

**JOURNAL OF THE HOUSE**

**Sixty-third Legislative Assembly**

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**Bismarck, February 26, 2013**

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

The prayer was offered by Pastor Tim Jenks, Bethel Lutheran Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

**CORRECTION AND REVISION OF THE JOURNAL**

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

Page 619, after line 45, insert:

**"REPORT OF STANDING COMMITTEE**

**HB 1242: Political Subdivisions Committtee (Rep. N. Johnson, Chairman)** recommends **DO PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1242 was placed on the Eleventh order on the calendar."

Page 623, line 8, replace "\$213,689" with "\$213,189"

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

**SECOND READING OF HOUSE BILL**

**HB 1428:** A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to review of presidential executive orders.

**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 66 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

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

**ABSENT AND NOT VOTING:** Streyle

Engrossed HB 1428 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1441:** A BILL for an Act to amend and reenact section 54-35-01 of the North Dakota

Century Code, relating to the membership of the legislative management.

#### 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 35 YEAS, 58 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Beadle; Becker; Bellew; Boehning; Boschee; Brabandt; Brandenburg; Delzer; Dosch; Drovdal; Fehr; Frantsvog; Grande; Gruchalla; Headland; Heller; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Larson; Louser; Meier; Monson; Nathe; Owens; Rohr; Ruby; Rust; Schatz; Silbernagel; Skarphol; Steiner; Thoreson; Toman

**NAYS:** Amerman; Anderson; Belter; Boe; Carlson; Damschen; Delmore; Dockter; Froseth; Glasheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klein; Klemin; Kreidt; Kretschmar; Kreun; Laning; Looyen; Maragos; Martinson; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Paur; Pollert; Porter; Sanford; Schmidt; Strinden; Sukut; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Streyle

Engrossed HB 1441 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1149:** A BILL for an Act to create and enact a new subsection to section 37-17.1-06 and a new subdivision to subsection 1 of section 37-17.1-07.1 of the North Dakota Century Code, relating to emergency response to hazardous materials incidents.

#### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glasheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; 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; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Streyle

Engrossed HB 1149 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1308:** A BILL for an Act to amend and reenact sections 37-15-21 and 37-15-23 of the North Dakota Century Code, relating to the administration of the local fund and appropriations from the Melvin Norgard memorial fund.

#### ROLL CALL

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

**YEAS:** Amerman; Guggisberg; Mock; Muscha; Strinden; Trottier; Wieland; Zaiser

**NAYS:** Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Haak; Hanson; Hatlestad; Hawken; 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; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Sukut; Thoreson; Toman; Vigasaa; Wall; Weisz; Williams; Speaker Devlin

**ABSENT AND NOT VOTING:** Streyle

Engrossed HB 1308 failed.

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### SECOND READING OF HOUSE BILL

**HB 1338:** A BILL for an Act to provide for the return of certain property managed by the United States army corps of engineers to the state of North Dakota.

### 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 75 YEAS, 18 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Kelsh, J.; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Mooney; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pollert; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Sukut; Thoreson; Trotter; Vigasaa; Weisz; Wieland; Zaiser; Speaker Devlin

**NAYS:** Amerman; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hogan; Keiser; Kelsh, S.; Kiefert; Mock; Muscha; Oversen; Porter; Strinden; Toman; Wall; Williams

**ABSENT AND NOT VOTING:** Streyle

Engrossed HB 1338 passed.

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### SECOND READING OF HOUSE BILL

**HB 1398:** A BILL for an Act to create and enact chapter 61-41 of the North Dakota Century Code, relating to a fee for industrial use fresh water dispensed for oil and gas industry users; 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 NOT PASS, the roll was called and there were 36 YEAS, 57 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Boschee; Carlson; Dosch; Glassheim; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Heller; Hogan; Johnson, N.; Kasper; Keiser; Klein; Kreidt; Kretschmar; Kreun; Meier; Nathe; Nelson, M.; Oversen; Owens; Paur; Porter; Sanford; Skarphol; Steiner; Strinden; Sukut; Vigasaa; Wall; Williams; Zaiser; Speaker Devlin

**NAYS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Dockter; Drovdal; Fehr; Frantsvog; Froseth; Grande; Haak; Headland; Hofstad; Holman; Hunskor; Johnson, D.; Karls; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.;

Laning; Larson; Looyesen; Louser; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nelson, J.; Onstad; Pollert; Rohr; Ruby; Rust; Schatz; Schmidt; Silbernagel; Thoreson; Toman; Trottier; Weisz; Wieland

**ABSENT AND NOT VOTING:** Streyle

Engrossed HB 1398 failed.

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### SECOND READING OF HOUSE BILL

**HB 1440:** A BILL for an Act to create and enact four new sections to chapter 61-35 of the North Dakota Century Code, relating to exclusion of cities from water districts and state water commission policies on funds for water districts.

### 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; Becker; Bellew; Belter; Boehning; Boschee; Brabandt; Carlson; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; 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; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Mooney; Muscha; Nathe; Nelson, M.; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Steiner; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Boe; Brandenburg; Delzer; Heller; Larson; Monson; Nelson, J.; Pollert; Silbernagel; Skarphol

**ABSENT AND NOT VOTING:** Streyle

Engrossed HB 1440 passed.

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### SECOND READING OF HOUSE BILL

**HB 1001:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the governor; and to amend and reenact sections 54-07-04 and 54-08-03 of the North Dakota Century Code, relating to the salaries of the governor and lieutenant governor.

### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; 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; Steiner; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Skarphol; Streyle

Engrossed HB 1001 passed.

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### SECOND READING OF HOUSE BILL

**HB 1002:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the secretary of state and public printing; to provide exemptions; and to amend and reenact section 54-09-05 of the North Dakota Century Code, relating to the salary of the secretary of state.

### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; 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; 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; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Maragos; Streyle

Engrossed HB 1002 passed.

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### SECOND READING OF HOUSE BILL

**HB 1004:** A BILL for an Act to provide an appropriation for defraying the expenses of the state auditor; and to amend and reenact section 54-10-10 of the North Dakota Century Code, relating to the salary of the state auditor.

### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; 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; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Maragos; Streyle; Strinden

Engrossed HB 1004 passed.

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### SECOND READING OF HOUSE BILL

**HB 1005:** A BILL for an Act to provide an appropriation for defraying the expenses of the state treasurer; and to amend and reenact subsection 18 of section 54-11-01 and section 54-11-13 of the North Dakota Century Code, relating to the duties and salary

of the state treasurer.

#### 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 33 YEAS, 59 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Brandenburg; Damschen; Drovdal; Frantsvog; Froseth; Grande; Guggisberg; Haak; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kempenich; Klein; Kreidt; Laning; Monson; Mooney; Pollert; Sanford; Skarphol; Steiner; Sukut; Thoreson; Trottier; Weisz; Wieland; Williams

**NAYS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Carlson; Delmore; Delzer; Dockter; Dosch; Fehr; Glassheim; Gruchalla; Hanson; Headland; Heilman; Heller; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kretschmar; Kreun; Larson; Looyesen; Louser; Martinson; Meier; Mock; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Rust; Schatz; Schmidt; Silbernagel; Strinden; Toman; Vigesaa; Wall; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Maragos; Streyle

Engrossed HB 1005 failed.

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#### MOTION

**REP. KRETSCHMAR MOVED** that the House reconsider its action whereby Engrossed HB 1005 failed to pass, which motion prevailed on a verification vote.

#### MOTION

**REP. VIGESAA MOVED** that Engrossed HB 1005 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, Engrossed HB 1005 was rereferred.

#### MOTION

**REP. DEVLIN MOVED** that the House stand in recess until 1:00 p.m., which motion prevailed.

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

#### SECOND READING OF HOUSE BILL

**HB 1006:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the tax commissioner and for payment of state reimbursement under the homestead tax credit and disabled veterans credit; to amend and reenact section 57-01-04 of the North Dakota Century Code, relating to the tax commissioner's salary; and to provide for a transfer.

#### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; 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; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Delzer

Engrossed HB 1006 passed.

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### SECOND READING OF HOUSE BILL

**HB 1009:** A BILL for an Act to provide an appropriation for defraying the expenses of the agriculture commissioner; to create and enact a new section to chapter 19-13.1 of the North Dakota Century Code, relating to license, inspection, and registration fees; to amend and reenact section 4-01-21 of the North Dakota Century Code, relating to the salary of the agriculture commissioner; to provide for transfers; to provide for a legislative management study of the milk marketing board; and to provide an exemption.

### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

Engrossed HB 1009 passed.

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### SECOND READING OF HOUSE BILL

**HB 1011:** A BILL for an Act to provide an appropriation for defraying the expenses of the securities commissioner.

### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

Engrossed HB 1011 passed.

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### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3029:** A concurrent resolution commending the nation of Israel for its cordial and mutually beneficial relationship with the United States and with the state of North Dakota.

**ROLL CALL**

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 71 YEAS, 21 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

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

**ABSENT AND NOT VOTING:** Dosch; Mock

Engrossed HCR 3029 was declared adopted on a recorded roll call vote.

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**SECOND READING OF HOUSE BILL**

**HB 1212:** A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 54-03-20 of the North Dakota Century Code, relating to lodging reimbursement for legislators attending legislative sessions; to provide for retroactive application; 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 59 YEAS, 34 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Becker; Belter; Boehning; Brabandt; Brandenburg; Delmore; Dockter; Drovdal; Fehr; Frantsvog; Froseth; Guggisberg; Haak; Hatlestad; Hawken; Headland; Heilman; Hofstad; Hogan; Johnson, D.; Karls; Kasper; Keiser; Kelsh, J.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Kretschmar; Kreun; Laning; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Mooney; Nathe; Nelson, J.; Owens; Paur; Pollert; Rohr; Sanford; Schatz; Schmidt; Steiner; Streyle; Strinden; Sukut; Thoreson; Wall; Weisz; Williams; Zaiser

**NAYS:** Beadle; Bellew; Boe; Boschee; Carlson; Damschen; Delzer; Glassheim; Grande; Gruchalla; Hanson; Heller; Holman; Hunskor; Johnson, N.; Kelsh, S.; Koppelman, K.; Kreidt; Larson; Mock; Muscha; Nelson, M.; Onstad; Oversen; Porter; Ruby; Rust; Silbernagel; Skarphol; Toman; Trottier; Vigesaa; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Dosch

Engrossed HB 1212 passed but the emergency clause failed.

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**SECOND READING OF HOUSE BILL**

**HB 1153:** A BILL for an Act to amend and reenact section 26.1-17-33.1 of the North Dakota Century Code, relating to restructuring of nonprofit mutual insurance companies; 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 87 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Dockter; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; 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; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser

**NAYS:** Becker; Carlson; Delzer; Grande; Rohr; Speaker Devlin

**ABSENT AND NOT VOTING:** Dosch

Engrossed HB 1153 passed and the emergency clause was declared carried.

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### SECOND READING OF HOUSE BILL

**HB 1400:** A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 16.1-07-15 of the North Dakota Century Code, relating to early voting precincts.

### 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 13 YEAS, 80 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Carlson; Grande; Headland; Heller; Kempenich; Kreidt; Ruby; Schatz; Schmidt; Streyle; Toman

**NAYS:** Amerman; Anderson; Beadle; Becker; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Dockter; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; 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; Rust; Sanford; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Dosch

Engrossed HB 1400 failed.

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### REPORT OF STANDING COMMITTEE

**HB 1332, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1332 was placed on the Sixth order on the calendar.

Page 2, line 12, remove "photo"

Page 2, line 20, remove "photo"

Page 4, line 8, remove "photo"

Page 6, line 19, remove "photo"

ReNUMBER accordingly

**SIXTH ORDER OF BUSINESS**

**HB 1332, as engrossed: REP. THORESON (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**MOTION**

**REP. VIGESAA MOVED** that HB 1332 be moved to the top of the calendar, which motion prevailed.

**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, and has committee recommendation of DO PASS, the roll was called and there were 72 YEAS, 21 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

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

**ABSENT AND NOT VOTING:** Dosch

Reengrossed HB 1332 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1418:** A BILL for an Act to create and enact a new section to chapter 16.1-05 of the North Dakota Century Code, relating to the appointment of poll checkers; to amend and reenact sections 16.1-02-05, 16.1-05-04, 16.1-05-07, 16.1-10-06.1, 16.1-15-06, 16.1-15-08, and 58-04-09 of the North Dakota Century Code, relating to verification of eligibility of voters; and to repeal section 16.1-05-06 of the North Dakota Century Code, relating to challenging the right to vote.

**ROLL CALL**

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

**YEAS:** Belter; Glassheim; Headland; Hogan; Meier

**NAYS:** Amerman; Anderson; Beadle; Becker; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Drovdal; Fehr; Frantsvog; Froseth; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; 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; Looyen; Louser; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden;

Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Dosch

HB 1418 failed.

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### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3038:** A concurrent resolution directing the Legislative Management to study the statutory and regulatory requirements placed on North Dakota state government agencies by United States government agencies as a condition of the receipt of federal funding to determine whether there are viable options to meet the needs of our state without having the federal government's oversight and involvement, which state needs can be met if federal funding associated with undesirable regulation or excessive direct and indirect costs are refused, and whether the federal fiscal impact is a significant and necessary factor in assenting to the continuance of federal government involvement in the state's management processes.

### ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 78 YEAS, 15 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Amerman; Delmore; Glassheim; Gruchalla; Hogan; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Mock; Mooney; Muscha; Onstad; Oversen; Zaiser

**ABSENT AND NOT VOTING:** Dosch

HCR 3038 was declared adopted on a recorded roll call vote.

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### SECOND READING OF HOUSE BILL

**HB 1275:** A BILL for an Act to create and enact a new section to chapter 16.1-05 of the North Dakota Century Code, relating to the appointment of poll checkers; to amend and reenact sections 16.1-02-05, 16.1-05-04, 16.1-05-07, and 16.1-10-06.1 of the North Dakota Century Code, relating to verification of eligibility of voters; to repeal sections 16.1-05-06 and 58-04-09 of the North Dakota Century Code, relating to challenging the right to vote; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 1 YEAS, 92 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Glassheim

**NAYS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Drovda; Fehr; Frantsvog; Froseth; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; 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; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Dosch

Engrossed HB 1275 failed.

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#### MOTION

**REP. HAWKEN MOVED** that the House reconsider its action whereby HB 1265 failed to pass, which motion failed on a verification vote.

