstad; Porter; Schatz; Streyle; Winrich; Zaiser

Engrossed SB 2012, as amended, passed.

REPORT OF STANDING COMMITTEE

SB 2002: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2002 was placed on the Sixth order on the calendar.

Page 2, after line 27, insert:

"SECTION 3. MAINFRAME MIGRATION COMPUTER PROJECT - FUNDING LIMITATION. One-time funding of \$3,500,000 from the general fund for the mainframe migration computer project included in the operating expenses line item of subdivision 1 of section 1 of this Act may not be used for any other purpose and the appropriation authority must be canceled on June 30, 2013, in accordance with provisions of section 54-44.1-11."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2002 - Summary of House Action**

	Executive Budget	Senate Version	House Changes	House Version
Secretary of State				
Total all funds	\$15,803,144	\$15,803,144	\$0	\$15,803,144
Less estimated income	6,786,984	6,786,984	0	6,786,984

General fund	\$9,016,160	\$9,016,160	\$0	\$9,016,160
Public Printing				
Total all funds	\$310,000	\$310,000	\$0	\$310,000
Less estimated income	0	0	0	0
General fund	\$310,000	\$310,000	\$0	\$310,000
Bill total				
Total all funds	\$16,113,144	\$16,113,144	\$0	\$16,113,144
Less estimated income	6,786,984	6,786,984	0	6,786,984
General fund	\$9,326,160	\$9,326,160	\$0	\$9,326,160

Senate Bill No. 2002 - Secretary of State - House Action

A section is added to provide that one-time funding for the mainframe migration computer project may not be used for any other purpose and is canceled on June 30, 2013, pursuant to Section 54-44.1-11.

REPORT OF STANDING COMMITTEE

SB 2010, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2010 was placed on the Sixth order on the calendar.

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

Page 1, line 4, after "salary" insert "; and to provide for reports to the budget section"

Page 1, replace line 12 with:

"Salaries and wages	\$6,335,670	\$524,160	\$6,859,830"
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Page 1, replace lines 15 and 16 with:

"Grants	<u>6,990,000</u>	<u>50,000</u>	<u>7,040,000</u>
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Total special funds	\$15,558,934	\$1,842,796	\$17,401,730"
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Page 1, line 23, remove "**PREMIUM**"

Page 1, line 24, replace "\$6,820,000" with "\$6,870,000"

Page 1, line 24, remove "premium"

Page 2, line 1, replace "\$620,000" with "\$670,000"

Page 2, after line 23, insert:

"SECTION 9. REPORTS TO BUDGET SECTION. The insurance commissioner shall report at each budget section meeting during the 2011-12 interim on the status of provisions of the Patient Protection and Affordable Care Act."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2010 - Insurance Department - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$7,677,595	\$6,894,013	(\$34,183)	\$6,859,830
Operating expenses	3,699,553	3,431,900		3,431,900
Capital assets	70,000	70,000		70,000
Grants	<u>6,990,000</u>	<u>6,990,000</u>	<u>50,000</u>	<u>7,040,000</u>
Total all funds	\$18,437,148	\$17,385,913	\$15,817	\$17,401,730

Less estimated income	18,437,148	17,385,913	15,817	17,401,730
General fund	\$0	\$0	\$0	\$0
FTE	50.50	45.50	0.00	45.50

Department No. 401 - Insurance Department - Detail of House Changes

	Adds Funding for Auto Extrication Training ¹	Removes Remaining Salary Authority for FTE Positions Removed by the Senate ² ((\$34,183))	Total House Changes ((\$34,183))
Salaries and wages			
Operating expenses			
Capital assets			
Grants	50,000		50,000
Total all funds	\$50,000	(\$34,183)	\$15,817
Less estimated income	50,000	(34,183)	15,817
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

¹ Funding is provided from the insurance tax distribution fund to the North Dakota Firefighter's Association for auto extrication training.

² The Senate removed funding provided in the executive budget for 5 FTE positions and temporary employees related to federal health care reform. The compensation package adjustment for these positions was not removed. This amendment removes the remaining salary authority related to the compensation package adjustment for the 5 FTE positions removed by the Senate.

A section is added to the bill to require reports to the Budget Section at each meeting during the 2011-12 interim by the Insurance Commissioner regarding the status of provisions of the Patient Protection and Affordable Care Act.

REPORT OF STANDING COMMITTEE

SB 2017, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2017 was placed on the Sixth order on the calendar.

Page 1, line 2, after "intent" insert "; to provide for a legislative management study"

Page 1, replace lines 13 through 15 with:

"Capital assets	3,965,000	918,170	4,883,170
Grants	6,544,000	1,174,500	7,718,500
Land habitat and deer	11,080,162	1,824,524	12,904,686"

Page 1, replace lines 21 and 22 with:

"Wildlife services	<u>768,800</u>	<u>(368,800)</u>	<u>400,000</u>
Total special funds	\$59,463,938	\$6,455,004	\$65,918,942"

Page 2, after line 14, insert:

"SECTION 4. MISSOURI RIVER ENFORCEMENT. The Missouri River enforcement line item in section 1 of this Act includes the sum of \$200,000 for salaries and operating expenses of department employees coordinating or performing Missouri River law enforcement activities and for grants to local law enforcement agencies performing Missouri River law enforcement activities. The department may not use any of the funds for the purchase of equipment with a cost of \$3,000 or more.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - WILDLIFE SERVICES. During the 2011-12 interim, the legislative management shall consider studying the cooperative agreement between the agriculture commissioner and the United States department of agriculture wildlife services program. The study, if conducted, must include a review of current program funding sources and a review of wildlife damage control programs in other states. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Page 2, line 15, replace "\$100,000" with "\$400,000"

Page 2, line 17, after "road" insert ", funding of \$850,000 included in the land habitat and deer line item in section 1 of this Act relating to hunting access and deer depredation,"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2017 - Game and Fish Department - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$24,019,028	\$24,019,028		\$24,019,028
Operating expenses	12,524,493	12,524,493		12,524,493
Capital assets	4,183,170	4,183,170	700,000	4,883,170
Grants	7,718,500	7,418,500	300,000	7,718,500
Land habitat and deer	12,054,686	12,054,686	850,000	12,904,686
Noxious weed control	600,000	600,000		600,000
Missouri River enforcement	200,000	200,000		200,000
Grants, gifts, and donations	800,000	800,000		800,000
Nongame wildlife conservation	120,000	120,000		120,000
Lonetree Reservoir	1,749,065	1,749,065		1,749,065
Wildlife Services	768,800	868,800	(468,800)	400,000
Total all funds	\$64,737,742	\$64,537,742	\$1,381,200	\$65,918,942
Less estimated income	64,737,742	64,537,742	1,381,200	65,918,942
General fund	\$0	\$0	\$0	\$0
FTE	157.00	157.00	0.00	157.00

Department No. 720 - Game and Fish Department - Detail of House Changes

	Adds Funding for Land Purchases ¹	Restores Funding for Grahams Island State Park Road Project ²	Increases Spending Authority for Hunting Access and Deer Depredation ³	Adjusts Funding for Wildlife Services ⁴	Total House Changes
Salaries and wages					
Operating expenses					
Capital assets	700,000				700,000
Grants		300,000			300,000
Land habitat and deer			850,000		850,000
Noxious weed control					
Missouri River enforcement					
Grants, gifts, and donations					
Nongame wildlife conservation					
Lonetree Reservoir					
Wildlife Services				(468,800)	(468,800)
Total all funds	\$700,000	\$300,000	\$850,000	(\$468,800)	\$1,381,200
Less estimated income	700,000	300,000	850,000	(468,800)	1,381,200
General fund	\$0	\$0	\$0	\$0	\$0
	0.00	0.00	0.00	0.00	0.00

FTE

¹ Funding for Game and Fish Department land purchases is increased by \$700,000 to provide total funding of \$1.5 million.

² Funding of \$300,000 removed by the Senate for the Grahams Island State Park road project is restored to provide total grant funding of \$400,000 for the project.

³ The land habitat and deer depredation line item is increased due to anticipated additional federal funding for hunting access programs and greater than anticipated requests for deer depredation assistance. The funding is declared to be an emergency measure.

⁴ Funding provided to the Agriculture Department from the game and fish fund for wildlife depredation purposes is reduced from \$868,800 to \$400,000.

This amendment also:

- Provides that funding for Missouri River law enforcement activities may be used for salaries and operating expenses for department employees coordinating or performing Missouri River law enforcement activities and for grants to local law enforcement agencies performing Missouri River law enforcement activities. The funding may not be used to purchase equipment with a cost of \$3,000 or more.
- Provides for a Legislative Management study of the United States Department of Agriculture Wildlife Services program.

