

JOURNAL OF THE HOUSE

Sixty-second Legislative Assembly

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Bismarck, April 5, 2011

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

The prayer was offered by Rep. Lonny Winrich, District 18, Grand Forks.

The roll was called and all members were present except Representatives Beadle and Steiner.

A quorum was declared by the Speaker.

COMMUNICATION FROM GOVERNOR JACK DALRYMPLE

This is to inform you that on April 4, 2011, I have signed the following: HB 1008, HB 1055, HB 1066, HB 1072, HB 1109, HB 1114, HB 1117, HB 1125, HB 1137, HB 1156, HB 1159, HB 1165, HB 1181, HB 1211, HB 1213, HB 1215, HB 1218, HB 1230, HB 1261, HB 1304, HB 1319, HB 1337, HB 1371, HB 1375, HB 1380, HB 1396, HB 1407, HB 1419, HB 1454, HB 1461, and HB 1464.

SIXTH ORDER OF BUSINESS

SPEAKER DROVDAL DEEMED approval of the amendments to Reengrossed SB 2271.

Reengrossed SB 2271, as amended, was placed on the Fourteenth order of business on today's calendar.

MOTION

REP. VIGESAA MOVED that SB 2028 be moved to the bottom of the Fourteenth order, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1144 as printed on HJ pages 1302-1303 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 1144: Reps. Hatlestad, Froseth, S. Meyer.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RUBY MOVED that the House do not concur in the Senate amendments to Engrossed HB 1164 as printed on HJ pages 1277-1279 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 1164: Reps. R. Kelsch, Weisz, Hogan.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do not concur in the Senate amendments to Engrossed HB 1174 as printed on HJ page 1176 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 1174: Reps. Hofstad, Anderson, Kilichowski.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to Engrossed HB 1433 as printed on HJ page 1301 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 1433: Reps. Boehning, Brabandt, Onstad.

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 2056, SB 2065, SB 2067, Engrossed SB 2138, Engrossed SB 2155, Engrossed SB 2157, SB 2213, SB 2231, SB 2247, Engrossed SB 2281, SB 2295, Engrossed SB 2302, Reengrossed SB 2311, and SB 2361, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed SB 2056: Reps. Wall, Heilman, Mock
SB 2065: Reps. Boehning, Sanford, Winrich
SB 2067: Reps. Damschen, Paur, Conklin
Engrossed SB 2138: Reps. Nathe, Vigesaa, Boe
Engrossed SB 2155: Reps. Pietsch, Louser, Kilichowski
Engrossed SB 2157: Reps. Weiler, Heller, Delmore
SB 2213: Reps. Karls, Grande, Guggisberg
SB 2231: Reps. Brabandt, Steiner, Hogan
SB 2247: Reps. Kingsbury, Boehning, Delmore
Engrossed SB 2281: Reps. Wall, Rohr, Hanson
SB 2295: Reps. Klemin, Kretschmar, Guggisberg
Engrossed SB 2302: Reps. Ruby, N. Johnson, Gruchalla
Reengrossed SB 2311: Reps. D. Johnson, L. Meier, Hunskor
SB 2361: Reps. Ruby, Frantsvog, Amerman

SECOND READING OF SENATE BILL

SB 2271: A BILL for an Act to create and enact a new subsection to section 43-17-02 and chapters 43-57, 43-58, and 43-59 of the North Dakota Century Code, relating to creation of the state board of integrative health, regulation of naturopaths, and regulation of music therapists; to amend and reenact section 43-17-41 of the North Dakota Century Code, relating to duties of naturopaths; to provide a penalty; to provide an appropriation; and to provide for application.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 6 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Bellew; Belter; Boe; Boehning; 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; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Skarphol; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Delzer; Headland; Nelson, M.; Pollert; Ruby; Weiler

ABSENT AND NOT VOTING: Beadle; DeKrey; Steiner

Reengrossed SB 2271, as amended, passed.

SECOND READING OF SENATE BILL

SB 2022: A BILL for an Act to provide an appropriation for defraying the expenses of various state retirement and investment agencies; to provide an exemption; to provide various transfers; to amend and reenact sections 15-39.1-08, 21-10-01, and 54-52-03 of the North Dakota Century Code, relating to the per day compensation rates for the board of trustees of the teachers' fund for retirement, state investment board, and retirement board; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; 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; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Beadle; DeKrey; Steiner

SB 2022, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2070: A BILL for an Act to amend and reenact sections 4 and 5 of chapter 3 of the 2009 Session Laws, relating to the fire and tornado fund and the petroleum release compensation fund; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; 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; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Beadle; DeKrey; Steiner

SB 2070 passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2275: A BILL for an Act to provide an appropriation to the office of management and budget for community service supervision grants; and to provide legislative intent.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; Delmore; 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; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Bellew; Delzer

ABSENT AND NOT VOTING: Beadle; DeKrey; Steiner

SB 2275, as amended, passed.

SECOND READING OF SENATE BILL

SB 2019: A BILL for an Act to provide an appropriation for defraying the expenses of the parks and recreation department and the International Peace Garden; to provide for a transfer; to provide for a 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 84 YEAS, 7 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; Delmore; 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; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Skarphol; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Winrich; Zaiser; Speaker Drovdal

NAYS: Bellew; Belter; Delzer; Pollert; Schmidt; Weiler; Wrangham

ABSENT AND NOT VOTING: Beadle; DeKrey; Steiner

Engrossed SB 2019, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2161: A BILL for an Act to create and enact subsection 7 to section 32-12.1-03 of the North Dakota Century Code, relating to political subdivision liability; and to amend and reenact section 24-06-31 of the North Dakota Century Code, relating to obstructions in highways.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 4 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Bellew; Belter; Boe; Boehning; Brabandt; Carlson; Clark; Conklin; Dahl; Damschen; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; 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; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Brandenburg; Hawken; Johnson, N.; Kilichowski

ABSENT AND NOT VOTING: Beadle; DeKrey; Steiner

Engrossed SB 2161, as amended, passed.

SECOND READING OF SENATE BILL

SB 2253: A BILL for an Act to amend and reenact section 57-39.2-26.1 of the North Dakota Century Code, relating to the allocation of funds in the state aid distribution fund; 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 88 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; 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, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Boe; Nelson, J.; Weisz

ABSENT AND NOT VOTING: Beadle; DeKrey; Steiner

SB 2253, as amended, passed.

SECOND READING OF SENATE BILL

SB 2006: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the state tax commissioner and for payment of state reimbursement under the homestead tax credit and disabled veterans credit; to provide for a transfer; to amend and reenact section 57-01-04 of the North Dakota Century Code, relating to the tax commissioner's salary; to provide for a legislative management study; to provide a contingent appropriation; and to provide an exemption.

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 84 YEAS, 6 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; 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; 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; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Skarphol; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Bellew; Kasper; Pollert; Ruby; Streyle; Weiler

ABSENT AND NOT VOTING: Beadle; DeKrey; Monson; Steiner

Engrossed SB 2006, as amended, passed.

ANNOUNCEMENT

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

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

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Fifty-eighth and Fifty-ninth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1223, line 13, replace "979" with "980"

Page 1224, line 13, "1176-1177" with "1177-1178"

Page 1225, line 16, replace "Engrossed SB 2005" with "SB 2005"

Page 1271, lines 10 and 11, delete ", and has committee recommendation of DO PASS"

Page 1293, line 34, replace "bill" with "amended bill"

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

REPORT OF STANDING COMMITTEE

SB 2323, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2323 was placed on the Sixth order on the calendar.

