

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

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**Bismarck, February 22, 2013**

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

The prayer was offered by Reverend Larue Goetz, Revival Prayer Fellowship, Bismarck.

The roll was called and all members were present except Representatives Devlin and Heilman.

A quorum was declared by the Acting Speaker.

**SIXTH ORDER OF BUSINESS**

**ACTING SPEAKER DROVDAL DEEMED** approval of the amendments to HB 1153, HB 1183, HB 1215, HB 1216, HB 1224, HB 1283, HB 1363, HB 1366, HB 1388, HB 1389, HB 1423, and HB 1467.

HB 1153, HB 1183, HB 1215, HB 1216, HB 1224, HB 1283, HB 1363, HB 1366, HB 1388, HB 1389, HB 1423, and HB 1467, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**SECOND READING OF HOUSE BILL**

**HB 1147:** A BILL for an Act to create and enact a new section to chapter 49-22 of the North Dakota Century Code, relating to route adjustments for gas and liquid transmission lines; to amend and reenact subsections 4 and 10 of section 49-22-03 of the North Dakota Century Code, relating to definitions for siting a gas or liquid transmission line; to repeal section 49-22-07.1 of the North Dakota Century Code, relating to a letter of intent; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Hunsakor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Nathe; Nelson, J.; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams

**NAYS:** Amerman; Boschee; Glassheim; Holman; Kelsh, J.; Mooney; Muscha; Onstad; Zaiser

**ABSENT AND NOT VOTING:** Heilman; Nelson, M.; Speaker Devlin

Engrossed HB 1147 passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1348:** A BILL for an Act to amend and reenact section 38-08-05 of the North Dakota Century Code, relating to setbacks for oil and gas wells.

**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; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser

**ABSENT AND NOT VOTING:** Heilman; Nelson, M.; Speaker Devlin

Engrossed HB 1348 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1399:** A BILL for an Act to require the attorney general to consider bringing legal action against the United States fish and wildlife service.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Haak; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams

**NAYS:** Gruchalla; Guggisberg; Hanson; Kelsh, S.; Zaiser

**ABSENT AND NOT VOTING:** Heilman; Nelson, M.; Speaker Devlin

Engrossed HB 1399 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1397:** A BILL for an Act to amend and reenact section 16.1-01-12 of the North Dakota Century Code, relating to election offenses; and to provide a penalty.

**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; Beadle; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin;

Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looysen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser

**NAYS:** Becker; Bellew; Delzer; Grande; Heller; Skarphol; Steiner

**ABSENT AND NOT VOTING:** Heilman; Nelson, M.; Speaker Devlin

Engrossed HB 1397 passed.

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### SECOND READING OF HOUSE BILL

**HB 1135:** A BILL for an Act to provide an appropriation to the state department of health for a mobile dental care services grant.

### 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; Beadle; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looysen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser

**NAYS:** Becker; Ruby

**ABSENT AND NOT VOTING:** Heilman; Nelson, M.; Speaker Devlin

Engrossed HB 1135 passed.

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### SECOND READING OF HOUSE BILL

**HB 1403:** A BILL for an Act to provide for a Legislative Management study of the credit-sale contract indemnity fund.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 22 YEAS, 69 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Strinden; Williams

**NAYS:** Anderson; Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looysen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland

**ABSENT AND NOT VOTING:** Heilman; Zaiser; Speaker Devlin

Engrossed HB 1403 failed.

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### **SECOND READING OF HOUSE BILL**

**HB 1293:** A BILL for an Act to amend and reenact sections 15.1-04.1-01, 15.1-04.1-02, 15.1-04.1-03, 15.1-04.1-04, 15.1-06-01, 15.1-21-02.1, 15.1-29-13, and 37-03-16 of the North Dakota Century Code, relating to the compact on educational opportunity for military children.

### **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; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Wieland; Williams; Zaiser

**ABSENT AND NOT VOTING:** Heilman; Weisz; Speaker Devlin

HB 1293 passed.

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### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3027:** A concurrent resolution urging the Congress of the United States to take back its legislative authority to pass legislation and the President of the United States to recognize the constitutional separation of powers between the legislative and executive branches of government and not to abuse the use of executive orders.

### **ROLL CALL**

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 69 YEAS, 23 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsovog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland

**NAYS:** Amerman; Boe; Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Strinden; Williams; Zaiser

**ABSENT AND NOT VOTING:** Heilman; Speaker Devlin

HCR 3027 was declared adopted on a recorded roll call vote.

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**SECOND READING OF HOUSE BILL**

**HB 1126:** A BILL for an Act to amend and reenact section 39-05-20.2 of the North Dakota Century Code, relating to salvage certificates of title.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 80 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Belter; Boe; Boehning; Boschee; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Mock; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Porter; Ruby; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Toman; Trottier; Wall; Weisz; Wieland; Williams; Zaiser

**NAYS:** Bellew; Brabandt; Delzer; Drovda; Koppelman, B.; Meier; Monson; Pollert; Rohr; Schatz; Thoreson; Vigesaa

**ABSENT AND NOT VOTING:** Heilman; Speaker Devlin

Engrossed HB 1126 passed.

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**MOTION**

**REP. VIGESAA MOVED** that HB 1210, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1314:** A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century Code, relating to genetic privacy; and to provide a penalty.

**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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovda; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser

**ABSENT AND NOT VOTING:** Heilman; Speaker Devlin

Engrossed HB 1314 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1373:** A BILL for an Act to provide for limitations on the use of unmanned aircraft for surveillance; and to provide for a legislative management study.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 60 YEAS, 31 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Beadle; Becker; Bellew; Belter; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Fehr; Froseth; Grande; Hanson; Hatlestad; Headland; Heller; Hofstad; Johnson, D.; Karls; Kasper; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Looysen; Louser; Martinson; Meier; Mock; Monson; Pollert; Porter; Rohr; Ruby; Rust; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Thoreson; Toman; Trottier; Vigasaa; Wall; Wieland; Williams; Zaiser

**NAYS:** Amerman; Delmore; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hawken; Hogan; Holman; Hunskor; Johnson, N.; Keiser; Kelsh, J.; Kelsh, S.; Kretschmar; Kreun; Larson; Maragos; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Sanford; Sukut; Weisz

**ABSENT AND NOT VOTING:** Boe; Heilman; Speaker Devlin

Engrossed HB 1373 passed.

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**MOTION**

**REP. DROVDAL MOVED** that the House stand in recess until 9:55 a.m., which motion prevailed.

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

**SECOND READING OF HOUSE BILL**

**HB 1174:** A BILL for an Act to create and enact a new section to chapter 54-60 of the North Dakota Century Code, relating to creation of the corporate headquarters relocation program within the department of commerce; to provide an appropriation; to provide an exemption; and to provide an expiration date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 23 YEAS, 69 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Beadle; Boschee; Glassheim; Gruchalla; Guggisberg; Haak; Hatlestad; Hawken; Hogan; Johnson, D.; Johnson, N.; Keiser; Kelsh, J.; Kelsh, S.; Klein; Klemin; Maragos; Mock; Oversen; Strinden; Sukut; Zaiser

**NAYS:** Anderson; Becker; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Hanson; Headland; Heller; Hofstad; Holman; Hunskor; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looysen; Louser; Martinson; Meier; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams

**ABSENT AND NOT VOTING:** Heilman; Speaker Devlin

Engrossed HB 1174 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1176:** A BILL for an Act to amend and reenact subsection 3 of section 14-06.1-09, subsection 3 of section 50-01.2-00.1, section 50-01.2-03, subsection 6 of section 50-06-01.4, subsection 17 of section 50-06-05.1, section 50-09-29, and subsection 3

of section 54-06-20 of the North Dakota Century Code, relating to eligibility for the supplemental nutrition assistance program and the temporary assistance for needy families program.

#### 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; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser

**ABSENT AND NOT VOTING:** Anderson; Heilman; Speaker Devlin

Engrossed HB 1176 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1385:** A BILL for an Act to create and enact a new section to chapter 50-06 and a new subdivision to subsection 1 of section 50-09-29 of the North Dakota Century Code, relating to drug testing for the temporary assistance for needy families program.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 19 YEAS, 72 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Boehning; Brandenburg; Damschen; Delzer; Dosch; Headland; Hofstad; Johnson, D.; Kasper; Kempenich; Kiefert; Klein; Laning; Looyesen; Ruby; Schatz; Sukut; Wall; Weisz

**NAYS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boschee; Brabandt; Carlson; Delmore; Dockter; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heller; Hogan; Holman; Hunskor; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Larson; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Thoreson; Toman; Trottier; Vigasaa; Wieland; Williams; Zaiser

**ABSENT AND NOT VOTING:** Fehr; Heilman; Speaker Devlin

Engrossed HB 1385 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1242:** A BILL for an Act to amend and reenact section 57-20-07.1 of the North Dakota Century Code, relating to property tax statement inclusion of information to identify the dollar amount of property tax relief provided through legislative appropriation; and to provide an effective date.