REPORT OF STANDING COMMITTEE

SB 2024, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2024, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 1108 and 1109 of the House Journal, Engrossed Senate Bill No. 2024 is amended as follows:

Page 1, line 1, after "12-44.1" insert "and two new sections to chapter 50-24.1"

Page 1, line 2, after "costs" insert ", inmate medical claims processing, and medicaid coverage to inmates in certain situations"

Page 1, line 2, remove the first "and"

Page 1, line 4, after "inmates" insert "; to provide an appropriation; and to provide an effective date"

Page 3, after line 30, insert:

"SECTION 5. Two new sections to chapter 50-24.1 of the North Dakota Century Code are created and enacted as follows:

Processing of claims submitted on behalf of inmates.

The department of human services shall process claims submitted by enrolled medical providers on behalf of inmates at county jails. Each county shall pay the department a processing fee for each claim submission. The department shall establish a processing fee that may not exceed thirty dollars and shall update the fee annually on July first. The processing fee must be based on the annual costs to the department of the claims processing operations divided by the annual volume of claims submitted. The department shall invoice each county for payment of the processing fee. Beginning July 1, 2011, the department of human services shall increase the claims processing fee to recover the cost of the medicaid claims system.

changes. The department shall deposit the portion of the fee associated with recovering the costs of the medicaid claims system changes in the general fund.

Department to expand medicaid coverage.

After implementation of the medicaid management information system, the department of human services shall expand medicaid coverage to include medicaid-covered services provided to an inmate of the state penitentiary or a county jail who would be eligible for medicaid if the inmate were not incarcerated and who is admitted to an inpatient hospital setting.

SECTION 6. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$149,094, or so much of the sum as may be necessary, to the department of human services for the purpose of modifying the department's medicaid claims system to process claims submitted by enrolled medicaid providers on behalf of inmates of county jails under section 5 of this Act, for the biennium beginning July 1, 2011, and ending June 30, 2013.

SECTION 7. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$36,162, or so much of the sum as may be necessary, and from special funds derived from federal funds and other income, the sum of \$36,162, to the department of human services for the purpose of modifying the department's eligibility systems to process inpatient hospital claims for inmates of the state penitentiary and county jails under section 5 of this Act, for the biennium beginning July 1, 2011, and ending June 30, 2013.

SECTION 8. EFFECTIVE DATE. Section 5 of this Act becomes effective upon the completion of the necessary changes to the department of human services' medicaid claims processing and eligibility systems."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2207, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2207 was placed on the Sixth order on the calendar.

Page 1, line 5, after "registration" insert "; to provide legislative intent"

Page 4, line 5, after "39-04-37" insert "by an individual by becoming a resident of this state"

Page 4, line 10, replace "39-04-18.2" with "subsection 1 of section 39-04-37 by an individual by becoming a resident of this state"

Page 4, after line 21, insert:

"SECTION 6. LEGISLATIVE INTENT - TEMPORARY MOTOR VEHICLE REGISTRATION REQUIREMENTS - MARKETING AND AWARENESS CAMPAIGN. It is the intent of the sixty-second legislative assembly that the department of transportation not incur more than \$50,000 of expenses for a marketing and awareness campaign for temporary motor vehicle registration requirements, for the biennium beginning July 1, 2011, and ending June 30, 2013."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2298, as reengrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2298, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 1073 of the House

Journal, Reengrossed Senate Bill No. 2298 is amended as follows:

Page 1, line 4, after the first semicolon insert "and"

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

Page 1, line 5, remove "appropriation"

Page 1, line 10, replace "shall" with "may"

Page 1, line 10, after "establish" insert "in collaboration with the department of commerce"

Page 1, line 18, replace "shall" with "may"

Page 2, line 17, replace "shall" with "may"

Page 3, remove lines 23 through 31

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2308, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2308, as amended, was placed on the Sixth order on the calendar.

In addition to the amendments adopted by the House as printed on page 1138 of the House Journal, Engrossed Senate Bill No. 2308 is further amended as follows:

Page 1, after line 23, insert:

"SECTION 4. PROJECT PLANNING AND IMPLEMENTATION. The highway patrol shall involve the information technology department in the study and planning of the motor carrier electronic permit project, for the biennium beginning July 1, 2011, and ending June 30, 2013. The highway patrol shall include representatives of the information technology department on the project team responsible for the study and planning of the project and receive approval from the information technology department prior to proceeding with any study recommendations relating to the project."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2369, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2369 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to amend and reenact section 37-17.1-27 of the North Dakota Century Code, relating to the state disaster relief fund;"

Page 1, line 1, replace "department of emergency services" with "adjutant general"

Page 1, line 3, after the semicolon insert "to provide for a budget section report;"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 37-17.1-27 of the North Dakota Century Code is amended and reenacted as follows:

37-17.1-27. State disaster relief fund - Creation - Uses.

There is created in the state treasury a state disaster relief fund. Moneys in the fund are to be used subject to legislative appropriations and emergency commission and budget section approval for providing the required state share of

~~funding for defraying the expenses of state disasters, including providing funds required to match federal funds for expenses associated with presidential-declared disasters in the state. Any interest or other fund earnings must be deposited in the fund."~~

Page 1, line 5, replace "There" with "Notwithstanding the provisions of section 37-17.1-27, there"

Page 1, line 13, remove "2010 disregarding the year with the highest snow"

Page 1, remove line 14

Page 1, line 15, replace "months" with "2008"

Page 1, line 18, after the period insert "The funding provided in this section is to be considered one-time funding and any unspent funds are not available for future snow removal assistance, but may be used only for the state share of funding required to match federal funds for expenses associated with presidential-declared disasters in the state."

Page 2, line 3, replace "department of emergency services" with "adjutant general"

Page 2, line 4, after "expenses" insert "only"

Page 2, line 4, remove "for"

Page 2, line 4, after "efforts" insert "as authorized in subsections 1 through 4"

Page 2, line 6, after "may" insert "only"

Page 2, line 6, replace "department of emergency services" with "adjutant general, subject to emergency commission and budget section approval,"

Page 2, line 7, after "State" insert "share of funding required to match federal funds for"

Page 2, line 7, remove ", subject to"

Page 2, line 8, replace "emergency commission approval" with "associated with presidential-declared disasters in the state"

Page 2, line 9, replace "Flood" with "Notwithstanding the provisions of section 37-17.1-27, flood"

Page 2, line 10, replace "a." with "(1)"

Page 2, line 11, replace "b." with "(2)"

Page 2, line 11, after the semicolon insert "and"

Page 2, line 12, replace "c." with "(3)"

Page 2, line 12, replace "; and" with a period

Page 2, replace lines 13 and 14 with:

- "b. The adjutant general may spend funds for purposes as provided for in this subsection only to the extent that federal funds are not available for this flood disaster relief or these disaster mitigation projects as certified by the adjutant general to the office of management and budget.
- c. Total expenses paid from the state disaster relief fund under this subsection may not exceed \$3,200,000.

3. a. Notwithstanding the provisions of section 37-17.1-27, grants to political subdivisions for a portion of the local share required to match federal funds on road grade raising projects located on any natural body of water without a natural outlet that comprises more than one hundred fifty thousand acres at current water levels and has risen more than twenty-five feet since 1993, subject to the road:
 - (1) Qualifying for federal emergency management agency grade raise matching funds;
 - (2) Being expected to become inundated for six months or more after April 1, 2011;
 - (3) Being the only access road to a residence; and
 - (4) Being identified as a primary road in the county strategic road plan.
- b. The state will pay the state share required to match federal funds on eligible road grade raising projects and:
 - (1) Fifty percent of the local share on eligible county or township roads for a county or township that has lost up to thirty-three percent of its taxable land within the township where the road is located due to inundated lands since 1993.
 - (2) Seventy-five percent of the local share on eligible county or township roads for a county or township that has lost more than thirty-three percent but less than fifty percent of its taxable land within the township where the road is located due to inundated lands since 1993.
 - (3) Ninety percent of the local share on eligible county or township roads for a county or township that has lost fifty percent or more of its taxable land within the township where the road is located due to inundated lands since 1993."

Page 2, line 15, replace "3." with "4."

Page 2, line 15, remove "disasters pursuant to section 37-17.1-27, subject to emergency commission"

Page 2, line 16, replace "approval, not related to flooding that occurs during the spring of 2011" with "share of funding required to match federal funds for expenses associated with presidential-declared disasters in the state"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2369 - Adjutant General - House Action

The amendment:

- Changes Section 37-17.1-27, relating to the state disaster relief fund, to limit use of money in the fund for only the required state share of funding to match federal funds for expenses associated with presidential-declared disasters in the state and to require Emergency Commission and Budget Section approval of the use of money in the fund.
- Provides that the \$9 million for emergency snow removal grant is to be considered one-time funding and any unspent funds are not available for future snow removal assistance, but may be used only for the state share of funding required to match federal funds for expenses associated with presidential-declared disasters in the state. The years used to determine average snow removal costs are changed to 2004 through 2008, rather than 2004 through 2010 with the highest and lowest snow

removal cost years being disregarded.