Page 1, line 21, replace "schedule variance by number of days" with "scheduled date of completion as noted in the original contract and the latest available scheduled date of completion"

Page 2, after line 4, insert:

"3. The office of management and budget shall review the information received under this section and provide reports to the budget section of the legislative management upon request."

Renumber accordingly

SIXTH ORDER OF BUSINESS

SPEAKER DROVDAL DEEMED approval of the amendments to Engrossed SB 2323.

Engrossed SB 2323, as amended, was placed on the Fourteenth order of business on today's calendar.

SECOND READING OF SENATE BILL

SB 2323: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to variance reports for certain construction projects at institutions of higher education.

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, 1 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; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Kilichowski

ABSENT AND NOT VOTING: Hofstad

Engrossed SB 2323, as amended, passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1057 as printed on HJ pages 1331-1332 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 1057: Reps. Owens, Streyle, S. Kelsh.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BEADLE MOVED that the House do not concur in the Senate amendments to HB 1268 as printed on HJ page 1334 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 HB 1268: Reps. Froseth, Wrangham, S. Meyer.

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 2187, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed SB 2187: Reps. Nathe, Vigesaa, Gruchalla

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GRANDE MOVED that the House do concur in the Senate amendments to HB 1031 as printed on HJ page 916, which motion prevailed on a voice vote.

HB 1031, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1031: A BILL for an Act to create and enact a new section to chapter 54-44.3 of the North Dakota Century Code, relating to a state compensation philosophy statement; to provide for implementation of changes to the classified employee compensation system; to provide for status reports to the sixty-second legislative assembly and to the budget section; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 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; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; 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

ABSENT AND NOT VOTING: Hofstad

Engrossed HB 1031 passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to Engrossed HB 1038 as printed on HJ page 1152, which motion prevailed on a voice vote.

Engrossed HB 1038, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1038: A BILL for an Act to create and enact chapter 13-11 of the North Dakota Century Code, relating to the regulation of debt-settlement providers; to amend and reenact subsection 1 of section 6-01-01.1 and section 13-07-01 of the North Dakota Century Code, relating to the financial institutions regulatory fund and the definition of consumer credit counseling service; to repeal chapter 13-06 of the North Dakota Century Code, relating to regulation of debt adjusters; and to provide a penalty.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; 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

ABSENT AND NOT VOTING: Boehning; Hofstad

Reengrossed HB 1038 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to HB 1039 as printed on HJ pages 902-903, which motion prevailed on a voice vote.

HB 1039, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1039: A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 14-15-17, section 15-12-25, subsections 2 and 3 of section 15-52-03, sections 23-34-02, 23-34-02.1, 43-04-40, 43-53-04, 50-06-05.1, 57-38-30, and 57-43.2-02.3, subsection 1 of section 61-06-13, subsection 5 of section 61-07-03, section 61-11-03, and subdivision a of subsection 2 of section 65-02-03.1 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to repeal sections 4-32-09 and 40-05-21 of the North Dakota Century Code, relating to obsolete provisions.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Hofstad

Engrossed HB 1039 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to Engrossed HB 1040 as printed on HJ page 980, which motion prevailed on a voice vote.

Engrossed HB 1040, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1040: A BILL for an Act to amend and reenact subsection 1 of section 23-09.3-01.1 and subsection 1 of section 23-16-01.1 of the North Dakota Century Code, relating to the moratorium on expansion of basic care bed capacity and the moratorium on expansion of long-term care bed capacity; and to provide for a report to the legislative management.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Hofstad

Reengrossed HB 1040 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. N. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1045 as printed on HJ page 1105, which motion prevailed on a voice vote.

Engrossed HB 1045, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1045: A BILL for an Act to amend and reenact sections 57-40.6-01 and 57-40.6-10 of the North Dakota Century Code, relating to definitions and standards and guidelines for emergency services communication systems.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 2 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; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; 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, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Delzer; Nelson, J.

ABSENT AND NOT VOTING: Hofstad

Reengrossed HB 1045 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1048 as printed on HJ page 1300, which motion prevailed on a voice vote.

Engrossed HB 1048, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1048: A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to creation of the agricultural land valuation fund; to amend and reenact subsection 10 of section 57-02-27.2 of the North Dakota Century Code, relating to extension of the deadline for counties to implement use of soil survey data in agricultural property tax assessments; to provide a continuing appropriation; 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 83 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt;

Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; Delmore; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hatlestad; Hawken; Heilman; Heller; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kreun; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: DeKrey; Delzer; Hanson; Headland; Kasper; Kempenich; Koppelman; Kroeber; Mueller; Weisz

ABSENT AND NOT VOTING: Hofstad

Reengrossed HB 1048 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1071 as printed on HJ page 998, which motion prevailed on a voice vote.

Engrossed HB 1071, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1071: A BILL for an Act to amend and reenact subsection 1 of section 57-02-01 of the North Dakota Century Code, relating to retention of property tax status as agricultural property for property previously devoted to agricultural uses which is being used for mineral extraction and for which the surface owner owns none of the subsurface mineral rights; 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 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; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Hofstad

Reengrossed HB 1071 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to Engrossed HB 1080 as printed on HJ page 916, which motion prevailed on a voice vote.

Engrossed HB 1080, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1080: A BILL for an Act to create and enact sections 13-05-04.1, 13-05-04.2, 13-05-05.1, and 13-05-06.3 of the North Dakota Century Code, relating to surety bonds, minimum net worth, notice regarding change of name and address, and prohibited acts and practices of licensed collection agencies; to amend and reenact subsection

2 of section 6-08-16 and sections 13-05-01.1, 13-05-02.1, 13-05-02.3, 13-05-03, 13-05-04, 13-05-06, 13-05-06.1, 13-05-06.2, 13-05-07, and 13-05-08 of the North Dakota Century Code, relating to the definitions of creditor and insolvent, branch offices, entities exempt from licensing, forms for application for licensing, powers of the department of financial institutions, suspension and removal of agency officers and employees, investigations and subpoenas, agency recordkeeping, and revocation of licenses for collection agencies.

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, 1 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; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; 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

ABSENT AND NOT VOTING: Hofstad

Reengrossed HB 1080 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to HB 1087 as printed on HJ page 963, which motion prevailed on a voice vote.

HB 1087, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1087: A BILL for an Act to amend and reenact subsections 1 and 2 of section 28-32-40 of the North Dakota Century Code, relating to the time for filing a petition for reconsideration from a final order of an administrative agency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 85 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Hofstad

Engrossed HB 1087 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to HB 1095 as printed on HJ page 981, which motion prevailed on a voice vote.

HB 1095, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1095: A BILL for an Act to amend and reenact sections 50-11-00.1 and 50-11-03.2 of the North Dakota Century Code, relating to the approval process of group foster care facilities.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Hofstad

Engrossed HB 1095 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1099 as printed on HJ pages 963-964, which motion prevailed on a voice vote.