#### 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 73 YEAS, 18 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Beadle; Becker; Bellew; Belter; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Guggisberg; Haak; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams

**NAYS:** Amerman; Boe; Delmore; Gruchalla; Hanson; Hogan; Holman; Hunsakor; Kelsh, J.; Kelsh, S.; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Strinden; Zaiser

**ABSENT AND NOT VOTING:** Fehr; Heilman; Speaker Devlin

HB 1242 passed.

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### SECOND READING OF HOUSE BILL

**HB 1209:** A BILL for an Act to amend and reenact section 50-24.5-10 of the North Dakota Century Code, relating to compensation for top management personnel of basic care facilities.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 53 YEAS, 38 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Boehning; Boschee; Brandenburg; Delmore; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heller; Hogan; Holman; Hunsakor; Johnson, N.; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klemin; Kreidt; Kretschmar; Kreun; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Rohr; Rust; Sanford; Schmidt; Steiner; Strinden; Sukut; Vigasaa; Wall; Wieland; Williams; Zaiser

**NAYS:** Bellew; Belter; Boe; Brabandt; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Grande; Headland; Hofstad; Johnson, D.; Karls; Kasper; Kempenich; Klein; Koppelman, B.; Koppelman, K.; Laning; Larson; Looyesen; Louser; Meier; Nathe; Paur; Pollert; Porter; Ruby; Schatz; Silbernagel; Skarphol; Streyle; Thoreson; Toman; Trottier; Weisz

**ABSENT AND NOT VOTING:** Fehr; Heilman; Speaker Devlin

HB 1209 passed.

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### SECOND READING OF HOUSE BILL

**HB 1245:** A BILL for an Act to amend and reenact subsections 1 and 2 of section 16.1-16-01 of the North Dakota Century Code, relating to election recounts.

### 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 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich;



Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Larson; Looyesen; Louser; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser

**ABSENT AND NOT VOTING:** Fehr; Heilman; Laning; Maragos; Owens; Skarphol; Speaker Devlin

HB 1245 passed.

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#### MOTION

**REP. VIGESAA MOVED** that HB 1388, HB 1216, and HB 1389 be moved to the top of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1388:** A BILL for an Act to create and enact a new section to chapter 43-30 of the North Dakota Century Code, relating to regulation of private investigators and private security services.

#### 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; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovda; Frantsov; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunsdor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser

**ABSENT AND NOT VOTING:** Fehr; Heilman; Speaker Devlin

Engrossed HB 1388 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1216:** A BILL for an Act to create and enact a new section to chapter 43-23.3 of the North Dakota Century Code, relating to regulation of real estate appraisers; and to provide for a legislative management study.

#### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovda; Frantsov; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunsdor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams;

Zaiser

**NAYS:** Bellew; Hanson

**ABSENT AND NOT VOTING:** Fehr; Heilman; Speaker Devlin

Engrossed HB 1216 passed.

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### **SECOND READING OF HOUSE BILL**

**HB 1389:** A BILL for an Act to create and enact chapter 43-23.5 of the North Dakota Century Code, relating to appraisal management company regulation; to amend and reenact the new subdivision to subsection 2 of section 12-60-24 of the North Dakota Century Code as created by section 1 of Senate Bill No. 2110, as approved by the sixty-third legislative assembly, relating to criminal history background checks; to provide a penalty; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looysen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser

**ABSENT AND NOT VOTING:** Fehr; Heilman; Speaker Devlin

Engrossed HB 1389 passed.

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### **MOTION**

**REP. VIGESAA MOVED** that the House Journal reflect that Rep. Devlin was absent on Day 34 and that the voting totals reflect his absence on bills acted on prior to HB 1174, which motion prevailed.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2008, SB 2200, SB 2231, SB 2238, SB 2241, SB 2260, SB 2295, SB 2297, SB 2298, SB 2334, SB 2342, SB 2352.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2146, SB 2187, SB 2193, SB 2243, SB 2247, SB 2271, SB 2318, SB 2338, SB 2364, SCR 4012.

### **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, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, February 25, 2013, which motion prevailed.

## REPORT OF STANDING COMMITTEE

**HB 1001: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1001 was placed on the Sixth order on the calendar.

Page 1, replace line 12 with:

"Salaries and wages	\$3,278,486	\$213,689	\$3,491,675
Accrued leave payments	0	67,222	67,222"

Page 1, replace line 16 with:

"Total general fund	\$3,708,942	\$275,621	\$3,984,563"
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Page 2, line 11, replace "twenty-one" with "twenty"

Page 2, line 11, remove the overstrike over "five"

Page 2, line 11, remove "six"

Page 2, line 12, replace "eighty-one" with "eleven"

Page 2, line 13, replace "twenty-six" with "twenty-four"

Page 2, line 13, remove the overstrike over "one"

Page 2, line 13, remove "five"

Page 2, line 13, replace "forty-nine" with "twenty-six"

Page 2, line 17, replace "ninety-four" with "ninety-three"

Page 2, line 17, replace "four" with "five"

Page 2, line 18, replace "sixty-two" with "fifty-four"

Page 2, line 18, replace "ninety-eight" with "ninety-six"

Page 2, line 19, replace "two" with "three"

Page 2, line 19, replace "forty-one" with "sixty-one"

Renumber accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

## House Bill No. 1001 - Governor's Office - House Action

	Executive Budget	House Changes	House Version
Salaries and wages	\$3,553,129	(\$61,454)	\$3,491,675
Operating expenses	404,366		404,366
Contingencies	10,000		10,000
Roughrider awards	10,800		10,800
Accrued leave payments		67,722	67,722
Total all funds	\$3,978,295	\$6,268	\$3,984,563
Less estimated income	0	0	0
General fund	\$3,978,295	\$6,268	\$3,984,563
FTE	18.00	0.00	18.00

## Department No. 101 - Governor's Office - Detail of House Changes

Corrects	Adjusts State	Provides	Total House
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	Executive Compensation Package <sup>1</sup>	Employee Compensation and Benefits Package <sup>2</sup>	Separate Line Item for Accrued Leave Payments <sup>3</sup>	Changes
Salaries and wages	\$72,767	(\$66,499)	(\$67,722)	(\$61,454)
Operating expenses				
Contingencies				
Roughrider awards				
Accrued leave payments			67,722	67,722
Total all funds	\$72,767	(\$66,499)	\$0	\$6,268
Less estimated income	0	0	0	0
General fund	\$72,767	(\$66,499)	\$0	\$6,268
FTE	0.00	0.00	0.00	0.00

<sup>1</sup>Funding is added due to a calculation error in the executive compensation package.

<sup>2</sup>This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

<sup>3</sup>A portion of funding for permanent employees compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

Sections 4 and 5 of the bill are amended to reduce the salary increases for the Governor and Lieutenant Governor from 4 percent annual increases as included in the executive budget to 3 percent annual increases.