#### SECOND READING OF HOUSE BILL

**HB 1447:** A BILL for an Act to amend and reenact subsection 3 of section 16.1-08.1-02, subsection 2 of section 16.1-08.1-03, subsection 4 of section 16.1-08.1-03.1, subsection 3 of section 16.1-08.1-03.3, subsection 3 of section 16.1-08.1-03.8, subsection 2 of section 16.1-08.1-03.9, subsection 2 of section 16.1-08.1-03.10, subsection 2 of section 16.1-08.1-03.11, subsection 2 of section 16.1-08.1-03.12, and sections 16.1-08.1-04 and 16.1-08.1-06 of the North Dakota Century Code, relating to campaign contribution and expenditure reports and reporting deadlines; 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 87 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; 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; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Bellew; Delzer; Heller; Ruby; Schatz; Weisz

**ABSENT AND NOT VOTING:** Dosch

Engrossed HB 1447 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1430:** A BILL for an Act to amend and reenact sections 16.1-08.1-01, 16.1-08.1-03.3, 16.1-08.1-03.5, 16.1-08.1-03.12, and 16.1-08.1-05 of the North Dakota Century Code, relating to campaign contributions and expenditures; and to provide a penalty.

#### 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 25 YEAS, 67 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

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

**ABSENT AND NOT VOTING:** Dosch; Skarphol

HB 1430 failed.

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### SECOND READING OF HOUSE BILL

**HB 1436:** A BILL for an Act to amend and reenact subsection 4 of section 16.1-08.1-02 of the North Dakota Century Code, relating to campaign contribution reporting requirements.

### 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 24 YEAS, 69 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

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

**ABSENT AND NOT VOTING:** Dosch

HB 1436 failed.

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### SECOND READING OF HOUSE BILL

**HB 1449:** A BILL for an Act to amend and reenact subsection 4 of section 16.1-08.1-02 of the North Dakota Century Code, relating to campaign contribution and expenditure reporting requirements.

### 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 21 YEAS, 72 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

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

Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams;  
Speaker Devlin

**ABSENT AND NOT VOTING:** Dosch

HB 1449 failed.

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### SECOND READING OF HOUSE BILL

**HB 1444:** A BILL for an Act to create and enact a new subsection to section 16.1-09-03 of the North Dakota Century Code, relating to information required to be filed in statements of interests; and to amend and reenact section 54-05.1-02 of the North Dakota Century Code, relating to legislative lobbying.

### 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 22 YEAS, 71 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

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

**ABSENT AND NOT VOTING:** Dosch

HB 1444 failed.

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### SECOND READING OF HOUSE BILL

**HB 1442:** A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to the establishment of a state ethics commission; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 24 YEAS, 70 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

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

HB 1442 failed.

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**MOTION**

**REP. VIGESAA MOVED** that the House stand in recess until 4:30 p.m., which motion prevailed.

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

**MOTION**

**REP. VIGESAA MOVED** that HB 1059 be returned to the House floor from the Senate for reconsideration pursuant to Joint Rule 204, which motion prevailed.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House respectfully requests the return of: HB 1059.

**MOTION**

**REP. VIGESAA MOVED** that House rule 508 be amended temporarily, replacing "thirty-sixth legislative day" with "thirty-eighth legislative day", which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1327, as engrossed: 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 HB 1327 was placed on the Sixth order on the calendar.

Page 1, line 3, after "sections" insert "62.1-01-03,"

Page 2, after line 28, insert:

**"SECTION 4. AMENDMENT.** Section 62.1-01-03 of the North Dakota Century Code is amended and reenacted as follows:

**62.1-01-03. Limitation on authority of political subdivision regarding firearms.**

~~No~~A political subdivision, including home rule cities or counties, may not enact any ordinance relating to the purchase, sale, ownership, possession, transfer of ownership, registration, or licensure of firearms and ammunition which is more restrictive than state law. All such existing ordinances are void."

ReNUMBER accordingly

**SIXTH ORDER OF BUSINESS**

**HB 1327, as engrossed: REP. STREYLE (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**.

**REQUEST**

**REP. HAWKEN REQUESTED** a verification vote, which request was granted.

The proposed amendments to Engrossed HB 1327 were adopted on a verification vote.

**SIXTH ORDER OF BUSINESS**

**SPEAKER DEVLIN DEEMED** approval of the amendments to HB 1003, HB 1007, HB 1010, HB 1012, HB 1016, HB 1018, HB 1020, HB 1021, Engrossed HB 1038, HB 1041, Engrossed HB 1145, HB 1211, Engrossed HB 1302, Engrossed HB 1327, Engrossed HB 1333, Engrossed HB 1368, Engrossed HB 1426, and HB 1446.

HB 1003, HB 1007, HB 1010, HB 1012, HB 1016, HB 1018, HB 1020, HB 1021, Engrossed HB 1038, HB 1041, Engrossed HB 1145, HB 1211, Engrossed HB 1302, Engrossed HB 1327, Engrossed HB 1333, Engrossed HB 1368, Engrossed HB 1426, and HB 1446, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**REPORT OF STANDING COMMITTEE**

**HB 1007: Appropriations Committee (Rep. Delzer, Chairman)** recommends

**AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1007 was placed on the Sixth order on the calendar.

Page 1, replace lines 11 through 13 with:

"Salaries and wages	\$1,648,342	\$231,256	\$1,879,598
Accrued leave payments	0	39,609	39,609
Operating expenses	<u>316,294</u>	<u>7,400</u>	<u>323,694</u>
Total all funds	\$1,964,636	\$278,265	\$2,242,901"

Page 1, replace line 15 with:

"Total general fund	\$1,540,125	\$264,850	\$1,804,975"
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ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1007 - Labor Commissioner - House Action**

	Executive Budget	House Changes	House Version
Salaries and wages	\$2,001,449	(\$121,851)	\$1,879,598
Operating expenses	323,694		323,694
Accrued leave payments		39,609	39,609
Total all funds	\$2,325,143	(\$82,242)	\$2,242,901
Less estimated income	<u>437,926</u>	0	<u>437,926</u>
General fund	\$1,887,217	(\$82,242)	\$1,804,975
FTE	13.00	0.00	13.00

**Department No. 406 - Labor Commissioner - Detail of House Changes**

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Total House Changes
Salaries and wages	\$5,731	(\$87,973)	(\$39,609)	(\$121,851)
Operating expenses				
Accrued leave payments			39,609	39,609
Total all funds	\$5,731	(\$87,973)	\$0	(\$82,242)
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General fund	\$5,731	(\$87,973)	\$0	(\$82,242)
FTE	0.00	0.00	0.00	0.00

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

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

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

<sup>3</sup>A portion of salaries and wages funding from the general fund (\$32,626) and from other funds (\$6,983) 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.

**SECOND READING OF HOUSE BILL**

**HB 1007:** A BILL for an Act to provide an appropriation for defraying the expenses of the labor commissioner.

**ROLL CALL**

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; Looyens; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; 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

**NAYS:** Owens

Engrossed HB 1007 passed.

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**REPORT OF STANDING COMMITTEE**

**HB 1018: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1018 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; and to provide an exemption"

Page 1, replace lines 11 through 13 with:

"Salaries and wages	\$9,477,860	\$1,817,192	\$11,295,052
Accrued leave payments	0	211,332	211,332
Operating expenses	2,387,016	379,000	2,766,016
Capital assets	1,620,736	128,989	1,749,725"

Page 1, replace line 15 with:

"Cultural heritage grants	504,500	150,000	654,500"
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Page 1, replace lines 17 through 20 with:

"Total all funds	\$14,994,604	\$2,686,513	\$17,681,117
Less estimated income	<u>2,900,413</u>	<u>297,058</u>	<u>3,197,471</u>
Total general fund	\$12,094,191	\$2,389,455	\$14,483,646
Full-time equivalent positions	63.00	5.00	68.00"

Page 2, replace lines 7 through 9 with:

"Historic sites exhibits		0	50,000"
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Page 2, replace lines 13 through 16 with:

"State's 125th celebration planning		<u>50,000</u>	<u>100,000</u>
Total all funds		\$1,590,700	\$300,000

Less estimated income	650,000	0
Total general fund	\$940,700	\$300,000 <sup>m</sup>

Page 2, remove lines 30 and 31

Page 3, remove lines 1 through 4

Re-number accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1018 - State Historical Society - House Action

	Executive Budget	House Changes	House Version
Salaries and wages	\$12,208,141	(\$913,089)	\$11,295,052
Operating expenses	2,816,016	(50,000)	2,766,016
Capital assets	2,014,725	(265,000)	1,749,725
Grants	1,000,000		1,000,000
Cultural heritage grants	504,500	150,000	654,500
Yellowstone-Missouri-Fort Union Comm	4,492		4,492
Accrued leave payments		211,332	211,332
Total all funds	\$18,547,874	(\$866,757)	\$17,681,117
Less estimated income	3,246,503	(49,032)	3,197,471
General fund	\$15,301,371	(\$817,725)	\$14,483,646
FTE	69.00	(1.00)	68.00

#### Department No. 701 - State Historical Society - Detail of House Changes

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Adds Funding to the Cultural Heritage Grants Line <sup>4</sup>	Removes Funding for Oil- Impacted Areas <sup>5</sup>	Removes Funding for Traveling Exhibits <sup>6</sup>
Salaries and wages	\$6,657	(\$459,386)	(\$211,332)		(\$50,000)	
Operating expenses						
Capital assets						(250,000)
Grants						
Cultural heritage grants				150,000		
Yellowstone-Missouri-Fort Union Comm						
Accrued leave payments			211,332			
Total all funds	\$6,657	(\$459,386)	\$0	\$150,000	(\$50,000)	(\$250,000)
Less estimated income	732	(49,764)	0	0	0	0
General fund	\$5,925	(\$409,622)	\$0	\$150,000	(\$50,000)	(\$250,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Reduces Funding for Historic Site Exhibits <sup>7</sup>	Removes Technology Coordinator Position <sup>8</sup>	Reduces Funding for State Celebration <sup>9</sup>	Total House Changes
Salaries and wages		(\$199,028)		(\$913,089)
Operating expenses			(50,000)	(50,000)
Capital assets	(15,000)			(265,000)
Grants				
Cultural heritage grants				150,000
Yellowstone-Missouri-Fort Union Comm				
Accrued leave payments				211,332
Total all funds	(\$15,000)	(\$199,028)	(\$50,000)	(\$866,757)
Less estimated income	0	0	0	(49,032)
General fund	(\$15,000)	(\$199,028)	(\$50,000)	(\$817,725)
FTE	0.00	(1.00)	0.00	(1.00)

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

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

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

<sup>3</sup>A portion of salaries and wages funding from the general fund (\$185,972) and from other funds (\$25,360) for permanent employees compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

<sup>4</sup>Funding is added to the cultural heritage grants line to provide a total of \$654,500. The executive budget recommendation included \$504,500 for cultural heritage grants.

<sup>5</sup>Funding included in the executive budget for compensation or housing allowances for employees in oil-impacted areas is removed.

<sup>6</sup>Funding included in the executive budget for traveling exhibits is removed.

<sup>7</sup>This amendment reduces funding included in the executive budget for historic site exhibits from \$65,000 to \$50,000.

<sup>8</sup>This amendment removes the technology coordinator position included in the executive budget.

<sup>9</sup>This amendment reduces funding included in the executive budget for the state's 125th celebration from \$150,000 to \$100,000.

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This amendment removes Section 5 of the bill which provides for deposit in the department's revolving fund any unspent funds provided for traveling exhibits to be used in the 2015-17 biennium.

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

**HB 1018:** A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society.

#### **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, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Carlson; Damschen; Delmore; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glasheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; 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; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Brandenburg; Delzer; Drovdal; Headland; Kretschmar; Owens; Weisz

Engrossed HB 1018 passed.

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#### REPORT OF STANDING COMMITTEE

**HB 1038, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1038 was placed on the Sixth order on the calendar.

Page 1, line 1, after "provide" insert "for a program to provide autism spectrum disorder training and support and"

Page 1, line 1, remove "; and"

Page 1, remove lines 2 and 3

Page 1, line 4, remove "spectrum disorder educational training and support"

Page 1, after line 5, insert:

#### **"SECTION 1.**

#### **Autism spectrum disorder training and support.**

The department of public instruction shall provide training and support to general education classroom teachers and other school staff regarding the most effective methods of educating and providing services and support to individuals with autism spectrum disorder."

Page 1, remove lines 21 through 24

Page 2, remove lines 1 through 11

Renumber accordingly

#### SECOND READING OF HOUSE BILL

**HB 1038:** A BILL for an Act to provide for a program to provide autism spectrum disorder training and support and for the establishment of an autism spectrum disorder registry.

#### 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 90 YEAS, 4 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Drovdal; Fehr; Frantsvog; Froseth; Glasheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; 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; Strinden; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Dosch; Streyle; Toman

Reengrossed HB 1038 passed.

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#### REPORT OF STANDING COMMITTEE

**HB 1041: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1041 was placed on the Sixth order on the calendar.

Page 1, replace lines 4 through 9 with:

**"SECTION 1. APPROPRIATION - GUARDIANSHIPS.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$361,200, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing grants to counties for public or private guardianship services for new wards, for the biennium beginning July 1, 2013, and ending June 30, 2015. The department of human services shall establish eligibility criteria for the services, including setting income criteria at one hundred percent of the federal poverty level."

Renumber accordingly

#### SECOND READING OF HOUSE BILL

**HB 1041:** A BILL for an Act to provide appropriations to the office of management and budget and the supreme court for guardianship and public administrator services.

#### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

Engrossed HB 1041 passed.

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#### REPORT OF STANDING COMMITTEE

**HB 1211: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 8 NAYS, 1 ABSENT AND NOT VOTING). HB 1211 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "\$600,000" with "\$400,000"

Page 1, line 10, after "only" insert "for the purposes authorized in this section and only"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment reduces funding to the Department of Commerce for matching grants to address health care workforce needs in rural areas by \$200,000 from \$600,000 to \$400,000.

**SECOND READING OF HOUSE BILL**

**HB 1211:** A BILL for an Act to provide an appropriation to the department of commerce to address health care workforce needs in rural areas of the state.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 63 YEAS, 31 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Boe; Boehning; Boschee; Brandenburg; Carlson; Damschen; Delmore; Drovdal; Fehr; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Kretschmar; Kreun; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Rust; Sanford; Schatz; Silbernagel; Strinden; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Bellew; Belter; Brabandt; Delzer; Dockter; Dosch; Frantsvog; Grande; Hatlestad; Headland; Heller; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Larson; Looyen; Louser; Meier; Pollert; Porter; Rohr; Ruby; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman

Engrossed HB 1211 passed.