Engrossed HB 1099, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1099: A BILL for an Act to amend and reenact subsection 2 of section 5-01-17, subsection 2 of section 5-01-19, section 5-03-06, subsections 3 and 5 of section 57-36-14, subsection 7 of section 57-40.2-07, and sections 57-40.3-09, 57-43.1-44, and 57-43.2-37 of the North Dakota Century Code, relating to special events permits for domestic wineries and domestic distilleries, direct shipments of alcoholic beverages, procedures available to the tax commissioner in case of seizure of tobacco products, reporting and remittance of use tax collected during odd-numbered years, the definition of state for motor vehicle excise tax reciprocity purposes, cooperative agreements for the exchange of motor fuels tax information, and cooperative agreements for the exchange of special fuels tax information.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 2 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; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; 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; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Keiser; Sukut

ABSENT AND NOT VOTING: Hofstad

Reengrossed HB 1099 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to HB 1112 as printed on HJ page 1153, which motion prevailed on a voice vote.

HB 1112, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1112: A BILL for an Act to amend and reenact section 21-04-09 and subsection 1 of section 21-06-07 of the North Dakota Century Code, relating to public deposits.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Hofstad

Engrossed HB 1112 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to Engrossed HB 1127 as printed on HJ page 1204, which motion prevailed on a voice vote.

Engrossed HB 1127, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1127: A BILL for an Act to create and enact two new sections to chapter 26.1-36 of the North Dakota Century Code, relating to health carrier external appeals and internal claims and appeals procedures; to amend and reenact sections 26.1-03-01, 26.1-26.4-01, and 26.1-36-44 of the North Dakota Century Code, relating to limitation on health insurance company risks, utilization review, and independent external reviews; to provide for application; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 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; 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; 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

ABSENT AND NOT VOTING: Hofstad; Owens

Reengrossed HB 1127 passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. N. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1162 as printed on HJ page 1105, which motion prevailed on a voice vote.

Engrossed HB 1162, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1162: A BILL for an Act to create and enact section 28-32-08.2 of the North Dakota Century Code, relating to fiscal notes for agency rules; to amend and reenact subsection 5 of section 28-32-03, subsection 1 of section 28-32-10, and subsection 2 of section 28-32-18 of the North Dakota Century Code, relating to notice of emergency rulemaking and the administrative rules committee carrying over consideration of administrative rules; 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 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; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; 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

ABSENT AND NOT VOTING: Hofstad

Reengrossed HB 1162 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to Engrossed HB 1175 as printed on HJ pages 1131-1132, which motion prevailed on a voice vote.

Engrossed HB 1175, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1175: A BILL for an Act to create and enact a new subdivision to subsection 8 of section 26.1-04-03 of the North Dakota Century Code, relating to limitations on insurance rebates; and to amend and reenact sections 26.1-04-06 and 26.1-25-16 of the North Dakota Century Code, relating to limitations on insurance rebates.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Hofstad

Reengrossed HB 1175 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1188 as printed on HJ page 981, which motion prevailed on a voice vote.

Engrossed HB 1188, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1188: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 39-06.1-06 of the North Dakota Century Code, relating to fees for depositing rubbish on highways; to amend and reenact sections 20.1-01-25, 23-29-05.1, and 39-10-59 of the North Dakota Century Code, relating to littering on game refuges or recreation areas, open burning, and depositing rubbish on highways; to provide a penalty; and to declare an emergency.

ROLL CALL

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

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

NAYS: Amerman; Beadle; Bellew; Boe; Boehning; Carlson; Delzer; Devlin; Froseth; Headland; Klein; Meyer, S.; Pollert; Rohr; Ruby; Schatz; Vigesaa; Weisz; Zaiser

ABSENT AND NOT VOTING: Hofstad

Reengrossed HB 1188 passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RUBY MOVED that the House do concur in the Senate amendments to HB 1195 as printed on HJ page 1180, which motion prevailed on a voice vote.

HB 1195, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1195: A BILL for an Act to create and enact a new section to chapter 39-08 of the North Dakota Century Code, relating to the use of a wireless communications device; to amend and reenact subsection 2 of section 39-06.1-06 and section 39-06.1-09 of the North Dakota Century Code, relating to fees for a moving violation; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 53 YEAS, 40 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Carlson; Clark; Delmore; Devlin; Frantsvog; Froseth; Glasheim; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemin; Kretschmar; Kreun; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mueller; Onstad; Owens; Pietsch; Rust; Sanford; Steiner; Sukut; Trottier; Vigasaa; Wall; Wieland; Williams; Winrich; Zaiser; Speaker Drovdal

NAYS: Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Conklin; Dahl; Damschen; DeKrey; Delzer; Dosch; Grande; Headland; Heller; Kasper; Kelsch, R.; Kempenich; Koppelman; Kreidt; Louser; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Paur; Pollert; Porter; Rohr; Ruby; Schatz; Schmidt; Skarphol; Streyle; Thoreson; Weiler; Weisz; Wrangham

ABSENT AND NOT VOTING: Hofstad

Engrossed HB 1195 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1241 as printed on HJ pages 1106-1107, which motion prevailed on a voice vote.

Engrossed HB 1241, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1241: A BILL for an Act to create and enact a new section to chapter 38-11.1, section 38-11.1-04.1, and a new section to chapter 47-16 of the North Dakota Century Code, relating to notice of oil and gas drilling operations, compensation for loss of agricultural production and income caused by oil and gas production, and definition of drilling; to amend and reenact sections 38-11.1-02, 38-11.1-04, 38-11.1-08, and 47-16-39.1 of the North Dakota Century Code, relating to damage and disruption payments for damages caused by oil and gas production, agreement with offer of settlement, and the obligation to pay oil and gas royalties; to repeal section 38-11.1-05 of the North Dakota Century Code, relating to notice of oil and gas drilling operations; 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 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; Frantsvog; Froseth; Glasheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; 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

ABSENT AND NOT VOTING: Hofstad

Reengrossed HB 1241 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do concur in the Senate amendments to HB 1244 as printed on HJ pages 1153-1154, which motion prevailed on a voice vote.

HB 1244, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1244: A BILL for an Act to create and enact a new section to chapter 4-01 of the North Dakota Century Code, relating to equine carcasses.

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, 1 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; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Trottier

ABSENT AND NOT VOTING: Hofstad

Engrossed HB 1244 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. N. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1251 as printed on HJ page 1155, which motion prevailed on a voice vote.

Engrossed HB 1251, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1251: A BILL for an Act to create and enact a new section to chapter 44-08 and a new section to chapter 54-40.3 of the North Dakota Century Code, relating to cooperative agreements among criminal justice agencies; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 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; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; 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; Vigesaa; Wall; Weiler; Weisz;

Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Hofstad

Reengrossed HB 1251 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RUBY MOVED that the House do concur in the Senate amendments to Engrossed HB 1254 as printed on HJ page 949, which motion prevailed on a voice vote.

Engrossed HB 1254, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1254: A BILL for an Act to create and enact a new subsection to section 39-12-02 of the North Dakota Century Code, relating to permits for vehicles of excessive size or weight.

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; 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; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Boe

ABSENT AND NOT VOTING: Hofstad

Reengrossed HB 1254 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to Engrossed HB 1310 as printed on HJ page 1155, which motion prevailed on a voice vote.

Engrossed HB 1310, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1310: A BILL for an Act to amend and reenact section 40-18-15.1 of the North Dakota Century Code, relating to transfers to district court.

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; Belter; 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; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Boe; Hofstad

Reengrossed HB 1310 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. N. JOHNSON MOVED that the House do concur in the Senate amendments to HB 1313 as printed on HJ pages 1204-1205, which motion prevailed on a voice vote.