- Limits funding available for flood disaster relief or disaster mitigation projects in eligible incorporated cities to \$3.2 million.
- Adds authorization to provide grants to political subdivisions for a portion of the local share required to match federal funds on road grade raising projects. Road grade raising grants are limited to 50 percent of the local share for political subdivisions that lost up to 33 percent of taxable land due to inundated lands since 1993, 75 percent for political subdivisions that have lost 33 percent to 50 percent, and 90 percent for political subdivisions that have lost 50 percent or more.
- Requires Emergency Commission and Budget Section approval of disaster relief grants, except emergency snow removal grants.

ANNOUNCEMENT

SPEAKER DROVDAL ANNOUNCED that the House will stand in recess until 1:00 p.m.

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

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DELZER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1005 as printed on HJ page 1105 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1005: Reps. Wieland, Kreidt, Metcalf.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DELZER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1007 as printed on HJ page 1174 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1007: Reps. Kreidt, J. Nelson, Metcalf.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1029 as printed on HJ pages 1332-1333 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1029: Reps. Rust, Sanford, Mueller.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1248 as printed on HJ page 1203 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1248: Reps. Karls, Sanford, Hunsakor.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. N. JOHNSON MOVED that the House do not concur in the Senate amendments to Engrossed HB 1447 as printed on HJ pages 1330-1331 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1447: Reps. Koppelman, Hatlestad, Zaiser.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DELZER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1002 as printed on HJ pages 1298-1300 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1002: Reps. Dahl, Kempenich, Kroeber.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DELZER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1011 as printed on HJ pages 1327-1328 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1011: Reps. Kempenich, Thoreson, Glassheim.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do not concur in the Senate amendments to Reengrossed HB 1266 as printed on HJ page 1329 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Reengrossed HB 1266: Reps. Hofstad, Devlin, Kilichowski.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DELZER MOVED that the House do not concur in the Senate amendments to Reengrossed HB 1468 as printed on HJ page 1330 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Reengrossed HB 1468: Reps. Wieland, Grande, Guggisberg.

APPOINTMENT OF CONFERENCE COMMITTEE

REP. VIGESAA MOVED that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2085, Engrossed SB 2206, and Engrossed SB 2222, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed SB 2085: Reps. Wall, Schmidt, Mueller

Engrossed SB 2206: Reps. Kreun, Clark, Boe

Engrossed SB 2222: Reps. D. Johnson, Trottier, Holman

SIXTH ORDER OF BUSINESS

SPEAKER DROVDAL DEEMED approval of the amendments to SB 2002, Engrossed SB 2010, Engrossed SB 2017, Engrossed SB 2024, Engrossed SB 2207, Reengrossed SB 2298, and Engrossed SB 2308.

SB 2002, Engrossed SB 2010, Engrossed SB 2017, Engrossed SB 2024, Engrossed SB 2207, Reengrossed SB 2298, and Engrossed SB 2308, as amended, were placed on the Fourteenth order of business on today's calendar.

SIXTH ORDER OF BUSINESS

SCR 4015, as engrossed: REP. WINRICH (Government and Veterans Affairs Committee) MOVED that the amendments on HJ pages 1383-1384 be adopted and then be placed on the Fourteenth order **WITHOUT RECOMMENDATION**.

REQUEST

REP. WINRICH REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to Engrossed SCR 4015, the roll was called and there were 61 YEAS, 33 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Devlin; Dosch; Frantsvog; Froseth; Grande; Hatlestad; Headland; Heller; Hofstad; Johnson, D.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Klein; Koppelman; Kreidt; Louser; Maragos; Martinson; Meier, L.; Monson; Nathe; Nelson, J.; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesiaa; Weiler; Weisz; Wieland; Wrangham; Speaker Drovda

NAYS: Amerman; Boe; Conklin; Delmore; Glassheim; Gruchalla; Guggisberg; Hanson; Hawken; Heilman; Hogan; Holman; Hunskor; Johnson, N.; Kaldor; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klemin; Kretschmar; Kreun; Kroeber; Metcalf; Meyer, S.; Mock; Mueller; Nelson, M.; Onstad; Wall; Williams; Winrich; Zaiser

The motion to adopt the amendments to Engrossed SCR 4015 passed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4015: A concurrent resolution urging Congress and the President to pursue peace through strength in Iraq and Afghanistan and support American combat forces on duty in these countries and around the world.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and is **PLACED ON THE CALENDAR WITHOUT RECOMMENDATION**. The roll was called and there were 63 YEAS, 31 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING

YEAS: Anderson; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Devlin; Frantsvog; Froseth; Grande; Hatlestad; Headland; Heilman; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Louser; Maragos; Martinson; Meyer, S.; Monson; Nathe; Owens; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesiaa; Weiler; Weisz; Wieland; Wrangham; Speaker Drovda

NAYS: Amerman; Beadle; Boe; Conklin; Delmore; Dosch; Glassheim; Gruchalla; Guggisberg; Hanson; Hawken; Hogan; Holman; Hunskor; Kaldor; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Meier, L.; Metcalf; Mock; Mueller; Nelson, J.; Nelson, M.; Onstad; Paur; Wall; Williams; Winrich; Zaiser

Engrossed SCR 4015, as amended, was declared adopted on a recorded roll call vote.

SIXTH ORDER OF BUSINESS

SB 2369, as engrossed: REP. DELZER (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2369: A BILL for an Act to amend and reenact section 37-17.1-27 of the North Dakota Century Code, relating to the state disaster relief fund; to provide appropriations to the adjutant general for emergency snow removal grants, flood mitigation, and for

state disasters; to provide for a transfer; to provide for a budget section report; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

Engrossed SB 2369, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2002: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the secretary of state and public printing; to provide an exemption; and to amend and reenact section 54-09-05 of the North Dakota Century Code, relating to the salary of the secretary of state.

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 93 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Speaker Drovdal

NAYS: Zaiser

SB 2002, as amended, passed.

SECOND READING OF SENATE BILL

SB 2010: A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; to provide for making payments of insurance premiums tax collections to fire departments; to amend and reenact section 26.1-01-09 of the North Dakota Century Code, relating to the commissioner's salary; and to provide for reports to the budget section.

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Nelson, M.; Weiler

Engrossed SB 2010, as amended, passed.

SECOND READING OF SENATE BILL

SB 2017: A BILL for an Act to provide an appropriation for defraying the expenses of the game and fish department; to provide legislative intent; to provide for a legislative management study; and to declare an emergency.

ROLL CALL

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

YEAS: Amerman; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser

NAYS: Anderson; Delzer; Devlin; Kreun; Speaker Drovdal

Engrossed SB 2017, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2207: A BILL for an Act to create and enact section 39-04-18.2 and a new subsection to section 57-40.3-04 of the North Dakota Century Code, relating to temporary motor vehicle registration and excise tax; to amend and reenact subdivisions c and e of subsection 2 of section 39-04-18, subsection 2 of section 39-06.1-06, and section 39-06.1-08 of the North Dakota Century Code, relating to motor vehicle registration; to provide legislative intent; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 11 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Belter; Boe; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; Delmore; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Maragos; Martinson; Meier, L.;

Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Beadle; Bellew; Boehning; DeKrey; Delzer; Headland; Louser; Pollert; Ruby; Weisz; Wieland

Engrossed SB 2207, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2298: A BILL for an Act to create and enact a new section to chapter 50-11.1 of the North Dakota Century Code, relating to the establishment of early childhood services inclusion support services and a grant program for licensed early childhood services providers who care for children with special needs; and to provide a continuing 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 83 YEAS, 11 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Belter; Boe; Boehning; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Frantsvog; Froseth; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Heller; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Sukut; Thoreson; Vigasaa; Wall; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Bellew; Brabandt; Dosch; Glassheim; Headland; Kilichowski; Louser; Pollert; Streyle; Trottier; Weiler

Reengrossed SB 2298, as amended, passed.

SECOND READING OF SENATE BILL

SB 2308: A BILL for an Act to create and enact a new subdivision to subsection 3 of section 39-12-02, a new subsection to section 39-12-02, and a new section to chapter 39-12 of the North Dakota Century Code, relating to special permits for oversize and overweight vehicles, a motor carrier electronic permit transaction fund, and a line of credit; to provide for a continuing appropriation; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

Engrossed SB 2308, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2024: A BILL for an Act to create and enact a new section to chapter 12-44.1 and two new sections to chapter 50-24.1 of the North Dakota Century Code, relating to inmate medical care costs, inmate medical claims processing, and medicaid coverage to inmates in certain situations; to amend and reenact subsection 4 of section 12-44.1-01 and sections 12-44.1-12.1 and 12-44.1-14 of the North Dakota Century Code, relating to adequate medical care and payment of medical costs of inmates; to provide an appropriation; 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 93 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

NAYS: Ruby

Engrossed SB 2024, as amended, passed.

