

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

\* \* \* \* \*

**Bismarck, April 12, 2013**

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

The prayer was offered by Representative Diane Larson.

The roll was called and all members were present except Representative Hawken.

A quorum was declared by the Speaker.

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

Pursuant to Article V, Section 9, of the North Dakota Constitution, I have vetoed House Bill 1209 and returned it to the House.

I hereby veto House Bill 1209 because the enhanced salary reimbursement proposed in the measure is not currently in the budget for the Department of Human Services, and there is no indication that it will be funded by either the House or the Senate. The proposal itself, which would allow reimbursement for higher compensation for top management personnel of a basic care facility, is a reasonable proposal, considering the difficulty of retaining good managers in our current economy. However, it is essential that any spending proposal have an identified source of funds. There is still time during this legislative session to amend the necessary language and the required funding of \$435,481 in the budget bill for the Department of Human Services. That decision remains with the legislature.

Therefore, I am vetoing House Bill 1209.

**SIXTH ORDER OF BUSINESS**

**SPEAKER DEVLIN DEEMED** approval of the amendments to Engrossed SB 2004, Engrossed SB 2020, Engrossed SB 2193, Engrossed SB 2222, and SB 2226.

Engrossed SB 2004, Engrossed SB 2020, Engrossed SB 2193, Engrossed SB 2222, and SB 2226, as amended, were placed on the Fourteenth order of business on the calendar.

**SECOND READING OF SENATE BILL**

**SB 2002:** A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; and to amend and reenact section 27-02-02; subsection 1 of section 27-05-02.1; and section 27-05-03 of the North Dakota Century Code, relating to salaries of supreme and district court judges and disposition of vacant judgeships.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Belter; Boe; Boehning; Boschee; Carlson; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Heilman; 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; Rust; Sanford; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trotter; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Bellew; Brabandt; Brandenburg; Delzer; Headland; Rohr; Ruby; Schatz; Schmidt

**ABSENT AND NOT VOTING:** Hawken

Engrossed SB 2002, as amended, passed.

\*\*\*\*\*

### **SECOND READING OF SENATE BILL**

**SB 2075:** A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch of state government relating to the establishment of three additional district court judgeships.

### **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 2 YEAS, 91 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Gruchalla; Mock

**NAYS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Guggisberg; Haak; Hanson; Hatlestad; Headland; Heilman; 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; 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; Speaker Devlin

**ABSENT AND NOT VOTING:** Hawken

Engrossed SB 2075, as amended, failed.

\*\*\*\*\*

### **SECOND READING OF SENATE BILL**

**SB 2359:** A BILL for an Act to create and enact sections 61-40-10 and 61-40-11 of the North Dakota Century Code, relating to the western area water supply authority; and to amend and reenact sections 61-40-01 and 61-40-06 of the North Dakota Century Code, relating to the western area water supply authority.

### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 4 YEAS, 89 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Glassheim; Hogan; Onstad; Strinden

**NAYS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Headland; Heilman; Heller; Hofstad; 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.; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Hawken

Engrossed SB 2359 failed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2020:** A BILL for an Act to provide an appropriation for defraying the expenses of the extension service, northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm; to provide for transfers; to provide an exemption; to amend and reenact subsection 6 of section 4-05.1-19 of the North Dakota Century Code, relating to the duties of the state board of agricultural research and education; 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 79 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Kreidt; Kretschmar; Kreun; Laning; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Pollert; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Speaker Devlin

**NAYS:** Becker; Brabandt; Drovdal; Koppelman, B.; Koppelman, K.; Larson; Nathe; Owens; Paur; Porter; Rohr; Silbernagel; Toman; Zaiser

**ABSENT AND NOT VOTING:** Hawken

Engrossed SB 2020, as amended, passed and the emergency clause was declared carried.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2193:** A BILL for an Act to provide for the establishment of an autism spectrum disorder database; to provide for a department of human services study and report to the legislative management; to provide an appropriation; and to provide an expiration date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Belter; Boe; Boehning; Boschee; Brandenburg; Carlson; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Heilman; 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; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Pollert; Porter; Rust; Sanford; Schatz; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Bellew; Brabandt; Damschen; Delzer; Headland; Kreun; Paur; Rohr; Ruby; Schmidt; Streyle; Toman; Trottier

**ABSENT AND NOT VOTING:** Hawken

Engrossed SB 2193, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2222:** A BILL for an Act to amend and reenact sections 15.1-21-02.4, 15.1-21-02.5, and 15.1-21-02.6 of the North Dakota Century Code, relating to North Dakota scholarships.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemm; 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; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trotter; Vigasaa; Wall; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Belter; Headland; Schmidt; Silbernagel

**ABSENT AND NOT VOTING:** Hawken; Weisz

Engrossed SB 2222, as amended, passed.

\*\*\*\*\*

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. VIGASAA MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1286 as printed on HJ page 1170 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on Engrossed HB 1286: Reps. Kasper, B. Koppelman, Amerman.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. VIGASAA MOVED** that the House do not concur in the Senate amendments to Reengrossed HB 1302 as printed on HJ pages 1343-1360 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on Reengrossed HB 1302: Reps. Ruby, K. Koppelman, Delmore.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. VIGASAA MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1338 as printed on HJ pages 1260-1261 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on Engrossed HB 1338: Reps. Brabandt, Silbernagel, S. Kelsh.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. VIGASAA MOVED** that the House do not concur in the Senate amendments to Reengrossed HB 1405 as printed on HJ page 1171 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice

vote.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**THE SPEAKER APPOINTED** as a Conference Committee on Reengrossed HB 1405: Reps. Steiner, Dockter, Paur.

#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. VIGESAA MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1452 as printed on HJ pages 1302-1309 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**THE SPEAKER APPOINTED** as a Conference Committee on Engrossed HB 1452: Reps. Boehning, Louser, Zaiser.

#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. VIGESAA MOVED** that the House do not concur in the Senate amendments to Engrossed HCR 3006 as printed on HJ page 1360 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**THE SPEAKER APPOINTED** as a Conference Committee on Engrossed HCR 3006: Reps. Maragos, Karls, Hanson.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**REP. VIGESAA MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2175, Reengrossed SB 2187, Engrossed SB 2205, Engrossed SB 2211, SB 2213, and Engrossed SB 2227, which motion prevailed.

**THE SPEAKER APPOINTED** as a Conference Committee on:

**Engrossed SB 2175:** Reps. Klemin, Brabandt, Delmore  
**Reengrossed SB 2187:** Reps. Weisz, Anderson, Muscha  
**Engrossed SB 2205:** Reps. Weisz, Kiefert, Oversen  
**Engrossed SB 2211:** Reps. D. Johnson, Rust, M. Nelson  
**SB 2213:** Reps. Kasper, B. Koppelman, Amerman  
**Engrossed SB 2227:** Reps. Kretschmar, Boehning, Hogan

#### MOTION

**REP. VIGESAA MOVED** that the House stand in recess until 12:30 p.m., which motion prevailed.

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

#### ANNOUNCEMENT

**SPEAKER DEVLIN ANNOUNCED** that in accordance with House Rule 355, HB 1209 will be placed on the Eleventh order of business on the calendar for reconsideration of the Governor's veto.

#### REPORT OF STANDING COMMITTEE

**SB 2013, as engrossed: 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). Engrossed SB 2013 was placed on the Sixth order on the calendar.

Page 1, replace lines 15 through 22 with:

"Salaries and wages	\$4,145,824	\$921,833	\$5,067,657
Accrued leave payments	0	108,541	108,541
Operating expenses	1,431,096	544,767	1,975,863
Capital assets	0	65,550	65,550
Grants	99,778,269	(99,778,269)	0

Energy infrastructure and impact office	0	217,000,000	217,000,000
Contingencies	<u>100,000</u>	<u>100,000</u>	<u>200,000</u>
Total special funds	\$105,455,189	\$118,962,422	\$224,417,611
Full-time equivalent positions	24.75	6.25	31.00"

Page 2, replace line 9 with:

"Energy impact grants - dust control	0	3,000,000"
--------------------------------------	---	------------

Page 2, replace lines 12 through 14 with:

"Total all funds	\$65,010,000	\$67,065,550
Less estimated income	<u>35,010,000</u>	<u>67,065,550</u>
Total general fund	\$30,000,000	\$0"

Page 4, line 12, after the period insert "The department of trust lands shall consult with the state department of health and the industrial commission relating to the use of oilfield-produced saltwater and products previously tested for dust control."