HB 1313, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1313: A BILL for an Act to create and enact a new section to chapter 40-01 of the North Dakota Century Code, relating to authorizing firefighters to solicit charitable contributions from motorists in cities; and to declare an emergency.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; 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; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Boe; Hofstad

Engrossed HB 1313 passed and the emergency clause was declared carried.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2070.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2006, SB 2161, SB 2253, SB 2271, SB 2275, SB 2323.

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 2019, SB 2022.

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

MR. SPEAKER: The Senate has passed, unchanged: HCR 3043.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1025.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1025

Page 1, replace lines 11 through 14 with:

"Comprehensive tobacco control \$12,882,000 \$40,614 \$12,922,614"

Page 1, replace line 16 with:

"Full-time equivalent positions 4.00 2.50 6.50"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1025 - Tobacco Prevention & Control Exec Comm - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages		\$765,980	(\$765,980)	
Operating expenses		2,967,609	(2,967,609)	
Grants		9,189,025	(9,189,025)	
Tobacco Prevention and Control Exec Comm	12,922,614		12,922,614	12,922,614
Total all funds	\$12,922,614	\$12,922,614	\$0	\$12,922,614
Less estimated income	12,922,614	12,922,614	0	12,922,614
General fund	\$0	\$0	\$0	\$0
FTE	4.00	4.00	2.50	6.50

Department No. 305 - Tobacco Prevention & Control Exec Comm - Detail of Senate Changes

	Adds 2.5 Permanent FTE Positions ¹	Restores Single Line Appropriation ²	Total Senate Changes
Salaries and wages	\$366,514	(\$1,132,494)	(\$765,980)
Operating expenses		(2,967,609)	(2,967,609)
Grants	(366,514)	(8,822,511)	(9,189,025)
Tobacco Prevention and Control Exec Comm		12,922,614	12,922,614
Total all funds	\$0	\$0	\$0
Less estimated income	0	0	0
General fund	\$0	\$0	\$0
FTE	2.50	0.00	2.50

¹ This amendment adds the following permanent full-time equivalent positions that were included as temporary positions in the executive recommendation:

- .5 FTE accountant - \$86,786.
- 1 FTE community intervention coordinator - \$127,904.
- 1 FTE grants manager - \$151,824.

The House removed the .5 FTE accountant and the 1 FTE community intervention coordinator and transferred the funding to the grants line item, but maintained the 1 FTE grants manager as a temporary position.

In addition, the House removed funding for the temporary evaluation coordinator position (\$151,824) and transferred the funding to the grants line item. This amendment restores the temporary evaluation coordinator position and reduces funding for grants by the same amount.

² This amendment restores the comprehensive tobacco control line item provided in the executive recommendation and removes the funding by object code line items provided by the House.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 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, and HB 1313.

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 1057 and HB 1268, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1057: Reps. Owens; Streytle; S. Kelsh

HB 1268: Reps. Froseth; Wrangham; S. Meyer

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 1144, HB 1164, HB 1174, and HB 1433, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1144: Reps. Hatlestad; Froseth; S. Meyer

HB 1164: Reps. R. Kelsch; Weisz; Hogan

HB 1174: Reps. Hofstad; Anderson; Kilichowski

HB 1433: Reps. Boehning; Brabandt; Onstad

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 1142: Sens. Olafson; Nething; Sorvaag

HB 1144: Sens. Burckhard; Hogue; Triplett

HB 1164: Sens. Nething; Sitte; Mathern

HB 1433: Sens. Lyson; Sitte; Nelson

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2035, SB 2037, SB 2053, SB 2060, SB 2078, SB 2086, SB 2091, SB 2100, SB 2110, SB 2116, SB 2117, SB 2172, SB 2236, SB 2242, SB 2245, SB 2246, SB 2254, SB 2255, SB 2258, SB 2294, SB 2325, SB 2342, and SB 2356.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2039, SB 2068, SB 2079, SB 2080, SB 2082, SB 2089, SB 2097, SB 2113, SB 2147, SB 2173, SB 2185, SB 2219, SB 2241, and SB 2285.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2004, SB 2005, SB 2009, SB 2014, SB 2206, and SB 2222, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2004: Sens. Grindberg; Holmberg; Robinson

SB 2005: Sens. Grindberg; Holmberg; Robinson

SB 2009: Sens. Christmann; Wanzek; O'Connell

SB 2014: Sens. Christmann; Erbele; Warner

SB 2206: Sens. Lyson; Uglem; Schneider

SB 2222: Sens. Flakoll; Klein; Heckaman

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

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

SB 2056: Reps. Wall; Heilman; Mock

SB 2065: Reps. Boehning; Sanford; Winrich

SB 2067: Reps. Damschen; Paur; Conklin

SB 2138: Reps. Nathe; Vigesaa; Boe

SB 2155: Reps. Pietsch; Louser; Kilichowski

SB 2157: Reps. Weiler; Heller; Delmore
SB 2213: Reps. Karls; Grande; Guggisberg
SB 2231: Reps. Brabandt; Steiner; Hogan
SB 2247: Reps. Kingsbury; Boehning; Delmore
SB 2281: Reps. Wall; Rohr; Hanson
SB 2295: Reps. Klemin; Kretschmar; Guggisberg
SB 2302: Reps. Ruby; N. Johnson; Gruchalla
SB 2311: Reps. D. Johnson; L. Meier; Hunskor
SB 2361: Reps. Ruby; Frantsvog; Amerman

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 2187: Reps. Nathe; Vigesaa; Gruchalla

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

MR. PRESIDENT: Your signature is respectfully requested on: 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 HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: Your signature is respectfully requested on: 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.

MOTION

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

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., Wednesday, April 6, 2011, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2012, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2012 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and to amend and"

Page 1, remove line 3

Page 1, line 4, replace "children's health insurance program" with "to provide for legislative management studies; and to provide for a department of human services study"

Page 1, replace lines 16 through 21 with:

"Salaries and wages	\$14,231,353	\$2,226,715	\$16,458,068
Operating expenses	46,548,787	15,735,631	62,284,418
Capital assets	<u>0</u>	<u>138,400</u>	<u>138,400</u>
Total all funds	\$60,780,140	\$18,100,746	\$78,880,886
Less estimated income	<u>34,477,817</u>	<u>13,285,595</u>	<u>47,763,412</u>
Total general fund	\$26,302,323	\$4,815,151	\$31,117,474"

Page 2, replace lines 3 through 10 with:

"Salaries and wages	\$41,389,716	\$8,330,668	\$49,720,384
Operating expenses	75,461,417	16,961,863	92,423,280
Capital assets	8,580	(8,580)	0
Grants	452,990,742	34,015,295	487,006,037
Grants - Medical assistance	<u>1,300,642,323</u>	<u>260,496,543</u>	<u>1,561,138,866</u>
Total all funds	\$1,870,492,778	\$319,795,789	\$2,190,288,567
Less estimated income	<u>1,381,801,240</u>	<u>92,820,911</u>	<u>1,474,622,151</u>
Total general fund	\$488,691,538	\$226,974,878	\$715,666,416"

Page 2, replace lines 15 through 27 with:

"Northwest human service center	\$8,452,001	\$222,567	\$8,674,568
North central human service center	19,208,018	1,694,208	20,902,226
Lake region human service center	10,886,645	357,661	11,244,306
Northeast human service center	25,768,431	2,321,019	28,089,450
Southeast human service center	30,139,636	7,868,498	38,008,134
South central human service center	15,567,495	1,291,516	16,859,011
West central human service center	24,683,076	1,669,367	26,352,443
Badlands human service center	10,857,338	850,716	11,708,054
State hospital	65,641,609	7,581,591	73,223,200
Developmental center	<u>52,939,281</u>	<u>(1,130,034)</u>	<u>51,809,247</u>
Total all funds	\$264,143,530	\$22,727,109	\$286,870,639
Less estimated income	<u>132,787,875</u>	<u>(7,198,220)</u>	<u>125,589,655</u>
Total general fund	\$131,355,655	\$29,925,329	\$161,280,984"