#### REPORT OF STANDING COMMITTEE

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

Page 1, line 2, replace "an exemption" with "exemptions"

Page 1, line 3, remove "and section 3 of chapter 28 of the 2011"

Page 1, line 4, remove "Session Laws"

Page 1, line 4, remove "and funding of the mainframe"

Page 1, line 5, remove "migration computer project"

Page 1, replace lines 17 and 18 with:

"Salaries and wages	\$3,423,343	\$765,153	\$4,188,496
Accrued leave payment	0	82,831	82,831
Operating expenses	2,621,950	(58,353)	2,563,597"

Page 1, remove lines 22 and 23

Page 2, replace line 1 with:

"Total all funds	\$12,260,105	(\$264,066)	\$11,996,039
Less estimated income	<u>6,786,984</u>	<u>(944,809)</u>	<u>5,842,175</u>
Total general fund	\$5,473,121	\$680,743	\$6,153,864"

Page 2, replace lines 13 through 15 with:

"Grand total general fund	\$5,783,121	\$691,243	\$6,474,364
Grand total special funds	<u>6,786,984</u>	<u>(944,809)</u>	<u>5,842,175</u>
Grand total all funds	\$12,570,105	(\$253,566)	\$12,316,539"

Page 2, after line 22, insert:

"Funding for three new full-time equivalent positions	0	283,754
Overtime funding	0	225,600"

Page 2, replace line 25 with:

"Total general fund	\$3,543,039	\$603,354"
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Page 3, line 8, replace "ninety-six" with "ninety-five"

Page 3, line 8, replace "seven" with "eight"

Page 3, line 9, replace "ninety-four" with "sixty-three"

Page 3, line 9, replace "one hundred" with "ninety-eight"

Page 3, line 10, replace "six" with "seven"

Page 3, line 10, replace "sixty-six" with "thirty-nine"

Page 3, replace lines 11 through 18 with:

**"SECTION 5. EXEMPTION - MAINFRAME MIGRATION COMPUTER PROJECT.** Unexpended funding of up to \$1,750,000 appropriated in the operating expenses line item of subdivision 1 of section 1 of chapter 28 of the 2011 Session Laws is not subject to the provisions of section 54-44.1-11 at the end of the 2011-13 biennium and may be continued into the 2013-15 biennium for the completion of the mainframe migration computer project.

**SECTION 6. NEW FULL-TIME EQUIVALENT POSITIONS - LIMITED AUTHORIZATION.** The two new full-time equivalent business registration unit positions and the one new full-time equivalent business information unit position included in subdivision 1 of section 1 of this Act are authorized only for the biennium beginning July 1, 2013, and ending June 30, 2015. The secretary of state shall reevaluate these positions after the completion of the mainframe migration computer project to determine if the positions will be requested as part of the agency's 2015-17 biennium budget request as optional items."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1002 - Summary of House Action

	Executive Budget	House Changes	House Version
Secretary of State			
Total all funds	\$12,216,757	(\$220,718)	\$11,996,039
Less estimated income	<u>5,845,849</u>	<u>(3,674)</u>	<u>5,842,175</u>
General fund	\$6,370,908	(\$217,044)	\$6,153,864
Public Printing			
Total all funds	\$320,500	\$0	\$320,500
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
General fund	\$320,500	\$0	\$320,500
Bill total			

Total all funds	\$12,537,257	(\$220,718)	\$12,316,539
Less estimated income	5,845,849	(3,674)	5,842,175
General fund	\$6,691,408	(\$217,044)	\$6,474,364

### House Bill No. 1002 - Secretary of State - House Action

	Executive Budget	House Changes	House Version
Salaries and wages	\$4,392,045	(\$203,549)	\$4,188,496
Operating expenses	2,663,597	(100,000)	2,563,597
Capital assets	10,000		10,000
Petition review	8,000		8,000
Election reform	5,143,115		5,143,115
Accrued leave payments		82,831	82,831
Total all funds	\$12,216,757	(\$220,718)	\$11,996,039
Less estimated income	5,845,849	(3,674)	5,842,175
General fund	\$6,370,908	(\$217,044)	\$6,153,864
FTE	31.00	0.00	31.00

### Department No. 108 - Secretary of State - Detail of House Changes

	Decrease Funding for Credit Card Usage Fees <sup>1</sup>	Corrects Executive Compensation Package <sup>2</sup>	Adjusts State Employee Compensation and Benefits Package <sup>3</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>4</sup>	Total House Changes
Salaries and wages		\$14,820	(\$135,538)	(\$82,831)	(\$203,549)
Operating expenses	(100,000)				(100,000)
Capital assets					
Petition review					
Election reform					
Accrued leave payments				82,831	82,831
Total all funds	(\$100,000)	\$14,820	(\$135,538)	\$0	(\$220,718)
Less estimated income	0	445	(4,119)	0	(3,674)
General fund	(\$100,000)	\$14,375	(\$131,419)	\$0	(\$217,044)
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment removes funding added in the executive budget for credit card usage fees.

<sup>2</sup> Funding is added due to a calculation error in the executive compensation package.

<sup>3</sup> This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

<sup>4</sup> A portion of salaries and wages funding from the general fund (\$78,184) and from other funds (\$4,647) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

This amendment also:

- Identifies \$283,754 from the general fund as one-time funding related to the 3 new FTE positions for the business registration unit (2 FTE positions) and the business information unit (1 FTE position) included in the executive recommendation.
- Identifies \$225,600 from the general fund provided for overtime is one-time funding.
- Amends Section 4 of the bill related to the salary of the Secretary of State. The amendment makes the statutory changes necessary to provide a salary increase of 3 percent effective July 1, 2013, and 3 percent effective July 1, 2014. The executive recommendation included increases of 4 percent each year of the 2013-15 biennium.
- Replaces Section 5 of the bill to provide an exemption to North Dakota Century Code 54-44.1-11 and allow the Secretary of State to continue up to \$1,750,000 million of the funding provided for the mainframe migration computer project during the 2011-13 biennium into the 2013-15 biennium.
- A section is added providing that the 3 new FTE positions are authorized only for the 2013-15 biennium and must be reevaluated after the completion of the mainframe migration computer project to determine if the positions should be included in the agency's 2015-17 biennium budget request as optional items.

#### REPORT OF STANDING COMMITTEE

**HB 1004: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1004 was placed on the Sixth order on the calendar.

Page 1, replace line 12 with:

"Salaries and wages	\$8,626,758	\$1,278,808	\$9,905,566
Accrued leave payments	0	201,157	201,157"

Page 1, replace lines 15 through 19 with:

"Information technology consultants	<u>150,000</u>	<u>100,000</u>	<u>250,000</u>
Total all funds	\$9,571,330	\$1,631,506	\$11,202,836
Less estimated income	<u>2,427,522</u>	<u>557,503</u>	<u>2,985,025</u>
Total general fund	\$7,143,808	\$1,074,003	\$8,217,811
Full-time equivalent positions	50.80	3.00	53.80"

Page 2, line 11, overstrike "ninety"

Page 2, line 11, replace "six" with "ninety-five"

Page 2, line 11, replace "seven" with "eight"

Page 2, line 12, replace "ninety-four" with "sixty-three"

Page 2, line 12, replace "one hundred" with "ninety-eight"

Page 2, line 13, replace "six" with "seven"

Page 2, line 13, replace "sixty-six" with "thirty-nine"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1004 - State Auditor - House Action**

	<b>Executive Budget</b>	<b>House Changes</b>	<b>House Version</b>
Salaries and wages	\$10,263,792	(\$358,226)	\$9,905,566
Operating expenses	806,113		806,113
Capital assets	40,000		40,000
Information technology consultants	150,000	100,000	250,000
Accrued leave payments		201,157	201,157
Total all funds	\$11,259,905	(\$57,069)	\$11,202,836
Less estimated income	3,073,675	(88,650)	2,985,025
General fund	\$8,186,230	\$31,581	\$8,217,811
FTE	52.80	1.00	53.80

**Department No. 117 - State Auditor - Detail of House Changes**

	<b>Corrects Executive Compensation Package<sup>1</sup></b>	<b>Adjusts State Employee Compensation and Benefits Package<sup>2</sup></b>	<b>Provides Separate Line Item for Accrued Leave Payments<sup>3</sup></b>	<b>Removes 1 FTE Information Systems Auditor<sup>4</sup></b>	<b>Adds 1 FTE Financial Auditor<sup>5</sup></b>	<b>Adds 1 FTE Performance Auditor<sup>6</sup></b>
Salaries and wages	\$5,987	(\$357,423)	(\$201,157)	(\$124,367)	\$124,367	\$124,367
Operating expenses						
Capital assets						
Information technology consultants						
Accrued leave payments			201,157			
Total all funds	\$5,987	(\$357,423)	\$0	(\$124,367)	\$124,367	\$124,367
Less estimated income	1,497	(90,147)	0	0	0	0
General fund	\$4,490	(\$267,276)	\$0	(\$124,367)	\$124,367	\$124,367
FTE	0.00	0.00	0.00	(1.00)	1.00	1.00

	<b>Increases Temporary Salaries<sup>7</sup></b>	<b>Increases Funding for State IT Vulnerability Testing<sup>8</sup></b>	<b>Total House Changes</b>
Salaries and wages	\$70,000		(\$358,226)
Operating expenses			
Capital assets			
Information technology consultants		100,000	100,000
Accrued leave payments			201,157
Total all funds	\$70,000	\$100,000	(\$57,069)
Less estimated income	0	0	(88,650)
General fund	\$70,000	\$100,000	\$31,581
FTE	0.00	0.00	1.00

<sup>1</sup>Funding is added due to a calculation error in the executive compensation package.