Page 4, replace lines 15 through 24 with:

**"SECTION 10. PRIVATE LAND STUDY - EMERGENCY COMMISSION APPROVAL FOR ADDITIONAL FUNDS.** The operating expenses line item in section 1 of this Act includes the sum of \$50,000 from the strategic investment and improvements fund for a study provided for in House Bill No. 1338, as approved by the sixty-third legislative assembly, of private lands owned adjacent to lands under control of the United States army corps of engineers. If the \$50,000 provided for the study is insufficient, the department of trust lands may seek emergency commission approval for additional funding from the state contingencies appropriation of up to \$50,000 for the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 5, line 7, replace "twenty-four" with "seventeen"

Page 6, line 13, replace "\$10,000,000" with "\$3,000,000"

Page 6, line 14, replace "sections 9 and 10" with "section 9"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2013 - Department of Trust Lands - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$5,312,873	\$5,319,551	(\$251,894)	\$5,067,657
Operating expenses	1,925,863	1,925,863	50,000	1,975,863
Capital assets	65,550	65,550		65,550
Energy infrastructure and impact office	214,000,000	224,000,000	(7,000,000)	217,000,000
Contingencies	200,000	200,000		200,000
Accrued leave payments			108,541	108,541
Total all funds	\$221,504,286	\$231,510,964	(\$7,093,353)	\$224,417,611
Less estimated income	<u>221,504,286</u>	<u>231,510,964</u>	<u>(7,093,353)</u>	<u>224,417,611</u>
General fund	\$0	\$0	\$0	\$0
FTE	31.00	31.00	0.00	31.00

#### Department No. 226 - Department of Trust Lands - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package <sup>1</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>2</sup>	Adds Funding for Study <sup>3</sup>	Reduces Funding for Dust Control <sup>4</sup>	Total House Changes
Salaries and wages	(\$143,353)	(\$108,541)			(\$251,894)
Operating expenses			50,000		50,000
Capital assets					

Energy infrastructure and impact office			(7,000,000)	(7,000,000)
Contingencies				
Accrued leave payments		108,541		108,541
Total all funds	(\$143,353)	\$0	\$50,000	(\$7,000,000)
Less estimated income	(143,353)	0	50,000	(7,000,000)
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

<sup>1</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 equity 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>2</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>3</sup> Funding is added to conduct a study of private lands owned adjacent to lands under control of the United States Army Corps of Engineers included in House Bill No. 1338.

<sup>4</sup> Funding added by the Senate for dust control is reduced from \$10 million to \$3 million, and the amount of oil and gas tax collections to be deposited in the oil and gas impact grant fund during the 2013-15 biennium is reduced from \$224 million to \$217 million.

A section is added relating to funding for a study of private lands included in House Bill No. 1338 and authorizing the department to seek additional funding for the study from the Emergency Commission.

A section added by the Senate relating to contingency funding for dust control grants is removed.

#### REPORT OF STANDING COMMITTEE

**SB 2218, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2218, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments as printed on pages 1020 and 1021 of the House Journal, Engrossed Senate Bill No. 2218 is amended as follows:

Page 1, remove lines 4 through 14

Page 1, line 21, remove "noncompetitive"

Page 1, line 22, remove "The funds appropriated under this Act must be divided"

Page 1, replace line 23 with "In order to qualify for a grant under this section, an applicant must be a tribally controlled community college not located on an Indian reservation or a tribally controlled community college located on an Indian reservation with an unemployment rate of greater than thirty percent. The department of commerce shall consult with the executive director of the Indian affairs commission to determine eligible tribally controlled community colleges."

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

Page 2, line 15, after the underscored comma insert "a"

Page 2, line 18, replace "must" with "shall"

Page 2, remove lines 22 through 30

Page 3, replace lines 1 through 6 with:

"A grant awarded under this Act may be used to carry out the purposes specified in section 2 of this Act, including maintenance and operation of the program; development costs associated with any new or redesigned courses of instruction at the college; costs of instruction, including special programs for individuals with disabilities; and academic instruction and associated materials."

Page 3, line 11, remove "must provide a report to the department of commerce that"

Page 3, replace lines 12 through 22 with "shall provide to the department of commerce, in the form prescribed by the department, the following information:

1. A detailed report of expenditures under the grant;
2. The number of students assisted by the grant;
3. The graduation rate of students assisted by the grant and the graduation rate for all students at the college;
4. A description of any new or improved training or other program leading to a certificate or a degree which was developed by the college with funds provided by the grant and the types of jobs for which the new or improved training program is designed;
5. The placement rate of graduates of the college assisted by the grant in relation to the placement rate of all graduates of the college;
6. The rate of students assisted by the grant who pursue further educational opportunities immediately after graduation from the college; and
7. The number of jobs or businesses created as a result of funds provided by the grant."

Page 3, line 24, replace "\$5,000,000" with "\$3,000,000"

Page 3, line 27, remove "No more than fifty percent of the appropriation may be expended during the first"

Page 3, remove line 28

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2218 - Department of Commerce - House Action

	Executive Budget	Senate Version	House Changes	House Version
Grants to tribal colleges		\$5,000,000	(\$2,000,000)	\$3,000,000
Total all funds	\$0	\$5,000,000	(\$2,000,000)	\$3,000,000
Less estimated income	0	0	0	0
General fund	\$0	\$5,000,000	(\$2,000,000)	\$3,000,000
FTE	0.00	0.00	0.00	0.00

#### Department No. 601 - Department of Commerce - Detail of House Changes

Reduces	Total House
---------	-------------



	Funding for Workforce Development Grants <sup>1</sup>	Changes
Grants to tribal colleges	(\$2,000,000)	(\$2,000,000)
Total all funds	(\$2,000,000)	(\$2,000,000)
Less estimated income	0	0
General fund	(\$2,000,000)	(\$2,000,000)
FTE	0.00	0.00

<sup>1</sup>This amendment reduces funding to tribal colleges for workforce development grants by \$2 million, from \$5 million to \$3 million.

#### REPORT OF STANDING COMMITTEE

**SB 2242, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2242 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "subsection 6 of section 20.1-03-12" with "subsection 1 of section 54-17.8-06"

Page 1, line 4, after "Code" insert "as created by House Bill No. 1278, as approved by the sixty-third legislative assembly"

Page 1, line 4, replace "and fishing fees for disabled veterans" with "the members of the North Dakota outdoor heritage advisory board"

Page 1, remove lines 13 through 17

Page 1, after line 21, insert:

**"SECTION 3. AMENDMENT.** Subsection 1 of section 54-17.8-06 of the North Dakota Century Code as created by House Bill No. 1278, as approved by the sixty-third legislative assembly, is amended and reenacted as follows:

1. There is created a North Dakota outdoor heritage advisory board consisting of twelve members. The governor shall appoint representatives from each of the groups listed in this section based upon recommendations made by the appropriate group. The advisory board consists of:
  - a. Four members from the agriculture community. The governor shall appoint one member from the North Dakota farm bureau, North Dakota farmers union, the North Dakota stockmen's association, and the North Dakota grain growers association.
  - b. Two members from the energy industry. The governor shall appoint one member from the North Dakota petroleum council and one member from the lignite energy council.
  - c. Four members from the conservation community. ~~The governor shall appoint one member from ducks unlimited of North Dakota, the North Dakota natural resources trust fund, the North Dakota chapter of pheasants forever, and the conservation community at large.~~
  - d. One member from the business community from the greater North Dakota chamber.
  - e. One member from the North Dakota recreation and park association."

ReNUMBER accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2267, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2267, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 1090 and 1091 of the House Journal, Engrossed Senate Bill No. 2267 is amended as follows:

Page 1, line 1, remove "and deferred maintenance"

Page 1, line 4, remove "**AND**"

Page 1, line 5, remove "**DEFERRED MAINTENANCE**"

Page 1, line 7, replace "\$10,000,000" with "\$3,000,000"

Page 1, line 9, remove "and deferred maintenance"

Page 1, line 16, after "forward" insert "\$10,000"

Page 1, line 16, replace the colon with a period

Page 1, remove line 17 through 19

Page 2, line 1, after "forward" insert "\$10,000"

Page 2, line 2, replace the colon with a period

Page 2, remove lines 3 through 5

Page 2, line 6, remove "at least fifty"

Page 2, line 7, remove "percent of"

Page 2, line 7, remove "for safety. Any remaining funds may be dedicated to"

Page 2, line 8, replace "deferred maintenance" with "for projects that improve safety"

Page 2, line 9, remove the colon

Page 2, line 10, replace "(1) Submit" with "submit"

Page 2, line 11, replace "; or" with a period

Page 2, remove lines 12 and 13

Page 2, line 22, remove "and"

Page 2, line 23, replace the second period with ";

- c. As of the most recent fiscal year, has an ending general fund balance that does not exceed twenty-five percent of the district's total general fund expenditures for the same fiscal year; and
- d. Has annual general fund expenditures of less than \$10,000,000 during the most recent fiscal year."

