

## JOURNAL OF THE HOUSE

## Sixty-third Legislative Assembly

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Bismarck, April 18, 2013

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

The prayer was offered by Reverend Dale Nabben, retired ELCA minister, Bismarck.

The roll was called and all members were present except Representatives Belter and K. Koppelman.

A quorum was declared by the Speaker.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. VIGESAA MOVED** that the House do not concur in the Senate amendments to Reengrossed HB 1005 as printed on HJ pages 1043-1044 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on Reengrossed HB 1005: Reps. Sanford, Brandenburg, Guggisberg.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**REP. VIGESAA MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2015 and Engrossed SCR 4010, which motion prevailed.

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

**Engrossed SB 2015:** Reps. Wieland, Pollert, Holman

**Engrossed SCR 4010:** Reps. Boehning, Steiner, Hanson

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. NATHE MOVED** that the House do concur in the Senate amendments to Reengrossed HB 1356 as printed on HJ pages 1510-1511, which motion prevailed on a voice vote.

Reengrossed HB 1356, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1356:** A BILL for an Act to provide an appropriation for early childhood education grants; and to provide for a transfer.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 34 YEAS, 59 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Beadle; Boschee; Delmore; Dockter; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kelsh, J.; Kelsh, S.; Kretschmar; Maragos; Martinson; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Porter; Strinden; Zaiser

**NAYS:** Anderson; Becker; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dosch; Drovdal; Fehr; Froseth; Grande; Hatlestad; Headland; Heller; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kreun; Laning; Larson; Looyen; Louser; Meier; Monson; Nathe; Owens; Paur; Pollert; 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:** Belter

Reengrossed HB 1356 failed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. VIGESAA MOVED** that the conference committee report on Engrossed HB 1205 as printed on HJ pages 1650-1651 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. SUKUT MOVED** that the conference committee report on Engrossed SB 2126 as printed on HJ pages 1651-1652 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2126, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF SENATE BILL**

**SB 2126:** A BILL for an Act to create and enact sections 12.1-23-16 and 12.1-23-17 and a new subsection to section 57-39.2-14 of the North Dakota Century Code, relating to the prohibition of automated sales suppression devices and skimming devices used for a fraudulent purpose; and to provide a penalty.

**ROLL CALL**

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; 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

**ABSENT AND NOT VOTING:** Belter

Engrossed SB 2126, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. SUKUT MOVED** that the conference committee report on Engrossed SB 2129 as printed on HJ pages 1652-1653 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2129, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF SENATE BILL**

**SB 2129:** A BILL for an Act to amend and reenact section 54-21.3-04.1 of the North Dakota Century Code, relating to the state building code and accessibility standards.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 60 YEAS, 33 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Boe; Boschee; Delmore; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klemin; Kreidt; Kretschmar; Kreun; Laning;

Larson; Louser; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Porter; Rust; Sanford; Schmidt; Silbernagel; Steiner; Strinden; Sukut; Toman; Trottier; Wall; Williams; Zaiser

**NAYS:** Beadle; Becker; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Grande; Headland; Heller; Kasper; Klein; Koppelman, B.; Koppelman, K.; Looyesen; Meier; Nathe; Paur; Pollert; Rohr; Ruby; Schatz; Skarphol; Streyle; Thoreson; Vigesaa; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Belter

Engrossed SB 2129, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. LOUSER MOVED** that the conference committee report on SB 2132 as printed on HJ page 1653 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. DROVDAL MOVED** that the conference committee report on SB 2162 as printed on HJ page 1653 be adopted, which motion prevailed on a voice vote.

SB 2162, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF SENATE BILL**

**SB 2162:** A BILL for an Act to amend and reenact subsection 5 of section 57-15-56 and section 57-39.2-26.2 of the North Dakota Century Code, relating to a matching grant from the senior citizen services and programs fund to counties; and to provide an effective date.

**ROLL CALL**

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; 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

**ABSENT AND NOT VOTING:** Belter

SB 2162, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. KASPER MOVED** that the conference committee report on SB 2213 as printed on HJ page 1654 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. DAMSCHEN MOVED** that the conference committee report on Engrossed SB 2243 as printed on HJ page 1654 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2243, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF SENATE BILL**

**SB 2243:** A BILL for an Act to provide for a legislative management study of behavioral

health needs.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 47 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Boe; Boschee; Damschen; Delmore; Fehr; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kelsh, J.; Kelsh, S.; Kiefert; Klemin; Kretschmar; Larson; Looyesen; Maragos; Martinson; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Porter; Sanford; Silbernagel; Steiner; Strinden; Weisz; Williams; Zaiser

**NAYS:** Becker; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Dockter; Dosch; Drovdal; Frantsvog; Froseth; Grande; Hatlestad; Headland; Heller; Karls; Kasper; Keiser; Kempenich; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Kreun; Laning; Louser; Meier; Monson; Nathe; Paur; Pollert; Rohr; Ruby; Rust; Schatz; Schmidt; Skarphol; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Belter

Engrossed SB 2243, as amended, failed.