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**REPORT OF STANDING COMMITTEE**

**HB 1333, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1333 was placed on the Sixth order on the calendar.

Page 1, line 4, remove the first "section"

Page 1, line 4, after the first comma insert "sections"

Page 1, line 4, replace ", subsections 1 and 2 of section" with "and"

Page 1, line 8, after the semicolon insert "to provide for application;"

Page 3, remove lines 22 through 31

Page 4, replace lines 1 through 15 with:

**"SECTION 4. AMENDMENT.** Section 38-08-04.5 of the North Dakota Century Code is amended and reenacted as follows:

**38-08-04.5. Abandoned oil and gas well plugging and site reclamation fund - Budget section report.**

There is hereby created an abandoned oil and gas well plugging and site reclamation fund.

1. Revenue to the fund must include:
  - a. Fees collected by the oil and gas division of the industrial commission for permits or other services.

- b. Moneys received from the forfeiture of drilling and reclamation bonds.
  - c. Moneys received from any federal agency for the purpose of this section.
  - d. Moneys donated to the commission for the purposes of this section.
  - e. Moneys received from the state's oil and gas impact fund.
  - f. Moneys recovered under the provisions of section 38-08-04.8.
  - g. Moneys recovered from the sale of equipment and oil confiscated under section 38-08-04.9.
  - h. Moneys transferred from the cash bond fund under section 38-08-04.11.
  - i. Such other moneys as may be deposited in the fund for use in carrying out the purposes of plugging or replugging of wells or the restoration of well sites.
  - j. Civil penalties assessed under section 38-08-16.
2. Moneys in the fund may be used for the following purposes:
- a. Contracting for the plugging of abandoned wells.
  - b. Contracting for the reclamation of abandoned drilling and production sites, saltwater disposal pits, drilling fluid pits, and access roads.
  - c. To pay mineral owners their royalty share in confiscated oil.
  - d. Defraying costs incurred under section 38-08-04.4 in reclamation of oil and gas-related pipelines and associated facilities.
3. All moneys collected under this section must be deposited in the abandoned oil and gas well plugging and site reclamation fund. This fund must be maintained as a special fund and all moneys transferred into the fund are appropriated and must be used and disbursed solely for the purpose of defraying the costs incurred in carrying out the plugging or replugging of wells, the reclamation of well sites, and all other related activities.
4. The commission shall report to the budget section of the legislative management on the balance of the fund and expenditures from the fund each biennium."

Page 7, after line 13, insert:

**"SECTION 11. APPLICATION.** This Act does not apply to the reclamation of an oil or gas-related pipeline or associated facility put into service before August 1, 1983."

Renumber accordingly

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

**HB 1333:** A BILL for an Act to create and enact three new subsections to section 38-08-02, a new section to chapter 38-08, and a new section to chapter 38-11.1 of the North Dakota Century Code, relating to locating, definitions for, and mediation for pipeline facilities; to amend and reenact subsection 2 of section 38-08-04, sections 38-08-04.4 and 38-08-04.5, subsection 6 of section 38-08-15, subsection 1 of section 38-08-16, section 38-08-23, and subsection 1 of section 57-51-15 of the North Dakota Century Code, relating to saltwater disposal wells, the abandoned oil and gas well plugging and site reclamation fund, reclamation of pipelines facilities,

and oil and gas gross production tax for reclamation; to provide for application; and to provide for retroactive application.

#### ROLL CALL

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

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

Reengrossed HB 1333 passed.

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#### REPORT OF STANDING COMMITTEE

**HB 1368, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1368 was placed on the Sixth order on the calendar.

Page 3, line 8, remove "not to"

Page 3, remove lines 9 and 10

Page 3, line 11, remove "any additional applicable state and local taxes"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment removes language that would have established the reimbursement rate for out-of-state lodging for state employees at 90 percent of the federal General Services Administration rate rather than the actual lodging expense incurred.

#### SECOND READING OF HOUSE BILL

**HB 1368:** A BILL for an Act to amend and reenact section 44-08-04 of the North Dakota Century Code, relating to travel expenses for state employees.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

Vigesaa; Wall; Weisz; Wieland; Williams; Speaker Devlin

**NAYS:** Zaiser

**ABSENT AND NOT VOTING:** Keiser

Reengrossed HB 1368 passed.

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**REPORT OF STANDING COMMITTEE**

**HB 1426, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1426 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "a new section to chapter 6-09 and"

Page 1, remove lines 5 through 19

Page 2, line 18, replace "twenty-five" with "one"

Page 3, remove lines 10 through 14

Page 3, line 17, replace "\$25,000,000" with "\$1,000,000"

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

Renumber accordingly

**SECOND READING OF HOUSE BILL**

**HB 1426:** A BILL for an Act to create and enact a new section to chapter 6-09.4 of the North Dakota Century Code, relating to a credit enhancement program for political subdivision infrastructure funding; and to provide an appropriation.

**ROLL CALL**

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

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

**NAYS:** Nelson, M.; Pollert

**ABSENT AND NOT VOTING:** Keiser

Reengrossed HB 1426 passed.

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**REPORT OF STANDING COMMITTEE**

**HB 1446: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1446 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study relating to United States constitutional conventions."

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - SCOPE OF UNITED STATES CONSTITUTIONAL CONVENTION.** The legislative management shall consider studying, during the 2013-14 interim, issues related to the calling of a convention under article V of the United States Constitution, including concerns associated with a "runaway" convention and methods through which states have addressed those concerns. The study must consider the impact of House Concurrent Resolution No. 3048 adopted by the sixty-second legislative assembly and similar actions taken by other states as well as other actions taken by states to reassert the constitutional authority of the states. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly."

Renumber accordingly

**SECOND READING OF HOUSE BILL**

**HB 1446:** A BILL for an Act to provide for a legislative management study relating to United States constitutional conventions.

**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 70 YEAS, 23 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Amerman; Boe; Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hogan; Holman; Hunsakor; Kelsh, J.; Kelsh, S.; Laning; Mooney; Muscha; Onstad; Oversen; Porter; Silbernagel; Strinden; Zaiser

**ABSENT AND NOT VOTING:** Keiser

Engrossed HB 1446 passed.

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**REPORT OF STANDING COMMITTEE**

**HB 1003: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1003 was placed on the Sixth order on the calendar.

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

Page 1, line 2, after "54-12-11" insert "and 54-59-22"

Page 1, line 3, after "general" insert "and to required use of information technology services"

Page 1, replace lines 12 through 14 with:

"Salaries and wages	\$29,506,046	\$3,158,135	\$32,664,181
Accrued leave payments	0	1,057,247	1,057,247

Operating expenses	16,418,016	4,267,598	20,685,614
Capital assets	1,943,783	359,294	2,303,077"

Page 1, replace lines 21 through 24 with:

"Total all funds	\$55,715,455	\$8,229,800	\$63,945,255
Less estimated income	<u>24,485,610</u>	<u>3,638,521</u>	<u>28,124,131</u>
Total general fund	\$31,229,845	\$4,591,279	\$35,821,124
Full-time equivalent positions	204.00	1.00	205.00"

Page 2, replace lines 9 through 13 with:

"BCI vehicles		<u>0</u>	<u>198,000</u>
Total all funds		\$3,253,967	\$198,000
Total special funds		<u>2,941,567</u>	<u>0</u>
Total general fund		\$312,400	\$198,000"

Page 2, line 25, replace "forty-three" with "forty-two"

Page 2, line 26, replace "six" with "three"

Page 2, line 26, replace "eighty-five" with "four"

Page 2, line 27, replace "forty-nine" with "forty-six"

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

Page 2, line 27, replace "thirty-two" with "seventy-three"

Page 2, after line 27, insert:

**"SECTION 5. AMENDMENT.** Section 54-59-22 of the North Dakota Century Code is amended and reenacted as follows:

**54-59-22. Required use of electronic mail, file and print server administration, database administration, application server, and hosting services.**

Each state agency and institution, excluding the legislative and judicial branches, the institutions under the control of the state board of higher education, ~~the public employees retirement system, the retirement and investment office, the attorney general,~~ and any entity exempted by the office of management and budget after advisement by the information technology department, shall obtain electronic mail, file and print server administration, database administration, storage, application server, and hosting services through a delivery system established by the information technology department in conjunction with the office of management and budget. The office of management and budget, after receiving advice from the information technology department, shall establish policies and guidelines for the delivery of services, including the transition from existing systems to functional consolidation, with consideration given to the creation of efficiencies, cost-savings, and improved quality of service."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1003 - Attorney General - House Action**

	Executive Budget	House Changes	House Version
Salaries and wages	\$35,825,800	(\$3,161,619)	\$32,664,181
Operating expenses	20,946,586	(260,972)	20,685,614
Capital assets	2,363,077	(60,000)	2,303,077
Grants	2,373,947		2,373,947
Litigation fees	50,000		50,000
Medical examinations	660,000		660,000
North Dakota Lottery	4,133,821		4,133,821

Arrest and return of fugitives	10,000		10,000
Gaming Commission	7,368		7,368
Accrued leave payments		1,057,247	1,057,247
Total all funds	\$66,370,599	(\$2,425,344)	\$63,945,255
Less estimated income	29,012,463	(888,332)	28,124,131
General fund	\$37,358,136	(\$1,537,012)	\$35,821,124
FTE	211.50	(6.50)	205.00

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

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Removes New FTE Position for Concealed Weapons Permits <sup>4</sup>	Removes New FTE Positions for Western North Dakota <sup>5</sup>	Removes New Uniform Crime Reporting System Position <sup>6</sup>
Salaries and wages	\$175,026	(\$1,334,630)	(\$1,057,247)	(\$39,074)	(\$386,237)	(\$98,780)
Operating expenses					(100,559)	(14,676)
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			
Total all funds	\$175,026	(\$1,334,630)	\$0	(\$39,074)	(\$526,796)	(\$113,456)
Less estimated income	37,744	(252,572)	0	(39,074)	(69,650)	(113,456)
General fund	\$137,282	(\$1,082,058)	\$0	\$0	(\$457,146)	\$0
FTE	0.00	0.00	0.00	(0.50)	(3.00)	(1.00)

  

	Removes New Attorney Position <sup>7</sup>	Removes New Investigator Position <sup>8</sup>	Removes Funding for Oil Impact Assistance <sup>9</sup>	Total House Changes
Salaries and wages	(\$198,738)	(\$143,729)	(\$78,210)	(\$3,161,619)
Operating expenses	(41,115)	(47,742)	(56,880)	(260,972)
Capital assets		(20,000)		(60,000)
Grants				
Litigation fees				
Medical examinations				
North Dakota Lottery				
Arrest and return of fugitives				
Gaming Commission				
Accrued leave payments				1,057,247
Total all funds	(\$239,853)	(\$211,471)	(\$135,090)	(\$2,425,344)
Less estimated income	(239,853)	(211,471)	0	(888,332)
General fund	\$0	\$0	(\$135,090)	(\$1,537,012)
FTE	(1.00)	(1.00)	0.00	(6.50)

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

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

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

<sup>3</sup> A portion of salaries and wages funding from the general fund (\$835,225) and from other funds (\$222,022) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

<sup>4</sup> This amendment removes a .5 FTE position for processing concealed weapons permits. The executive budget recommendation added 2 FTE positions for this purpose, of which 1.5 were previously paid for with federal funds related to the National Instant Check system (NICS).

<sup>5</sup> This amendment removes 2 FTE criminal investigator and 1 FTE administrative assistant positions and related operating and motor vehicle expenses added in the executive budget recommendation for law enforcement activities in western North Dakota.

<sup>6</sup> This amendment removes 1 FTE administrative assistant position and related operating expenses for the Uniform Crime Reporting system added in the executive budget.

<sup>7</sup> This amendment removes 1 FTE attorney position and related operating expenses added in the executive budget to review mineral leases and other legal information relating to the Department of Trust Lands.

<sup>8</sup> This amendment removes 1 FTE organized crime investigator position and related operating and motor vehicle expenses added in the executive budget.

<sup>9</sup> Funding included in the executive budget recommendation for salary add-ons and housing assistance for employees in oil-impacted areas is removed.

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This amendment also:

- Amends 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.
- Changes Section 4 of the bill to reflect the Attorney General salary increases at 3 percent for each year of the biennium rather than 4 percent each year as included in the executive budget.

### SECOND READING OF HOUSE BILL

**HB 1003:** A BILL for an Act to provide an appropriation for defraying the expenses of the attorney general; to amend and reenact sections 54-12-11 and 54-59-22 of the North Dakota Century Code, relating to the salary of the attorney general and to required use of information technology services; 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 90 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karis; Kasper; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; 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:** Dosch; Nelson, M.; Owens

**ABSENT AND NOT VOTING:** Keiser

Engrossed HB 1003 passed and the emergency clause was declared carried.

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**MOTION**

**REP. VIGESAA MOVED** that HB 1145 be moved to the top of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1145:** A BILL for an Act to amend and reenact sections 18-04-02, 18-04-05, 23-46-05, 26.1-01-07.5, and 26.1-03-17 of the North Dakota Century Code, relating to use of insurance premium tax collections for firefighting; to provide a continuing appropriation; and to provide an appropriation.

**ROLL CALL**

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

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

**ABSENT AND NOT VOTING:** Keiser

Reengrossed HB 1145 passed.