Page 3, replace lines 3 through 6 with:

"Grand total general fund	\$646,349,516	\$261,715,358	\$908,064,874
Grand total special funds	<u>1,549,066,932</u>	<u>98,908,286</u>	<u>1,647,975,218</u>
Grand total all funds	\$2,195,416,448	\$360,623,644	\$2,556,040,092
Full-time equivalent positions	2,216.88	(27.53)	2,189.35"

Page 3, after line 15, insert:

"Supplemental payment		0	200,000"
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Page 3, replace lines 17 through 20 with:

"State hospital capital projects		<u>0</u>	<u>1,800,000</u>
Total all funds		\$92,329,503	\$2,519,175
Less estimated income		<u>88,033,205</u>	<u>719,175</u>

Total general fund \$4,296,298 \$1,800,000"

Page 4, remove lines 9 through 30

Page 5, replace lines 1 through 23 with:

"SECTION 5. GENERAL FUND TRANSFER TO BUDGET SECTION STABILIZATION FUND - EXCEPTION - USE OF GENERAL FUND AMOUNTS.

Notwithstanding section 54-27.2-02, the state treasurer and the office of management and budget may not include in the amount used to determine general fund transfers to the budget stabilization fund at the end of the 2009-11 biennium under chapter 54-27.2 any general fund amounts resulting from the increased federal share of medical assistance payments resulting from federal medical assistance percentage changes under the American Recovery and Reinvestment Act of 2009 and H.R. 1586. The state treasurer and the office of management and budget shall separately account for these amounts resulting from federal medical assistance percentage changes under the American Recovery and Reinvestment Act of 2009 and H.R. 1586 and use these amounts to defray the expenses of continuing program costs of the department of human services from the general fund, for the biennium beginning July 1, 2011, and ending June 30, 2013, including \$25,516,808 for inflationary increases for human services providers.

SECTION 6. DEPARTMENT OF HUMAN SERVICES STUDY - HUMAN SERVICES DELIVERY SYSTEM. During the 2011-12 interim, the department of human services shall review, study, and develop various plans for restructuring the human services delivery system in this state. The review and study must consider the requirements imposed on the department of human services by federal agencies under federal law, federal regulations, program state plans, and program waivers for the administration of and receipt of payment under federal programs. One of the plans for restructuring must provide for the creation of administrative units that are authorized to deliver all of the economic assistance and therapeutic social services programs and services that are currently being provided or authorized to be provided by counties and regional human service centers. The administrative units must have a direct relationship with the department of human services in administering federal programs in the state and must be locally administered. Before August 1, 2012, the department shall present its findings and plans to the legislative management.

SECTION 7. 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 would result in North Dakotans experiencing health care savings and improved medical results as well as whether implementation would impact 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 8. REPORT ON THE DEMENTIA CARE SERVICES PROGRAM. During the 2011-12 interim, the department of human services shall periodically report to the legislative management regarding the status of the dementia care services program. The reports must include information on budgeted and actual program expenditures, program services, and program outcomes.

SECTION 9. RISK BEHAVIOR PREVENTION GRANTS - MATCHING REQUIREMENTS. The department of human services shall use \$250,000 of federal funding appropriated in subdivision 2 of section 1 of this Act for the mental health and substance abuse division for providing grants to support a statewide school and community-based youth network dedicated to implementing risk behavior prevention efforts, for the biennium beginning July 1, 2011, and ending June 30, 2013. The department shall require an entity receiving a grant under this section to provide one dollar of matching funds for each dollar of state funds provided.

SECTION 10. LEGISLATIVE INTENT - DEVELOPMENTAL DISABILITIES GRANTS. It is the intent of the legislative assembly that the department of human

services use any anticipated unexpended appropriation authority relating to developmental disabilities grants resulting from caseload or cost changes during the 2011-13 biennium for costs associated with transitioning individuals from the developmental center to communities during the 2011-13 biennium.

SECTION 11. LEGISLATIVE MANAGEMENT STUDY - QUALIFIED SERVICE PROVIDER SYSTEM. During the 2011-12 interim, the legislative management shall consider studying and evaluating the state's qualified service provider system. 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 12. SUPPLEMENTAL PAYMENT - HEALTH CARE TRUST FUND. The grants - medical assistance line item in subdivision 2 of section 1 of this Act includes \$200,000 from the health care trust fund which the department shall provide as a one-time grant to the hospital in a city with a population of less than five hundred according to the 2000 census which also has a government nursing facility that participated in the intergovernmental transfer payment program."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2012 - Summary of House Action

	Executive Budget	Senate Version	House Changes	House Version
DHS - Management				
Total all funds	\$79,059,874	\$79,059,874	(\$178,988)	\$78,880,886
Less estimated income	47,538,412	47,538,412	225,000	47,763,412
General fund	\$31,521,462	\$31,521,462	(\$403,988)	\$31,117,474
DHS - Program/Policy				
Total all funds	\$2,241,950,229	\$2,255,138,635	(\$64,850,068)	\$2,190,288,567
Less estimated income	1,510,481,136	1,518,090,686	(43,468,535)	1,474,622,151
General fund	\$731,469,093	\$737,047,949	(\$21,381,533)	\$715,666,416
DHS - State Hospital				
Total all funds	\$73,473,200	\$73,635,040	(\$411,840)	\$73,223,200
Less estimated income	20,146,403	20,146,403	0	20,146,403
General fund	\$53,326,797	\$53,488,637	(\$411,840)	\$53,076,797
DHS - Developmental Center				
Total all funds	\$51,809,247	\$51,809,247	\$0	\$51,809,247
Less estimated income	31,391,817	31,391,817	0	31,391,817
General fund	\$20,417,430	\$20,417,430	\$0	\$20,417,430
DHS - Northwest HSC				
Total all funds	\$8,749,068	\$8,749,068	(\$74,500)	\$8,674,568
Less estimated income	3,790,236	3,790,236	0	3,790,236
General fund	\$4,958,832	\$4,958,832	(\$74,500)	\$4,884,332
DHS - North Central HSC				
Total all funds	\$22,433,884	\$22,433,884	(\$1,531,658)	\$20,902,226
Less estimated income	9,023,857	9,023,857	0	9,023,857
General fund	\$13,410,027	\$13,410,027	(\$1,531,658)	\$11,878,369
DHS - Lake Region HSC				
Total all funds	\$11,418,231	\$11,418,231	(\$173,925)	\$11,244,306
Less estimated income	4,536,041	4,536,041	(52,047)	4,483,994
General fund	\$6,882,190	\$6,882,190	(\$121,878)	\$6,760,312
DHS - Northeast HSC				
Total all funds	\$28,182,609	\$28,182,609	(\$93,159)	\$28,089,450
Less estimated income	14,972,886	14,972,886	0	14,972,886
General fund	\$13,209,723	\$13,209,723	(\$93,159)	\$13,116,564
DHS - Southeast HSC				
Total all funds	\$38,464,720	\$38,464,720	(\$456,586)	\$38,008,134
Less estimated income	16,278,987	16,278,987	0	16,278,987
General fund	\$22,185,733	\$22,185,733	(\$456,586)	\$21,729,147
DHS - South Central HSC				
Total all funds	\$16,953,699	\$16,953,699	(\$94,688)	\$16,859,011
Less estimated income	7,610,152	7,610,152	0	7,610,152
General fund	\$9,343,547	\$9,343,547	(\$94,688)	\$9,248,859
DHS - West Central HSC				