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### ANNOUNCEMENT

**SPEAKER DEVLIN ANNOUNCED** that the House would stand in recess until 1:00 p.m.

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

### CORRECTION AND REVISION OF THE JOURNAL

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

Page 1396, after line 40, insert:

#### "SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1033

Page 1, line 2, remove the second "to provide"

Page 1, line 3, remove "legislative intent;"

Page 1, line 16, replace "Each" with "Unless waived by the department, each"

Page 2, remove lines 8 through 12

Renumber accordingly"

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

### SIXTH ORDER OF BUSINESS

**SPEAKER DEVLIN DEEMED** approval of the amendments to Reengrossed SB 2036.

Reengrossed SB 2036, as amended, was placed on the Fourteenth order of business on the calendar.

### SECOND READING OF SENATE BILL

**SB 2036:** A BILL for an Act to create and enact sections 46-03-10.1, 57-15-01.2, and 57-20-07.2 of the North Dakota Century Code, relating to statutory references to mills, determination of political subdivision budgets, and a state-paid property tax relief credit; to amend and reenact sections 57-20-07.1, 57-20-09, 57-20-21.1, 57-51.1-07.5, and 57-64-03 of the North Dakota Century Code, relating to property tax

statement information to identify legislative property tax relief for the subject property, priority for delinquent taxes, the discount for early payment of property taxes, 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 repeal section 57-15-01.1 of the North Dakota Century Code, relating to property tax levies; to provide appropriations; to provide for a transfer; and to provide an effective date.

#### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; 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; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemmin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looysen; Louser; Maragos; Martinson; Meier; Mock; Monson; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Vigesaa; Wall; Weisz; Wieland; Williams; Speaker Devlin

**NAYS:** Mooney; Nelson, M.; Zaiser

**ABSENT AND NOT VOTING:** Belter; Trottier

Reengrossed SB 2036, as amended, passed.

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#### MOTION

**REP. WIELAND MOVED** that the House reconsider its action whereby Engrossed SB 2243, as amended, failed to pass for the purpose of reconsideration of the conference committee report, which motion prevailed on a verification vote.

#### MOTION

**REP. VIGESAA MOVED** that SB 2243 be returned to conference committee for purposes of further consideration, which motion prevailed.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1012.

#### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1012

In lieu of the amendments adopted by the Senate as printed on pages 1353-1362 and pages 1438-1448 of the Senate Journal, Engrossed House Bill No. 1012 is amended as follows:

Page 1, line 2, remove "and personal needs"

Page 1, line 3, remove "allowances"

Page 1, line 3, after "reenact" insert "subdivision f of subsection 2 of section 12-60-24 and"

Page 1, line 4, after the first "to" insert "criminal background checks for foster care providers and"

Page 1, line 5, after the semicolon insert "to provide an appropriation to the department of commerce;"

Page 1, replace lines 17 through 22 with:

"Salaries and wages	\$15,382,133	\$31,964,747	\$47,346,880
Operating expenses	62,229,003	5,218,982	67,447,985
Capital assets	<u>138,400</u>	<u>(126,400)</u>	<u>12,000</u>
Total all funds	\$77,749,536	\$37,057,329	\$114,806,865
Less estimated income	<u>46,573,712</u>	<u>14,422,738</u>	<u>60,996,450</u>
Total general fund	\$31,175,824	\$22,634,591	\$53,810,415"

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	14,906,749	106,880,029
Grants	490,196,862	(35,822,732)	454,374,130
Grants - medical assistance	<u>1,601,650,984</u>	<u>167,844,926</u>	<u>1,769,495,910</u>
Total all funds	\$2,234,028,731	\$145,563,456	\$2,379,592,187
Less estimated income	<u>1,497,456,325</u>	<u>(61,475,771)</u>	<u>1,435,980,554</u>
Total general fund	\$736,572,406	\$207,039,227	\$943,611,633"

Page 2, replace lines 11 through 29 with:

	"FIELD SERVICES		
	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Human service centers	\$163,188,026	\$11,040,662	\$174,228,688
Institutions	<u>123,232,447</u>	<u>2,667,659</u>	<u>125,900,106</u>
Total all funds	\$286,420,473	\$13,708,321	\$300,128,794
Less estimated income	<u>126,939,489</u>	<u>(4,811,629)</u>	<u>122,127,860</u>
Total general fund	\$159,480,984	\$18,519,950	\$178,000,934"

Page 3, replace lines 3 through 6 with:

"Grand total general fund	\$927,229,214	\$250,782,850	\$1,178,012,064
Grand total special funds	<u>1,670,969,526</u>	<u>108,734,659</u>	<u>1,779,704,185</u>
Grand total all funds	\$2,598,198,740	\$359,517,509	\$2,957,716,249
Full-time equivalent positions	2,197.35	2.73	2,200.08"