SECOND READING OF SENATE BILL

SB 2028: A BILL for an Act to provide for a legislative management study on the payment of extraordinary medical expenses for inmates.

ROLL CALL

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

YEAS: Amerman; Kreidt; Nelson, M.; Sukut; Winrich

NAYS: Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Gruchalla

Engrossed SB 2028 lost.

SECOND READING OF SENATE BILL

SB 2043: A BILL for an Act to provide for a developmental disabilities system reimbursement project.

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 93 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Bellew

Engrossed SB 2043, as amended, passed.

SECOND READING OF SENATE BILL

SB 2268: A BILL for an Act to provide for a regional autism spectrum disorder centers of achievement pilot program; to provide for a report to the legislative management; to provide for a legislative management study; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Skarphol

Engrossed SB 2268, as amended, passed.

SECOND READING OF SENATE BILL

SB 2227: A BILL for an Act to create and enact two new subsections to section 20.1-01-02, a new subsection to section 20.1-02-05, and a new section to chapter 20.1-02 of the North Dakota Century Code, relating to definitions and powers of the director of the game and fish department; to amend and reenact subsection 17 of section 20.1-02-05 and sections 20.1-02-28 and 20.1-05-02 of the North Dakota Century Code, relating to the private land habitat and access improvement program, the deerproof hay yard program, and culpability requirement for unlawfully taking big

game; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

Reengrossed SB 2227, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2163: A BILL for an Act to provide an appropriation to the department of human services for traumatic brain injury services.

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 93 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

NAYS: Paur

Reengrossed SB 2163 passed.

SECOND READING OF SENATE BILL

SB 2306: A BILL for an Act to amend and reenact sections 6-09.7-02, 6-09.7-03, and 6-09.7-05 of the North Dakota Century Code, relating to the fuel production facility loan guarantee program; to repeal section 6-09.7-08 of the North Dakota Century Code, relating to state funding limitations for recipients of fuel production facility loan guarantees; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer;

Devlin; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Dosch; Weiler

SB 2306, as amended, passed.

MOTION

REP. VIGESAA MOVED House Rule 508 be amended temporarily, replacing "sixty-fifth legislative day" with "sixty-seventh legislative day", which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DELZER MOVED that the House do concur in the Senate amendments to Engrossed HB 1010 as printed on HJ pages 1130-1131, which motion prevailed on a voice vote.

Engrossed HB 1010, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1010: A BILL for an Act to provide an appropriation for defraying the expenses of the council on the arts.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 81 YEAS, 13 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Belter; Boe; Boehning; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Headland; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rust; Sanford; Schmidt; Skarphol; Steiner; Sukut; Thoreson; Vigasaa; Wall; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Bellew; Brabandt; Hawken; Heller; Kreidt; Rohr; Ruby; Schatz; Streyle; Trottier; Weiler; Weisz; Wieland

Reengrossed HB 1010 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RUBY MOVED that the House do concur in the Senate amendments to Engrossed HB 1103 as printed on HJ page 1328, which motion prevailed on a voice vote.

Engrossed HB 1103, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1103: A BILL for an Act to create and enact a new subsection to section 39-01-01 and section 39-06-01.2 of the North Dakota Century Code, relating to definitions and anatomical gifting; and to amend and reenact subsection 1 of section 39-06-01, subsection 1 of section 39-06-01.1, subsection 1 of section 39-06-03.1, subsection 2 of section 39-06-07, section 39-06-07.2, subsection 1 of section 39-06-14, sections

39-06-24, 39-06-35, 39-06-36, and 39-06-40, subsection 3.1 of section 39-06.1-10, subsection 2 of section 39-06.2-10, sections 39-06.2-10.3 and 39-10.2-06, subsection 2 of section 39-16.1-07, subsection 2 of section 39-27-05, and subsections 2 and 5 of section 39-27-06 of the North Dakota Century Code, relating to nondriver photo identification, operator's licenses, and motorcycle safety and body requirements.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Belter; Skarphol

Reengrossed HB 1103 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GRANDE MOVED that the House do concur in the Senate amendments to Reengrossed HB 1177 as printed on HJ page 1329, which motion prevailed on a voice vote.

Reengrossed HB 1177, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1177: A BILL for an Act to provide an appropriation to the department of veterans' affairs for stand down events.

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

Reengrossed HB 1177 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GRANDE MOVED that the House do concur in the Senate amendments to Engrossed HB 1217 as printed on HJ page 1300, which motion prevailed on a voice vote.

Engrossed HB 1217, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1217: A BILL for an Act to amend and reenact subsection 1 of section 15-10-18.2, subdivision j of subsection 2 of section 39-04-18, subsection 1 of section 57-02-08.8, and subsection 1 of section 57-40.3-04 of the North Dakota Century Code, relating to benefits for disabled veterans; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

Reengrossed HB 1217 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GRANDE MOVED that the House do concur in the Senate amendments to Engrossed HB 1316 as printed on HJ pages 1329-1330, which motion prevailed on a voice vote.

Engrossed HB 1316, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1316: A BILL for an Act to amend and reenact section 37-14-12 of the North Dakota Century Code, relating to the appeal of an application for relief or assistance provided under a department of veterans' affairs program.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

Reengrossed HB 1316 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Reengrossed HB 1322 as printed on HJ pages 1280-1281, which motion prevailed on a voice vote.

Reengrossed HB 1322, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1322: A BILL for an Act to amend and reenact sections 40-26-01 and 40-26-07 of the North Dakota Century Code, relating to limitation of imposition of special assessments against agricultural property; to provide for a legislative management study; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 74 YEAS, 19 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Dosch; Frantsvog; Froseth; Gruchalla; Guggisberg; Hanson; Hatlestad; Headland; Heilman; Heller; Hofstad; Holman; Hunsakor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kingsbury; Klein; Klemm; Kreidt; Kretschmar; Louser; Maragos; Martinson; Meier, L.; Meyer, S.; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Streyle; Sukut; Thoreson; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Drovdal

NAYS: Amerman; Beadle; Conklin; Delmore; Devlin; Glassheim; Hawken; Hogan; Johnson, N.; Kilichowski; Koppelman; Kreun; Kroeber; Metcalf; Mueller; Onstad; Steiner; Trottier; Winrich

ABSENT AND NOT VOTING: Grande

Reengrossed HB 1322 passed.

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

MR. PRESIDENT: The House has passed, unchanged: SB 2163.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2002, SB 2010, SB 2012, SB 2024, SB 2043, SB 2268, SB 2298, SB 2306, SCR 4015.

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

MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2017, SB 2227, SB 2308, SB 2369.

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

MR. PRESIDENT: The House has failed to pass, unchanged: SB 2028.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1034, HB 1035, HB 1138.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1006, HB 1015, HB 1019, HB 1021, HB 1033, HB 1041, HB 1046, HB 1047, HB 1152, HB 1194, HB 1199.

SENATE AMENDMENTS TO HOUSE BILL NO. 1006

Page 1, replace line 14 with:

"Capital assets	400,000	380,000	780,000"
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Page 1, replace lines 16 and 17 with:

"Total all funds	\$12,918,666	\$165,022	\$13,083,688
Less estimated income	<u>12,368,666</u>	<u>165,022</u>	<u>12,533,688"</u>

Page 1, after line 19, insert:

"SECTION 2. LIMITED DEPLOYMENT-COOPERATIVE AIRSPACE PROJECT. The aeronautics commission may use federal or special funds appropriated in section 1 of this Act to support the limited deployment-cooperative airspace project involving ADS-B navigational system general aviation equipment."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1006 - Aeronautics Commission - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$1,005,639	\$1,005,639		\$1,005,639
Operating expenses	2,258,049	2,258,049		2,258,049
Capital assets	330,000	330,000	450,000	780,000
Grants	9,040,000	9,040,000		9,040,000
Total all funds	\$12,633,688	\$12,633,688	\$450,000	\$13,083,688
Less estimated income	12,083,688	12,083,688	450,000	12,533,688
General fund	\$550,000	\$550,000	\$0	\$550,000
FTE	6.00	6.00	0.00	6.00

Department No. 412 - Aeronautics Commission - Detail of Senate Changes

	Adds Funding for Purchase of Replacement Aircraft¹	Total Senate Changes
Salaries and wages		
Operating expenses		
Capital assets	450,000	450,000
Grants		
Total all funds	\$450,000	\$450,000
Less estimated income	450,000	450,000
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding is added for the purchase of a replacement aircraft. The replacement aircraft is estimated to have a purchase price of \$550,000 less a trade-in allowance of \$100,000.