Total all funds	\$26,740,493	\$26,740,493	(\$388,050)	\$26,352,443
Less estimated income	12,630,961	12,630,961	0	12,630,961
General fund	\$14,109,532	\$14,109,532	(\$388,050)	\$13,721,482
DHS - Badlands HSC				
Total all funds	\$11,789,654	\$11,789,654	(\$81,600)	\$11,708,054
Less estimated income	5,260,362	5,260,362	0	5,260,362
General fund	\$6,529,292	\$6,529,292	(\$81,600)	\$6,447,692
Bill total				
Total all funds	\$2,611,024,908	\$2,624,375,154	(\$68,335,062)	\$2,556,040,092
Less estimated income	1,683,661,250	1,691,270,800	(43,295,582)	1,647,975,218
General fund	\$927,363,658	\$933,104,354	(\$25,039,480)	\$908,064,874

Senate Bill No. 2012 - DHS - Management - House Action

	Executive Budget	Senate Version	House Changes ¹	House Version
Salaries and wages	\$16,513,336	\$16,513,336	\$55,268	\$16,458,068
Operating expenses	62,408,138	62,408,138	(123,720)	62,284,418
Capital assets	138,400	138,400		138,400
Total all funds	\$79,059,874	\$79,059,874	(\$178,988)	\$78,880,886
Less estimated income	47,538,412	47,538,412	225,000	47,763,412
General fund	\$31,521,462	\$31,521,462	(\$403,988)	\$31,117,474
FTE	116.10	116.10	0.00	116.10

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MANAGEMENT SUBDIVISION	FTE	General Fund	Estimated Income	Total
Senate version	116.10	\$31,521,462	\$47,538,412	\$79,059,874
Management - House changes:				
Administration - Support				
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover		(\$31,930)	\$0	(\$31,930)
Reduce funding for operating expenses (departmentwide reduction)		(16,275)	0	(16,275)
Reduce funding for operating expenses (division-specific reduction)		(102,300)	0	(102,300)
Information Technology Services				
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover		(23,338)	0	(23,338)
Reduce funding for operating expenses (departmentwide reduction)		(134,672)	0	(134,672)
Reduce funding for operating expenses (division-specific reduction)		(120,473)	0	(120,473)
Add funding for activities relating to the eligibility system replacement project		25,000	225,000	250,000
Total House changes - Management	0.00	(\$403,988)	\$225,000	(\$178,988)
House version - Management Subdivision	116.10	\$31,117,474	\$47,763,412	\$78,880,886

Other changes affecting Management programs or multiple programs of the department:

Section 6 of the engrossed bill is removed relating to office space lease limitation. This section was added by the Senate.

A section is added relating to a study of the human services delivery system.

A section is added relating to a Legislative Management study of patient-centered medical homes.

A section is added providing for a report to the Legislative Management on the dementia care services program.

Senate Bill No. 2012 - DHS - Program/Policy - House Action

	Executive Budget	Senate Version	House Changes¹	House Version
Salaries and wages	\$50,346,211	\$50,346,211	(\$625,827)	\$49,720,384
Operating expenses	90,850,363	90,850,363	1,572,917	92,423,280
Grants	487,016,037	487,006,037		487,006,037
Grants - Medical assistance	1,613,737,618	1,626,936,024	(65,797,158)	1,561,138,866
Total all funds	\$2,241,950,229	\$2,255,138,635	(\$64,850,068)	\$2,190,288,567
Less estimated income	1,510,481,136	1,518,090,686	(43,468,535)	1,474,622,151
General fund	\$731,469,093	\$737,047,949	(\$21,381,533)	\$715,666,416
FTE	374.50	374.50	(7.00)	367.50

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PROGRAM AND POLICY SUBDIVISION	FTE	General Fund	Estimated Income	Total
Senate version	374.50	\$737,047,949	\$1,518,090,686	\$2,255,138,635
Program and Policy - House changes:				
Economic Assistance Policy Program				
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover		(\$12,054)	\$0	(\$12,054)
Remove position and funding added in the executive budget relating to health care reform	(1.00)	(17,805)	0	(17,805)
Child Support Program				
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover		(36,574)	0	(36,574)
Remove position and funding added in the executive budget relating to health care reform	(1.00)	(62,714)	(121,742)	(184,456)
Medical Services Program				
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover		(24,105)	0	(24,105)
Reduce funding for operating expenses (departmentwide reduction)		(180,116)	0	(180,116)
Remove funding added by the Senate to increase eligibility for the state children's health insurance program from 160 percent of the federal poverty level to 175 percent of the federal poverty level		(567,367)	(1,266,990)	(1,834,357)
Reduce funding for the state children's health insurance program to reflect a revised premium amount		(42,989)	(95,928)	(138,917)
Remove positions and funding added in the executive budget relating to health care reform	(5.00)	(144,988)	(183,846)	(328,834)

Decrease funding for medical services to reduce projected caseload/utilization rates	(2,739,780)	(3,460,220)	(6,200,000)
Reduce funding for Medicaid payments to physicians to 100 percent of the Medicare rate	(17,448,925)	(22,037,214)	(39,486,139)
Remove funding included in the executive budget for 3 percent per year inflationary adjustments for physicians	(2,065,704)	(2,634,500)	(4,700,204)
Add one-time funding from the health care trust fund for a grant to a hospital in a city that has a government nursing facility which participated in the intergovernmental transfer payment program	0	200,000	200,000
Long-Term Care Program			
Remove funding added by the Senate to provide for a supplemental payment to allow for a 50-cent salary and benefit increase for developmental disabilities providers employees beginning July 1, 2011	(5,021,489)	(6,342,560)	(11,364,049)
Add funding for long-term care program expenditures. The executive budget allowed the department to continue unspent general fund appropriations for the 2009-11 biennium and utilize unexpended funding in the 2011-13 biennium. This amendment removes Section 5 of the engrossed bill relating to the carryover of general fund authority; requires the department to turn back any unexpended general fund authority from the 2009-11 biennium; and appropriates funds from the general fund for the 2011-13 biennium.	12,800,000	0	12,800,000
Add funding for House Bill No. 1169 which relates to allowable education expenditures in nursing facility rates	56,423	70,085	126,508
Decrease funding for long-term care to reduce projected caseload/utilization rates	(6,716,880)	(8,483,120)	(15,200,000)
Aging Services Program			
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover	(5,263)	0	(5,263)
Reduce funding for operating expenses (departmentwide reduction)	(17,231)	0	(17,231)
Children and Family Services Program			
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover	(5,697)	0	(5,697)
Mental Health and Substance Abuse Program			
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover	(6,240)	0	(6,240)
Reduce funding for operating expenses (departmentwide reduction)	(26,706)	0	(26,706)
Developmental Disabilities Council			
No changes	0	0	0
Developmental Disabilities Division			
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover	(2,804)	0	(2,804)
Add funding for expenses associated with implementing the developmental disabilities system reimbursement project provided for in Senate Bill No. 2043	887,500	887,500	1,775,000
Increase funding for petitioning costs for indigent people with developmental disabilities	21,970	0	21,970
Vocational Rehabilitation			
Reduce funding for salaries and wages for anticipated savings from vacant positions	(1,995)	0	(1,995)

and employee turnover

Total House changes - Program and Policy	(7.00)	(\$21,381,533)	(\$43,468,535)	(\$64,850,068)
House version - Program and policy subdivision	367.50	\$715,666,416	\$1,474,622,151	\$2,190,288,567

Other changes affecting Program and Policy programs:

A section is added to provide that the department utilize \$250,000 of federal funds appropriated to the mental health and substance abuse division for grants to support a statewide school and community-based youth network dedicated to implementing risk behavior prevention efforts.