Renumber accordingly

**MOTION**

**REP. VIGESAA MOVED** that SB 2218, which is on the Sixth order, be laid over one legislative day, and that SB 2242, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

**SPEAKER DEVLIN DEEMED** approval of the amendments to Engrossed SB 2013, Engrossed SB 2267, and Engrossed SB 2344.

Engrossed SB 2013, Engrossed SB 2267, and Engrossed SB 2344, as amended, were placed on the Fourteenth order of business on the calendar.

**SECOND READING OF SENATE BILL**

**SB 2013:** A BILL for an Act to provide an appropriation for defraying the expenses of the commissioner of university and school lands; to provide for distributions from permanent funds; to amend and reenact subsection 1 of section 57-51-15 and section 57-62-04 of the North Dakota Century Code, relating to oil and gas gross production taxes and the energy infrastructure and impact office; to provide an effective date; to provide an expiration date; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Headland; Heilman; 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; Speaker Devlin

**ABSENT AND NOT VOTING:** Brandenburg; Hawken

Engrossed SB 2013, as amended, passed and the emergency clause was declared carried.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2267:** A BILL for an Act to provide an appropriation for school district safety grants.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 68 YEAS, 24 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Beadle; Boe; Boehning; Boschee; Brabandt; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, S.; Kempenich; Kiefert; Klemin; Kreidt; Kretschmar; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Porter; Rohr; Rust; Sanford; Schatz; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Toman; Trottier; Wall; Williams; Zaiser

**NAYS:** Amerman; Becker; Bellew; Belter; Carlson; Delzer; Grande; Headland; Kelsh, J.; Klein; Koppelman, B.; Koppelman, K.; Kreun; Laning; Larson; Looyesen; Pollert; Ruby; Schmidt; Streyle; Vigasaa; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Brandenburg; Hawken

Engrossed SB 2267, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2344:** A BILL for an Act to provide an appropriation for training service dogs; 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 72 YEAS, 20 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Damschen; Delmore; Dockter; Fehr; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klemm; Kretschmar; Kreun; Larson; Looysen; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Porter; Rohr; Rust; Sanford; Schatz; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Carlson; Delzer; Dosch; Drovdal; Frantsvog; Headland; Kempenich; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Louser; Meier; Paur; Pollert; Ruby; Schmidt; Streyle

**ABSENT AND NOT VOTING:** Brandenburg; Hawken

Engrossed SB 2344, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2226:** A BILL for an Act to amend and reenact section 23-01.2-04 of the North Dakota Century Code, relating to a medical director; and to provide an appropriation for the North Dakota trauma system.

**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 79 YEAS, 13 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Carlson; Damschen; Delmore; Dockter; Drovdal; Fehr; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemm; 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; Rust; Sanford; Schatz; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Brabandt; Delzer; Dosch; Frantsvog; Grande; Headland; Koppelman, B.; Rohr; Ruby; Schmidt; Streyle; Toman; Trottier

**ABSENT AND NOT VOTING:** Brandenburg; Hawken

SB 2226, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2004:** A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health; to repeal chapter 23-17.5 and section 23-46-05 of the North Dakota Century Code, relating to health care provider cooperative agreements and state financial assistance for emergency medical services; and to provide

legislative intent.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 69 YEAS, 24 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Boschee; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Haak; Hanson; Hatlestad; Headland; Heilman; Heller; Hofstad; Hunskor; Johnson, D.; Karls; Kasper; Keiser; Kelsh, J.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Monson; Mooney; Muscha; Nathe; Nelson, J.; Paur; Pollert; Porter; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Streyle; Sukut; Thoreson; Toman; Vigesaa; Wall; Weisz; Wieland; Williams

**NAYS:** Becker; Boe; Brabandt; Delmore; Glassheim; Gruchalla; Guggisberg; Hogan; Holman; Johnson, N.; Kelsh, S.; Mock; Nelson, M.; Onstad; Oversen; Owens; Rohr; Ruby; Schatz; Steiner; Strinden; Trottier; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Hawken

Engrossed SB 2004, as amended, passed.

\*\*\*\*\*

#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. VIGESAA MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1272 as printed on HJ pages 1149-1150 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**THE SPEAKER APPOINTED** as a Conference Committee on Engrossed HB 1272: Reps. Meier, Rohr, Mock.

#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. VIGESAA MOVED** that the House do not concur in the Senate amendments to Reengrossed HB 1290 as printed on HJ page 1424 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**THE SPEAKER APPOINTED** as a Conference Committee on Reengrossed HB 1290: Reps. Headland, Belter, Zaiser.

#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. VIGESAA MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1291 as printed on HJ pages 1457-1461 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**THE SPEAKER APPOINTED** as a Conference Committee on Engrossed HB 1291: Reps. Heller, Heilman, J. Kelsh.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**REP. VIGESAA MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2171, Engrossed SB 2338, and Engrossed SCR 4030, which motion prevailed.

**THE SPEAKER APPOINTED** as a Conference Committee on:

**Engrossed SB 2171:** Reps. Owens, Dockter, Zaiser

**Engrossed SB 2338:** Reps. Klein, Schmidt, Haak

Engrossed SCR 4030: Reps. Headland, Trottier, Zaiser

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. WEISZ MOVED** that the conference committee report on Engrossed SB 2368 as printed on HJ page 1272 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2368 was placed on the Fourteenth order of business.

**SECOND READING OF SENATE BILL**

**SB 2368:** A BILL for an Act to create and enact a new section to chapter 14-02.1 of the North Dakota Century Code, relating to limitations on and penalties for performing an abortion; and to amend and reenact sections 14-02.1-02, 14-02.1-07, 14-02.3-01, and 14-02.3-02 of the North Dakota Century Code, relating to definitions, reporting requirements, and the use of public funds for abortions and family planning.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, the roll was called and there were 60 YEAS, 32 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Headland; Heller; Hofstad; Johnson, D.; Karls; Kasper; Kelsh, J.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Looyesen; Louser; Meier; Monson; Muscha; Nathe; Paur; Pollert; Porter; Rohr; Ruby; Rust; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Speaker Devlin

**NAYS:** Amerman; Anderson; Beadle; Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Heilman; Hogan; Holman; Hunskor; Johnson, N.; Keiser; Kelsh, S.; Kreun; Maragos; Martinson; Mock; Mooney; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Sanford; Strinden; Sukut; Zaiser

**ABSENT AND NOT VOTING:** Boe; Hawken

Engrossed SB 2368 passed.

\*\*\*\*\*

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. KASPER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1309 as printed on HJ page 1019, which motion prevailed on a voice vote.

Engrossed HB 1309, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1309:** A BILL for an Act to amend and reenact sections 54-06-32, 54-06-33, and 54-06-34 of the North Dakota Century Code, relating to state agency reporting requirements for employee service awards, employer-paid tuition, and employer-paid dues and memberships; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Headland; Heilman; 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; Speaker Devlin

**NAYS:** Delzer

**ABSENT AND NOT VOTING:** Boe; Hawken

Reengrossed HB 1309 passed and the emergency clause was declared carried.

\*\*\*\*\*

#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. KASPER MOVED** that the House do concur in the Senate amendments to Reengrossed HB 1332 as printed on HJ page 1227, which motion prevailed on a voice vote.

Reengrossed HB 1332, as amended, was placed on the Eleventh order of business.

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

**HB 1332:** A BILL for an Act to amend and reenact section 16.1-02-05, subsection 9 of section 16.1-02-12, and sections 16.1-02-13, 16.1-05-04, 16.1-05-07, 16.1-07-06, and 39-06-03.1 of the North Dakota Century Code, relating to eligibility to vote; and to repeal sections 16.1-05-06 and 58-04-09 of the North Dakota Century Code, relating to eligibility to vote.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 68 YEAS, 24 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovda; Fehr; Froseth; Grande; Hatlestad; Headland; Heilman; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kreun; Laning; Larson; Looyson; Louser; 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; Speaker Devlin

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

**ABSENT AND NOT VOTING:** Boe; Hawken

Reengrossed HB 1332 passed.

\*\*\*\*\*

#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. BELTER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1106 as printed on HJ pages 1300-1301, which motion prevailed on a voice vote.

Engrossed HB 1106, as amended, was placed on the Eleventh order of business.