A section is added to the bill to provide that the Aeronautics Commission may use federal or special funds within the appropriation provided for the 2011-13 biennium to support the limited deployment-cooperative airspace project involving ADS-B navigational system general aviation equipment.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 2, replace "for a legislative management study" with "an appropriation to the office of management and budget"

Page 1, replace line 13 with:

"Adult services \$143,087,868 \$19,479,630 \$162,567,498"

Page 1, replace line 15 with:

"Total all funds \$168,594,699 \$21,557,370 \$190,152,069"

Page 1, replace lines 17 and 18 with:

"Total general fund \$142,657,006 \$16,988,913 \$159,645,919

Full-time equivalent positions 735.29 59.00 794.29"

Page 2, after line 11, insert:

"SECTION 3. APPROPRIATION - TRANSFER - STATE PENITENTIARY LAND FUND. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,100,000, which the office of management and budget shall transfer from the general fund to the state penitentiary land fund on July 1, 2011, for the purpose of providing funding for the prison expansion project.

SECTION 4. DEPARTMENT OF CORRECTIONS AND REHABILITATION - HOUSING CONTRACT. The department of corrections and rehabilitation shall contract with an organization to house women inmates sentenced to the department for the biennium beginning July 1, 2011, and ending June 30, 2013, at a rate that equals the actual costs incurred by the organization for providing the housing services. If, at the conclusion of the 2011-13 biennium, the agreed-upon contract amount differs from the actual expenditures of the organization for the biennium beginning July 1, 2011, and ending June 30, 2013, the organization shall disclose and report the variance to the department of corrections and rehabilitation."

Page 2, remove lines 12 through 31

Page 3, remove lines 1 and 2

Page 3, line 8, replace "forty-nine" with "forty-seven"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Office of Management and Budget				
Total all funds	\$0	\$0	\$1,100,000	\$1,100,000
Less estimated income	0	0	0	0
General fund	\$0	\$0	\$1,100,000	\$1,100,000
DOCR				
Total all funds	\$192,110,423	\$189,678,905	\$473,164	\$190,152,069
Less estimated income	30,506,150	30,506,150	0	30,506,150
General fund	\$161,604,273	\$159,172,755	\$473,164	\$159,645,919
Bill total				
Total all funds	\$192,110,423	\$189,678,905	\$1,573,164	\$191,252,069
Less estimated income	30,506,150	30,506,150	0	30,506,150
General fund	\$161,604,273	\$159,172,755	\$1,573,164	\$160,745,919

House Bill No. 1015 - Office of Management and Budget - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Transfer to State Penitentiary Land Fund			\$1,100,000	\$1,100,000
Total all funds	\$0	\$0	\$1,100,000	\$1,100,000
Less estimated income	0	0	0	0
General fund	\$0	\$0	\$1,100,000	\$1,100,000
	0.00	0.00	0.00	0.00

FTE

Department No. 110 - Office of Management and Budget - Detail of Senate Changes

	Adds Funding for Transfer to State Penitentiary Land Fund ¹	Total Senate Changes
Transfer to State Penitentiary Land Fund	\$1,100,000	\$1,100,000
Total all funds	\$1,100,000	\$1,100,000
Less estimated income	0	0
General fund	\$1,100,000	\$1,100,000
FTE	0.00	0.00

¹ A section is added requiring the Office of Management and Budget to transfer funding from the general fund to the State Penitentiary land fund for providing funds for the prison expansion project.

House Bill No. 1015 - DOCR - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Adult Services	\$164,525,852	\$162,094,334	\$473,164	\$162,567,498
Youth Services	27,584,571	27,584,571		27,584,571
Total all funds	\$192,110,423	\$189,678,905	\$473,164	\$190,152,069
Less estimated income	30,506,150	30,506,150	0	30,506,150
General fund	\$161,604,273	\$159,172,755	\$473,164	\$159,645,919
FTE	802.29	795.29	(1.00)	794.29

Department No. 530 - DOCR - Detail of Senate Changes

	Restores Funding for Contract Housing ¹	Restores FTE Position ²	Removes New FTE Positions ³	Restores Funding for Utilities ⁴	Restores Funding for Operating Expenses ⁵	Total Senate Changes
Adult Services	\$300,000	\$45,279	(\$80,898)	\$100,000	\$108,783	\$473,164
Youth Services						
Total all funds	\$300,000	\$45,279	(\$80,898)	\$100,000	\$108,783	\$473,164
Less estimated income	0	0	0	0	0	0
General fund	\$300,000	\$45,279	(\$80,898)	\$100,000	\$108,783	\$473,164
FTE	0.00	1.00	(2.00)	0.00	0.00	(1.00)

¹ This amendment restores \$300,000 for contract housing. The House removed \$1 million.

² This amendment restores 1 FTE system mechanic position and related operating expenses which were removed by the House.

³ This amendment removes 2 FTE correctional officer II positions and related operating expenses included in the executive recommendation.

⁴ Funding for utilities for the prison expansion, removed by the House, is restored.

⁵ Funding for operating expenses for Adult Services, removed by the House, is restored.

A section is added providing criteria for a contract with an organization to provide housing for female inmates and removes sections relating to the Heart of America Correctional and Treatment Center and for a study of the Missouri River Correctional Center.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1019

Page 1, replace lines 12 through 14 with:

"Salaries and wages	\$4,170,030	\$192,944	\$4,362,974
Operating expenses	1,226,606	26,733	1,253,339
Grants	27,200,000	1,825,000	29,025,000"

Page 1, replace line 18 with:

"Total all funds	\$36,703,890	\$2,044,677	\$38,748,567"
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Page 1, replace lines 20 and 21 with:

"Total general fund appropriation	\$25,941,008	\$2,040,671	\$27,981,679
Full-time equivalent positions	28.50	(1.00)	27.50"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1019 - Dept. of Career and Technical Education - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$4,504,091	\$4,504,091	(\$141,117)	\$4,362,974
Operating expenses	1,219,346	1,219,346	33,993	1,253,339
Grants	29,085,000	28,600,000	425,000	29,025,000
Grants - Postsecondary	357,452	357,452		357,452
Adult farm management	749,802	749,802		749,802
Workforce training	3,000,000	3,000,000		3,000,000
Total all funds	\$38,915,691	\$38,430,691	\$317,876	\$38,748,567
Less estimated income	10,766,888	10,766,888	0	10,766,888
General fund	\$28,148,803	\$27,663,803	\$317,876	\$27,981,679
FTE	28.50	28.50	(1.00)	27.50

Department No. 270 - Dept. of Career and Technical Education - Detail of Senate Changes

	Removes IT Supervisor Position ¹	Reclassifies Federal Funding ²	Restores Funding for Grants ³	Total Senate Changes
Salaries and wages	(\$141,117)			(\$141,117)
Operating expenses		33,993		33,993
Grants			425,000	425,000
Grants - Postsecondary				
Adult farm management				
Workforce training				
Total all funds	(\$141,117)	\$33,993	\$425,000	\$317,876
Less estimated income	(33,993)	33,993	0	0
General fund	(\$107,124)	\$0	\$425,000	\$317,876
FTE	(1.00)	0.00	0.00	(1.00)

¹ This amendment removes 1 FTE information technology supervisor position and related funding.

² Federal funding available to the agency related to the FTE position that is removed is reclassified to operating expenses.

³ Funding for the following general fund grants is restored:

- Expansion of career and technical education course offerings (\$350,000).
- Expansion of professional development opportunities for career and technical education teachers in the areas of mathematics and science (\$75,000).

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1021

Page 1, line 2, after the first semicolon insert "to provide for an appropriation to the department of human services;"

Page 1, line 2, remove "to provide legislative intent;"

Page 1, replace lines 15 through 17 with:

"Salaries and wages	\$42,564,943	\$7,094,443	\$49,659,386
Operating expenses	55,208,550	11,733,718	66,942,268
Capital assets	11,970,746	4,564,920	16,535,666"

Page 2, replace lines 4 and 5 with:

"Total all funds	\$221,825,725	(\$38,281,761)	\$183,543,964
Less estimated income	<u>206,907,171</u>	<u>(42,484,411)</u>	<u>164,422,760"</u>

Page 2, replace line 7 with:

"Full-time equivalent positions	328.20	8.10	336.30
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SECTION 2. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$9,200,000, or so much of the sum as may be necessary, and from special funds derived from federal funds and other income, the sum of \$16,100,000, to the department of human services for the purpose of providing initial funding for an eligibility system replacement project, for the biennium beginning July 1, 2011, and ending June 30, 2013. The department of human services is authorized one new full-time equivalent position for this project."