<sup>2</sup>This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

<sup>3</sup>A portion of salaries and wages funding from the general fund (\$147,106) and from other



funds (\$54,051) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

<sup>4</sup>This amendment removes 1 FTE information systems auditor position included in the executive recommendation.

<sup>5</sup>This amendment adds 1 FTE financial auditor position.

<sup>6</sup>This amendment adds 1 FTE performance auditor position.

<sup>7</sup>Funding for temporary salaries is increased relating to the costs of the Comprehensive Annual Financial Report (CAFR).

<sup>8</sup>Funding is added for the State Auditor to contract with information technology consultants for the annual testing of the vulnerability of state computer networks to provide a total of \$250,000 from the general fund for network testing.

#### REPORT OF STANDING COMMITTEE

**HB 1005: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1005 was placed on the Sixth order on the calendar.

Page 1, line 2, after "reenact" insert "subsection 18 of section 54-11-01 and"

Page 1, line 2, after the second "the" insert "duties and"

Page 1, replace lines 12 through 15 with:

"Salaries and wages	\$1,054,524	\$334,042	\$1,388,566
Accrued leave payments	0	13,038	13,038
Operating expenses	163,066	337,110	500,176
Coal severance payments	<u>252,800</u>	<u>0</u>	<u>252,800</u>
Total general fund	\$1,470,390	\$684,190	\$2,154,580"

Page 1, replace line 22 with:

"IT development costs	\$266,588	\$364,820"
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Page 2, replace line 2 with:

"Total general fund	\$48,266,588	\$364,820"
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Page 2, after line 6, insert:

**"SECTION 3. AMENDMENT.** Subsection 18 of section 54-11-01 of the North Dakota Century Code is amended and reenacted as follows:

18. Shall correct any underpayment, overpayment, or erroneous payment of tax distribution funds, resulting from an error made by the state treasurer in a timely manner. Unless otherwise provided by law, adjustments may be made from the general fund. This authority is limited to one hundred dollars per biennium, unless approved by the emergency commission. An adjustment of an insignificant amount need not be made at the discretion of the state treasurer. The state treasurer shall adopt a written policy identifying what is considered insignificant."

Page 2, line 10, replace "ninety-one" with "ninety-five"

Page 2, line 10, replace "four" with "eight"

Page 2, line 11 replace "six" with "sixty-three"

Page 2, line 11, replace "ninety-five" with "ninety-eight"

Page 2, line 12, replace "sixty-two" with "seven hundred thirty-nine"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1005 - State Treasurer - House Action

	Executive Budget	House Changes	House Version
Salaries and wages	\$1,317,913	\$70,653	\$1,388,566
Operating expenses	326,872	173,304	500,176
Coal severance payments	252,800		252,800
Accrued leave payments		13,038	13,038
Total all funds	\$1,897,585	\$256,995	\$2,154,580
Less estimated income	0	0	0
General fund	\$1,897,585	\$256,995	\$2,154,580
FTE	8.00	0.00	8.00

#### Department No. 120 - State Treasurer - Detail of House Changes

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Increases State Treasurer's Salary <sup>4</sup>	Reclassifies New Position <sup>5</sup>	Adds Funding for Temporary Salaries <sup>6</sup>
Salaries and wages	\$12,875	(\$40,066)	(\$13,038)	\$12,882	\$38,000	\$60,000
Operating expenses						
Coal severance payments						
Accrued leave payments			13,038			
Total all funds	\$12,875	(\$40,066)	\$0	\$12,882	\$38,000	\$60,000
Less estimated income	0	0	0	0	0	0
General fund	\$12,875	(\$40,066)	\$0	\$12,882	\$38,000	\$60,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Information Technology Development Costs <sup>7</sup>	Total House Changes
Salaries and wages		\$70,653
Operating expenses	173,304	173,304
Coal severance payments		
Accrued leave payments		13,038
Total all funds	\$173,304	\$256,995
Less estimated income	0	0
General fund	\$173,304	\$256,995
FTE	0.00	0.00

<sup>1</sup>Funding is added due to a calculation error in the executive compensation package.

<sup>2</sup>This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

<sup>3</sup>A portion of salaries and wages funding for permanent employees' compensation and

benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

<sup>4</sup>Funding is added to increase the State Treasurer's salary to match the State Auditor's salary.

<sup>5</sup>Funding is added to change the accounting budget specialist position added in the executive budget recommendation to an accounting manager position.

<sup>6</sup>This amendment provides additional funding for temporary salaries to provide a total of \$74,139.

<sup>7</sup>Funding for additional information technology development costs is added relating to changes in oil revenue distributions and other changes.

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This amendment also amends Section 54-11-01(18) relating to the duties of the State Treasurer and amends Section 3 of this Act to reflect the State Treasurer's salary at the same rate as the State Auditor, reflecting a 3 percent annual salary increase.

#### REPORT OF STANDING COMMITTEE

**HB 1006: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1006 was placed on the Sixth order on the calendar.

Page 1, replace lines 14 through 17 with:

"Salaries and wages	\$18,797,710	\$960,745	\$19,758,455
Accrued leave payments	0	624,818	624,818
Operating expenses	6,398,031	2,208,803	8,606,834
Capital assets	16,000	0	16,000
Homestead tax credit	8,792,788	1,892,212	10,685,000"

Page 1, replace lines 19 through 21 with:

"Total all funds	\$38,248,449	\$8,620,658	\$46,869,107
Less estimated income	<u>10,000</u>	<u>0</u>	<u>10,000</u>
Total general fund	\$38,238,449	\$8,620,658	\$46,859,107"

Page 2, replace lines 4 and 5 with:

"TAP project	\$0	\$1,000,000"
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Page 2, replace line 7 with:

"Total general fund	\$1,000,000	\$1,000,000"
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Page 2, line 20, replace "five" with "four"

Page 2, line 21, replace "fifty-one" with "forty"

Page 2, line 21, replace "nine" with "seven"

Page 2, line 22, replace "two" with "one"

Page 2, line 22, replace "fifty-three" with "sixty-one"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1006 - State Tax Commissioner - House Action**

	<b>Executive Budget</b>	<b>House Changes</b>	<b>House Version</b>
Salaries and wages	\$21,151,815	(\$1,393,360)	\$19,758,455
Operating expenses	8,684,314	(77,480)	8,606,834
Capital assets	66,000	(50,000)	16,000
Homestead tax credit	30,685,000	(20,000,000)	10,685,000
Disabled veterans credit	7,178,000		7,178,000
Accrued leave payments		624,818	624,818
Total all funds	\$67,765,129	(\$20,896,022)	\$46,869,107
Less estimated income	125,000	(115,000)	10,000
General fund	\$67,640,129	(\$20,781,022)	\$46,859,107
FTE	134.00	0.00	134.00

**Department No. 127 - State Tax Commissioner - Detail of House Changes**

	<b>Corrects Executive Compensation Package<sup>1</sup></b>	<b>Adjusts State Employee Compensation and Benefits Package<sup>2</sup></b>	<b>Provides Separate Line Item for Accrued Leave Payments<sup>3</sup></b>	<b>Removes Funding for Homestead Tax Credit Expansion<sup>4</sup></b>	<b>Removes Funding for Oil Impact Allowances<sup>5</sup></b>	<b>Removes Funding for Motor Fuels Tax Enforcement Program<sup>6</sup></b>
Salaries and wages	\$21,963	(\$690,621)	(\$624,818)		(\$99,884)	
Operating expenses					(12,480)	(65,000)
Capital assets						(50,000)
Homestead tax credit				(20,000,000)		
Disabled veterans credit						
Accrued leave payments			624,818			
Total all funds	\$21,963	(\$690,621)	\$0	(\$20,000,000)	(\$112,364)	(\$115,000)
Less estimated income	0	0	0	0	0	(115,000)
General fund	\$21,963	(\$690,621)	\$0	(\$20,000,000)	(\$112,364)	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	<b>Total House Changes</b>
Salaries and wages	(\$1,393,360)
Operating expenses	(77,480)
Capital assets	(50,000)
Homestead tax credit	(20,000,000)
Disabled veterans credit	
Accrued leave payments	624,818
Total all funds	(\$20,896,022)
Less estimated income	(115,000)
General fund	(\$20,781,022)
FTE	0.00

<sup>1</sup>Funding is added due to a calculation error in the executive compensation package.