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

**HB 1106:** A BILL for an Act to create and enact two new sections to chapter 57-02, three new sections to chapter 57-06, a new subsection to section 57-13-04, a new section to chapter 57-33.2, sections 57-36-09.6, 57-38-60.3, 57-39.2-15.3, 57-40.2-15.3, 57-43.1-17.5, 57-43.2-16.4, and 57-43.3-21.1 of the North Dakota Century Code, relating to notice of township, city, and county equalization meetings, collection and certification of electric generation, transmission, and distribution taxes, appeals to the state board of equalization, and the liability of a general partner of a limited liability limited partnership for unpaid taxes; to amend and reenact section 23-27-04.7, subsection 5 of section 57-02-08.1, subsection 17 of section 57-06-06, sections 57-06-17.3, 57-33.2-16, 57-35.3-07, and 57-38-01, subsection 5 of section 57-38-01.21, sections 57-38-01.22 and 57-38-01.23, subsection 2 of section 57-38-01.24, subsection 5 of section 57-38-01.25, subsections 2, 3, and 7 of section 57-38-01.26, subsection 9 of section 57-38-01.27, subsection 2 of section

57-38-01.31, subsection 9 of section 57-38-01.32, subsection 7 of section 57-38-01.33, subsections 6 and 12 of section 57-38-30.5, section 57-38.5-01, subsection 4 of section 57-38.5-03, section 57-38.6-01, subsection 4 of section 57-38.6-03, subsection 2 of section 57-39.2-04.8, and sections 57-40.2-15.2, 57-43.3-20, and 57-43.3-21 of the North Dakota Century Code, relating to the emergency medical services levy, the permanent and totally disabled property tax exemption certifications, public utility reports, collection and certification of transmission line property tax, liability of a general partner of a limited liability limited partnership for unpaid taxes, financial institutions tax credit for contributions to the housing incentive fund, income tax credit for blending biodiesel or green diesel fuel in this state, qualifying investments in angel funds, the definition of passthrough entity for income tax purposes, and the sales tax exemption for equipment and machinery used in a new coal mine; to repeal section 57-23-02 of the North Dakota Century Code, relating to notice of township and city equalization meetings; to provide a penalty; to provide a continuing appropriation; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Headland; Heilman; 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; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; 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; Speaker Devlin

**ABSENT AND NOT VOTING:** Boe; Hawken; Onstad

Reengrossed HB 1106 passed.

\*\*\*\*\*

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2002.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2004, SB 2226, SB 2267, SB 2344.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2193, SB 2222.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2013.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2020.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SB 2075.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2359.



**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, unchanged: HB 1211, HB 1296, HB 1382, HCR 3019.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, unchanged: HCR 3021, HCR 3029, HCR 3038.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1004, HB 1198.

### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1004

Page 1, replace lines 12 through 14 with:

"Salaries and wages	\$8,626,758	\$1,837,388	\$10,464,146
Accrued leave payments	0	0	0
Operating expenses	794,572	111,541	906,113"

Page 1, replace lines 17 through 19 with:

"Total all funds	\$9,571,330	\$2,088,929	\$11,660,259
Less estimated income	<u>2,427,522</u>	<u>647,650</u>	<u>3,075,172</u>
Total general fund	\$7,143,808	\$1,441,279	\$8,585,087"

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

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

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

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

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

Renumber accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1004 - State Auditor - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$10,263,792	\$9,905,566	\$558,580	\$10,464,146
Operating expenses	806,113	806,113	100,000	906,113
Capital assets	40,000	40,000		40,000
Information technology consultants	150,000	250,000		250,000
Accrued leave payments		201,157	(201,157)	
Total all funds	\$11,259,905	\$11,202,836	\$457,423	\$11,660,259
Less estimated income	<u>3,073,675</u>	<u>2,985,025</u>	<u>90,147</u>	<u>3,075,172</u>
General fund	\$8,186,230	\$8,217,811	\$367,276	\$8,585,087
FTE	52.80	53.80	0.00	53.80

#### Department No. 117 - State Auditor - Detail of Senate Changes

	Restores Executive Compensation Package <sup>1</sup>	Removes Separate Line Item for Accrued Leave Payments <sup>2</sup>	Restores 1 FTE Information Systems Auditor <sup>3</sup>	Removes 1 FTE Performance Auditor <sup>4</sup>	Increases Funding for Lease Costs <sup>5</sup>	Total Senate Changes
Salaries and wages	\$357,423	\$201,157	\$124,367	(\$124,367)		\$558,580
Operating expenses					100,000	100,000
Capital assets						
Information technology consultants						
Accrued leave payments		(201,157)				(201,157)
Total all funds	\$357,423	\$0	\$124,367	(\$124,367)	\$100,000	\$457,423

Less estimated income	90,147	0	0	0	0	90,147
General fund	\$267,276	\$0	\$124,367	(\$124,367)	\$100,000	\$367,276
FTE	0.00	0.00	1.00	(1.00)	0.00	0.00

<sup>1</sup> Funding reductions made by the House to the state employee compensation and benefits package are restored to the Governor's recommended level.

<sup>2</sup> The accrued leave payments line item added by the House is removed and the associated funding returned to line items with salaries and wages funding.

<sup>3</sup> This amendment restores 1 FTE information systems auditor position included in the executive recommendation but removed by the House.

<sup>4</sup> This amendment removes 1 FTE performance auditor position added by the House. This position was not included in the executive recommendation.

<sup>5</sup> Additional funding is provided for increased lease costs. This funding was not included in the executive recommendation.

Section 3 of the bill is changed to provide 4 percent annual salary increases for the State Auditor, the same as the executive budget. The House provided 3 percent annual increases.

#### **SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1198**

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact two new sections to chapter 57-38 and two new subdivisions to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to a homestead income tax credit and a commercial property income tax credit; and to provide an effective date.

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

**SECTION 1.** A new section to chapter 57-38 of the North Dakota Century Code is created and enacted as follows:

##### **Homestead income tax credit.**

1. An individual who has a homestead in this state is entitled to a credit against the tax imposed under section 57-38-30.3 for taxable years 2013 and 2014 in the amount of ten percent of property taxes or mobile home taxes that became due during the income tax taxable year and are paid which were levied against the individual's homestead, residential, or agricultural property in this state.
2. For purposes of this section:
  - a. "Homestead" means the dwelling occupied by the individual as the individual's primary residence in this state.
  - b. "Property taxes or mobile home taxes" includes taxes assessed by a local political subdivision but does not include special assessments.

3. The amount of the credit under this section may not exceed one thousand dollars for married persons filing a joint return or for a single individual, or five hundred dollars for married individuals filing separate returns. The amount of the credit under this section may not exceed the taxpayer's tax liability under this chapter.
4.
  - a. If the credit exceeds the taxpayer's tax liability, the tax commissioner shall issue to the taxpayer a certificate in the amount of the excess credit.
  - b. The taxpayer may redeem the certificate by delivering it to the county treasurer in any county in which the taxpayer paid property or mobile home taxes. If the taxpayer owns multiple parcels of property or mobile homes that are located in different counties, only one certificate will be issued.
  - c. At the time the certificate is redeemed, the county treasurer shall issue monetary payment to the taxpayer for the amount of the certificate.
  - d. The county treasurer shall forward redeemed certificates to the tax commissioner, who shall issue payment to the county in the amount of the certificates.
5. If a parcel of property is owned by more than one taxpayer, each taxpayer is entitled to a share of the credit allowed with respect to the property or mobile home taxes levied on the parcel based on the taxpayer's respective ownership interests.
6. If an individual does not meet the filing requirements under section 57-38-31, the individual is entitled to receive a certificate in an amount calculated in the same manner as provided in subsections 1, 2, and 3. The individual shall file the certificate request form with the tax commissioner by the due date prescribed by the tax commissioner. The individual may redeem the certificate with the county treasurer as provided in subsection 4.
7. A person, estate, or trust owning agricultural property in this state is entitled to a credit under this section in the amount of ten percent of property taxes that became due during the income tax taxable year and are paid. Agricultural property that is used as the basis for the credit under subsections 1, 2, and 3 may not be used to calculate the credit under this subsection. The property tax must be passed through to the partners, shareholders, or members in proportion to their respective interest in the passthrough entity. The credit amount under this subsection is determined at the taxpayer level. The amount of the credit in excess of the taxpayer's tax liability may be carried forward for up to five taxable years unless the individual with an ownership interest in the entity has a homestead in the state as defined under subsection 2. If an individual has a homestead in this state, the individual shall receive a property tax certificate provided in subsection 4.
8. The tax commissioner may prescribe the forms, procedures, and guidelines necessary for the administration of this section.