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**REPORT OF STANDING COMMITTEE**

**HB 1010: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1010 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "to provide for making payments of insurance premiums tax collections to fire"

Page 1, line 3, remove "departments;"

Page 1, replace line 12 with:

"Salaries and wages	\$6,859,830	\$1,024,320	\$7,884,150
Accrued leave payments	0	163,182	163,182"

Page 1, remove line 15

Page 1, replace line 18 with:

"Total special funds	\$12,004,080	(\$1,098,740)	\$10,905,340"
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Page 1, remove lines 20 through 24

Page 2, line 4, replace "\$1,722,929" with "\$1,552,929"

Page 2, line 5, remove ", including \$170,000 for a grant to the North Dakota firefighters"

Page 2, line 6, remove "association and \$1,552,929"

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

Page 2, line 18, replace "seven" with "eight"

Page 2, line 19, replace "ninety-three" with "sixty-three"

Page 2, line 19, replace "one hundred" with "ninety-eight"

Page 2, line 20, replace "six" with "seven"

Page 2, line 20, replace "sixty-five" with "thirty-nine"

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1010 - Insurance Department - House Action**

	Executive Budget	House Changes	House Version
Salaries and wages	\$8,260,726	(\$376,576)	\$7,884,150
Operating expenses	2,858,008		2,858,008
Grants	7,840,000	(7,840,000)	
Accrued leave payments		163,182	163,182
Total all funds	\$18,958,734	(\$8,053,394)	\$10,905,340
Less estimated income	18,958,734	(8,053,394)	10,905,340
General fund	\$0	\$0	\$0
FTE	49.50	0.00	49.50

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

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Removes Grants Line Item <sup>4</sup>	Total House Changes
Salaries and wages	\$37,503	(\$250,897)	(\$163,182)		(\$376,576)
Operating expenses					
Grants				(7,840,000)	(7,840,000)
Accrued leave payments			163,182		163,182
Total all funds	\$37,503	(\$250,897)	\$0	(\$7,840,000)	(\$8,053,394)
Less estimated income	37,503	(250,897)	0	(7,840,000)	(8,053,394)
General fund	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00

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

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

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

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

<sup>4</sup>This amendment removes \$7,670,000 from the insurance tax distribution fund for grants to fire departments (\$7 million) and the North Dakota Firefighter's Association (\$670,000). The

amendment also removes \$170,000 from the fire and tornado fund for grants to the North Dakota Firefighter's Association.

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Section 7 is changed to reduce the Insurance Commissioner's annual salary increase from 4 to 3 percent.

### SECOND READING OF HOUSE BILL

**HB 1010:** A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; and to amend and reenact section 26.1-01-09 of the North Dakota Century Code, relating to the commissioner's salary.

### ROLL CALL

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

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

**ABSENT AND NOT VOTING:** Keiser

Engrossed HB 1010 passed.

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### MOTION

**REP. VIGESAA MOVED** that Engrossed HB 1290 be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Vigasaa's motion, Engrossed HB 1290 was rereferred.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2006, SB 2015, SB 2031, SB 2088, SB 2125, SB 2183, SB 2205, SB 2244, SB 2269, SB 2323, SB 2345, SB 2353, SB 2370.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2019, SB 2212, SB 2284, SB 2330, SB 2339, SB 2347, SB 2369, SB 2374, SCR 4017.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2012, SB 2013, SB 2014.

### MOTION

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Wednesday, February 27, 2013, which motion prevailed.

### REPORT OF STANDING COMMITTEE

**HB 1012:** **Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(16 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1012 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide for intermediate care facility construction review and personal needs allowances;"

Page 1, replace lines 16 through 21 with:

"Salaries and wages	\$15,382,133	\$18,911,770	\$34,293,903
Operating expenses	62,229,003	4,968,982	67,197,985
Capital assets	<u>138,400</u>	<u>(126,400)</u>	<u>12,000</u>
Total all funds	\$77,749,536	\$23,754,352	\$101,503,888
Less estimated income	<u>46,573,712</u>	<u>10,360,100</u>	<u>56,933,812</u>
Total general fund	\$31,175,824	\$13,394,252	\$44,570,076"

Page 2, replace lines 3 through 9 with:

"Salaries and wages	\$50,207,605	(\$1,365,487)	\$48,842,118
Operating expenses	91,973,280	12,572,749	104,546,029
Grants	490,196,862	(36,322,732)	453,874,130
Grants - medical assistance	<u>1,601,650,984</u>	<u>136,544,093</u>	<u>1,738,195,077</u>
Total all funds	\$2,234,028,731	\$111,428,623	\$2,345,457,354
Less estimated income	<u>1,497,456,325</u>	<u>(76,052,936)</u>	<u>1,421,403,389</u>
Total general fund	\$736,572,406	\$187,481,559	\$924,053,965"

Page 2, replace lines 14 through 29 with:

"Statewide human service centers	\$6,002,865	(\$933,110)	\$5,069,755
Northwest human service center	8,674,568	243,623	8,918,191
North central human service center	20,902,226	1,046,945	21,949,171
Lake region human service center	11,244,306	1,451,827	12,696,133
Northeast human service center	28,089,450	(246,675)	27,842,775
Southeast human service center	33,747,874	3,942,598	37,690,472
South central human service center	16,466,240	287,643	16,753,883
West central human service center	26,352,443	3,110,147	29,462,590
Badlands human service center	11,708,054	597,664	12,305,718
State hospital	71,423,200	1,641,436	73,064,636
Developmental center	<u>51,809,247</u>	<u>951,223</u>	<u>52,760,470</u>
Total all funds	\$286,420,473	\$12,093,321	\$298,513,794
Less estimated income	<u>126,939,489</u>	<u>(5,136,629)</u>	<u>121,802,860</u>
Total general fund	\$159,480,984	\$17,229,950	\$176,710,934"

Page 3, replace lines 3 through 6 with:

"Grand total general fund	\$927,229,214	\$218,105,761	\$1,145,334,975
Grand total special funds	<u>1,670,969,526</u>	<u>(70,829,465)</u>	<u>1,600,140,061</u>
Grand total all funds	\$2,598,198,740	\$147,276,296	\$2,745,475,036
Full-time equivalent positions	2,197.35	(1.27)	2,196.08"

Page 3, replace lines 12 through 19 with:

"Mainframe migration	\$0	\$810,000
Demolish refectory and pleasant view building - developmental center	0	220,000
State hospital capital projects	1,800,000	789,714
Grants	0	775,000"

Page 3, replace lines 27 through 29 with:

"Total all funds	\$50,349,515	\$2,594,714
Less estimated income	<u>36,602,712</u>	<u>1,086,093</u>
Total general fund	\$13,746,803	\$1,508,621"

Page 4, remove lines 3 through 10

Page 5, after line 23, insert:

**"SECTION 8.**

**Review and limitation.**

Intermediate care facility providers shall submit all facility construction or remodeling proposals to the department of human services prior to enactment of a contract for the completion of the project. The department of human services shall review all intermediate care facility construction or remodeling proposals and may limit allowable construction and remodeling costs to ensure the costs are reasonable and appropriate.

**SECTION 9.**

**Personal needs allowance adjustments.**

As of June thirtieth at the end of each biennium, the department of human services shall determine an adjustment for each category of personal needs allowance based on the consumer price index for urban consumers for the previous twelve months. The department of human services shall adjust the personal needs allowance, rounded to the nearest whole dollar, based on its determination on January first of the following year. If the consumer price index is a negative factor, the personal needs allowance may not be changed.

**SECTION 10. GRANT TO ASSISTED LIVING CENTER - LIMITATION.** The sum of \$425,000, or so much of the sum as may be necessary, included in the grants - medical assistance line item in subdivision 2 of section 1 of this Act, is to provide a grant to an assisted living center that accepts low-income tenants for an expansion project. This funding may not be spent for any other purpose if the expansion project has not begun by July 1, 2015.

**SECTION 11. GRANTS.** The grants line item in subdivision 2 of section 1 of this Act includes \$150,000, or so much of the sum as may be necessary, from the general fund for grants to a jurisdiction that is adjacent to an Indian reservation but does not receive reimbursement payments under section 50-01.2-03.2 and is determined by the department of human services to be the most significantly impacted based on calendar year 2011 data considering the provisions of subsection 2 of section 50-01.2-03.2, for the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 12. AUTHORIZATION - GRANTS FOR ADAPTIVE SKIING.** The grants - medical assistance line item in subdivision 2 of section 1 of this Act includes \$200,000 from the general fund for grants for an adaptive skiing program, for the biennium beginning July 1, 2013, and ending June 30, 2015. Of the funding provided, \$120,000 of the amount may be used for a project coordinator and the remaining amount may be used for any equipment necessary for the adaptive skiing program.

**SECTION 13. LEGISLATIVE MANAGEMENT STUDY - DEVELOPMENTAL CENTER.** The legislative management shall consider studying, during the 2013-14 interim, the developmental center in Grafton. If conducted, the study must determine future use, reduction in size, and any change of scope for the developmental center. The study must consider information from local community groups that have concerns or ideas for the future use of the developmental center. The legislative management shall report its findings and recommendations, along with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly.

**SECTION 14. LEGISLATIVE INTENT - DEMOLITION OF DEVELOPMENTAL CENTER BUILDINGS.** It is the intent of the sixty-third legislative assembly that the department of human services demolish the refectory and pleasant view buildings at the developmental center at westwood park, Grafton. If the amount of \$220,000

included in the developmental center line item in subdivision 3 of section 1 of this Act is insufficient to provide for the demolition of both buildings, the department of human services may request emergency commission approval for additional funding from the state contingencies appropriation."

Renumber accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

### House Bill No. 1012 - Summary of House Action

	Executive Budget	House Changes	House Version
DHS - Management			
Total all funds	\$124,062,199	(\$22,558,311)	\$101,503,888
Less estimated income	61,473,447	(4,539,635)	56,933,812
General fund	\$62,588,752	(\$18,018,676)	\$44,570,076
DHS - Program/Policy			
Total all funds	\$2,364,284,108	(\$18,826,754)	\$2,345,457,354
Less estimated income	1,429,648,423	(8,245,034)	1,421,403,389
General fund	\$934,635,685	(\$10,581,720)	\$924,053,965
DHS - State Hospital			
Total all funds	\$73,489,636	(\$425,000)	\$73,064,636
Less estimated income	19,254,163	0	19,254,163
General fund	\$54,235,473	(\$425,000)	\$53,810,473
DHS - Developmental Center			
Total all funds	\$53,050,470	(\$290,000)	\$52,760,470
Less estimated income	28,064,218	0	28,064,218
General fund	\$24,986,252	(\$290,000)	\$24,696,252
DHS - Statewide HSC			
Total all funds	\$6,069,755	(\$1,000,000)	\$5,069,755
Less estimated income	1,075,139	(400,000)	675,139
General fund	\$4,994,616	(\$600,000)	\$4,394,616
DHS - Northwest HSC			
Total all funds	\$8,958,191	(\$40,000)	\$8,918,191
Less estimated income	3,564,800	0	3,564,800
General fund	\$5,393,391	(\$40,000)	\$5,353,391
DHS - North Central HSC			
Total all funds	\$21,989,171	(\$40,000)	\$21,949,171
Less estimated income	9,185,305	0	9,185,305
General fund	\$12,803,866	(\$40,000)	\$12,763,866
DHS - Lake Region HSC			
Total all funds	\$12,736,133	(\$40,000)	\$12,696,133
Less estimated income	5,162,347	0	5,162,347
General fund	\$7,573,786	(\$40,000)	\$7,533,786
DHS - Northeast HSC			
Total all funds	\$27,882,775	(\$40,000)	\$27,842,775
Less estimated income	14,138,342	0	14,138,342
General fund	\$13,744,433	(\$40,000)	\$13,704,433
DHS - Southeast HSC			
Total all funds	\$39,030,472	(\$1,340,000)	\$37,690,472
Less estimated income	15,682,226	(325,000)	15,357,226
General fund	\$23,348,246	(\$1,015,000)	\$22,333,246
DHS - South Central HSC			
Total all funds	\$16,793,883	(\$40,000)	\$16,753,883
Less estimated income	7,813,290	0	7,813,290
General fund	\$8,980,593	(\$40,000)	\$8,940,593
DHS - West Central HSC			
Total all funds	\$29,826,746	(\$364,156)	\$29,462,590
Less estimated income	13,268,982	0	13,268,982
General fund	\$16,557,764	(\$364,156)	\$16,193,608
DHS - Badlands HSC			
Total all funds	\$12,345,718	(\$40,000)	\$12,305,718
Less estimated income	5,319,048	0	5,319,048
General fund	\$7,026,670	(\$40,000)	\$6,986,670
Bill total			
Total all funds	\$2,790,519,257	(\$45,044,221)	\$2,745,475,036
Less estimated income	1,613,649,730	(13,509,669)	1,600,140,061

General fund      \$1,176,869,527      (\$31,534,552)      \$1,145,334,975

### House Bill No. 1012 - DHS - Management - House Action

	Executive Budget	House Changes	House Version
Salaries and wages	\$51,102,214	(\$16,808,311)	\$34,293,903
Operating expenses	72,743,825	(5,545,840)	67,197,985
Capital assets	216,160	(204,160)	12,000
Total all funds	\$124,062,199	(\$22,558,311)	\$101,503,888
Less estimated income	61,473,447	(4,539,635)	56,933,812
General fund	\$62,588,752	(\$18,018,676)	\$44,570,076
FTE	148.10	(1.00)	147.10

### Department No. 326 - DHS - Management - Detail of House Changes

	House Changes <sup>1</sup>	Total House Changes
Salaries and wages	(\$16,808,311)	(\$16,808,311)
Operating expenses	(5,545,840)	(5,545,840)
Capital assets	(204,160)	(204,160)
Total all funds	(\$22,558,311)	(\$22,558,311)
Less estimated income	(4,539,635)	(4,539,635)
General fund	(\$18,018,676)	(\$18,018,676)
FTE	(1.00)	(1.00)

1

	FTE	General Fund	Estimated Income	Total
<b>Management - House changes:</b>				
<b>Administration - Support</b>				
Corrects executive compensation package		223,028	\$100,201	\$323,229
Adjusts state employee compensation and benefits package		(\$8,990,339)	(\$4,062,638)	(\$13,052,977)
Removes deputy director position	(1.00)	(\$248,357)	(\$62,206)	(\$310,563)
Removes funding for allowances to employees in areas affected by oil development		(3,253,008)	(514,992)	(\$3,768,000)
Decreases funding for operating		(750,000)		(\$750,000)
<b>Information Technology Services</b>				
Removes funding for field services electronic health records system replacement		(5,000,000)		(\$5,000,000)
Changes line item for funding in capital assets that should be in operating				\$0
<b>Total House changes - Management</b>	<b>(1.00)</b>	<b>(\$18,018,676)</b>	<b>(\$4,539,635)</b>	<b>(\$22,558,311)</b>

### House Bill No. 1012 - DHS - Program/Policy - House Action

	Executive Budget	House Changes	House Version
Salaries and wages	\$48,842,118		\$48,842,118
Operating expenses	106,543,180	(1,997,151)	104,546,029
Grants	453,774,130	100,000	453,874,130
Grants - Medical assistance	1,755,124,680	(16,929,603)	1,738,195,077
Total all funds	\$2,364,284,108	(\$18,826,754)	\$2,345,457,354
Less estimated income	1,429,648,423	(8,245,034)	1,421,403,389