<sup>2</sup>This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

<sup>3</sup>A portion of funding for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

<sup>4</sup>Funding included in the executive budget recommendation to expand the homestead tax credit program is removed.

<sup>5</sup>Funding included in the executive budget recommendation to provide housing and compensation allowances for employees located in areas affected by oil development is removed.

<sup>6</sup>Funding included in the executive budget recommendation for motor fuels tax enforcement program activities is removed.

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Section 4 of this bill is amended to reflect the change in the Tax Commissioner's salary from a 4 percent increase each year of the biennium to a 3 percent increase each year.

#### REPORT OF STANDING COMMITTEE

**HB 1009: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1009 was placed on the Sixth order on the calendar.

Page 1, line 2, after "commissioner" insert "; to create and enact a new section to chapter 19-13.1 of the North Dakota Century Code, relating to license, inspection, and registration fees"

Page 1, line 3, after "transfers" insert "; to provide for a legislative management study of the milk marketing board"

Page 1, replace lines 13 through 22 with:

"Salaries and wages	\$9,712,364	\$909,745	\$10,622,109
Operating expenses	6,451,453	(679,191)	5,772,262
Capital assets	17,000	(5,000)	12,000
Grants	3,170,828	800,000	3,970,828
State board of animal health	2,153,952	(44,124)	2,109,828
Wildlife services	1,417,400	0	1,417,400
Crop harmonization board	75,000	0	75,000
Accrued leave payments	0	237,295	237,295
Total all funds	\$22,997,997	\$1,218,725	\$24,216,722
Less estimated income	<u>14,801,251</u>	<u>223,143</u>	<u>15,024,394</u>
Total general fund	\$8,196,746	\$995,582	\$9,192,328"

Page 2, line 2, replace "\$200,000" with "\$325,000"

Page 2, after line 4, insert:

**"SECTION 3. ESTIMATED INCOME - ENVIRONMENT AND RANGELAND PROTECTION FUND.** The estimated income line item in section 1 of this Act includes the sum of \$5,997,408, or so much of the sum as may be necessary, from the environment and rangeland protection fund for the purpose of defraying the expenses of various department of agriculture programs, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 2, line 6, replace "\$968,796" with "\$484,398"

Page 2, line 21, replace "ninety-nine" with "ninety-eight"

Page 2, line 22, replace "thirty-five" with "seventy-eight"

Page 2, line 23, replace "three" with "one"

Page 2, line 23, replace "twelve" with "thirty-two"

Page 2, after line 23, insert:

"SECTION 8. A new section to chapter 19-13.1 of the North Dakota Century Code is created and enacted as follows:

**Deposit of fees.**

The commissioner shall forward all inspection fees, license fees, and registration fees received under this chapter to the state treasurer. The state treasurer shall deposit the first \$485,000 of fees received under this chapter each biennium in the environment and rangeland protection fund and any remaining fees in the general fund.

**SECTION 9. LEGISLATIVE MANAGEMENT STUDY - MILK MARKETING BOARD.** During the 2013-14 interim, the legislative management shall consider studying the structure of the milk marketing board; its statutory duties; the manner in which it prescribes and regulates producer, distributor, and retail prices throughout the state; and the manner in which it investigates and resolves concerns regarding the price and availability of milk throughout the state. If conducted, the study must review any policy or regulatory changes that the board has implemented in order to address pricing issues and availability of milk in the western portion of this state. The study must examine whether the continued regulation of the grade A dairy industry is best accomplished by the milk marketing board in its current form and operating under its current statutory directives, whether changes are needed to the board or its statutory directives, and whether there are other methods by which the desired results could be effectively and efficiently achieved. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1009 - Department of Agriculture - House Action**

	Executive Budget	House Changes	House Version
Salaries and wages	\$11,258,319	(\$636,210)	\$10,622,109
Operating expenses	5,772,262		5,772,262
Capital assets	12,000		12,000
Grants	4,050,828	(80,000)	3,970,828
State Board of Animal Health	2,135,803	(25,975)	2,109,828
Wildlife Services	1,417,400		1,417,400
Crop Harmonization Board	75,000		75,000
Accrued leave payments		237,295	237,295
Total all funds	\$24,721,612	(\$504,890)	\$24,216,722
Less estimated income	15,209,546	(185,152)	15,024,394
General fund	\$9,512,066	(\$319,738)	\$9,192,328
FTE	77.00	0.00	77.00

**Department No. 602 - Department of Agriculture - Detail of House Changes**

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Removes Centennial Farms Program Grant <sup>4</sup>	Total House Changes
Salaries and wages	\$26,212	(\$451,102)	(\$211,320)		(\$636,210)
Operating expenses					
Capital assets					
Grants				(80,000)	(80,000)
State Board of Animal Health			(25,975)		(25,975)
Wildlife Services					
Crop Harmonization Board					
Accrued leave payments			237,295		237,295
Total all funds	\$26,212	(\$451,102)	\$0	(\$80,000)	(\$504,890)
Less estimated income	11,533	(196,685)	0	0	(185,152)
General fund	\$14,679	(\$254,417)	\$0	(\$80,000)	(\$319,738)
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup>Funding is added due to a calculation error in the executive compensation package.

<sup>2</sup>This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

<sup>3</sup>A portion of salaries and wages funding from the general fund (\$132,719) and from other funds (\$104,576) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

<sup>4</sup>Funding included in the executive budget recommendation for a grant to the Centennial Farms program is removed.

This amendment also:

- Increases the transfer from the environment and rangeland protection fund to the minor use fund from \$200,000 to \$325,000.
- Adds a section to deposit the first \$485,000 of commercial feed license, inspection, and registration fees received under Chapter 19-13.1 in the environment and rangeland protection fund rather than the general fund.
- Adjusts Section 6 relating to the salary of the Agriculture Commissioner consistent with changes made to the state employee compensation package.
- Provides for a Legislative Management study of the Milk Marketing Board.
- Changes the statutory salary for the Agriculture Commissioner to provide for a 3 percent annual increase rather than a 4 percent annual increase as recommended in the executive budget.

#### REPORT OF STANDING COMMITTEE

**HB 1011: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1011 was placed on the Sixth order on the calendar.

Page 1, replace lines 11 through 15 with:

"Salaries and wages	\$1,519,978	\$120,704	\$1,640,682
Operating expenses	706,441	(121,349)	585,092
Accrued leave payments	0	38,927	38,927
Total all funds	\$2,226,419	\$38,282	\$2,264,701
Less estimated income	317,199	(121,349)	195,850
Total general fund	\$1,909,220	\$159,631	\$2,068,851"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1011 - Securities Department - House Action

	Executive Budget	House Changes	House Version
Salaries and wages	\$1,735,950	(\$95,268)	\$1,640,682
Operating expenses	585,092		585,092
Accrued leave payments		38,927	38,927
	\$2,321,042	(\$56,341)	\$2,264,701

Total all funds			
Less estimated income	195,850	0	195,850
General fund	\$2,125,192	(\$56,341)	\$2,068,851
FTE	9.00	0.00	9.00

**Department No. 414 - Securities Department - Detail of House Changes**

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Total House Changes
Salaries and wages	\$5,746	(\$62,087)	(\$38,927)	(\$95,268)
Operating expenses				
Accrued leave payments			38,927	38,927
Total all funds	\$5,746	(\$62,087)	\$0	(\$56,341)
Less estimated income	0	0	0	0
General fund	\$5,746	(\$62,087)	\$0	(\$56,341)
FTE	0.00	0.00	0.00	0.00

<sup>1</sup>Funding is added due to a calculation error in the executive compensation package.

<sup>2</sup>This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

<sup>3</sup>Funding included in the executive budget for accrued leave payments for the Securities Department is reallocated to an accrued leave payments line item.