**SECTION 2.** A new section to chapter 57-38 of the North Dakota Century Code is created and enacted as follows:

**Commercial property income tax credit.**

1. A taxpayer is entitled to a credit against the tax imposed under section 57-38-30 or 57-38-30.3 for taxable years 2013 and 2014 in the amount of ten percent of property taxes or mobile home taxes that became due during the income tax taxable year and are paid which were levied

against commercial property in this state. For purposes of this section, "property taxes" does not include any special assessments.

- a. The amount of the credit under this section may not exceed one thousand dollars for any taxpayer.
  - b. The amount of the credit under this section may not exceed the taxpayer's tax liability under this chapter.
  - c. In the case of married individuals filing separately, the credit may not exceed five hundred dollars.
2. The amount of the credit under subsection 1 in excess of the taxpayer's tax liability may be carried forward for up to five taxable years.
  3. If a parcel of property is owned by more than one taxpayer, each taxpayer is entitled to a share of the credit allowed with respect to the property or mobile home taxes levied on the parcel based on the taxpayer's respective ownership interests.
  4. A person, estate, trust, or any passthrough entity owning commercial property in this state is entitled to a credit under this section in the amount of ten percent of property taxes that became due during the income tax taxable year and are paid. Commercial property that is used as the basis for the credit under subsections 1, 2, and 3 may not be used to calculate the credit under this subsection. The total amount of property tax paid by a passthrough entity must be allocated to the partners, shareholders, or members in proportion to their respective interest in the passthrough entity. The credit amount under this subsection must be calculated on the partners', shareholders', or members' allocated share, subject to the limitations in subsection 1.
  5. The tax commissioner may prescribe the forms, procedures, and guidelines necessary for the administration of this section.

**SECTION 3.** Two new subdivisions to subsection 7 of section 57-38-30.3 of the North Dakota Century Code are created and enacted as follows:

A taxpayer filing a return under this section is entitled to the credit provided under section 1 of this Act.

A taxpayer filing a return under this section is entitled to the credit provided under section 2 of this Act.

**SECTION 4. EFFECTIVE DATE.** This Act is effective for the first two taxable years beginning after December 31, 2012."

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1006, HB 1234, HCR 3017.

#### **SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1006**

Page 1, line 4, after the semicolon insert "to provide an exemption;"

Page 1, replace lines 14 through 23 with:

"Salaries and wages	\$18,797,710	\$2,276,184	\$21,073,894
Operating expenses	6,398,031	2,273,803	8,671,834
Capital assets	16,000	50,000	66,000
Homestead tax credit	8,792,788	17,392,212	26,185,000

Disabled veterans credit	4,243,920	3,434,080	7,678,000
Total all funds	\$38,248,449	\$25,426,279	\$63,674,728
Less estimated income	10,000	115,000	125,000
Total general fund	\$38,238,449	\$25,311,279	\$63,549,728
Full-time equivalent positions	134.00	0.00	134.00"

Page 2, after line 12, insert:

**"SECTION 3. EXEMPTION.** Up to \$50,000 of the general fund appropriation to the tax commissioner in section 1 of chapter 6 of the 2009 Session Laws continued into the 2011-13 biennium is not subject to provisions of section 54-44.1-11, and may be distributed by the tax commissioner as a grant to North Dakota state university department of agribusiness and applied economics, for the purpose of converting the software of the core model used for the preparation of agricultural land valuations as required under section 57-02-27.2, during the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 2, line 21, replace "four" with "five"

Page 2, line 22, replace "forty" with "fifty-one"

Page 2, line 22, replace "seven" with "nine"

Page 2, line 23, replace "one hundred sixty-one" with "two hundred fifty-three"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1006 - State Tax Commissioner - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$21,151,815	\$19,758,455	\$1,315,439	\$21,073,894
Operating expenses	8,684,314	8,606,834	65,000	8,671,834
Capital assets	66,000	16,000	50,000	66,000
Homestead tax credit	30,685,000	10,685,000	15,500,000	26,185,000
Disabled veterans credit	7,178,000	7,178,000	500,000	7,678,000
Accrued leave payments		624,818	(624,818)	
Total all funds	\$67,765,129	\$46,869,107	\$16,805,621	\$63,674,728
Less estimated income	125,000	10,000	115,000	125,000
General fund	\$67,640,129	\$46,859,107	\$16,690,621	\$63,549,728
FTE	134.00	134.00	0.00	134.00

#### Department No. 127 - State Tax Commissioner - Detail of Senate Changes

	Restores Executive Compensation Package <sup>1</sup>	Removes Separate Line Item for Accrued Leave Payments <sup>2</sup>	Restores Funding for Homestead Tax Credit Expansion <sup>3</sup>	Adds Funding for the Disabled Veterans Credit <sup>4</sup>	Restores Funding for Motor Fuel Tax Enforcement <sup>5</sup>	Total Senate Changes
Salaries and wages	\$690,621	\$624,818				\$1,315,439
Operating expenses					65,000	65,000
Capital assets					50,000	50,000
Homestead tax credit			15,500,000			15,500,000
Disabled veterans credit				500,000		500,000
Accrued leave payments		(624,818)				(624,818)
Total all funds	\$690,621	\$0	\$15,500,000	\$500,000	\$115,000	\$16,805,621
Less estimated income	0	0	0	0	115,000	115,000
General fund	\$690,621	\$0	\$15,500,000	\$500,000	\$0	\$16,690,621
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding reductions made by the House to the state employee compensation and benefits package are restored to the Governor's recommended level.

<sup>2</sup> The accrued leave payments line item added by the House is removed and the associated funding returned to line items with salaries and wages funding.

<sup>3</sup> Funding is provided for expanding the homestead tax credit program. The executive budget recommendation included \$20 million for the expansion which the House removed.

<sup>4</sup> Funding is added for the disabled veterans tax credit program to provide for a total of \$7,678,000.

<sup>5</sup> Funding removed by the House for motor fuels tax enforcement program activities is restored to the Governor's recommended level.

---

A section is added to allow carryover authority for general fund expenditures relating to a grant to NDSU for software conversion.

Section 4 of the bill is amended to provide 4 percent annual salary increases for the Tax Commissioner, the same as the executive budget recommendation. The House provided 3 percent annual increases.

#### **SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1234**

That the amendments adopted by the Senate to Engrossed House Bill No. 1234 as printed on pages 1119-1131 of the Senate Journal be amended as follows:

Page 1131, after line 35, insert:

"12. The agreement must require that the Three Affiliated Tribes report annually to the budget section of the legislative management and that the report, at a minimum, informs the budget section of tribal investments in essential infrastructure and fees, expenses, and charges the tribe imposes on the oil industry."

Renumber accordingly

#### **SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3017**

Page 2, line 6, replace "have demonstrated no regard for" with "need to consider"

Page 2, line 10, after the semicolon insert "and

**WHEREAS**, this state has the governmental agencies and resources to manage wetlands; and

**WHEREAS**, the waterfowl population is stable and secure, and the United States Fish and Wildlife Service should allow this state to manage wetlands within the state's boundaries;"

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1356.

#### **SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1356**

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide an appropriation for early childhood education grants; and to provide for a transfer.

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

**SECTION 1. APPROPRIATION.** There is appropriated out of any moneys in the early childhood education fund in the state treasury, not otherwise appropriated, the sum of \$2,600,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing annual early childhood education grants to eligible school districts, for the biennium beginning July 1, 2013, and ending June 30, 2015.

1. Any school district offering a program of early childhood education, approved in accordance with section 15.1-37-01, is eligible to receive a grant under this section.
2. The superintendent of public instruction shall provide for an annual application process and shall select award recipients. The selection process must take into account the geographic distribution of recipients, the district's service area, the general economic circumstances within the service area, and the district's current or anticipated financial commitment to providing early childhood education.
3. A school district may not receive more than \$100,000 annually under this section.
4. As a condition of receiving an early childhood education grant, a school district shall commit to maintaining a full-time equivalent student-teacher ratio of ten-to-one or sixteen-to-one if the teacher is assisted by a full-time classroom aide.
5. As a condition of receiving an early childhood education grant, a school district shall commit to utilizing the PowerSchool information system and to providing data to the superintendent of public instruction at the time and in the manner requested by the superintendent.
6. The superintendent of public instruction shall monitor the grant recipients, compile data regarding the recipients' provision of early childhood education, and report any findings and recommendations to the legislative management.