Page 3, replace lines 1 through 5 with:

"SECTION 5. BANK OF NORTH DAKOTA TRANSFER. The industrial commission shall transfer, as requested by the health information technology office director, up to \$5,000,000 from the current earnings and accumulated profits of the Bank of North Dakota to the health information technology planning loan fund or to the health information technology loan fund, for the biennium beginning July 1, 2011, and ending June 30, 2013. The health information technology office director shall request transfers from the Bank only as necessary to meet cashflow needs of the fund and only upon certification by the health information technology office director of a demonstrated need for health information technology planning loans."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1021 - Summary of Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Information Technology Department				
Total all funds	\$164,424,855	\$164,197,887	\$19,346,077	\$183,543,964
Less estimated income	145,303,651	145,076,683	19,346,077	164,422,760
General fund	\$19,121,204	\$19,121,204	\$0	\$19,121,204
Department of Human Services				
Total all funds	\$0	\$0	\$25,300,000	\$25,300,000
Less estimated income	0	0	16,100,000	16,100,000
General fund	\$0	\$0	\$9,200,000	\$9,200,000
Bill total				
Total all funds	\$164,424,855	\$164,197,887	\$44,646,077	\$208,843,964
Less estimated income	145,303,651	145,076,683	35,446,077	180,522,760
General fund	\$19,121,204	\$19,121,204	\$9,200,000	\$28,321,204

House Bill No. 1021 - Information Technology Department - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$45,603,386	\$45,603,386	\$4,056,000	\$49,659,386
Operating expenses	53,152,191	53,152,191	13,790,077	66,942,268
Capital assets	15,035,666	15,035,666	1,500,000	16,535,666
Center for Distance Education	6,876,206	6,649,238		6,649,238
Statewide Longitudinal Data System	3,626,867	3,626,867		3,626,867
Educational Technology Council	1,075,403	1,075,403		1,075,403
EduTech	7,926,447	7,926,447		7,926,447
K-12 wide area network	5,075,992	5,075,992		5,075,992
Geographic Information System	1,112,065	1,112,065		1,112,065
Health Information Technology Office	13,959,238	13,959,238		13,959,238
Criminal Justice Information Sharing	2,981,394	2,981,394		2,981,394
Federal stimulus funds	8,000,000	8,000,000		8,000,000
Total all funds	\$164,424,855	\$164,197,887	\$19,346,077	\$183,543,964
Less estimated income	145,303,651	145,076,683	19,346,077	164,422,760
General fund	\$19,121,204	\$19,121,204	\$0	\$19,121,204
FTE	328.20	326.30	10.00	336.30

Department No. 112 - Information Technology Department - Detail of Senate Changes

	Adds Funding Associated With Eligibility System Replacement Project ¹	Total Senate Changes
Salaries and wages	\$4,056,000	\$4,056,000
Operating expenses	13,790,077	13,790,077
Capital assets	1,500,000	1,500,000
Center for Distance Education		
Statewide Longitudinal Data System		
Educational Technology Council		
EduTech		
K-12 wide area network		
Geographic Information System		
Health Information Technology Office		
Criminal Justice Information Sharing		
Federal stimulus funds		
Total all funds	\$19,346,077	\$19,346,077
Less estimated income	19,346,077	19,346,077
General fund	\$0	\$0
FTE	10.00	10.00

¹ Funding is added for expenses associated with the Department of Human Services' eligibility system replacement project. This includes 10 new FTE positions.

This amendment also removes the section of legislative intent added by the House to provide that the Bank of North Dakota PACE program is to be used to provide low-interest loans to finance health information technology projects and reinstates the section included in the bill as introduced which provides that the Industrial Commission transfer up to \$5 million from the current earnings and accumulated undivided profits of the Bank of North Dakota to the health information technology planning loan fund or to the health information technology loan fund for the 2011-13 biennium.

House Bill No. 1021 - Department of Human Services - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Eligibility system replacement project			\$25,300,000	\$25,300,000
Total all funds	\$0	\$0	\$25,300,000	\$25,300,000
Less estimated income	0	0	16,100,000	16,100,000
General fund	\$0	\$0	\$9,200,000	\$9,200,000
FTE	0.00	0.00	1.00	1.00

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

	Adds Funding for Eligibility System Replacement Project ¹	Total Senate Changes
Eligibility system replacement project	\$25,300,000	\$25,300,000
Total all funds	\$25,300,000	\$25,300,000
Less estimated income	16,100,000	16,100,000
General fund	\$9,200,000	\$9,200,000
FTE	1.00	1.00

¹ Funding of \$25.3 million, of which \$9.2 million is from the general fund, is added for beginning the eligibility system replacement project. One new FTE position is also authorized.

SENATE AMENDMENTS TO HOUSE BILL NO. 1033

Page 1, line 3, after "system" insert "; and to provide for a legislative management study"

Page 7, after line 16, insert:

"SECTION 3. LEGISLATIVE MANAGEMENT STUDY - HIGHER EDUCATION.

1. During the 2011-12 interim, the legislative management chairman may appoint an interim higher education committee to study issues affecting higher education.
2. The interim committee may hold educational summit meetings to discuss topics that include:
 - a. Alternative uses of institutions and changes to institutional missions;
 - b. Issues affecting two-year campuses;
 - c. Tuition affordability, including a review of tuition reciprocity agreements;
 - d. Accessibility of higher education;
 - e. Workforce needs;
 - f. Contributions to economic development;
 - g. Utilization and capacity of higher education institution facilities;
 - h. Quality of education being delivered; and
 - i. Revenue-neutral policies that would aid in the reduction of student loan debt.
3. The chairman of the interim higher education committee may invite summit topic experts, representatives of the North Dakota university system, the private sector, and students to participate in the summit meetings to provide information to the committee as determined necessary to assist the committee in conducting its study.
4. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1041

In lieu of the amendments adopted by the Senate as printed on page 710 of the Senate Journal, Engrossed House Bill No. 1041 is amended as follows:

Page 1, line 7, replace "for application" with "an appropriation"

Page 3, line 5, replace "not charge" with "collect registration"

Page 3, line 5, remove "for initial registration or"

Page 3, remove lines 6 and 7

Page 3, line 8, replace "renewal of registration as a certified nurse aide" with "from the individual or the individual's employer"

Page 3, after line 8, insert:

"5. Registration fees collected by the department must be deposited in the department's operating account."

Page 3, line 12, after "the" insert "state department of health"

Page 3, line 12, remove "under section 1 of this Act"

Page 3, line 17, after "the" insert "state department of health"

Page 3, line 17, remove "under section 1 of this Act"

Page 3, line 30, replace "**APPLICATION**" with "**APPROPRIATION**"

Page 3, line 30, remove "The state department of health shall implement and"

Page 3, remove line 31

Page 4, replace lines 1 through 3 with "There is appropriated out of any moneys in the state department of health operating fund in the state treasury, not otherwise appropriated, the sum of \$240,000, or so much of the sum as may be necessary, to the state department of health for the purpose of maintaining a nurse aide registry, for the biennium beginning July 1, 2011, and ending June 30, 2013. This appropriation includes funding for an additional one and one-half full-time equivalent positions provided to the state department of health to maintain the nurse aide registry."

SECTION 7. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000, or so much of the sum as may be necessary, to the state department of health for the purpose of one-time costs to establish a nurse aide registry, for the biennium beginning July 1, 2011, and ending June 30, 2013. One-time funding amounts are not a part of the entity's base budget for the 2013-15 biennium. The state department of health shall report to the appropriations committees of the sixty-third legislative assembly on the use of this one-time funding, for the biennium beginning July 1, 2011, and ending June 30, 2013."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1046

In lieu of the amendments adopted by the Senate as printed on pages 1044 and 1045 of the Senate Journal, Engrossed House Bill No. 1046 is amended as follows:

Page 1, line 5, remove "an appropriation and"

Page 1, line 6, after "appropriation" insert "and a statement of legislative intent regarding a future appropriation"

Page 1, line 6, remove "and"

Page 1, line 6, after "date" insert "; and to provide an expiration date"

Page 3, line 4, replace "four" with "one and one-half"

Page 3, line 7, after "potash" insert "is assessed against the sales price of the potash in an arm's-length contract between the taxpayer and the purchaser. If a potash sale or transfer is not the result of an arm's-length contract, the tax"

Page 3, line 10, after "index" insert "(commodity code PCU212391212391)"

Page 3, line 23, remove ", less, when applicable, transportation"

Page 3, remove line 24

Page 3, line 25, remove "point of sale under the contract"

Page 3, line 28, remove ", less, when applicable, transportation costs associated with moving the"

Page 3, line 29, remove "byproducts to the point of sale"

Page 4, line 8, after "upon" insert "the processing plant, mining facility, or satellite facility and any associated pipelines;"

Page 4, line 12, remove "and the processing plant."