**REPORT OF STANDING COMMITTEE**

**HB 1014: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1014 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 15 with:

"Protection and advocacy operations	\$5,104,253	\$468,935	\$5,573,188
Accrued leave payments	0	93,590	93,590
Total all funds	\$5,104,253	\$562,525	\$5,666,778
Less estimated income	3,118,888	114,724	3,233,612
Total general fund	\$1,985,365	\$447,801	\$2,433,166
Full-time equivalent positions	28.50	(1.00)	27.50"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****House Bill No. 1014 - Protection and Advocacy Project - House Action**

	Executive Budget	House Changes	House Version
Protection and Advocacy Project	\$5,886,347	(\$5,886,347)	
Accrued leave payments		93,590	93,590
Protection and advocacy operations		5,573,188	5,573,188



Total all funds	\$5,886,347	(\$219,569)	\$5,666,778
Less estimated income	3,233,612	0	3,233,612
General fund	\$2,652,735	(\$219,569)	\$2,433,166
FTE	27.50	0.00	27.50

**Department No. 360 - Protection and Advocacy Project - Detail of House Changes**

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Total House Changes
Protection and Advocacy Project			(\$5,886,347)	(\$5,886,347)
Accrued leave payments			93,590	93,590
Protection and advocacy operations	5,232	(224,801)	5,792,757	5,573,188
Total all funds	\$5,232	(\$224,801)	\$0	(\$219,569)
Less estimated income	0	0	0	0
General fund	\$5,232	(\$224,801)	\$0	(\$219,569)
FTE	0.00	0.00	0.00	0.00

<sup>1</sup>Funding is added due to a calculation error in the executive compensation package.

<sup>2</sup>This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

<sup>3</sup>A portion of salaries and wages funding from the general fund (\$45,519) and from other funds (\$48,071) for permanent employees compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

**REPORT OF STANDING COMMITTEE**

**HB 1017: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1017 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 24 with:

"Salaries and wages	\$24,019,028	\$1,431,339	\$25,450,367
Operating expenses	12,524,493	432,235	12,956,728
Capital assets	4,183,170	(298,109)	3,885,061
Grants	7,718,500	(896,000)	6,822,500
Land habitat and deer depredation	12,904,686	(215,103)	12,689,583
Noxious weed control	600,000	50,000	650,000
Missouri River enforcement	200,000	73,913	273,913
Grants, gifts, and donations	800,000	0	800,000
Nongame wildlife conservation	120,000	0	120,000

Lonetree reservoir	1,749,065	175,886	1,924,951
Wildlife services	868,800	(484,400)	384,400
Accrued leave payments	<u>0</u>	<u>816,366</u>	<u>816,366</u>
Total special funds	\$65,687,742	\$1,086,127	\$66,773,869
Full-time equivalent positions	157.00	1.00	158.00"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1017 - Game and Fish Department - House Action

	Executive Budget	House Changes	House Version
Salaries and wages	\$26,854,290	(\$1,403,923)	\$25,450,367
Operating expenses	13,097,240	(140,512)	12,956,728
Capital assets	3,885,061		3,885,061
Grants	6,922,500	(100,000)	6,822,500
Land habitat and deer depredation	12,751,103	(61,520)	12,689,583
Noxious weed control	650,000		650,000
Missouri River enforcement	280,902	(6,989)	273,913
Grants, gifts, and donations	800,000		800,000
Nongame wildlife conservation	120,000		120,000
Lonetree Reservoir	1,961,841	(36,890)	1,924,951
Wildlife Services	768,800	(384,400)	384,400
Accrued leave payments		816,366	816,366
Total all funds	\$68,091,737	(\$1,317,868)	\$66,773,869
Less estimated income	<u>68,091,737</u>	<u>(1,317,868)</u>	<u>66,773,869</u>
General fund	\$0	\$0	\$0
FTE	157.00	1.00	158.00

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

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Adds Game Warden FTE Position <sup>4</sup>	Removes Funding for Rent Allowance <sup>5</sup>	Reduces Funding for Agriculture Department Programs <sup>6</sup>
Salaries and wages	\$6,834	(\$793,618)	(\$764,414)	\$147,275		
Operating expenses				59,488	(200,000)	
Capital assets						(100,000)
Grants						
Land habitat and deer depredation	283	(31,481)	(30,322)			
Noxious weed control						
Missouri River enforcement	38	(3,579)	(3,448)			
Grants, gifts, and donations						
Nongame wildlife conservation						
Lonetree Reservoir	168	(18,876)	(18,182)			
Wildlife Services						(384,400)
Accrued leave payments			816,366			
Total all funds	\$7,323	(\$847,554)	\$0	\$206,763	(\$200,000)	(\$484,400)
Less estimated income	<u>7,323</u>	<u>(847,554)</u>	<u>0</u>	<u>206,763</u>	<u>(200,000)</u>	<u>(484,400)</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	1.00	0.00	0.00

	Total House Changes
Salaries and wages	(\$1,403,923)
Operating expenses	(140,512)
Capital assets	
Grants	(100,000)
Land habitat and deer depredation	(61,520)
Noxious weed control	
Missouri River enforcement	(6,989)
Grants, gifts, and donations	
Nongame wildlife conservation	
Lonetree Reservoir	(36,890)
Wildlife Services	(384,400)
Accrued leave payments	816,366
	<u>(\$1,317,868)</u>

Total all funds	
Less estimated income	(1,317,868)
General fund	\$0
FTE	1.00

<sup>1</sup>Funding is added due to a calculation error in the executive compensation package.

<sup>2</sup>This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

<sup>3</sup>A portion of funding for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

<sup>4</sup>Funding is added for a new FTE game warden position (\$147,275) and related operating expenses (\$59,488).

<sup>5</sup>Funding of \$200,000 included in the executive budget recommendation for rent allowance for employees living in areas affected by energy development is removed.

<sup>6</sup>Funding provided from the game and fish fund for Agriculture Department programs is reduced as follows:

- Funding for the Board of Animal Health is reduced from \$200,000 to \$100,000.
- Funding for the Wildlife Services program is reduced from \$768,800 to \$384,400.

#### REPORT OF STANDING COMMITTEE

**HB 1022: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1022 was placed on the Sixth order on the calendar.

Page 1, replace lines 13 and 14 with:

"Salaries and wages	\$3,203,114	\$503,040	\$3,706,154
Accrued leave payments	0	71,541	71,541
Operating expenses	947,840	25,484	973,324"

Page 1, replace lines 16 and 17 with:

"Total special funds	\$4,232,954	\$600,065	\$4,833,019
Full-time equivalent positions	18.00	1.00	19.00"

Page 1, replace line 22 with:

"Salaries and wages	\$4,563,507	\$351,515	\$4,915,022
Accrued leave payments	0	103,217	103,217"

Page 2, replace line 1 with:

"Total special funds	\$6,867,890	\$659,243	\$7,527,133"
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Page 2, replace lines 7 and 8 with:

"Grand total special funds	\$11,100,844	\$1,259,308	\$12,360,152
Full-time equivalent positions	51.00	1.00	52.00"

Renumber accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1022 - Summary of House Action

	Executive Budget	House Changes	House Version
Retirement and Investment Office			
Total all funds	\$4,648,730	\$184,289	\$4,833,019
Less estimated income	4,648,730	184,289	4,833,019
General fund	\$0	\$0	\$0
Public Employees Retirement System			
Total all funds	\$7,715,503	(\$188,370)	\$7,527,133
Less estimated income	7,715,503	(188,370)	7,527,133
General fund	\$0	\$0	\$0
Bill total			
Total all funds	\$12,364,233	(\$4,081)	\$12,360,152
Less estimated income	12,364,233	(4,081)	12,360,152
General fund	\$0	\$0	\$0

#### House Bill No. 1022 - Retirement and Investment Office - House Action

	Executive Budget	House Changes	House Version
Salaries and wages	\$3,611,563	\$94,591	\$3,706,154
Operating expenses	955,167	18,157	973,324
Contingencies	82,000		82,000
Accrued leave payments		71,541	71,541
Total all funds	\$4,648,730	\$184,289	\$4,833,019
Less estimated income	4,648,730	184,289	4,833,019
General fund	\$0	\$0	\$0
FTE	18.00	1.00	19.00

#### Department No. 190 - Retirement and Investment Office - Detail of House Changes

	Adds Investment Analyst Position <sup>1</sup>	Corrects Executive Compensation Package <sup>2</sup>	Adjusts State Employee Compensation and Benefits Package <sup>3</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>4</sup>	Total House Changes
Salaries and wages	\$265,396	\$14,998	(\$114,262)	(\$71,541)	\$94,591
Operating expenses	18,157				18,157
Contingencies					
Accrued leave payments				71,541	71,541
Total all funds	\$283,553	\$14,998	(\$114,262)	\$0	\$184,289
Less estimated income	283,553	14,998	(114,262)	0	184,289
General fund	\$0	\$0	\$0	\$0	\$0
FTE	1.00	0.00	0.00	0.00	1.00

<sup>1</sup>This amendment adds an investment analyst position and provides funding for salary, benefits, and applicable operating expenses.

<sup>2</sup>Funding is added due to a calculation error in the executive compensation package.