**SECTION 2. TRANSFER.** Notwithstanding section 15.1-27-22.1, if any moneys remain in the grants - state school aid line item after the superintendent of public instruction complies with all statutory payment obligations imposed for the 2011-13 biennium, the superintendent shall transfer the first \$2,600,000 to the early childhood education fund in the state treasury. Moneys in the early childhood education fund are not subject to section 54-44.1-11."

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1003.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1003**

Page 1, line 2, replace "sections" with "section"

Page 1, line 2, replace "54-59-22" with "subsection 1 of section 57-51-15"

Page 1, line 3, remove "required use of information technology"

Page 1, line 4, replace "services" with "gross production tax allocation; to provide for a report to the budget section"

Page 1, remove lines 13 through 24

Page 2, replace lines 1 and 2 with:

"Salaries and wages	\$29,506,046	\$7,425,372	\$36,931,418
Operating expenses	16,418,016	4,135,959	20,553,975
Capital assets	1,943,783	419,294	2,363,077
Grants	3,420,000	(1,046,053)	2,373,947
Energy impact - law enforcement	0	10,000,000	10,000,000
Litigation fees	50,000	0	50,000
Abortion litigation fees	0	400,000	400,000
Medical examinations	660,000	0	660,000
North Dakota lottery	3,700,242	433,579	4,133,821
Arrest and return of fugitives	10,000	0	10,000
Gaming commission	7,368	0	7,368
Total all funds	\$55,715,455	\$21,768,151	\$77,483,606
Less estimated income	<u>24,485,610</u>	<u>14,681,010</u>	<u>39,166,620</u>
Total general fund	\$31,229,845	\$7,087,141	\$38,316,986
Full-time equivalent positions	204.00	11.50	215.50"

Page 2, after line 10, insert:

"Energy impact grants - law enforcement	0	10,000,000"
---	---	-------------

Page 2, replace lines 12 through 14 with:

"Total all funds	\$3,253,967	\$10,198,000
Total special funds	<u>2,941,567</u>	<u>10,000,000</u>
Total general fund	\$312,400	\$198,000"

Page 2, after line 22, insert:

**"SECTION 4. ENERGY IMPACT - LAW ENFORCEMENT - OIL AND GAS IMPACT GRANT FUND - REPORT TO BUDGET SECTION.** The energy impact - law enforcement line item in section 1 of this Act includes \$10,000,000, or so much of the sum as may be needed, from the oil and gas impact grant fund, for grants to law enforcement agencies, for crime-related needs of the office of attorney general, and for the development of a uniformed law enforcement and custody manual. The drug and violent crime policy board of the attorney general shall, with approval of the board of university and school lands, grant funds to law enforcement agencies in oil-impacted counties where crime-related activities have increased or in other counties if the crime-related activities in oil-impacted counties originated in any of those counties. The attorney general may spend up to ten percent of the funding provided under this section for defraying the expenses of additional staffing or other needs necessary to accomplish the role of the office of attorney general as an assisting agency in ensuring public safety in the affected areas. The attorney general may use up to \$750,000 of the funding provided under this section for the development of a uniformed law enforcement and custody manual. The attorney general shall report to the budget section after June 30, 2014, on the impact the grant funding has had on crime-related activities."

Page 2, line 26, replace "forty-two" with "forty-three"

Page 2, line 27, replace "three" with "six"

Page 2, line 27, replace "four" with "eighty-five"

Page 2, line 28, replace "forty-six" with "forty-nine"

Page 2, line 28, replace "five" with "four"

Page 2, line 28, replace "seventy-three" with "thirty-two"

Page 2, remove lines 29 and 30

Page 3, replace lines 1 through 13 with:

**"SECTION 6. AMENDMENT.** Subsection 1 of section 57-51-15 of the North Dakota Century Code is amended and reenacted as follows:



1. First the tax revenue collected under this chapter equal to one percent of the gross value at the well of the oil and one-fifth of the tax on gas must be deposited with the state treasurer who shall:
  - a. Allocate five hundred thousand dollars per fiscal year to each city in an oil-producing county which has a population of seven thousand five hundred or more and more than two percent of its private covered employment engaged in the mining industry, according to data compiled by job service North Dakota. The allocation under this subdivision must be doubled if the city has more than seven and one-half percent of its private covered employment engaged in the mining industry, according to data compiled by job service North Dakota;
  - b. Credit revenues to the oil and gas impact grant fund, but not in an amount exceeding one hundred ten million dollars per biennium; and
  - c. Allocate the remaining revenues under subsection 3."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1003 - Attorney General - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$35,825,800	\$32,664,181	\$4,267,237	\$36,931,418
Operating expenses	20,946,586	20,685,614	(131,639)	20,553,975
Capital assets	2,363,077	2,303,077	60,000	2,363,077
Grants	2,373,947	2,373,947		2,373,947
Litigation fees	50,000	50,000		50,000
Medical examinations	660,000	660,000		660,000
North Dakota Lottery	4,133,821	4,133,821		4,133,821
Arrest and return of fugitives	10,000	10,000		10,000
Gaming Commission	7,368	7,368		7,368
Accrued leave payments		1,057,247	(1,057,247)	
Abortion litigation fees			400,000	400,000
Energy impact - law enforcement			10,000,000	10,000,000
Total all funds	\$66,370,599	\$63,945,255	\$13,538,351	\$77,483,606
Less estimated income	29,012,463	28,124,131	11,042,489	39,166,620
General fund	\$37,358,136	\$35,821,124	\$2,495,862	\$38,316,986
FTE	211.50	205.00	10.50	215.50

#### Department No. 125 - Attorney General - Detail of Senate Changes

	Restores Executive Compensation Package <sup>1</sup>	Removes Separate Line Item for Accrued Leave Payments <sup>2</sup>	Restores Concealed Weapons Permit FTE Positions <sup>3</sup>	Restores FTE Positions for Western North Dakota <sup>4</sup>	Restores Uniform Crime Reporting System Position <sup>5</sup>	Restores Attorney Position <sup>6</sup>
Salaries and wages	\$1,334,630	\$1,057,247	\$39,074	\$386,237	\$98,780	\$198,738
Operating expenses				100,559	14,676	41,115
Capital assets				40,000		
Grants						
Litigation fees						
Medical examinations						
North Dakota Lottery						
Arrest and return of fugitives						
Gaming Commission						
Accrued leave payments		(1,057,247)				
Abortion litigation fees						
Energy impact - law enforcement						
Total all funds	\$1,334,630	\$0	\$39,074	\$526,796	\$113,456	\$239,853
Less estimated income	252,572	0	39,074	69,650	113,456	239,853
General fund	\$1,082,058	\$0	\$0	\$457,146	\$0	\$0
FTE	0.00	0.00	0.50	3.00	1.00	1.00

	Restores Investigator Position <sup>7</sup>	Restores Oil Impact Assistance Funding <sup>8</sup>	Adds Sex Offender Registry FTE Position <sup>9</sup>	Adds Computerized Business Project FTE Positions <sup>10</sup>	Workforce Safety Insurance Premium Increase <sup>11</sup>	Adds Funding for Law Enforcement Needs <sup>12</sup>
Salaries and wages	\$143,729	\$78,210	\$101,737	\$486,855		
Operating expenses	47,742	56,880	14,676	(486,855)	79,568	
Capital assets	20,000					
Grants						
Litigation fees						
Medical examinations						
North Dakota Lottery						
Arrest and return of fugitives						
Gaming Commission						
Accrued leave payments						
Abortion litigation fees						
Energy impact - law enforcement						10,000,000
Total all funds	\$211,471	\$135,090	\$116,413	\$0	\$79,568	\$10,000,000
Less estimated income	211,471	0	116,413	0	0	10,000,000
General fund	\$0	\$135,090	\$0	\$0	\$79,568	\$0
FTE	1.00	0.00	1.00	3.00	0.00	0.00

	Adds Equity Increase for Scientists <sup>13</sup>	Adds Funding for Abortion Litigation Fees <sup>14</sup>	Total Senate Changes
Salaries and wages	\$342,000		\$4,267,237
Operating expenses			(131,639)
Capital assets			60,000
Grants			
Litigation fees			
Medical examinations			
North Dakota Lottery			
Arrest and return of fugitives			
Gaming Commission			
Accrued leave payments			(1,057,247)
Abortion litigation fees		400,000	400,000
Energy impact - law enforcement			10,000,000
Total all funds	\$342,000	\$400,000	\$13,538,351
Less estimated income	0	0	11,042,489
General fund	\$342,000	\$400,000	\$2,495,862
FTE	0.00	0.00	10.50

<sup>1</sup> Funding reductions made by the House to the state employee compensation and benefits package are restored to the Governor's recommended level.

<sup>2</sup> The accrued leave payments line item added by the House is removed and the associated funding returned to line items with salaries and wages funding.