General fund	\$934,635,685	(\$10,581,720)	\$924,053,965
FTE	342.50	0.00	342.50

**Department No. 328 - DHS - Program/Policy - Detail of House Changes**

	House Changes <sup>1</sup>	Total House Changes
Salaries and wages		
Operating expenses	(1,997,151)	(1,997,151)
Grants	100,000	100,000
Grants - Medical assistance	(16,929,603)	(16,929,603)
<b>Total all funds</b>	<b>(\$18,826,754)</b>	<b>(\$18,826,754)</b>
Less estimated income	(8,245,034)	(8,245,034)
<b>General fund</b>	<b>(\$10,581,720)</b>	<b>(\$10,581,720)</b>
FTE	0.00	0.00

<sup>1</sup>

	FTE	General Fund	Estimated Income	Total
<b>Program and Policy - House changes:</b>				
<b>Economic Assistance Policy Program</b>				
No changes				
<b>Child Support Program</b>				
No changes				
<b>Medical Services Program</b>				
Reduces by 50 percent, funding provided in executive budget recommendation for previously eligible individuals who might now apply for Medicaid coverage		(2,268,289)	(2,268,309)	(4,536,598)
Removes funding for professional medical expert reviews of medical records and prior authorizations		(42,000)	(42,000)	(84,000)
Removes funding for program integrity services		(158,000)	(158,000)	(316,000)
Removes funding for a contract with a vendor to conduct prescreening of potential providers		(120,000)	(120,000)	(240,000)
Removes funding for oversight for qualified service provider mileage differential		(78,040)	(21,960)	(100,000)
Reduces overall caseload projections for medical services as follows:		(909,500)	(1,299,500)	(2,209,000)
CHIP - \$1,300,000				
Premium - \$315,000				
Durable medical equipment - \$30,000				
Private duty nurses - \$64,000				
Transportation - \$500,000				
Adds funding for clawback payments for Medicare Part D		\$248,265		\$248,265
<b>Long-Term Care Program</b>				
Removes funding for personal needs allowances for basic care (\$193,725) and ICFID (\$170,280)		(278,850)	(85,155)	(364,005)
Reduces long-term care caseload projections as follows:		(4,145,000)	(4,000,000)	(8,145,000)
Nursing homes - \$7,000,000				
HCBS waiver - \$1,000,000				
Expanded SPED - \$145,000				

Reduces developmental disabilities caseload projections	(1,150,000)	(1,150,000)	(2,300,000)
Adds funding for an adaptive skiing grant	200,000		200,000
Changes funding source from general fund to health care trust fund to increase property limits for nursing homes	(546,786)	546,786	0
Provides funding from the health care trust fund for a grant for an expansion of an assisted living facility that accepts low-income tenants		425,000	425,000
<b>Aging Services Program</b>			
Reduces funding for guardianship services	(1,000,000)		(1,000,000)
<b>Children and Family Services Program</b>			
Removes funding for postadoption services	(133,520)	(71,896)	(205,416)
Adds funding for grants to a county social service board that is not on a reservation but is experiencing an increase in caseload from a reservation	150,000		150,000
<b>Mental Health and Substance Abuse Program</b>			
Removes funding for grants to be provided by the Governor's Prevention Advisory Council	(100,000)		(100,000)
Removes peer support funding from all regions	(300,000)		(300,000)
<b>Developmental Disabilities Council</b>			
No changes			
<b>Developmental Disabilities Division</b>			
No changes			
<b>Vocational Rehabilitation</b>			
Provides funding for the older blind program	50,000		50,000
<b>Total House changes - Program and Policy</b>	0.00	(\$10,581,720)	(\$8,245,034)
		(\$18,826,754)	

### House Bill No. 1012 - DHS - State Hospital - House Action

	Executive Budget	House Changes	House Version
State Hospital	\$73,489,636	(\$425,000)	\$73,064,636
Total all funds	\$73,489,636	(\$425,000)	\$73,064,636
Less estimated income	19,254,163	0	19,254,163
General fund	\$54,235,473	(\$425,000)	\$53,810,473
FTE	457.45	0.00	457.45

### Department No. 329 - DHS - State Hospital - Detail of House Changes

	House Changes <sup>1</sup>	Total House Changes
State Hospital	(\$425,000)	(\$425,000)
Total all funds	(\$425,000)	(\$425,000)
Less estimated income	0	0
General fund	(\$425,000)	(\$425,000)
FTE	0.00	0.00

1

	FTE	General Fund	Estimated Income
<b>State Hospital - House changes:</b>			
Reduces funding for operating		(\$350,000)	
Removes funding for water temperature controls for shower rooms in LaHaug Building		(75,000)	
<b>Total House changes - State Hospital</b>	0.00	(\$425,000)	\$0

**House Bill No. 1012 - DHS - Developmental Center - House Action**

	Executive Budget	House Changes	House Version
Developmental Center	\$53,050,470	(\$290,000)	\$52,760,470
Total all funds	\$53,050,470	(\$290,000)	\$52,760,470
Less estimated income	28,064,218	0	28,064,218
General fund	\$24,986,252	(\$290,000)	\$24,696,252
FTE	392.55	0.00	392.55

**Department No. 330 - DHS - Developmental Center - Detail of House Changes**

	House Changes <sup>1</sup>	Total House Changes
Developmental Center	(\$290,000)	(\$290,000)
Total all funds	(\$290,000)	(\$290,000)
Less estimated income	0	0
General fund	(\$290,000)	(\$290,000)
FTE	0.00	0.00

1

	FTE	General Fund	Estimated Income	Total
<b>Developmental Center - House changes:</b>				
Decreases funding for demolition of Pleasant View and Refectory buildings to provide a total of \$220,000		(\$140,000)		(\$140,000)
Decreases funding for operating expenses		(150,000)		(\$150,000)
<b>Total House changes - Developmental Center</b>	0.00	(\$290,000)	\$0	(\$290,000)

**House Bill No. 1012 - Human Service Centers - General Fund Summary**

	Executive Budget	House Changes	House Version
DHS - Management	\$62,588,752	(\$18,018,676)	\$44,570,076
DHS - Program/Policy	934,635,685	(10,581,720)	924,053,965
DHS - State Hospital	54,235,473	(425,000)	53,810,473
DHS - Developmental Center	24,986,252	(290,000)	24,696,252
DHS - Statewide HSC	4,994,616	(600,000)	4,394,616
DHS - Northwest HSC	5,393,391	(40,000)	5,353,391
DHS - North Central HSC	12,803,866	(40,000)	12,763,866
DHS - Lake Region HSC	7,573,786	(40,000)	7,533,786
DHS - Northeast HSC	13,744,433	(40,000)	13,704,433
DHS - Southeast HSC	23,348,246	(1,015,000)	22,333,246
DHS - South Central HSC	8,980,593	(40,000)	8,940,593

DHS - West Central HSC	16,557,764	(364,156)	16,193,608
DHS - Badlands HSC	7,026,670	(40,000)	6,986,670
Total general fund	\$1,176,869,527	(\$31,534,552)	\$1,145,334,975

**House Bill No. 1012 - Human Service Centers - Other Funds Summary**

	Executive Budget	House Changes	House Version
DHS - Management	\$61,473,447	(\$4,539,635)	\$56,933,812
DHS - Program/Policy	1,429,648,423	(8,245,034)	1,421,403,389
DHS - State Hospital	19,254,163		19,254,163
DHS - Developmental Center	28,064,218		28,064,218
DHS - Statewide HSC	1,075,139	(400,000)	675,139
DHS - Northwest HSC	3,564,800		3,564,800
DHS - North Central HSC	9,185,305		9,185,305
DHS - Lake Region HSC	5,162,347		5,162,347
DHS - Northeast HSC	14,138,342		14,138,342
DHS - Southeast HSC	15,682,226	(325,000)	15,357,226
DHS - South Central HSC	7,813,290		7,813,290
DHS - West Central HSC	13,268,982		13,268,982
DHS - Badlands HSC	5,319,048		5,319,048
Total other funds	\$1,613,649,730	(\$13,509,669)	\$1,600,140,061

**House Bill No. 1012 - Human Service Centers - All Funds Summary**

	Executive Budget	House Changes	House Version
DHS - Management	\$124,062,199	(\$22,558,311)	\$101,503,888
DHS - Program/Policy	2,364,284,108	(18,826,754)	2,345,457,354
DHS - State Hospital	73,489,636	(425,000)	73,064,636
DHS - Developmental Center	53,050,470	(290,000)	52,760,470
DHS - Statewide HSC	6,069,755	(1,000,000)	5,069,755
DHS - Northwest HSC	8,958,191	(40,000)	8,918,191
DHS - North Central HSC	21,989,171	(40,000)	21,949,171
DHS - Lake Region HSC	12,736,133	(40,000)	12,696,133
DHS - Northeast HSC	27,882,775	(40,000)	27,842,775
DHS - Southeast HSC	39,030,472	(1,340,000)	37,690,472
DHS - South Central HSC	16,793,883	(40,000)	16,753,883
DHS - West Central HSC	29,826,746	(364,156)	29,462,590
DHS - Badlands HSC	12,345,718	(40,000)	12,305,718
Total all funds	\$2,790,519,257	(\$45,044,221)	\$2,745,475,036
FTE	2197.08	(1.00)	2196.08

	FTE	General Fund	Estimated Income	Total
<b>STATEWIDE HUMAN SERVICE CENTER</b>				
Executive budget recommendation	13.00	\$4,994,616	\$1,075,139	\$6,069,755
<b>Statewide Human Service Center - House changes:</b>				
Reduces operating for all human service centers		(\$600,000)	(\$400,000)	(\$1,000,000)
<b>Total House changes - Statewide Human Service Center</b>	0.00	(\$600,000)	(\$400,000)	(\$1,000,000)
House version - Statewide Human Service Center	13.00	\$4,394,616	\$675,139	\$5,069,755
<b>NORTHWEST HUMAN SERVICE CENTER</b>				
Executive budget recommendation	43.75	\$5,393,391	\$3,564,800	\$8,958,191
<b>Northwest Human Service Center - House changes:</b>				
	-40,000	(\$40,000)		(\$40,000)
<b>Total House changes - Northwest Human Service Center</b>	0.00	(\$40,000)	\$0	(\$40,000)
House version - Northwest Human Service Center	43.75	\$5,353,391	\$3,564,800	\$8,918,191

		General	Estimated	
	FTE	Fund	Income	Total
<b>NORTH CENTRAL HUMAN SERVICE CENTER</b>				
Executive budget recommendation	120.78	\$12,803,866	\$9,185,305	\$21,989,171
<b>North Central Human Service Center - House changes:</b>				
Removes funding for the transition to independence program		(\$40,000)		(\$40,000)
<b>Total House changes - North Central Human Service Center</b>	0.00	(\$40,000)	\$0	(\$40,000)
House version - North Central Human Service Center	120.78	\$12,763,866	\$9,185,305	\$21,949,171
<b>LAKE REGION HUMAN SERVICE CENTER</b>				
Executive budget recommendation	61.00	\$7,573,786	\$5,162,347	\$12,736,133
<b>Lake Region Human Service Center - House changes:</b>				
Removes funding for the transition to independence program		(\$40,000)		(\$40,000)
<b>Total House changes - Lake Region Human Service Center</b>	0.00	(\$40,000)	\$0	(\$40,000)
House version - Lake Region Human Service Center	61.00	\$7,533,786	\$5,162,347	\$12,696,133
<b>NORTHEAST HUMAN SERVICE CENTER</b>				
Executive budget recommendation	138.50	\$13,744,433	\$14,138,342	\$27,882,775
<b>Northeast Human Service Center - House changes:</b>				
Removes funding for the transition to independence program		(\$40,000)		(\$40,000)
<b>Total House changes - Northeast Human Service Center</b>	0.00	(\$40,000)	\$0	(\$40,000)
House version - Northeast Human Service Center	138.50	\$13,704,433	\$14,138,342	\$27,842,775
<b>SOUTHEAST HUMAN SERVICE CENTER</b>				
Executive budget recommendation	185.15	\$23,348,246	\$15,682,226	\$39,030,472
<b>Southeast Human Service Center - House changes:</b>				
Removes funding for 16-unit transitional living facility		(\$975,000)	(\$325,000)	(\$1,300,000)
Remove funding for the transition to independence program		(\$40,000)		(\$40,000)
<b>Total House changes - Southeast Human Service Center</b>	0.00	(\$1,015,000)	(\$325,000)	(\$1,340,000)
House version - Southeast Human Service Center	185.15	\$22,333,246	\$15,357,226	\$37,690,472
<b>SOUTH CENTRAL HUMAN SERVICE CENTER</b>				
Executive budget recommendation	83.50	\$8,980,593	\$7,813,290	\$16,793,883
<b>South Central Human Service Center - House changes:</b>				
Removes funding for the transition to independence program		(\$40,000)		(\$40,000)

Total House changes - South Central Human Service Center	0.00	(\$40,000)	\$0	(\$40,000)
House version - South Central Human Service Center	83.50	\$8,940,593	\$7,813,290	\$16,753,883
		<b>General</b>	<b>Estimated</b>	
<b>WEST CENTRAL HUMAN SERVICE CENTER</b>	<b>FTE</b>	<b>Fund</b>	<b>Income</b>	<b>Total</b>
Executive budget recommendation	136.10	\$16,557,764	\$13,268,982	\$29,826,746
<b>West Central Human Service Center - House changes:</b>				
Removes funding for four-bed mental illness/chemical dependency crisis facility		(\$324,156)		(\$324,156)
Removes funding for the transition to independence program		(\$40,000)		(\$40,000)
<b>Total House changes - West Central Human Service Center</b>	<b>0.00</b>	<b>(\$364,156)</b>	<b>\$0</b>	<b>(\$364,156)</b>
House version - West Central Human Service Center	136.10	\$16,193,608	\$13,268,982	\$29,462,590
		<b>General</b>	<b>Estimated</b>	
<b>BADLANDS HUMAN SERVICE CENTER</b>	<b>FTE</b>	<b>Fund</b>	<b>Income</b>	<b>Total</b>
Executive budget recommendation	74.70	\$7,026,670	\$5,319,048	\$12,345,718
<b>Badlands Human Service Center - House changes:</b>				
Removes funding for the transition to independence program		(\$40,000)		(\$40,000)
<b>Total House changes - Badlands Human Service Center</b>	<b>0.00</b>	<b>(\$40,000)</b>	<b>\$0</b>	<b>(\$40,000)</b>
House version - Badlands Human Service Center	74.70	\$6,986,670	\$5,319,048	\$12,305,718

This amendment also:

- Adjusts one-time funding.
- Removes Section 3 relating to accepting and spending federal funds from the Patient Protection and Affordable Care Act.
- Adds sections relating to:
  - Grants to an assisted living center.
  - Grants to a jurisdiction most affected by an Indian reservation.
  - Grants for an adaptive skiing program.
  - Intermediate care facility construction projects.
  - Inflationary increases for personal needs allowances.
  - A Legislative Management study of the Developmental Center.