<sup>3</sup>This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

<sup>4</sup>A portion of funding for permanent employees compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

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#### House Bill No. 1022 - Public Employees Retirement System - House Action

	Executive Budget	House Changes	House Version
Salaries and wages	\$5,206,609	(\$291,587)	\$4,915,022
Operating expenses	2,258,894		2,258,894
Contingencies	250,000		250,000
Accrued leave payments		103,217	103,217
Total all funds	\$7,715,503	(\$188,370)	\$7,527,133
Less estimated income	7,715,503	(188,370)	7,527,133
General fund	\$0	\$0	\$0
FTE	33.00	0.00	33.00

#### Department No. 192 - Public Employees Retirement System - Detail of House Changes

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Total House Changes
Salaries and wages	\$11,484	(\$199,854)	(\$103,217)	(\$291,587)
Operating expenses				
Contingencies				
Accrued leave payments			103,217	103,217
Total all funds	\$11,484	(\$199,854)	\$0	(\$188,370)
Less estimated income	11,484	(199,854)	0	(188,370)
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

<sup>1</sup>Funding is added due to a calculation error in the executive compensation package.

<sup>2</sup>This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

<sup>3</sup>A portion of funding for permanent employees compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

#### REPORT OF STANDING COMMITTEE

**HB 1023: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1023 was placed on the Sixth order on the calendar.

Page 1, remove lines 14 through 18

Page 1, line 19, replace "3." with "2."

Page 1, replace lines 21 through 23 with:

"Grants	<u>\$45,000</u>
Total general fund	\$45,000"

Page 1, line 24, replace "4." with "3."

Page 2, line 4, replace "5." with "4."

Page 2, replace lines 7 and 8 with:

"Litigation contingency	<u>300,000</u>
Total general fund	\$426,000"

Page 2, line 9, replace "6." with "5."

Page 2, line 13, replace "7." with "6."

Page 2, line 17, replace "8." with "7."

Page 2, replace lines 19 and 20 with:

"Field operations	<u>\$300,000</u>
Total general fund	\$300,000"

Page 2, line 21, replace "9." with "8."

Page 2, line 25, replace "10." with "9."

Page 2, replace lines 27 and 28 with:

"Capital assets	<u>\$36,138,893</u>
Total general fund	\$36,138,893"

Page 2, line 29, replace "11." with "10."

Page 2, replace line 31 with:

"Grand total general fund	\$59,524,701"
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Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment makes the following deficiency appropriation adjustments:

- Removes the \$40,000 appropriation to the Attorney General's office relating to prosecution witness fees (\$20,000) and litigation fees (\$20,000).
- Removes the \$3,100,000 appropriation to the Department of Public Instruction relating to rapid enrollment grants.
- Reduces the State Department of Health's litigation contingency appropriation from \$500,000 to \$300,000.
- Reduces the Highway Patrol's field operations appropriation by \$102,000, from \$402,000 to \$300,000, relating to a reduction in the anticipated funding needed for motor pool costs.
- Reduces the Department of Transportation's capital assets appropriation by \$5,361,107, from \$41,500,000 to \$36,138,893, relating to repayment of a loan from the Bank of North Dakota for the state match portion of emergency relief projects on the state highway system during the 2011-13 biennium.

#### REPORT OF STANDING COMMITTEE

**HB 1179: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1179 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1192: Transportation Committee (Rep. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1192 was placed on the Sixth order on the calendar.

Page 1, line 12, after the first "the" insert "average"

Page 1, line 13, after "service" insert "as provided under subsection 5"

Page 1, line 15, replace "current" with "average"

Page 1, line 15, after "parts" insert "as provided under subsection 4"

Page 1, line 23, replace "must" with "shall"

Page 2, line 5, remove "or seeks to recover legal costs and expenses incurred by the dealers in"

Page 2, remove lines 6 and 7

Page 2, line 8, replace "factory branch, distributor, or distributor branch imposes upon" with "from"

Page 2, line 11, replace "which" with "that"

Page 2, line 11, replace "sixty" with "ninety"

Page 2, line 16, replace "is" with "must be"

Page 2, line 16, remove "by the dealer"

Page 2, remove lines 17 through 19

Page 2, line 20, replace "that generated those sales." with "using the same process as provided under subsection 4 and declaring the average labor rate. The average labor rate must be determined by dividing the amount of the dealer's total labor sales by the number of total hours that generated those sales. If a labor rate and parts markup rate are simultaneously declared by the dealer, the dealer may use the same repair orders to complete each calculation as provided under subsection 4."

Page 2, remove line 26

Page 2, line 27, replace "d." with "c."

Page 2, line 29, replace "e." with "d."

Page 2, line 31, replace "f." with "e."

Page 3, line 1, replace "g." with "f."

Page 3, line 3, replace "declaration" with "manufacturer's approval"

Page 3, line 5, remove "unfair and"

Page 3, line 6, after "in" insert "an economically similar area of"

Page 3, line 6, replace "vicinity" with "state"

Page 3, line 6, after the second "the" insert "dealer's declaration of the"

Page 3, line 7, remove "of the"

Page 3, line 7, after "or" insert "average"

Page 3, line 16, remove "may not declare a retail parts markup rate or retail labor rate more than twice"

Page 3, replace line 17 with "or manufacturer may demand that the average parts markup or average labor rate be calculated using the process provided under subsections 4 and 5; however, the demand for the average parts markup may not be made within twelve months of the last parts markup declaration and the demand for the average labor rate may not be made within twelve months of the last labor rate declaration. If a parts markup or labor rate is demanded by the dealer or manufacturer, the dealer shall determine the repair orders to be included in the calculation under subsections 4 and 5."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1212, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1212 was placed on the Sixth order on the calendar.

Page 1, line 8, remove the overstrike over "~~per calendar month the amount established under~~"

Page 1, remove the overstrike over line 9

Page 1, line 10, remove the overstrike over "~~lodging in state and which may not exceed~~"

Page 1, line 10, remove "eighty percent of"

Page 1, line 12, remove the overstrike over "~~On August first of each even-numbered year, the~~"

Page 1, remove the overstrike over lines 13 and 14

Page 1, line 15, remove the overstrike over "~~times~~"

Page 1, line 15, after "~~sixty-five~~" insert "seventy-five"

Page 1, line 15, remove the overstrike over "~~percent of the daily lodging reimbursement in effect on that date~~"

Page 1, remove the overstrike over line 16



Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1228: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1228 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15-20.1 of the North Dakota Century Code, relating to science, technology, engineering, and mathematics advancement grants; to"

Page 1, line 1, remove "for a science, technology, engineering, and

Page 1, line 2, replace "mathematics advancement grant" with "; and to provide a continuing appropriation"

Page 1, after line 3, insert:

"**SECTION 1.** A new section to chapter 15-20.1 of the North Dakota Century Code is created and enacted as follows:

**Science - Technology - Engineering - Mathematics - Grants - Continuing appropriation - Report.**

1. The department of career and technical education may accept gifts, grants, and donations for the purpose of providing science, technology, engineering, and mathematics advancement grants.
2. Grant recipients shall focus on facilitating, coordinating, and advancing science, technology, engineering, and mathematics initiatives in this state, and shall work with representatives of elementary and secondary education, tribal schools, higher education, and private sector industries to strengthen educational opportunities, align the educational opportunities with economic development and workforce needs, and ensure the existence of a creative and productive workforce with the skills and knowledge to be globally competitive.
3. All moneys received under this section are appropriated on a continuing basis to the department of career and technical education for the purpose of providing science, technology, engineering, and mathematics advancement grants. The department of career and technical education shall report to the appropriations committees of each legislative assembly on funds received and the use of the funds."

Page 1, line 5, replace "\$400,000" with "\$160,000"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment establishes a science, technology, engineering and mathematics advancement grant program and allows the Department of Career and Technical Education to accept funding and provide grants through a continuing appropriation. The department must report to the Appropriations Committees each legislative session regarding the funds received and the use of the funds.

#### REPORT OF STANDING COMMITTEE

**HB 1234: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1234 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "section 15-05-10, subsection 4 of section 38-08-04, and"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Section 15-05-10 of the North Dakota Century Code is amended and reenacted as follows:

**15-05-10. Royalties from oil leases - Rents from other leases - Rules.**

Oil leases must be made by the board of university and school lands at such annual minimum payments as are determined by the board, but the royalty shall be not less than twelve and one-half percent of the gross output of oil from the lands leased. Oil leases made by the board may authorize a royalty of less than twelve and one-half percent for production from stripper well properties or individual stripper wells and qualifying secondary recovery and qualifying tertiary recovery projects as defined in section 57-51.1-01. Leases for gas, coal, cement materials, sodium sulfate, sand and gravel, road material, building stone, chemical substances, metallic ores, or colloidal or other clays must be made by the board in such annual payments as are determined by the board. The board may adopt rules regarding annual payments and royalties under this section.