<sup>3</sup> This amendment restores a .5 FTE position for processing concealed weapons permits removed by the House. The executive budget recommendation added 2 FTE positions for this purpose, of which 1.5 FTE positions were previously paid for with federal funds related to the National Instant Check System (NICS).

<sup>4</sup> Funding included in the executive budget recommendation but removed by the House for 2 FTE criminal investigator positions and 1 FTE administrative assistant position, and related operating and motor vehicle expenses for law enforcement activities in western North Dakota is restored.

<sup>5</sup> Funding is restored for 1 FTE administrative assistant position and related operating expenses for the uniform crime reporting system added in the executive budget recommendation but removed by the House.

<sup>6</sup> Funding is restored for 1 FTE attorney position and related operating expenses added in the executive budget recommendation to review mineral leases and other legal information relating to the Department of Trust Lands. This position was removed by the House.

<sup>7</sup> Funding is restored for 1 FTE organized crime investigator position and related operating and motor vehicle expenses added in the executive budget recommendation but removed by the House.

<sup>8</sup> Funding is restored for salary add-ons and housing assistance for employees in oil-impacted areas, which was included in the executive budget recommendation but removed by the House.

<sup>9</sup> Funding is added for a sex offender registry FTE position. This position was not included in the executive budget recommendation.

<sup>10</sup> Funding provided in the executive budget recommendation to contract for computerized business projects is converted to funding for 3 FTE information technology positions.

<sup>11</sup> Funding is added for Workforce Safety Insurance premium increases. This funding was not included in the executive budget recommendation.

<sup>12</sup> Funding is added from the oil and gas impact grant fund for law enforcement needs in areas affected by oil development.

<sup>13</sup> Funding is added to provide equity increases of \$6,000 per year per scientist at the state crime laboratory.

<sup>14</sup> This amendment adds funding for litigation fees associated with any legal challenges of abortion-related legislation approved by the sixty-third legislative assembly.

---

This amendment removes a section added by the House to amend Section 54-59-22 to remove the exemption for the Attorney General, the Public Employees Retirement System, and the Retirement and Investment Office from the use of information technology services of the Information Technology Department.

Sections are added to increase the amount of oil and gas tax revenue deposited in the oil and gas impact grant fund each biennium by \$10 million, from \$100 million to \$110 million, and to designate the use of the additional funding.

Section 4 of the bill is changed to provide 4 percent annual salary increases for the Attorney General, the same as the executive budget recommendation. The House provided 3 percent annual increases.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1029.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1029**

Page 2, line 13, remove the overstrike over "At least"

Page 2, line 13, after "fifty" insert "seventy-five"

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

Page 2, line 13, remove "A portion"

Page 2, line 13, replace "as determined" with "must be designated"

Page 2, line 14, overstrike "must" and insert immediately thereafter "to"

Page 2, line 16, after "income" insert "as defined by the most recently published federal fair market rent volume"

Renumber accordingly

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1325.

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1447, HCR 3027.

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1106, HB 1309, and HB 1332.

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1272, HB 1290, and HB 1291, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1272:** Reps. Meier; Rohr; Mock

**HB 1290:** Reps. Headland; Belter; Zaiser

**HB 1291:** Reps. Heller; Heilman; J. Kelsh

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1286, HB 1302, HB 1338, HB 1405, HB 1452, and HCR 3006, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1286:** Reps. Kasper; B. Koppelman; Amerman

**HB 1302:** Reps. Ruby; K. Koppelman; Delmore

**HB 1338:** Reps. Brabandt; Silbernagel; S. Kelsh

**HB 1405:** Reps. Steiner; Dockter; Paur

**HB 1452:** Reps. Boehning; Louser; Zaiser

**HCR 3006:** Reps. Maragos; Karls; Hanson

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

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

**HB 1134:** Sens. Lyson; Unruh; Triplett

**HB 1261:** Sens. Schaible; Flakoll; Marcellais

**HB 1302:** Sens. Oehlke; Armstrong; Axness

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2146 and SB 2238.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2006, SB 2007, SB 2009, SB 2010, SB 2017, SB 2019, SB 2354, and SB 2369, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2006:** Sens. Krebsbach; Grindberg; O'Connell

**SB 2007:** Sens. Kilzer; Bowman; Robinson

**SB 2009:** Sens. Krebsbach; G. Lee; Warner

**SB 2010:** Sens. G. Lee; Carlisle; Mathern

**SB 2017:** Sens. Kilzer; Carlisle; Warner

**SB 2019:** Sens. Grindberg; Erbele; O'Connell

**SB 2354:** Sens. J. Lee; Larsen; Axness

**SB 2369:** Sens. Schaible; Dever; Nelson

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

**MR. PRESIDENT:** The House has appointed as a conference committee to act with a like

committee from the Senate on:

**SB 2171:** Reps. Owens; Dockter; Zaiser  
**SB 2338:** Reps. Klein; Schmidt; Haak  
**SCR 4030:** Reps. Headland; Trottier; Zaiser

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

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

**SB 2175:** Reps. Klemin; Brabandt; Delmore  
**SB 2187:** Reps. Weisz; Anderson; Muscha  
**SB 2205:** Reps. Weisz; Kiefert; Oversen  
**SB 2211:** Reps. D. Johnson; Rust; M. Nelson  
**SB 2213:** Reps. Kasper; B. Koppelman; Amerman  
**SB 2227:** Reps. Kretschmar; Boehning; Hogan

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2368.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2087, SB 2113, SB 2114, SB 2207, SB 2310, SB 2352.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1145, HB 1213, HB 1322, HB 1413.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1263, HCR 3010.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 12, 2013: HB 1026, HB 1052, HB 1054, HB 1075, HB 1085, HB 1091, HB 1117, HB 1130, HB 1180, HB 1185, HB 1192, HB 1241, HB 1247, HB 1267, HB 1348, HB 1352, HB 1360, HB 1362, HB 1397, HB 1399.

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on April 11, 2013, I have signed the following: HB 1207, HB 1228, HB 1236, HB 1246, and HB 1401.

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on April 12, 2013, I have signed the following: HB 1310, HB 1316, HB 1320, HB 1327, HB 1333, HB 1340, HB 1350, HB 1357, HB 1359, HB 1361, HB 1363, HB 1372, HB 1378, HB 1389, HB 1392, HB 1428, and HB 1467.

**MOTION**

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

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Seventh, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Monday, April 15, 2013, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2015, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2015 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first semicolon insert "to provide for refusal of admission of inmates; to provide for a legislative management study; to provide for a report to legislative management; to provide for a transfer;"

Page 1, line 2, remove "section 3 of"

Page 1, replace line 3 with "subsection 2 of section 12.1-32-07 of the North Dakota Century Code, relating to supervision fees."

Page 1, replace lines 13 through 18 with:

"Adult services	\$160,825,768	\$12,771,315	\$173,597,083
Youth services	27,221,743	1,336,986	28,558,729
Accrued leave payments	<u>0</u>	<u>4,639,529</u>	<u>4,639,529</u>
Total all funds	\$188,047,511	\$18,747,830	\$206,795,341
Less estimated income	<u>30,145,650</u>	<u>971,524</u>	<u>31,117,174</u>
Total general fund	\$157,901,861	\$17,776,306	\$175,678,167
Full-time equivalent positions	794.29	20.00	814.29"

Page 2, replace line 3 with:

"Missouri River correctional center study	0	200,000
Transfer to state penitentiary land fund	0	12,000,000"

Page 2, replace lines 5 through 7 with:

"Total all funds	\$3,124,558	\$15,439,046
Less estimated income	<u>1,460,500</u>	<u>298,000</u>
Total general fund	\$1,664,058	\$15,141,046"

Page 2, replace lines 16 through 23:

**"SECTION 4. APPROPRIATION - TRANSFER - STATE PENITENTIARY LAND FUND - LEGISLATIVE INTENT.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$12,000,000, which the office of management and budget shall transfer on July 1, 2013, to the state penitentiary land fund established in section 54-23.3-04. The funds transferred and interest earned on the moneys transferred must be used for costs of relocating the Missouri River correctional center. It is the intent of the legislative assembly that if the sixty-fourth legislative assembly does not approve the relocation of the Missouri River correctional center, the funds transferred be returned to the general fund.

**SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION - REPORT TO THE LEGISLATIVE MANAGEMENT.** There is included in section 1 of this Act, the sum of \$200,000, or so much of the sum as may be necessary, that the department of corrections and rehabilitation shall use for developing a plan for relocating the Missouri River correctional center, for the biennium beginning July 1, 2013, and ending June 30, 2015. The plan must include a determination of facilities, services, and activities that may be shared by the Missouri River correctional center and the youth correctional center. The department must present the plan to the legislative management by July 1, 2014.