A section is added to provide legislative intent regarding developmental disabilities grants.

A section is added to provide for a Legislative Management study of the state's qualified service provider system.

Senate Bill No. 2012 - DHS - State Hospital - House Action

	Executive Budget	Senate Version	House Changes ¹	House Version
State Hospital	\$73,473,200	\$73,635,040	(\$411,840)	\$73,223,200
Total all funds	\$73,473,200	\$73,635,040	(\$411,840)	\$73,223,200
Less estimated income	20,146,403	20,146,403	0	20,146,403
General fund	\$53,326,797	\$53,488,637	(\$411,840)	\$53,076,797
FTE	467.51	467.51	0.00	467.51

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STATE HOSPITAL	FTE	General Fund	Estimated Income	Total
Senate version	467.51	\$53,488,637	\$20,146,403	\$73,635,040
State Hospital - House changes:				
Remove funding added by the Senate for one-time capital projects. The Senate had added \$161,840 from the general fund to provide a total of \$1,961,840 from the general fund for one-time capital projects.		(\$161,840)	\$0	(\$161,840)
Reduce funding for operating expenses (division-specific reduction)		(250,000)	0	(250,000)
Total House changes - State Hospital	0.00	(\$411,840)	\$0	(\$411,840)
House version - State Hospital	467.51	\$53,076,797	\$20,146,403	\$73,223,200

Senate Bill No. 2012 - DHS - Developmental Center - House Action

The House did not change the Senate version for the Developmental Center.

Senate Bill No. 2012 - Human Service Centers - General Fund Summary

	Executive Budget	Senate Version	House Changes ¹	House Version
DHS - Northwest HSC	4,958,832	4,958,832	(74,500)	4,884,332
DHS - North Central HSC	13,410,027	13,410,027	(1,531,658)	11,878,369
DHS - Lake Region HSC	6,882,190	6,882,190	(121,878)	6,760,312
DHS - Northeast HSC	13,209,723	13,209,723	(93,159)	13,116,564
DHS - Southeast HSC	22,185,733	22,185,733	(456,586)	21,729,147
DHS - South Central HSC	9,343,547	9,343,547	(94,688)	9,248,859
DHS - West Central HSC	14,109,532	14,109,532	(388,050)	13,721,482

DHS - Badlands HSC	<u>6,529,292</u>	<u>6,529,292</u>	<u>(81,600)</u>	<u>6,447,692</u>
Total general fund	\$90,628,876	\$90,628,876	(\$2,842,119)	\$87,786,757

Senate Bill No. 2012 - Human Service Centers - Other Funds Summary

	Executive Budget	Senate Version	House Changes¹	House Version
DHS - Northwest HSC	3,790,236	3,790,236		3,790,236
DHS - North Central HSC	9,023,857	9,023,857		9,023,857
DHS - Lake Region HSC	4,536,041	4,536,041	(52,047)	4,483,994
DHS - Northeast HSC	14,972,886	14,972,886		14,972,886
DHS - Southeast HSC	16,278,987	16,278,987		16,278,987
DHS - South Central HSC	7,610,152	7,610,152		7,610,152
DHS - West Central HSC	12,630,961	12,630,961		12,630,961
DHS - Badlands HSC	<u>5,260,362</u>	<u>5,260,362</u>		<u>5,260,362</u>
Total other funds	\$74,103,482	\$74,103,482	(\$52,047)	\$74,051,435

Senate Bill No. 2012 - Human Service Centers - All Funds Summary

	Executive Budget	Senate Version	House Changes¹	House Version
DHS - Northwest HSC	8,749,068	8,749,068	(74,500)	8,674,568
DHS - North Central HSC	22,433,884	22,433,884	(1,531,658)	20,902,226
DHS - Lake Region HSC	11,418,231	11,418,231	(173,925)	11,244,306
DHS - Northeast HSC	28,182,609	28,182,609	(93,159)	28,089,450
DHS - Southeast HSC	38,464,720	38,464,720	(456,586)	38,008,134
DHS - South Central HSC	16,953,699	16,953,699	(94,688)	16,859,011
DHS - West Central HSC	26,740,493	26,740,493	(388,050)	26,352,443
DHS - Badlands HSC	<u>11,789,654</u>	<u>11,789,654</u>	<u>(81,600)</u>	<u>11,708,054</u>
Total all funds	\$164,732,358	\$164,732,358	(\$2,894,166)	\$161,838,192
FTE	837.48	837.48	0.00	837.48

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NORTHWEST HUMAN SERVICE CENTER	FTE	General Fund	Estimated Income	Total
Senate version	45.75	\$4,958,832	\$3,790,236	\$8,749,068
Northwest Human Service Center - House changes:				
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover		(\$74,500)	\$0	(\$74,500)
Total House changes - Northwest Human Service Center	0.00	(\$74,500)	\$0	(\$74,500)
House version - Northwest Human Service Center	45.75	\$4,884,332	\$3,790,236	\$8,674,568
NORTH CENTRAL HUMAN SERVICE CENTER	FTE	General Fund	Estimated Income	Total
Senate version	117.78	\$13,410,027	\$9,023,857	\$22,433,884
North Central Human Service Center - House changes:				
Remove funding added in the executive budget for contracting for beds in a crisis stabilization unit for the seriously mentally ill		(\$1,444,661)	\$0	(\$1,444,661)
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover		(70,740)	0	(70,740)
Reduce funding for operating expenses (departmentwide reduction)		(16,257)	0	(16,257)

Total House changes - North Central Human Service Center	0.00	(\$1,531,658)	\$0	(\$1,531,658)
House version - North Central Human Service Center	117.78	\$11,878,369	\$9,023,857	\$20,902,226
LAKE REGION HUMAN SERVICE CENTER				
	FTE	General Fund	Estimated Income	Total
Senate version	60.00	\$6,882,190	\$4,536,041	\$11,418,231
Lake Region Human Service Center - House changes:				
Reduce funding for temporary salaries		(\$37,930)	(\$52,047)	(\$89,977)
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover		(75,320)	0	(75,320)
Reduce funding for operating expenses (departmentwide reduction)		(8,628)	0	(8,628)
Total House changes - Lake Region Human Service Center	0.00	(\$121,878)	(\$52,047)	(\$173,925)
House version - Lake Region Human Service Center	60.00	\$6,760,312	\$4,483,994	\$11,244,306
NORTHEAST HUMAN SERVICE CENTER				
	FTE	General Fund	Estimated Income	Total
Senate version	138.30	\$13,209,723	\$14,972,886	\$28,182,609
Northeast Human Service Center - House changes:				
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover		(\$72,720)	\$0	(\$72,720)
Reduce funding for operating expenses (departmentwide reduction)		(20,439)	0	(20,439)
Total House changes - Northeast Human Service Center	0.00	(\$93,159)	\$0	(\$93,159)
House version - Northeast Human Service Center	138.30	\$13,116,564	\$14,972,886	\$28,089,450
SOUTHEAST HUMAN SERVICE CENTER				
	FTE	General Fund	Estimated Income	Total
Senate version	182.15	\$22,185,733	\$16,278,987	\$38,464,720
Southeast Human Service Center - House changes:				
Remove funding added in the department's base budget for additional staff at the Cooper House		(\$350,400)	\$0	(\$350,400)
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover		(92,100)	0	(92,100)
Reduce funding for operating expenses (departmentwide reduction)		(14,086)	0	(14,086)
Total House changes - Southeast Human Service Center	0.00	(\$456,586)	\$0	(\$456,586)
House version - Southeast Human Service Center	182.15	\$21,729,147	\$16,278,987	\$38,008,134
SOUTH CENTRAL HUMAN SERVICE CENTER				
	FTE	General Fund	Estimated Income	Total