#### REPORT OF STANDING COMMITTEE

**HB 1016: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1016 was placed on the Sixth order on the calendar.

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

Page 1, remove line 3

Page 1, line 4, remove "relief fund;"

Page 1, remove lines 15 through 24

Page 2, replace lines 1 through 3 with:

"Salaries and wages	\$5,153,886	\$1,523,125	\$6,677,011
Operating expenses	4,062,891	0	4,062,891

Capital assets	229,371	1,141,261	1,370,632
Grants	449,514	660,000	1,109,514
Civil air patrol	243,353	44,098	287,451
Tuition, recruiting, and retention	2,407,500	110,000	2,517,500
Air guard contract	10,989,323	493,835	11,483,158
Army guard contract	56,110,755	2,071,916	58,182,671
Veterans' cemetery	576,916	70,089	647,005
Reintegration program	1,477,449	9,531	1,486,980
Accrued leave payments	<u>0</u>	<u>812,098</u>	<u>812,098</u>
Total all funds	\$81,700,958	\$6,935,953	\$88,636,911
Less estimated income	<u>65,721,902</u>	<u>4,163,777</u>	<u>69,885,679</u>
Total general fund	\$15,979,056	\$2,772,176	\$18,751,232"

Page 2, replace lines 8 through 16 with:

"Salaries and wages	\$11,363,744	(\$1,064,824)	\$10,298,920
Operating expenses	9,930,022	(210,534)	9,719,488
Capital assets	802,000	121,240	923,240
Grants	71,419,771	(52,046,524)	19,373,247
Disaster costs	109,923,008	37,795,559	147,718,567
Radio communications	0	2,460,000	2,460,000
Accrued leave payments	<u>0</u>	<u>283,895</u>	<u>283,895</u>
Total all funds	\$203,438,545	(\$12,661,188)	\$190,777,357
Less estimated income	<u>195,382,476</u>	<u>(16,056,622)</u>	<u>179,325,854</u>
Total general fund	\$8,056,069	\$3,395,434	\$11,451,503"

Page 2, replace lines 21 through 23 with:

"Grand total general fund	\$24,035,125	\$6,167,610	\$30,202,735
Grand total special funds	<u>261,104,378</u>	<u>(11,892,845)</u>	<u>249,211,533</u>
Grand total all funds	\$285,139,503	(\$5,725,235)	\$279,414,268"

Page 3, replace lines 4 and 5 with:

"State radio tower package		1,500,000	900,000
Statewide seamless base map		900,000	1,150,000"

Page 3, replace line 16 with:

"Total all funds		\$45,818,428	\$6,051,240"
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Page 3, replace line 18 with:

"Total general fund		\$5,818,428	\$4,051,240"
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Page 4, after line 4, insert:

**"SECTION 5. FUNDING TRANSFERS - STATE EMPLOYEE COMPENSATION ADJUSTMENTS - EXCEPTION.** Notwithstanding section 54-16-04, the adjutant general may transfer appropriation authority between line items within each subdivision of section 1 of this Act and between subdivisions within section 1 of this Act, as it relates to state employee compensation increases authorized by the sixty-third legislative assembly, for the biennium beginning July 1, 2013, and ending June 30, 2015. The adjutant general shall notify the office of management and budget of any transfer made under this section.

**SECTION 6. EXEMPTION.** The sum of \$1,000,000 from the general fund appropriated for the computer-aided dispatch phase 2 project, as contained in section 1 of chapter 16 of the 2009 Session Laws, is not subject to section 54-44.1-11 and any unexpended funds are available for project costs during the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 4, remove lines 26 through 31

Page 5, remove lines 1 through 5

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1016 - Summary of House Action**

	Executive Budget	House Changes	House Version
Adjutant General			
Total all funds	\$89,641,960	(\$1,005,049)	\$88,636,911
Less estimated income	70,547,829	(662,150)	69,885,679
General fund	\$19,094,131	(\$342,899)	\$18,751,232
Department of Emergency Services			
Total all funds	\$192,227,357	(\$1,450,000)	\$190,777,357
Less estimated income	179,525,854	(200,000)	179,325,854
General fund	\$12,701,503	(\$1,250,000)	\$11,451,503
Bill total			
Total all funds	\$281,869,317	(\$2,455,049)	\$279,414,268
Less estimated income	250,073,683	(862,150)	249,211,533
General fund	\$31,795,634	(\$1,592,899)	\$30,202,735

**House Bill No. 1016 - Adjutant General - House Action**

	Executive Budget	House Changes	House Version
Salaries and wages	\$7,844,116	(\$1,167,105)	\$6,677,011
Operating expenses	4,062,891		4,062,891
Capital assets	1,370,632		1,370,632
Grants	1,109,514		1,109,514
Civil Air Patrol	290,771	(3,320)	287,451
Tuition, recruiting, and retention	2,517,500		2,517,500
Air Guard contract	11,748,127	(264,969)	11,483,158
Army Guard contract	58,533,992	(351,321)	58,182,671
Veterans' Cemetery	662,824	(15,819)	647,005
Reintegration program	1,501,593	(14,613)	1,486,980
Accrued leave payments		812,098	812,098
Total all funds	\$89,641,960	(\$1,005,049)	\$88,636,911
Less estimated income	70,547,829	(662,150)	69,885,679
General fund	\$19,094,131	(\$342,899)	\$18,751,232
FTE	178.00	0.00	178.00

**Department No. 540 - Adjutant General - Detail of House Changes**

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Total House Changes
Salaries and wages	\$184,745	(\$1,189,794)	(\$162,056)	(\$1,167,105)
Operating expenses				
Capital assets				
Grants				
Civil Air Patrol			(3,320)	(3,320)
Tuition, recruiting, and retention				
Air Guard contract			(264,969)	(264,969)
Army Guard contract			(351,321)	(351,321)
Veterans' Cemetery			(15,819)	(15,819)
Reintegration program			(14,613)	(14,613)
Accrued leave payments			812,098	812,098
Total all funds	\$184,745	(\$1,189,794)	\$0	(\$1,005,049)
Less estimated income	121,931	(784,081)	0	(662,150)
General fund	\$62,814	(\$405,713)	\$0	(\$342,899)
FTE	0.00	0.00	0.00	0.00

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

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

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

<sup>3</sup> A portion of salaries and wages funding from the general fund (\$232,991) and from other funds (\$579,107) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

This amendment also:

- Adds a section to allow the Adjutant General to transfer funds between subdivisions in Section 1 of the bill as it relates to the state employee compensation package.
- Removes Section 9 of the bill which provides statutory changes to the uses of the state disaster relief fund.

**House Bill No. 1016 - Department of Emergency Services - House Action**

	Executive Budget	House Changes	House Version
Salaries and wages	\$10,571,028	(\$272,108)	\$10,298,920
Operating expenses	9,919,488	(200,000)	9,719,488
Capital assets	923,240		923,240
Grants	19,373,247		19,373,247
Disaster costs	147,730,354	(11,787)	147,718,567
Radio communications	3,710,000	(1,250,000)	2,460,000
Accrued leave payments		283,895	283,895
Total all funds	\$192,227,357	(\$1,450,000)	\$190,777,357
Less estimated income	179,525,854	(200,000)	179,325,854
General fund	\$12,701,503	(\$1,250,000)	\$11,451,503
FTE	68.00	0.00	68.00

**Department No. 542 - Department of Emergency Services - Detail of House Changes**

	Provides Separate Line Item for Accrued Leave Payments <sup>1</sup>	Reduces Funding for Volunteer Disaster Response Coordination <sup>2</sup>	Reduces Funding for Statewide Seamless Base Map Project <sup>3</sup>	Reduces Funding for State Radio Towers <sup>4</sup>	Total House Changes
Salaries and wages	(\$272,108)				(\$272,108)
Operating expenses		(200,000)			(200,000)
Capital assets					
Grants					
Disaster costs	(11,787)				(11,787)
Radio communications			(650,000)	(600,000)	(1,250,000)
Accrued leave payments	283,895				283,895
Total all funds	\$0	(\$200,000)	(\$650,000)	(\$600,000)	(\$1,450,000)
Less estimated income	0	(200,000)	0	0	(200,000)
General fund	\$0	\$0	(\$650,000)	(\$600,000)	(\$1,250,000)

FTE

0.00

0.00

0.00

0.00

0.00

<sup>1</sup> A portion of salaries and wages funding from the general fund (\$127,298) and from other funds (\$156,597) 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>2</sup> Funding included in the executive budget recommendation from the state disaster relief fund for volunteer disaster management services is reduced from \$400,000 to \$200,000.

<sup>3</sup> One-time funding from the general fund for the statewide seamless base map project is reduced from \$1,300,000 to \$650,000. The project also includes federal funding of \$500,000 which is not changed.

<sup>4</sup> One-time funding from the general fund for new State Radio towers is reduced by \$600,000, from \$1,500,000 to \$900,000.

A section is also added to provide carryover authority into the 2013-15 biennium for any unexpended funds related to the computer-aided dispatch Phase 2 project.

#### REPORT OF STANDING COMMITTEE

**HB 1020: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1020 was placed on the Sixth order on the calendar.

Page 1, line 2, after the third semicolon insert "to create and enact a new section to chapter 61-02 of the North Dakota Century Code, relating to the development of policies and procedures of the state water commission;"

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

Page 1, line 3, after "6-09.5-03" insert "and 54-35-02.37"

Page 1, line 3, after "Code" insert "and sections 6 and 7 of chapter 46 of the 2011 Session Laws"

Page 1, line 3, after "fund" insert ", the water-related topics overview committee, and Fargo flood control project funding; to provide for legislative management reports"

Page 1, line 7, remove "out of any moneys in the general fund in the state"

Page 1, line 8, remove "treasury, not otherwise appropriated, and"

Page 1, replace lines 14 through 18 with:

"Administrative and support services	\$3,229,873	\$679,627	\$3,909,500
Water and atmospheric resources	498,413,774	323,925,584	822,339,358
Accrued leave payments	0	325,774	325,774
Total all funds	\$501,643,647	\$324,930,985	\$826,574,632
Less estimated income	<u>486,648,448</u>	<u>339,926,184</u>	<u>826,574,632</u>
Total general fund	\$14,995,199	(\$14,995,199)	\$0"

Page 2, replace lines 8 and 9 with:

"Total special funds	<u>7,771,773</u>	<u>288,200</u>
Total general fund	\$0	\$0"

Page 2, line 15, replace "general" with "resources trust"

Page 2, line 21, after "appropriated" insert ", subject to budget section approval,"

Page 2, after line 30, insert:

**"SECTION 6. AMENDMENT.** Section 6 of chapter 46 of the 2011 Session Laws is amended and reenacted as follows:

**SECTION 7. FARGO FLOOD CONTROL PROJECT FUNDING - EXEMPTION.** Of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, \$45,000,000 is for Fargo flood control projects, for the biennium beginning July 1, 2009, and ending June 30, 2011. Any funds not spent by June 30, 2011, are not subject to section 54-44.1-11 and must be continued into the next or subsequent bienniums and may be expended only for Fargo flood control projects. ~~These~~Except as otherwise provided, these funds may be used only for land purchases and construction; ~~including right-of-way acquisition costs and may not be used for the purchase of dwellings or for a river diversion project. Notwithstanding any other provision of law, including a political subdivision home rule charter, no public funds may be used for the construction of ring dikes or water retention structures associated with the Fargo flood control project. No more than ten percent of these funds may not be used for administration, engineering, legal, planning, or other similar purposes; and are not subject to the sixty-five percent funding requirement contained in Senate Bill No. 2316 (2009). The city of Fargo, Cass County, and the Cass County joint water resource district must approve any expenditures made under this section. Costs incurred by nonstate entities for dwellings or other real property that are not paid by state funds are eligible for application by the nonstate entity for cost sharing with the state.~~

**SECTION 7. AMENDMENT.** Section 7 of chapter 46 of the 2011 Session Laws is amended and reenacted as follows:

**SECTION 7. FARGO FLOOD CONTROL PROJECT FUNDING - EXEMPTION.** Of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, \$30,000,000 is for Fargo flood control projects, for the biennium beginning July-1, 2011, and ending June-30, 2013. Any funds not spent by June 30, 2013, are not subject to section 54-44.1-11 and must be continued into the next or subsequent bienniums and may be expended only for Fargo flood control projects. Except as otherwise provided, these funds may be used only for land purchases and construction, including right-of-way acquisition costs and may not be used for the purchase of dwellings or for a river diversion project. Notwithstanding any other provision of law, including a political subdivision home rule charter, no public funds may be used for the construction of ring dikes or water retention structures associated with the Fargo flood control project. No more than ten percent of these funds may be used for engineering, legal, planning, or other similar purposes. The city of Fargo, Cass County, and the Cass County joint water resource district must approve any expenditures made under this section. ~~Costs incurred by nonstate entities for dwellings or other real property that are not paid by state funds are eligible for application by the nonstate entity for cost sharing with the state.~~

**SECTION 8. FARGO FLOOD CONTROL PROJECT FUNDING - EXEMPTION.** Of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, \$100,000,000 is for Fargo flood control projects, for the biennium beginning July 1, 2013, and ending June 30, 2015. Any funds not spent by June 30, 2015, are not subject to section 54-44.1-11 and must be continued into the next or subsequent bienniums and may be expended only for Fargo flood control projects. Except as otherwise provided, these funds may be used only for land purchases and construction, including right-of-way acquisition costs and may not be used for the purchase of dwellings or for a river diversion project. Notwithstanding any other provision of law, including a political subdivision home rule charter, no public funds may be used for the construction of ring dikes or water retention structures associated with the Fargo flood control project. No more than ten percent of these funds may be used for engineering, legal, planning, or other similar

purposes. The city of Fargo, Cass County, and the Cass County joint water resource district must approve any expenditures made under this section.