**SECTION 6. LEGISLATIVE INTENT - MISSOURI RIVER CORRECTIONAL CENTER LAND - REPORTS TO THE LEGISLATIVE MANAGEMENT.** It is the intent of the sixty-third legislative assembly that once the Missouri River correctional center is relocated to the youth correctional center site, all remaining land be transferred to the parks and recreation department for recreational purposes and not for residential, business, or industrial purposes. The parks and recreation department shall develop a ten-year plan for the property to be used for recreational purposes. The parks and recreation department shall report on the plan and progress to implement the plan periodically to a committee designated by the legislative management.

**SECTION 7. LEGISLATIVE MANAGEMENT STUDY OF JAMES RIVER CORRECTIONAL CENTER AND STATE HOSPITAL PROPERTY.** During the 2013-14 interim, the legislative management shall consider studying the use of the structures and property of the James River correctional center and the state hospital to determine the best and most efficient use of the properties. The legislative management shall reports its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly.

**SECTION 8. REFUSAL OF ADMISSION OF INMATES - REPORT TO LEGISLATIVE MANAGEMENT.** The department of corrections and rehabilitation may refuse to admit inmates sentenced to the physical custody of the department when the admission of inmates will exceed the maximum operational capacity of the penitentiary and its affiliated facilities and result in the department exceeding its authorized legislative appropriation for contracting for housing inmates in other correctional facilities. For purposes of this section, maximum operational capacity of the department means the total number of inmates that may be imprisoned at the same time in the penitentiary and its affiliated facilities. The department shall develop a prison population management plan to prioritize admissions based on sentences and the availability of space in the penitentiary and its affiliated facilities. The department shall report annually to the budget section of the legislative management on the prison population management plan and inmate admissions and the number of inmates the department has not admitted after sentencing.

**SECTION 9. AMENDMENT.** Subsection 2 of section 12.1-32-07 of the North Dakota Century Code is amended and reenacted as follows:

2. The conditions of probation must be such as the court in its discretion deems reasonably necessary to ensure that the defendant will lead a law-abiding life or to assist the defendant to do so. The court shall provide as an explicit condition of every probation that the defendant not commit another offense during the period for which the probation remains subject to revocation. The court shall order supervision costs and fees of not less than ~~forty-five~~<sup>fifty-five</sup> dollars per month unless the court makes a specific finding on record that the imposition of fees will result in an undue hardship. If the offender has not paid the full amount of supervision fees and costs before completion or termination of probation, the court may issue an order, after opportunity for hearing, to determine the amount of supervision fees and costs that are unpaid. The order may be filed, transcribed, and enforced by the department of corrections and rehabilitation in the same manner as civil judgments rendered by a district court of this state."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2015 - DOCR - House Action

	Executive Budget	Senate Version	House Changes	House Version
Adult services	\$180,507,372	\$181,589,147	(\$7,992,064)	\$173,597,083
Youth services	30,149,708	30,159,324	(1,600,595)	28,558,729
Accrued leave payments			4,639,529	4,639,529
Transfer to state penitentiary land fund			12,000,000	12,000,000
Total all funds	\$210,657,080	\$211,748,471	\$7,046,870	\$218,795,341
Less estimated income	30,673,355	30,676,124	441,050	31,117,174
General fund	\$179,983,725	\$181,072,347	\$6,605,820	\$187,678,167
FTE	814.29	814.29	0.00	814.29

#### Department No. 530 - DOCR - Detail of House Changes

Adjusts State Employee	Provides Separate Line	Removes Funding for Oil	Reduces Funding for	Changes Funding Source	Adds Funding for MRCC
---------------------------	---------------------------	----------------------------	------------------------	---------------------------	--------------------------

	Compensation and Benefits Package <sup>1</sup>	Item for Accrued Leave Payments <sup>2</sup>	Impact <sup>3</sup>	Operating Expenses <sup>4</sup>	for New FTE Positions <sup>5</sup>	Study <sup>6</sup>
Adult services	(\$4,142,246)	(\$3,768,101)	(\$187,967)	(\$93,750)		\$200,000
Youth services	(619,532)	(871,428)	(78,385)	(31,250)		
Accrued leave payments		4,639,529				
Transfer to state penitentiary land fund						
Total all funds	(\$4,761,778)	\$0	(\$266,352)	(\$125,000)	\$0	\$200,000
Less estimated income	(236,950)	0	0	0	678,000	0
General fund	(\$4,524,828)	\$0	(\$266,352)	(\$125,000)	(\$678,000)	\$200,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds Transfer for MRCC Relocation <sup>7</sup>	Total House Changes
Adult services		(\$7,992,064)
Youth services		(1,600,595)
Accrued leave payments		4,639,529
Transfer to state penitentiary land fund	12,000,000	12,000,000
Total all funds	\$12,000,000	\$7,046,870
Less estimated income	0	441,050
General fund	\$12,000,000	\$6,605,820
FTE	0.00	0.00

<sup>1</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 equity 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>2</sup> A portion of salaries and wages funding from the general fund (\$4,407,553) and from other funds (\$231,976) 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>3</sup> Funding included in the executive budget recommendation for salary add-ons and housing assistance for employees in oil-impacted areas is removed.

<sup>4</sup> Funding is reduced by \$125,000 departmentwide for operating expenses.

<sup>5</sup> The funding source for a portion of salaries and operating expenses for new parole and probation officer FTE positions is changed from the general fund to other funds received from an increase in supervision fees.

<sup>6</sup> Funding is added for a study regarding the relocation of the Missouri River Correctional Center to the Youth Correctional Center site.

<sup>7</sup> Funding is added in a separate section for a transfer of \$12 million from the general fund to the state penitentiary land fund for future relocation of the Missouri River Correctional Center.

Sections are added relating to the following:

- Refusal of admission of inmates.
- Legislative Management study of the James River Correctional Center and the State



Hospital.

- A report to Legislative Management regarding the Missouri River Correctional Center study.
- Subsection 2 of Section 12.1-32-07 is amended to increase supervision fees from \$45 to \$55.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1112:** Your conference committee (Sens. Unruh, Klein, Murphy and Reps. Vigesaa, Kasper, Amerman) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 939 and place HB 1112 on the Seventh order.

HB 1112 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1227, as engrossed:** Your conference committee (Sens. Miller, Luick, Heckaman and Reps. Wall, Rust, M. Nelson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1018-1019, adopt amendments as follows, and place HB 1227 on the Seventh order:

That the Senate recede from its amendments as printed on page 1018 of the House Journal and page 772 of the Senate Journal and that Engrossed House Bill No. 1227 be amended as follows:

Page 1, line 3, remove "19-20.1-03.3,"

Page 1, line 7, after the first comma insert "19-20.1-03.3,"

Page 1, line 7, remove "and"

Page 1, line 7, after "19-20.1-07" insert ", and 19-20.2-11"

Page 1, line 8, after "commissioner" insert ", protected information, rulemaking,"

Page 6, remove lines 10 through 31

Page 7, remove lines 1 and 2

Page 17, line 11, after the first comma insert "19-20.1-03.3,"

Page 17, line 11, remove "and"

Page 17, line 11, after "19-20.1-07" insert ", and 19-20.2-11"

Renumber accordingly

Engrossed HB 1227 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2087, as engrossed:** Your conference committee (Sens. Larsen, Anderson, Axness and Reps. Hofstad, Kiefert, Muscha) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 878 and place SB 2087 on the Seventh order.

Engrossed SB 2087 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2113, as engrossed:** Your conference committee (Sens. Berry, Armstrong, Grabinger and Reps. Klemin, Maragos, Hogan) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 939 and place SB 2113 on the Seventh order.

Engrossed SB 2113 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2114:** Your conference committee (Sens. Anderson, Larsen, Axness and Reps. Anderson, Silbernagel, Mooney) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 939 and place SB 2114 on the Seventh order.

SB 2114 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2207:** Your conference committee (Sens. Oehlke, Campbell, Triplett and Reps. Hatlestad, Trottier, S. Kelsh) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 899 and place SB 2207 on the Seventh order.

SB 2207 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2352, as engrossed:** Your conference committee (Sens. Andrist, Sorvaag, Dotzenrod and Reps. Klein, Meier, Muscha) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1066 and place SB 2352 on the Seventh order.

Engrossed SB 2352 was placed on the Seventh order of business on the calendar.

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

**Buell J. Reich, Chief Clerk**