Page 4, line 13, remove "mining facility, or satellite facility"

Page 4, line 19, remove "and city auditor"

Page 4, line 25, replace the first "spacing unit" with "mining permit area"

Page 4, line 25, replace the second "spacing unit" with "mining permit area"

Page 4, line 26, replace "spacing unit" with "mining permit area"

Page 4, line 27, replace "unit" with "area"

Page 4, line 28, replace "spacing unit" with "mining permit area"

Page 4, line 30, replace "road and bridge" with "general"

Page 4, line 30, after the underscored period insert "Five percent of each monthly allocation to counties under this subsection and subsection 2 must be retained by the state treasurer and deposited in the state general fund until a total of two million dollars has been deposited in the state general fund under this subsection."

Page 5, line 2, replace "spacing unit" with "mining permit area"

Page 5, line 3, replace "For the first calendar year, sixty" with "Ten"

Page 5, line 3, remove "and forty percent"

Page 5, line 4, remove "to the state general fund"

Page 5, line 5, remove "For the first calendar year after the allocation under subdivision a is completed."

Page 5, line 6, replace "fifty percent to the producing county and fifty" with "Ninety"

Page 5, remove lines 7 through 23

Page 13, replace lines 6 through 11 with:

"SECTION 4. LEGISLATIVE INTENT - IMPACT GRANT FUNDING 2013-15 BIENNIUM. It is the intent of the sixty-second legislative assembly that the sixty-third legislative assembly will appropriate out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$2,000,000, or so much of the sum as may be necessary, to the energy development impact office, or its successor, for the purpose of impact grant funding for potash development-impacted political subdivisions, for the biennium beginning July 1, 2013, and ending June 30, 2015. The appropriation described in this section must be transferred and deposited in a special account within the impact grant fund and is not subject to section 54-44.1-11. The unexpended portion of this appropriation may be carried over through June 30, 2017. An expenditure may not be made from this appropriation until a building permit has been issued for a potash processing plant in this state."

Page 13, line 17, after "**DATE**" insert "**- EXPIRATION DATE**"

Page 13, line 17, replace "after June 30, 2011" with "from July 1, 2011, through June 30, 2017, and is thereafter ineffective"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1047

In lieu of the amendments adopted by the Senate as printed on pages 911 and 912 of the Senate Journal, Engrossed House Bill No. 1047 is amended as follows:

Page 4, line 27, remove "previous year"

Page 4, line 27, remove the overstrike over "~~for taxable~~"

Page 4, line 28, remove the overstrike over "~~year 2008~~"

Page 4, line 28, remove "plus the previous year number of mills of property tax relief under this"

Page 4, line 29, remove "chapter"

Page 5, line 1, remove the overstrike over "~~The grant to a qualifying school district may not be less than the grant to that school~~"

Page 5, line 2, remove the overstrike over "~~district in the preceding school year.~~" and insert immediately thereafter:

"4. The grant to a qualifying school district may not exceed the grant to that school district in the preceding school year by a percentage that is more than the percentage increase in statewide taxable valuation which was determined for the previous taxable year.

5."

Page 5, line 20, overstrike "4." and insert immediately thereafter "6."

Page 5, line 23, overstrike "5." and insert immediately thereafter "7."

Page 5, line 27, overstrike "6." and insert immediately thereafter "8."

Page 5, line 29, overstrike "7." and insert immediately thereafter "9."

Renumber accordingly

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1152

In lieu of the amendments adopted by the Senate as printed on page 698 of the Senate Journal, Reengrossed House Bill No. 1152 is amended as follows:

Page 1, line 1, after the semicolon insert "to provide legislative intent; to provide for legislative management studies;"

Page 1, after line 7, insert:

"SECTION 2. LEGISLATIVE INTENT - MEDICAID SUPPLEMENT PAYMENT - CRITICAL ACCESS HOSPITALS. It is the intent of the sixty-second legislative assembly that any future requests for a medicaid supplemental payment to critical access hospitals include a local funding commitment equal to fifty percent of the nonfederal share of any payments.

SECTION 3. PATIENT-CENTERED MEDICAL HOMES - LEGISLATIVE MANAGEMENT STUDY. During the 2011-12 interim, the legislative management shall consider studying and evaluating the positive and negative impacts of implementation of patient-centered medical homes in the state, including consideration of whether implementation is resulting in North Dakota residents experiencing health care savings and improved medical results as well as whether implementation is impacting North Dakota's critical access hospitals. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly.

SECTION 4. HEALTH CARE DELIVERY - LEGISLATIVE MANAGEMENT STUDY. During the 2011-12 interim, the legislative management shall consider studying the future of health care delivery in the state. The study must focus on the

delivery of health care in rural areas of the state and include input from the university of North Dakota school of medicine and health sciences center for rural health, hospitals, and the medical community. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Page 1, line 13, after the period insert "This funding is considered to be one-time funding for the 2011-13 biennium and is not to be a part of the department's base budget for the 2013-15 biennium. The department shall report to the appropriations committees of the sixty-third legislative assembly on the use of this one-time funding."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1194

Page 1, line 3, after the semicolon insert "to amend and reenact sections 11-23-03, 40-40-04, 40-40-06, and 57-15-13 of the North Dakota Century Code, relating to county, city, park district, and school district property tax levies and hearings;"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 11-23-03 of the North Dakota Century Code is amended and reenacted as follows:

11-23-03. Notice of meeting to act on county budget.

~~The estimates of necessary expenditures and the tax levies required therefor as shown by the auditor's budget statement, together with a~~ notice that the board of county commissioners will meet on a specified date on or before September fifteenth for the purpose of making tax levies as set forth in the estimates, naming the time and place of holding such meeting, ~~shall~~must be published in at least one issue of the official newspaper of the county. The county auditor shall notify by mail the township and city officers in regard to the date of such meeting. If the county is required to hold a public hearing under chapter 57-15.1 and chooses to conduct that hearing in conjunction with the hearing under this section, publication of the notice required under this section may be consolidated with publication of the notice under section 57-15.1-04.

SECTION 2. AMENDMENT. Section 40-40-04 of the North Dakota Century Code is amended and reenacted as follows:

40-40-04. Municipality to prepare preliminary budget statement.

The governing body of each municipality, annually on or before September ~~tenth~~fifth, shall make an itemized statement known as the preliminary budget statement showing the amounts of money which, in the opinion of the governing body, will be required for the proper maintenance, expansion, or improvement of the municipality during the year.

SECTION 3. AMENDMENT. Section 40-40-06 of the North Dakota Century Code is amended and reenacted as follows:

40-40-06. Notice of preliminary budget statement - Public hearing - Contents - How given.

After the governing body has prepared the preliminary budget statement, the auditor of the municipality shall give notice that:

1. The preliminary budget is on file in the office of the auditor and may be examined by anyone upon request.
2. The governing body shall meet no later than October seventh at the time and place specified in the notice as prescribed by subsection 3 for the purpose of adopting the final budget and making the annual tax levy.

3. The governing body shall hold a public session ~~hearing on or before September fifteenth~~ at the time and place designated in the notice of hearing at which any taxpayer may appear and discuss with the body any item of proposed expenditures or may object to any item or amount.

The notice must contain a statement of the total proposed expenditures for each fund in the preliminary budget, but need not contain any detailed statement of the proposed expenditures. The notice must be published at least once, not less than six days prior to the budget hearing, in a newspaper published in the municipality, if there is one, and if no newspaper is published in the municipality, the notice must be published not less than six days prior to the meeting in the official city newspaper as provided by section 40-01-09. If the municipality is required to hold a public hearing under chapter 57-15.1 and chooses to conduct that hearing in conjunction with the hearing under this section, publication of the notice required under this section may be consolidated with publication of the notice under section 57-15.1-04.

SECTION 4. AMENDMENT. Section 57-15-13 of the North Dakota Century Code is amended and reenacted as follows:

57-15-13. School district tax levies - Public hearing on budget and levies.

School district taxes must be levied by the governing body of each school district on or before the fifteenth day of August of each year. The governing body of the school district may amend its tax levy and budget for the current fiscal year on or before the tenth day of October of each year but the certification must be filed with the county auditor within the time limitations under section 57-15-31.1.

1. Taxes for school district purposes must be based upon an itemized budget statement which must show the complete expenditure program of the district for the current fiscal year and the sources of the revenue from which it is to be financed.
2. The school board of each public school district, in levying taxes, is limited by the amount necessary to be raised for the purpose of meeting the appropriations included in the school budget of the current fiscal year, and the sum necessary to be provided as an interim fund, together with a tax sufficient in amount to pay the interest on the bonded debt of the district and to provide a sinking fund to pay and discharge the principal thereof at maturity.
3. On or before September fifteenth of each year, the school board of each public school district shall hold a public hearing on its proposed budget and tax levies if the school board is required to hold a public hearing under chapter 57-15.1."

Page 1, remove lines 9 through 12

Page 1, line 13, replace "3." with "1."