Senate version	85.50	\$9,343,547	\$7,610,152	\$16,953,699
South Central Human Service Center - House changes:				
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover		(\$84,020)	\$0	(\$84,020)
Reduce funding for operating expenses (departmentwide reduction)		(10,668)	0	(10,668)
Total House changes - South Central Human Service Center	0.00	(\$94,688)	\$0	(\$94,688)
House version - South Central Human Service Center	85.50	\$9,248,859	\$7,610,152	\$16,859,011

WEST CENTRAL HUMAN SERVICE CENTER	FTE	General Fund	Estimated Income	Total
Senate version	135.30	\$14,109,532	\$12,630,961	\$26,740,493
West Central Human Service Center - House changes:				
Remove funding added in the executive budget for expanding residential adult crisis bed capacity from 10 beds to 14 beds		(\$309,128)	\$0	(\$309,128)
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover		(61,420)	0	(61,420)
Reduce funding for operating expenses (departmentwide reduction)		(17,502)	0	(17,502)
Total House changes - West Central Human Service Center	0.00	(\$388,050)	\$0	(\$388,050)
House version - West Central Human Service Center	135.30	\$13,721,482	\$12,630,961	\$26,352,443

BADLANDS HUMAN SERVICE CENTER	FTE	General Fund	Estimated Income	Total
Senate version	72.70	\$6,529,292	\$5,260,362	\$11,789,654
Badlands Human Service Center - House changes:				
Reduce funding for salaries and wages for anticipated savings from vacant positions and employee turnover		(\$69,180)	\$0	(\$69,180)
Reduce funding for operating expenses (departmentwide reduction)		(12,420)	0	(12,420)
Total House changes - Badlands Human Service Center	0.00	(\$81,600)	\$0	(\$81,600)
House version - Badlands Human Service Center	72.70	\$6,447,692	\$5,260,362	\$11,708,054

REPORT OF STANDING COMMITTEE

SB 2043, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (18 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2043, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 1067 of the House Journal, Engrossed Senate Bill No. 2043 is amended as follows:

Page 1, line 5, after "payment" insert "system"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2163, as reengrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **DO PASS** (18 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2163 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2227, as reengrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2227, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2268, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2268, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 1115 of the House Journal, Engrossed Senate Bill No. 2268 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "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.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. REGIONAL AUTISM SPECTRUM DISORDER CENTERS OF EARLY INTERVENTION AND ACHIEVEMENT PILOT PROGRAM - REPORT TO THE LEGISLATIVE MANAGEMENT. During the 2011-13 biennium, the department of human services may use up to \$200,000 of funding from its legislative appropriation to establish and operate a regional autism spectrum disorder centers of early intervention and achievement pilot program.

1. The pilot program must provide a matching grant to a qualified applicant that is a nonprofit intermediate care facility for the mentally retarded which is licensed by the department of human services.
2. A qualified applicant shall establish the availability of one dollar of nonstate, cash matching funds for each grant dollar awarded under this section. The source of the matching funds may not be a gift or grant, but must be funds of the applicant.
3. A qualified applicant shall submit a plan for the funding, development, and delivery of skilled services to individuals with autism spectrum disorder who reside within the applicant's service region. The plan must provide for the establishment of a regional autism spectrum disorder center of early intervention and achievement in a city with a population of more than ten thousand.
4. As a condition of award of a grant under this program, a qualified applicant shall agree to collaborate with the department of human services in developing and implementing the plan as well as postaward monitoring by the department of human services.
5. The department of human services shall report to the legislative management before September 1, 2012, on the preliminary findings and recommendations of the pilot program.

SECTION 2. AUTISM STUDY - LEGISLATIVE MANAGEMENT STUDY.

During the 2011-12 interim, the legislative management shall consider studying the current system for the diagnosis of, early treatment of, care for, and education of individuals with autism spectrum disorder. The study must include a review of a sliding fee scale for payment of services and the value of services provided. The study must consider the recommendations of the autism spectrum disorder task

force and must seek input from stakeholders in the private and public sectors, including families impacted by autism spectrum disorder, insurers, educators, treatment providers, early childhood service providers, caretakers, and nonprofit intermediate care facilities for the mentally retarded. 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 3. EXPIRATION DATE. Section 1 of this Act is effective through December 31, 2012, and after that date is ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2306, as amended: Appropriations Committee (Rep. Delzer, Chairman) recommends **DO PASS** (19 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). SB 2306, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4015, as engrossed: Government and Veterans Affairs Committee (Rep. Grande, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4015 was placed on the Sixth order on the calendar.

Page 1, line 1, after "peace" insert "through strength"

Page 1, line 2, replace "disengage" with "support"

Page 1, line 2, replace "from" with "on"

Page 1, line 2, after "countries" insert "and around the world"

Page 1, line 4, replace "reduce" with "prevent"

Page 1, line 4, replace "Sates and" with "States"

Page 1, line 5, after "environment" insert "and to encourage a just rule of law"

Page 1, remove lines 6 and 7

Page 1, line 9, replace "continued" with "declining"

Page 1, replace lines 13 through 15 with:

"WHEREAS, it would be disruptive in the move toward democracy to abandon the cause to which our brave patriots have sacrificed so much while we enjoy our safety and security here at home; and"

Page 1, line 17, after "Iraq" insert "and Afghanistan"

Page 1, line 17, remove "Afghanistan and"

Page 1, line 18, after "Iraq" insert "and Afghanistan"

Page 1, line 18, after "peace" insert "and freedom"

Page 1, line 22, after "peace" insert ", freedom, and democratic rule of law"

Page 1, line 22, after the first "and" insert "a just rule of law in"

Page 1, line 22, replace "with" with "through"

Page 1, line 23, replace "the" with "international and"

Page 1, line 23, replace the comma with "as they disengage from conflict and assist these countries in the transition to peaceful and stable governments while continuing"

Page 1, line 23, replace "disengage and safely withdraw" with "support and honor"

Page 1, line 23, remove "from those"

Page 1, line 24, replace "countries at the appropriate time" with "who have dedicated themselves to protecting the United States of America and helped to bring an end to violence against women and all citizens and have promoted the just cause of freedom around the world"

Page 1, line 24, remove "reasonable expenditures of funds,"

Page 1, line 25, replace "peaceful methods for decreasing" with "appropriate means, our brave military personnel and their families, and to support effective and secure governments in Iraq and Afghanistan which will decrease"

Renumber accordingly

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

Buell J. Reich, Chief Clerk