**SECTION 2. AMENDMENT.** Subsection 4 of section 38-08-04 of the North Dakota Century Code is amended and reenacted as follows:

4. To classify wells as oil or gas wells for purposes material to the interpretation or enforcement of this chapter, to classify and determine the status and depth of wells that are stripper well property or individual stripper wells as defined in ~~subsection 8 of~~ section 57-51.1-01, to certify to the tax commissioner which wells are stripper wells and the depth of those wells, and to certify to the tax commissioner which wells involve secondary or tertiary recovery operations under section 57-51.1-01, and the date of qualification for the reduced rate of oil extraction tax for secondary and tertiary recovery operations."

Page 3, line 27, after "8." insert "Stripper well" means a well inside the Bakken or Three Forks formations whose average daily production of oil, excluding condensate recovered in nonassociated production, per well did not exceed ten barrels per day for wells of a depth of six thousand feet [1828.80 meters] or less, fifteen barrels per day for wells of a depth of more than six thousand feet [1828.80 meters] but not more than ten thousand feet [3048 meters], and fifty barrels per day for wells of a depth of more than ten thousand feet [3048 meters] during any preceding consecutive twelve-month period. "Stripper well" also includes a well inside the Bakken or Three Forks formations which was drilled and completed before July 1, 2013, and was considered part of a stripper well property for purposes of this chapter on June 30, 2013.

9."

Page 3, line 27, after ""property"" insert "outside the Bakken and Three Forks formations"

Page 4, line 26, remove the overstrike over "is"

Page 5, line 16, replace "beginning" with "for production from wells drilled and completed"

Page 5, line 16, after "on" insert "or after"

Page 5, line 18, remove ", which must remain the rate unless a"

Page 5, line 19, remove "lower rate is determined under subsections 2 through 5"

Page 5, line 20, replace "beginning" with "for production from wells drilled and completed"

Page 5, line 20, after "on" insert "or after"

Page 5, line 22, remove ", which must remain"

- Page 5, line 23, remove "the rate unless a lower rate is determined under subsections 3 through 5"
- Page 5, line 24, replace "beginning" with "for production from wells drilled and completed"
- Page 5, line 24, after "on" insert "or after"
- Page 5, line 26, remove "one hundred thousand"
- Page 5, line 26, remove "which must remain the"
- Page 5, line 27, replace "rate unless a lower rate is determined under subsection 4 or 5" with "or for production from wells drilled and completed on or after the first day of July 2015, whichever event occurs first"
- Page 5, remove lines 28 through 31
- Page 6, remove lines 1 through 3
- Page 6, line 10, after "property" insert "or individual stripper well"
- Page 6, line 10, remove "On or"
- Page 6, replace lines 11 through 16 with "A well in the Bakken or Three Forks formation which was certified as a stripper well or as part of a stripper well property at the time it is reentered or reworked retains its stripper well or stripper well property exempt status for the first twelve months of production from that well after completion of the reentry or reworking project. After that period, the stripper well or stripper well property exempt status is lost after the average daily production of the well exceeds one hundred barrels per day for a calendar month and the well is then subject to a reduced tax rate of two percent under this chapter until production from that well individually meets the requirements of the definition of stripper well under section 57-51.1-01."
- Page 17, line 6, remove the overstrike over "~~or rate reduction~~"
- Page 17, line 10, after "exemption" insert "or rate reduction"
- Page 17, line 11, after "property" insert "or individual stripper well"
- Page 17, line 13, after "property's" insert "or individual stripper well's"
- Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1250: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1250 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1277: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1277 was placed on the Sixth order on the calendar.

- Page 1, line 1, remove "section 57-38-30, subsection 1 of section 57-38-30.3,"
- Page 1, line 2, remove "and"
- Page 1, line 3, remove "corporate and"
- Page 1, line 3, replace "rate reductions" with "deductions for capital gains, dividends, and interest earnings"
- Page 1, remove lines 5 through 23

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 31

Page 5, remove lines 1 through 4

Page 5, line 10, remove "qualified dividend income that is"

Page 5, remove lines 11 and 12

Page 5, line 13, remove "December 31, 2012, and"

Page 5, line 13 overstrike "net and insert immediately thereafter ":

(1) Qualified dividend income that is taxed at the same rate as long-term capital gain for federal income tax purposes under Internal Revenue Code provisions in effect on December 31, 2012;

(2) Net"

Page 5, line 15, after "amended" insert: "; and

(3) Taxable interest"

Page 5, line 17, replace "and" with an underscored comma

Page 5, line 17, after "gain" insert ", and taxable interest"

Page 5, line 22, overstrike the period

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1278, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (10 YEAS, 9 NAYS, 3 ABSENT AND NOT VOTING). Engrossed HB 1278 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1286: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1286 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "School" with "Building"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1346: Political Subdivisions Committee (Rep. N. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1346 was placed on the Sixth order on the calendar.

Page 1, line 1, after "40-08-09" insert "and section 40-09-17"

Page 1, line 2, after "firefighter" insert "or ambulance crew member"

Page 1, line 3, after "council" insert "or city commission"

Page 1, line 7 overstrike "driver"

Page 1, line 7, after the overstruck comma insert "crew member"

Page 1, line 9, after "firefighter" insert "or ambulance crew member"

Page 1, line 10, replace "fire" with "emergency"

Page 1, line 11, replace "fire" with "emergency"

Page 1, after line 11, insert:

**"SECTION 2. AMENDMENT.** Section 40-09-17 of the North Dakota Century Code is amended and reenacted as follows:

**40-09-17. Restrictions on members of board.**

~~No~~

1. Except as provided in subsection 2, a member of the board of city commissioners shall may not:
  - 1- a. Be eligible to any other office the salary of which is payable out of the city treasury;
  - 2- b. Hold any other office under the city government; and
  - 3- c. Hold a position of remuneration in the employment of the city.
2. A member of a board of city commissioners may serve as an ambulance crew member employed by the city or under a contract with the city and be remunerated for those services or as a volunteer firefighter or ambulance crew member for the city and be compensated for attending training or responding to emergency calls or may be reimbursed for expenses incurred in attending training or in responding to emergency calls."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1394: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1394 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1395: Political Subdivisions Committee (Rep. N. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1395 was placed on the Sixth order on the calendar.

Page 1, line 14, after "members" insert "with experience in the investment field"

Page 1, line 15, after the period insert "Except for an initial appointment to serve the uncompleted term of a previous member representing the public interest, the members representing the public interest must be appointed to serve terms of two years."

Page 1, line 18, after the period insert "The public interest members are entitled to receive compensation, expense reimbursement, and reimbursement for mileage at the same rates as the legislative members."

Page 1, line 20, after "members" insert "and the public interest members"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1409: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1409 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1418: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1418 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1428: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1428 was placed on the Sixth order on the calendar.

Page 1, replace lines 7 through 15 with "The legislative management may review any executive order issued by the president of the United States which has not been affirmed by a vote of the Congress of the United States and signed into law as prescribed by the Constitution of the United States and recommend to the attorney general and the governor that the executive order be further reviewed to determine the constitutionality of the order and whether the state should seek an exemption from the application of the order or seek to have the order declared to be an unconstitutional exercise of legislative authority by the president."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1430: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1430 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1436: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1436 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1441: Political Subdivisions Committee (Rep. N. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1441 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "fourteen" with "seven"

Page 1, line 9, replace "fifteen" with "seven"

Page 1, line 12, replace "ten" with "five"

Page 1, line 14, remove the overstrike over "two"

Page 1, line 14, remove "five"

Page 1, line 16, replace "nine" with "five"

Page 1, line 18, remove the overstrike over "two"

Page 1, line 18, remove "five"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1442: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1442 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1444: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1444 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1449: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING).  
HB 1449 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1466, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO NOT PASS** (14 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING).  
Engrossed HB 1466 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "shall" with "may"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3029: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HCR 3029 was  
placed on the Sixth order on the calendar.

Page 1, remove lines 3 through 11

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3038: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING).  
HCR 3038 was placed on the Eleventh order on the calendar.

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

**Buell J. Reich, Chief Clerk**