**SECTION 9. LEGISLATIVE INTENT - FARGO FLOOD CONTROL**

**PROJECT FUNDING.** It is the intent of the sixty-third legislative assembly that total Fargo flood control project funding to be provided by the state not exceed \$325,000,000 to provide flood protection for the city of Fargo to the forty-two and one-half foot level, and to provide, to the extent possible, flood protection for areas along the Red River north and south of Fargo. It is further the intent of the legislative assembly that funds appropriated by the legislative assembly for Fargo flood control not be used for a river diversion flood control project.

**SECTION 10. LEGISLATIVE INTENT - RED RIVER VALLEY WATER**

**SUPPLY.** Of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, \$11,000,000 is for the Red River valley water supply project, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 3, after line 6, insert:

**"SECTION 12. STATE WATER COMMISSION STUDY - FARGO FLOOD**

**CONTROL.** During the 2013-14 interim, the state water commission shall study the use of ring dikes as part of a flood protection plan for the city of Fargo. The study must include the effects of ring dikes in the Fargo area on flood protection for areas north and south of Fargo. The state water commission shall provide periodic reports to the legislative management on the findings resulting from the study.

**SECTION 13. STATE WATER COMMISSION STUDY - RED RIVER**

**VALLEY WATER SUPPLY.** During the 2013-14 interim, the state water commission shall study water supply needs in the Red River valley, including projected costs of projects to meet water supply needs and the potential state commitment to supply water to the Red River valley. The state water commission shall provide periodic reports to the legislative management on the findings resulting from the study.

**SECTION 14. INFORMATION TECHNOLOGY HARDWARE - TRANSFER TO SECURE DATA CENTER.** The state water commission shall transfer all appropriate information technology hardware to the information technology department secure data center during the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 15. STATE WATER COMMISSION PRIORITY PROJECTS LIST - REPORTS TO THE BUDGET SECTION.** The state water commission shall report to the budget section any changes made to the state water commission priority projects list presented to the sixty-third legislative assembly within ninety days of the state water commission approving the change for the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 3, after line 14, insert:

**"SECTION 17. AMENDMENT.** Section 54-35-02.7 of the North Dakota Century Code is amended and reenacted as follows:

**54-35-02.7. (Effective through November 30, 20132014) Water-related topics overview committee - Duties.**

The legislative management, during each interim, shall appoint a water-related topics overview committee in the same manner as the legislative management appoints other interim committees. The committee must meet quarterly and is responsible for legislative overview of water-related topics and related matters and for any necessary discussions with adjacent states on water-related topics. ~~During the 2011-12 interim, the~~ The committee shall review the ~~state's irrigation laws and rules and evaluate the~~ process of the prioritization of water projects and prepare a schedule of priorities with respect to water projects. ~~The state water commission and state engineer shall assist the committee in developing the schedule of priorities.~~ The committee consists of ~~thirteen~~seventeen members and the legislative management shall designate the chairman of the committee. The committee shall

operate according to the statutes and procedure governing the operation of other legislative management interim committees and include the schedule of priorities with its final report to the legislative management.

**(Effective after November 30, 20132014) Garrison diversion overview.**

The legislative management is responsible for legislative overview of the Garrison diversion project and related matters and for any necessary discussions with adjacent states on water-related topics.

**SECTION 18.** A new section to chapter 61-02 of the North Dakota Century Code is created and enacted as follows:

**State water commission - Project development and financing.**

The state water commission shall adopt policies regarding the development and financing of projects as follows:

1. Municipal project funding and financing, including water treatment plants. The state water commission shall develop and adopt policies relating to the circumstances under which a project qualifies for a grant and when the project qualifies for a loan.
2. Pipelines. The state water commission shall develop and adopt policies relating to:
  - a. Pipeline expansion;
  - b. Public and industrial use of water;
  - c. Cost analyses of future project development; and
  - d. Ongoing maintenance cost of current and future projects.
3. Technology. The state water commission shall develop and adopt policies relating to the use of technology, including the use of technology for permitting and electronic metering."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1020 - State Water Commission - House Action**

	Executive Budget	House Changes	House Version
Administrative and support services	\$4,042,784	(\$133,284)	\$3,909,500
Water and atmospheric resources	823,096,248	(756,890)	822,339,358
Accrued leave payments		325,774	325,774
Total all funds	\$827,139,032	(\$564,400)	\$826,574,632
Less estimated income	809,359,388	17,215,244	826,574,632
General fund	\$17,779,644	(\$17,779,644)	\$0
FTE	90.00	0.00	90.00

**Department No. 770 - State Water Commission - Detail of House Changes**

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Changes Funding Source for the State Water Commission <sup>4</sup>	Total House Changes
Administrative and support services	\$2,160	(\$86,252)	(\$49,192)		(\$133,284)
Water and atmospheric resources	12,314	(492,622)	(276,582)		(756,890)
Accrued leave payments			325,774		325,774

Total all funds	\$14,474	(\$578,874)	\$0	\$0	(\$564,400)
Less estimated income	2,026	(81,489)	0	17,294,707	17,215,244
General fund	\$12,448	(\$497,385)	\$0	(\$17,294,707)	(\$17,779,644)
FTE	0.00	0.00	0.00	0.00	0.00

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

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

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

<sup>3</sup>A portion of administrative and support services line funding from the general fund (\$49,192) and a portion of the water and atmospheric resources line from the general fund (\$225,468) and from other funds (\$51,114) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

<sup>4</sup>This amendment removes funding from the general fund and provides funding for the operations of the State Water Commission from the resources trust fund.

In addition, this amendment:

- Adds sections to the bill to amend 2011 Session Laws and 2009 Session Laws, previously amended in 2011, related to Fargo flood control funding. The amendments change legislative guidelines for Fargo flood control project expenditures.
- Adds sections to the bill to provide that of the funds appropriated to the State Water Commission for grants and projects for the 2013-15 biennium, \$11 million is for the Red River Valley Water Supply Project and \$100 million is for Fargo flood control projects and that total Fargo flood control project funding to be provided by the state not exceed \$325 million.
- Adds sections to the bill directing the State Water Commission to study the use of ring dikes as part of a flood protection plan for the city of Fargo and water supply needs in the Red River Valley.
- Requires the State Water Commission to adopt policies regarding project development and financing.
- Increases the membership of the Water-Related Topics Overview Committee and directs the committee to prepare a water project priority schedule to be included in the committee's final report to the Legislative Management.

- Requires the State Water Commission to move information technology hardware to the Information Technology Department secure data center.
- Requires the State Water Commission to report to the Budget Section within 90 days of any changes made to the water project priority list presented to the 2013 Legislative Assembly.
- Requires Budget Section approval prior to spending any additional funds that may become available in the resources trust fund or water development trust fund during the 2013-15 biennium.

#### REPORT OF STANDING COMMITTEE

**HB 1021: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1021 was placed on the Sixth order on the calendar.

Page 1, replace lines 10 and 11 with:

"Workforce safety and insurance operations	\$58,413,293	(\$2,398,570)	\$56,014,723
Accrued leave payments	<u>0</u>	<u>1,662,965</u>	<u>1,662,965</u>
Total special funds	\$58,413,293	(\$735,605)	\$57,677,688
Full-time equivalent positions	247.14	3.00	250.14

**SECTION 2. BUSINESS PROCESS ANALYSIS.** The workforce safety and insurance operations line item in section 1 of this Act includes \$500,000 from special funds for workforce safety and insurance to contract with the information technology department and a private consultant to conduct a business process analysis for the biennium beginning July 1, 2013, and ending June 30, 2015. The analysis must include a review of the workforce safety and insurance business process and its use of information technology to support the business process and recommend changes to improve the efficiency and effectiveness of its business process and related information technology services.

**SECTION 3. INFORMATION TECHNOLOGY STAFFING ANALYSIS.** Section 1 of this Act includes \$100,000 from special funds for workforce safety and insurance to contract with the information technology department and a private consultant to conduct an information technology staffing analysis for the biennium beginning July 1, 2013, and ending June 30, 2015. The analysis must include a review of the workforce safety and insurance information technology staffing duties, responsibilities, and staffing levels and must consider the feasibility and desirability of transferring additional information technology positions to the information technology department and must provide recommendations regarding the appropriate level of information technology staff for workforce safety and insurance."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1021 - Workforce Safety and Insurance - House Action

	Executive Budget	House Changes	House Version
Workforce Safety and Insurance	\$63,131,407	(\$63,131,407)	
Workforce Safety and Insurance operation		56,014,723	56,014,723
Accrued leave payments		1,662,965	1,662,965
Total all funds	\$63,131,407	(\$5,453,719)	\$57,677,688
Less estimated income	<u>63,131,407</u>	<u>(5,453,719)</u>	<u>57,677,688</u>
General fund	\$0	\$0	\$0
FTE	250.14	0.00	250.14

### Department No. 485 - Workforce Safety and Insurance - Detail of House Changes

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Removes Funding for Web Portal Project <sup>4</sup>	Removes Funding for Policy Replacement Project <sup>5</sup>	Removes Funding for Data Warehouse Project <sup>6</sup>
Workforce Safety and Insurance			(\$63,131,407)			
Workforce Safety and Insurance operation	68,879	(1,397,598)	61,468,442	(1,500,000)	(1,225,000)	(2,000,000)
Accrued leave payments			1,662,965			
Total all funds	\$68,879	(\$1,397,598)	\$0	(\$1,500,000)	(\$1,225,000)	(\$2,000,000)
Less estimated income	68,879	(1,397,598)	0	(1,500,000)	(1,225,000)	(2,000,000)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Provides Funding for Business Process Analysis <sup>7</sup>	Provides Funding for IT Staffing Analysis <sup>8</sup>	Total House Changes
Workforce Safety and Insurance			(\$63,131,407)
Workforce Safety and Insurance operation	500,000	100,000	56,014,723
Accrued leave payments			1,662,965
Total all funds	\$500,000	\$100,000	(\$5,453,719)
Less estimated income	500,000	100,000	(5,453,719)
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

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

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

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

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

<sup>4</sup>Funding included in the executive budget for the web portal project is removed.

<sup>5</sup>Funding for the policy replacement project included in the executive budget is removed.

<sup>6</sup>Funding for the data warehouse project included in the executive budget is removed.

<sup>7</sup>This amendment provides funding to hire a consultant and the Information Technology Department to conduct a business process analysis. A section is also added to the bill regarding this analysis.

<sup>8</sup>This amendment provides funding for an information technology staffing analysis, including the feasibility of transferring additional information technology staff from Workforce Safety and Insurance to the Information Technology Department. A section is also added to the bill regarding this analysis.

**REPORT OF STANDING COMMITTEE**

**HB 1145, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1145 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "18-04-04.1,"

Page 1, line 3, remove "and to declare an"

Page 1, line 4, replace "emergency" with "and to provide an appropriation"

Page 1, line 19, after "funds" insert "and its committed and uncommitted reserve balances"

Page 1, line 19, after the underscored period insert "The report must identify the purpose of any committed reserve balance and the anticipated time period for spending the committed reserves."

Page 1, line 22, after "18-04-05" insert "and the information on committed and uncommitted reserve fund balances of these entities"

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 5

Page 2, line 11, remove "fire"

Page 2, line 16, remove "eight hundred thousand dollars per"

Page 2, line 17, replace "biennium" with "funds"

Page 2, line 18, after "18-03" insert ", subject to legislative appropriations"

Page 2, line 21, overstrike "October" and insert immediately thereafter "December"

Page 2, line 22, remove the overstrike over "~~one-half of the biennial legislative appropriation~~"

Page 2, line 22, after "appropriation" insert "which must be based on"

Page 2, line 30, overstrike "September" and insert immediately thereafter "December"

Page 3, remove lines 5 through 12

Page 3, line 15, remove "**Emergency**"

Page 3, line 16, remove "**medical services insurance tax distribution fund -**"

Page 3, remove lines 17 through 20

Page 4, line 15, remove "**- Continuing appropriation**"

Page 4, line 28, after the period insert "If the due date falls on a Saturday or legal holiday, the tax is payable on the next succeeding business day."

Page 4, line 28, remove the overstrike over "~~Collections from this tax~~"

Page 4, line 29, remove the overstrike over "~~must be deposited in~~"

Page 4, line 29, remove "If the due date falls on a Saturday"

Page 4, remove line 30

Page 5, remove lines 1 through 8

Page 5, line 9, remove "to"

Page 5, line 9, remove "emergency medical services"

Page 5, line 9, remove "for use as"

Page 5, line 10, remove "provided"

Page 5, line 10, remove the overstrike over "~~section 18-04-04.1 but not in~~"

Page 5, line 10, remove "chapter 23-46"

Page 5, line 11, remove the overstrike over "exceeding"

Page 5, line 11, remove "not to exceed"

Page 5, line 11, remove "from"

Page 5, line 12, remove "revenues collected under this subsection"

Page 5, line 12, after "sections" insert "section"

Page 5, line 12, remove the overstrike over "~~18-04-05~~"

Page 5, line 12, remove the overstrike over "and"

Page 5, line 13, remove the overstrike over "Collections"

Page 5, line 14, remove "d. Annually, collections"

Page 5, line 14, remove "collections transferred to the fire"

Page 5, line 15, remove "insurance tax distribution fund and the"

Page 5, line 15, remove the overstrike over "~~deposited in~~"

Page 5, line 15, remove "transferred"

Page 5, line 16, remove "to"

Page 5, line 16, remove "emergency medical services"

Page 5, line 18, remove the overstrike over "~~deposited in~~"

Page 5, line 18, remove "transferred from the insurance tax distribution fund to"

Page 7, replace line 3 with:

**"SECTION 6. APPROPRIATION.** There is appropriated out of any moneys in the insurance tax distribution fund in the state treasury, not otherwise appropriated, the sum of \$15,336,386 or so much of the sum as may be necessary, to the insurance commissioner for the purpose of providing payments, in accordance with provisions of section 18-04-05, to North Dakota fire departments in the amount of \$14,536,386 and payments to the North Dakota firefighter's association in the amount of \$800,000, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1210, as reengrossed: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed HB 1210 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "acquisition" with "reduced valuation"

Page 1, line 19, replace "that" with "with average daily attendance of fewer than one thousand students which"

Page 2, line 1, replace "Real" with "The taxable valuation of"

Page 2, line 3, after "include" insert "the taxable valuation of"

Page 2, line 5, replace "true and full" with "taxable"

Page 2, line 6, remove "true"

Page 2, line 7, replace "and full" with "taxable"

Page 2, line 8, after "3." insert "In determining the mill rate for the adversely affected school district, for the taxable year, the taxable valuation for the district as otherwise determined by law must be increased by the taxable valuation determined for property subject to valuation as determined under subsection 2."