Page 1, line 13, replace "property tax levy, expressed in" with "number of"

Page 1, line 13, replace ", that" with "against the current year taxable valuation, excluding consideration of new growth, which"

Page 1, line 14, replace "base" with "prior"

Page 1, line 14, remove the underscored comma

Page 1, line 15, remove "excluding consideration of new growth and levies excluded under subsection 5"

Page 1, after line 15, insert:

- "2. "Current year" means the taxing district's year for which the property tax levy of the taxing district is being determined."

Page 1, line 16, replace "4." with "3."

Page 1, line 16, remove "final budget year"

Page 1, line 16, remove the second "taxable"

Page 1, line 17, replace "taxing district for the base" with "prior"

Page 1, line 17, remove "minus the base year taxable"

Page 1, remove line 18

Page 1, line 19, remove "budget year"

Page 1, after line 19, insert:

- "4. "Prior year" means the taxing district's taxable year immediately preceding the current year."

Page 1, line 21, replace the underscored colon with an underscored period

Page 1, remove lines 22 and 23

Page 2, remove lines 1 through 10

Page 2, line 12, replace "twenty" with "one hundred"

Page 2, line 13, replace "base" with "prior"

Page 2, line 13, replace the second "budget" with "current"

Page 2, line 14, replace "twenty" with "one hundred"

Page 2, line 16, replace "The" with "Within thirty days after the meeting of the county board of equalization, the"

Page 2, line 17, remove "estimated"

Page 2, line 17, replace "budget" with "current"

Page 2, line 18, replace "estimate" with "use"

Page 2, line 18, replace "budget" with "current"

Page 2, line 18, remove "by using the best"

Page 2, replace lines 19 and 20 with "as equalized by the county board of equalization and a reasonable estimate of the taxable valuation of centrally assessed property for the current year."

Page 2, line 23, replace "budget" with "current"

Page 2, line 26, remove "At least ten days before the date of the public hearing under subsection 3, a taxing"

Page 2, remove lines 27 through 30

Page 3, remove lines 1 and 2

Page 3, line 3, replace "2. the" with "The" As an alternative to the mailed notice under subsection 1.

Page 3, line 5, remove "once each week"

Page 3, line 6, remove "for two consecutive weeks"

Page 3, line 6, remove "second"

Page 3, line 7, replace "three" with "seven"

Page 3, line 7, replace "3" with "2"

Page 3, replace lines 8 through 10 with "notice must be not less than one-fourth page in size with a heading in capitalized boldface type stating 'IMPORTANT NOTICE TO (name of taxing district) TAXPAYERS'. The heading and stated percentage increase above the certified tax rate must be printed in a type size four points larger than the other print in the notice. The text of the notice must contain:

- a. The date, time, and place of the required public hearing for the taxing district.
- b. A statement that the taxing district will be conducting a public hearing to consider increasing its property tax levy in dollars by a stated percentage, expressed as a percentage increase exceeding the certified tax rate.
- c. A statement that there will be an opportunity for citizens to present oral or written testimony regarding the budget and levy of the taxing district.
- d. Any other information the taxing district wishes to provide to inform taxpayers."

Page 3, line 11, replace "3." with "2."

Page 3, line 15, replace ". Taxing" with "but taxing"

Page 3, line 16, remove "The board of county commissioners shall resolve any conflicts in public"

Page 3, remove line 17

Page 3, line 18, after "c." insert "May be conducted in conjunction with a public hearing regarding the budget or levy of the taxing district otherwise required by law.

d."

Page 3, line 19, replace "4." with "3."

Page 3, line 24, replace "5." with "4."

Page 3, line 28, replace "6." with "5."

Page 4, replace lines 9 through 12 with "The governing body shall file a copy of the resolution with the county auditor.

57-15.1-06. Notice of adoption of increased property tax rate.

Within seven days after adoption of a property tax levy that results in a percentage increase that exceeds the stated percentage increase from the newspaper notice published by the taxing district under section 57-15.1-04, the governing body of the taxing district shall cause publication of a notice in the official county newspaper to inform taxpayers of the excess increase. The notice must be not less than one-fourth page in size with a heading in capitalized boldface type stating 'IMPORTANT NOTICE TO (name of taxing district) TAXPAYERS'. The text of the notice must contain the stated percentage increase from the newspaper notice published by the taxing district under section 57-15.1-04 and the actual percentage

increase resulting from the final property tax levy as adopted. The heading and actual percentage increase above the certified tax rate must be printed in a type size four points larger than the other print in the notice."

Renumber accordingly

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1199

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 50-06-24 of the North Dakota Century Code, relating to guardianship services; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 50-06-24 of the North Dakota Century Code is amended and reenacted as follows:

50-06-24. Guardianship services.

The department of human services may create and coordinate a unified system for the provision of guardianship services to vulnerable adults who are ineligible for developmental disabilities case management services. The system ~~must~~may include a base unit funding level at the same level as developmental disability corporate guardianship rates, provider standards, staff competency requirements, and guidelines and training for guardians. The department ~~shall~~may adopt rules for guardianship services to vulnerable adults which are consistent with chapters 30.1-26, 30.1-28, and 30.1-29.

SECTION 2. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$64,000, or so much of the sum as may be necessary, to the department of human services for the purpose of funding guardianship program enhancements, for the biennium beginning July 1, 2011, and ending June 30, 2013."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1469.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1469

Page 1, line 2, after "architects" insert "; and to declare an emergency"

Page 3, after line 30, insert:

"SECTION 4. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1149, HB 1369, HCR 3046.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1002, HB 1011, HB 1266, and HB 1468, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1002: Reps. Dahl; Kempenich; Kroeber

HB 1011: Reps. Kempenich; Thoreson; Glassheim

HB 1266: Reps. Hofstad; Devlin; Kilichowski

HB 1468: Reps. Wieland; Grande; Guggisberg

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1005, HB 1007, HB 1029, HB 1248, and HB 1447, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1005: Reps. Wieland; Kreidt; Metcalf

HB 1007: Reps. Kreidt; J. Nelson; Metcalf

HB 1029: Reps. Rust; Sanford; Mueller

HB 1248: Reps. Karls; Sanford; Hunskor

HB 1447: Reps. Koppelman; Hatlestad; Zaiser

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

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

HB 1057: Sens. Hogue; Oehlke; Triplett

HB 1268: Sens. Cook; Hogue; Dotzenrod

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

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

HB 1174: Sens. Uglem; Berry; J. Lee

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2019, SB 2253, SB 2271, and SB 2327, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2019: Sens. Krebsbach; Erbele; O'Connell

SB 2253: Sens. Sorvaag; Schaible; Marcellais

SB 2271: Sens. Dever; Berry; Mathern

SB 2327: Sens. Dever; Cook; Nelson

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2047, SB 2129, SB 2161, and SB 2320, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2047: Sens. Hogue; Cook; Dotzenrod

SB 2129: Sens. Burckhard; Miller; Dotzenrod

SB 2161: Sens. Olafson; Andrist; Dotzenrod

SB 2320: Sens. Oehlke; Miller; Triplett

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

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

SB 2085: Reps. Wall; Schmidt; Mueller

SB 2206: Reps. Kreun; Clark; Boe

SB 2222: Reps. D. Johnson; Trottier; Holman

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1031, HB 1038, HB 1039, HB 1040, HB 1045, HB 1048, HB 1071, HB 1080, HB 1087, HB 1095, HB 1099, HB 1112, HB 1127, HB 1162, HB 1175, HB 1188, HB 1195, HB 1241, HB 1244, HB 1251, HB 1254, HB 1310, HB 1313.

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

MR. SPEAKER: The President has signed: HB 1013, HB 1030, HB 1036, HB 1077, HB 1086, HB 1094, HB 1123, HB 1169, HB 1256, HB 1259, HB 1311, HCR 3015, HCR 3038, HCR 3043, HCR 3045.

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

MR. PRESIDENT: The Speaker has signed: HCR 3011, HCR 3015, HCR 3038, HCR 3043, HCR 3045.

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

MR. PRESIDENT: The Speaker has signed: SB 2007, SB 2021, SB 2027, SB 2039, SB 2068, SB 2079, SB 2080, SB 2082, SB 2089, SB 2097, SB 2104, SB 2107, SB 2112, SB 2113, SB 2114, SB 2122, SB 2147, SB 2173, SB 2185, SB 2198, SB 2219, SB 2226, SB 2232, SB 2241, SB 2244, SB 2285, SCR 4006.

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

MR. SPEAKER: The President has signed: SB 2232.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for filing on April 6, 2011: HCR 3011, HCR 3015, HCR 3038, HCR 3043, HCR 3045.

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Thursday, April 7, 2011, which motion prevailed.

REPORT OF STANDING COMMITTEE

SCR 4007: Constitutional Revision Committee (Rep. Koppelman, Chairman) recommends **DO PASS** (8 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SCR 4007 was placed on the Fourteenth order on the calendar.

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

Buell J. Reich, Chief Clerk