4."

Page 2, line 10, remove the underscored comma

Page 2, remove line 11

Page 2, line 12, remove "the taxable valuation of the property for taxable year 2011"

Page 2, line 17, replace "4." with "5."

Page 2, line 23, remove ", except the minimum"

Page 2, remove line 24

Page 2, line 25, remove "section must be substituted, if applicable"

Page 2, line 27, replace "5." with "6."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1302, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1302 was placed on the Sixth order on the calendar.

Page 6, line 21, replace "fifteen-hundredths" with "twenty-one-hundredths"

Page 6, line 24, replace "fifteen-hundredths" with "twenty-one-hundredths"

Page 7, line 16, remove "year and one"

Page 7, line 16, overstrike "days" and insert immediately thereafter "year and one day's"

Page 7, line 25, remove "of this subsection"

Page 7, line 28, replace "fifteen-hundredths" with "twenty-one-hundredths"

Page 7, line 29, replace "fifteen-hundredths" with "twenty-one-hundredths"

Page 8, line 1, replace "four days" with "one day's"

Page 8, line 1, after "imprisonment" insert "on a day the defendant is not scheduled for employment"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1362: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1362 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to medicaid expansion;"

Page 1, line 2, after "program" insert "; to provide for a legislative management study; to provide an effective date; and to provide an expiration date"

Page 1, after line 3, insert:

**"SECTION 1.** A new section to chapter 50-24.1 of the North Dakota Century Code is created and enacted as follows:

**Medicaid expansion.**

1. The department of human services shall expand medical assistance coverage as authorized by the federal Patient Protection and Affordable Care Act [Pub. L. 111-148], as amended by the Health Care and Education Reconciliation Act of 2010 [Pub. L. 111-152] to individuals under sixty-five years of age with income below one hundred thirty-eight percent of the federal poverty level, based on modified adjusted gross income.
2. The department of human services shall inform new enrollees in the medical assistance program that benefits may be reduced or eliminated if federal participation decreases or is eliminated. The department shall implement the expansion by bidding through private carriers or utilizing the health insurance exchange."

Page 1, after line 10, insert:

**"SECTION 3. LEGISLATIVE MANAGEMENT STUDY - AFFORDABLE CARE ACT IMPLICATIONS.** The legislative management shall consider studying during the 2013-14 interim the effects of the federal Patient Protection and Affordable Care Act [Pub. L. 11-148], as amended by the Health Care and Education Reconciliation Act of 2010 [Pub. L. 111-152], due to the dramatically changing health care system in the state. The study must address alternatives to the federal Patient Protection and Affordable Care Act and the medicaid expansion provisions to make health care more accessible and affordable to the citizens of the state, including access, the cost of providing services, the medicare penalty to the state's providers, and the medicaid payment system. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly.

**SECTION 4. EFFECTIVE DATE.** Section 1 of this Act becomes effective on January 1, 2014.

**SECTION 5. EXPIRATION DATE.** Section 1 of this Act is effective through July 31, 2017, and after that date is ineffective."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1422, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (14 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1422 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3028: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3028 was placed on the Tenth order on the calendar.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Reps. Becker, Beadle, Dockter, Looyson, Rohr, Schatz and Sen. Poolman introduced:

**HCR 3042:** A concurrent resolution to amend and reenact sections 2 and 5 of article V and section 6 of article VIII of the Constitution of North Dakota, relating to the election of a higher education commissioner; and to provide an effective date.

Was read the first time and referred to the **Education Committee**.

Rep. Maragos introduced:

**HCR 3044:** A concurrent resolution to create and enact a new section to article III of the Constitution of North Dakota, relating to referral of actions of the state board of higher education.

Was read the first time and referred to the **Judiciary Committee**.

Reps. S. Kelsh, Hanson, Kempenich and Sen. Miller introduced:

**HCR 3046:** A concurrent resolution to amend and reenact section 7 of article IV of the Constitution of North Dakota, relating to the limitation on biennial legislative session days.

Was read the first time and referred to the **Judiciary Committee**.

Reps. Carlson, Martinson, Nathe, Vigesaa and Sens. Hogue, Schaible introduced:

**HCR 3047:** A concurrent resolution to create and enact a new section to article VIII of the Constitution of North Dakota, relating to the creation of a department of higher education; to repeal section 6 of article VIII of the Constitution of North Dakota, relating to the state board of higher education; and to provide an effective date.

Was read the first time and referred to the **Education Committee**.

Reps. Streyle, Owens introduced:

**HCR 3048:** A concurrent resolution to amend and reenact sections 3, 5, 12, and 18 of article X of the Constitution of North Dakota, relating to statement of the public purpose of a tax, uniform assessment of taxes among classes of property, and state ownership of an industry, enterprise, or business.

Was read the first time and referred to the **Judiciary Committee**.

**FIRST READING OF SENATE BILLS**

**SB 2008:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of financial institutions.

Was read the first time and referred to the **Appropriations Committee**.

**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.

Was read the first time and referred to the **Appropriations Committee**.

**SB 2024:** A BILL for an Act to provide an appropriation for defraying the expenses of the comprehensive tobacco control advisory committee.

Was read the first time and referred to the **Appropriations Committee**.

**SB 2036:** A BILL for an Act to create and enact section 57-02-08.9 of the North Dakota Century Code, relating to a residential property tax credit; to amend and reenact sections 57-51.1-07.5 and 57-64-03 of the North Dakota Century Code, relating to deposits of the state's share of oil and gas taxes and property tax relief through allocation of state funding to school districts for mill levy reduction grants; to provide an appropriation; to provide for a legislative management study; to provide for a report by the tax commissioner; to provide for a transfer; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2059:** A BILL for an Act to amend and reenact sections 39-03.1-09, 39-03.1-10, 54-52-02.9, 54-52-05, 54-52-06, 54-52-06.1, 54-52-06.2, and 54-52-06.3, subsection 6 of section 54-52.6-02, and section 54-52.6-09 of the North Dakota Century Code, relating to increased employer and employee contributions under the highway patrolmen's retirement plan and public employees retirement system; and

to provide for a legislative management study.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2142:** A BILL for an Act to create and enact two new subsections to section 57-39.2-01 and a new section to chapter 57-39.2 of the North Dakota Century Code, relating to the definition of telecommunications company and telecommunications services and a sales and use tax exemption for equipment used in telecommunications infrastructure development; to amend and reenact section 57-40.2-03.3 of the North Dakota Century Code, relating to use tax exemption for telecommunications infrastructure purchased or installed by contractors; and to provide for an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2146:** A BILL for an Act to create and enact a new section to chapter 4-01 of the North Dakota Century Code, relating to the grape and wine advisory committee; and to provide an appropriation.

Was read the first time and referred to the **Agriculture Committee**.

**SB 2171:** A BILL for an Act to amend and reenact subsection 1 of section 57-02-08.1 of the North Dakota Century Code, relating to the homestead property tax credit; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2187:** A BILL for an Act to create and enact section 6-09-47 of the North Dakota Century Code, relating to a Bank of North Dakota medical facility infrastructure loan program; to amend and reenact section 6-09-47 of the North Dakota Century Code, relating to the medical facility infrastructure loan program; to provide for transfer; to provide an appropriation; to provide a continuing appropriation; to provide an effective date; and to provide an expiration date.

Was read the first time and referred to the **Human Services Committee**.

**SB 2193:** A BILL for an Act to provide for the establishment of an autism spectrum disorder database; to direct the department of human services to seek an autism spectrum disorder medicaid waiver; to provide an appropriation to the state department of health; and to provide appropriations to the department of human services for autism spectrum disorder services.

Was read the first time and referred to the **Human Services Committee**.

**SB 2200:** A BILL for an Act to create and enact chapter 15-18.1 of the North Dakota Century Code, relating to the determination of funding for institutions of higher education; to provide for legislative intent; and to provide an expiration date.

Was read the first time and referred to the **Education Committee**.

**SB 2203:** A BILL for an Act to amend and reenact section 11-11-53 and subsection 8 of section 57-15-06.7 of the North Dakota Century Code, relating to county property tax levies and a state matching program for county historical work; to provide an appropriation; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2219:** A BILL for an Act to provide an appropriation to the department of commerce for a North Dakota state energy conservation program.

Was read the first time and referred to the **Appropriations Committee**.

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

Was read the first time and referred to the **Education Committee**.

**SB 2223:** A BILL for an Act to provide for a legislative management study; to provide an appropriation; and to provide a transfer.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2231:** A BILL for an Act to amend and reenact sections 20.1-03-12, 20.1-03-12.1, and 20.1-03-12.2 of the North Dakota Century Code, relating to hunting fees.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

**SB 2238:** A BILL for an Act to reimburse school districts for expenses incurred in providing cardiopulmonary resuscitation training to students; and to provide an appropriation.

Was read the first time and referred to the **Education Committee**.

**SB 2241:** A BILL for an Act to provide an appropriation to the department of human services; and to provide for a legislative management study.

Was read the first time and referred to the **Human Services Committee**.

**SB 2243:** A BILL for an Act to provide for a legislative management study of behavioral health needs; and to provide an appropriation.

Was read the first time and referred to the **Human Services Committee**.

**SB 2246:** A BILL for an Act to amend and reenact subsection 1 of section 54-10-14 of the North Dakota Century Code, relating to audits.

Was read the first time and referred to the **Political Subdivisions Committee**.

**SB 2247:** A BILL for an Act to amend and reenact section 34-14-04.1 of the North Dakota Century Code, relating to limitations on withholdings.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2260:** A BILL for an Act amend and reenact sections 13-07-01, 13-11-01, 51-15-06.1, 51-28-01, and 51-28-02 of the North Dakota Century Code, relating to consumer credit counseling services, debt settlement providers, assurance of discontinuance, and telephone solicitations.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2264:** A BILL for an Act to provide an appropriation to the commissioner of veterans' affairs for veterans' military caskets.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

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

Was read the first time and referred to the **Education Committee**.

**SB 2271:** A BILL for an Act to amend and reenact subsection 5 of section 39-01-15 and section 50-06.1-16 of the North Dakota Century Code, relating to the committee on employment of people with disabilities.

Was read the first time and referred to the **Human Services Committee**.

**SB 2295:** A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the passthrough of the new and expanding business exemption; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2297:** A BILL for an Act to provide for a legislative management study of the state's workers' compensation system's treatment of preexisting medical conditions.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2298:** A BILL for an Act to amend and reenact section 65-05-08.3 of the North Dakota Century Code, relating to workers' compensation consideration of treating doctor's opinions; and to provide for application.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2314:** A BILL for an Act to amend and reenact section 40-57.1-03 of the North Dakota Century Code, relating to determination of whether a project is a primary sector or retail sector business before a city or county may grant a property tax exemption for that project; to provide for a legislative management study; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2318:** A BILL for an Act to amend and reenact sections 16.1-11-06, 16.1-11-10, 16.1-11-11, and 16.1-11-16, subsection 5 of section 16.1-11-18, section 16.1-12-02.1, subsection 4 of section 16.1-12-02.2, subsection 2 of section 16.1-12-04, and sections 16.1-12-06 and 44-05-04 of the North Dakota Century Code, relating to candidate filing papers; and to repeal section 16.1-11-13 of the

North Dakota Century Code, relating to legislative candidate filings.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2325:** A BILL for an Act to amend and reenact subsection 3 of section 57-33.2-01 and section 57-33.2-03 of the North Dakota Century Code, relating to reduction of the distribution tax rate for companies engaged in the distribution of electricity; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2334:** A BILL for an Act to create and enact a new section to chapter 37-17.3 of the North Dakota Century Code, relating to fees for the statewide seamless base map; and to provide a continuing appropriation.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2338:** A BILL for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to a conditional exemption and payments in lieu of taxes for affordable rental residential property; to amend and reenact subsection 8 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for property owned by institutions of public charity; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2342:** A BILL for an Act to create and enact sections 43-15.3-10, 43-15.3-11, and 43-15.3-12 of the North Dakota Century Code, relating to wholesale drug distribution; to amend and reenact sections 43-15.3-01, 43-15.3-02, 43-15.3-03, 43-15.3-04, 43-15.3-05, 43-15.3-07, 43-15.3-08, and 43-15.3-09 of the North Dakota Century Code, relating to wholesale drug distribution; and to provide a penalty.  
Was read the first time and referred to the **Human Services Committee**.

**SB 2344:** A BILL for an Act to provide an appropriation for training service dogs; and to provide for a legislative management study.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2352:** A BILL for an Act to authorize the conveyance of real property owned by the state of North Dakota.  
Was read the first time and referred to the **Political Subdivisions Committee**.

**SB 2364:** A BILL for an Act to create and enact two new sections to chapter 57-38, subsections 7 and 8 to section 57-38-34, subsection 11 to section 57-38-38, and subsection 16 to section 57-38-40 of the North Dakota Century Code, relating to a corporate income tax credit, utilization of net operating losses and credit carryforwards, the time for filing of returns for certain corporations, interest on tax when the time for filing a return is extended, refunds of tax for certain corporations, and audits of certain corporations; to amend and reenact subsection 5 of section 11-37-08, subsection 8 of section 40-63-01, subsection 5 of section 40-63-04, section 40-63-06, subsections 3 and 4 of section 40-63-07, subsection 3 of section 57-38-01.3, subsections 5 and 7 of section 57-38-01.32, subdivisions c and f of subsection 2 of section 57-38-30.3, and section 57-39.2-26.1 of the North Dakota Century Code, relating to subjecting financial institutions to the corporate income tax, adjustments for net operating losses, bonds and other obligations of a commerce authority, creation of renaissance zones, state aid distribution fund allocations to political subdivisions, the housing incentive fund tax credit, computation of farm income, and income associated with losses passed through to a financial institution; to repeal chapter 57-35.3 of the North Dakota Century Code, relating to elimination of the financial institutions tax; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

#### **FIRST READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4012:** A concurrent resolution directing the Legislative Management to study state alternatives to the statutory and regulatory requirements placed on North Dakota schools and school districts by the United States Department of Education, determine whether there are viable options to achieve the federal government's goals without having the federal government's oversight and involvement, and determine whether the federal fiscal impact is a significant and necessary factor in

assenting to the continuance of federal government involvement in this state's educational process.

Was read the first time and referred to the **Education Committee**.

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

**Buell J. Reich, Chief Clerk**