Page 3, replace lines 15 and 16 with:

"State hospital capital projects	1,800,000	864,714
Grants	0	925,000"

Page 3, replace lines 24 through 26 with:

"Total all funds	\$50,349,515	\$2,819,714
Less estimated income	<u>36,602,712</u>	<u>1,086,093</u>
Total general fund	\$13,746,803	\$1,733,621"

Page 4, after line 21, insert:

**"SECTION 7. AMENDMENT.** Subdivision f of subsection 2 of section 12-60-24 of the North Dakota Century Code is amended and reenacted as follows:

- f. The department of human services for foster care licenses and approvals under chapter 50-11, appointments of legal guardians under chapter 50-11.3, and petitions for adoptions under chapter 50-12, except that the criminal history record investigation must be conducted in accordance with those chapters. A criminal history record investigation completed under chapter 50-11, 50-11.3, or 50-12 may be used to satisfy the requirements of a criminal history record investigation under either of the other two chapters."

Page 5, remove lines 22 through 29

Page 6, line 5, replace "\$150,000" with "\$300,000"

Page 6, after line 30, insert:

**"SECTION 15. LEGISLATIVE INTENT - DEPUTY DIRECTOR POSITION.**

The removal of the full-time equivalent position in the administration and support division does not preclude the department of human services from employing a deputy director. The department may use an existing full-time equivalent position for the purpose of a deputy director position.

**SECTION 16. LEGISLATIVE INTENT - ELECTRONIC HEALTH RECORDS.**

Because the electronic health records system is needed for the state hospital to maintain accreditation, the removal of the funding in the information technology division does not preclude the department of human services from procuring an electronic health records system if the department can initiate the project within its 2013-15 biennium appropriation for the information technology division or field services division.

**SECTION 17. APPROPRIATION - DEPARTMENT OF COMMERCE.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, and from special funds, derived from private gifts and grants, the sum of \$150,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of funding the activities of the health care consortium under section 18 of this Act, as part of the North Dakota 2020 and beyond initiative, for the biennium beginning July 1, 2013, and ending June 30, 2015. The department of commerce may spend funding from the general fund only to the extent special funds from private gifts and grants are received on a dollar-for-dollar basis.

**SECTION 18. HEALTH CARE CONSORTIUM - REPORT TO LEGISLATIVE MANAGEMENT AND GOVERNOR.**

1. The governor shall appoint a consortium that includes a broad scope of private sector stakeholders, members of the senate and the house of representatives, and representation from the statewide vision and strategy partnership for a healthier North Dakota and the university of North Dakota school of medicine and health sciences advisory council. The consortium shall receive and review information provided by the statewide vision and strategy partnership for a healthier North Dakota and the university of North Dakota school of medicine and health sciences advisory council, including the second annual report of the council. The consortium shall provide direct input to the legislative management interim committee that conducts the study provided for under House Bill No. 1034, as approved by the sixty-third legislative assembly. The consortium shall focus its efforts on addressing the immediate needs and challenges of the North Dakota health care delivery system, implementing the healthy North Dakota initiative, examining medicaid reform, and developing a plan for a private health care model that will comply with federal health care reform in a manner that will provide high quality, accessible, and affordable care for North Dakota citizens.
2. In developing the model health care system, the health care consortium shall:
  - a. Consider population shifts, facility needs, personnel needs, rural access, regulatory public health functions, and vulnerable populations.
  - b. Determine the scope of the weaknesses in the current health care system and the scope of the model health care system.
  - c. Take into account the ongoing impact that federal health care reform under the federal Affordable Care Act is having on state delivery of health care and on state delivery of medicaid.
  - d. Work to forge partnerships with federal payers and regulators in order to work toward addressing medical reimbursement system reform.

3. The department of commerce shall contract with a consultant to assist the health care consortium in developing a model health care system as required under subsection 2.
4. The health care consortium shall report to the budget section of the legislative management on the status of funding available and anticipated uses of the funding for the consortium during the 2013-14 interim. Before June 1, 2014, the health care consortium shall report to the governor and to the legislative management on the status of the development of the model health care system as well as any recommendations.

**SECTION 19. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES.**

There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$146,000, or so much of the sum as may be necessary, to the department of human services for the purpose of defraying the expenses relating to the treatment of individuals addicted to controlled substances, for the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 20. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,100,000, or so much of the sum as may be necessary, and from federal funds the sum of \$1,100,000, or so much of the sum as may be necessary, to the department of human services for the purpose of defraying operating expenses departmentwide and at the human service centers, for the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 21. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,243,082, or so much of the sum as may be necessary, and from special funds derived from federal funds and other income, the sum of \$159,349,321, or so much of the sum as may be necessary, to the department of human services for the purpose of funding the following initiatives, for the biennium beginning July 1, 2013, and ending June 30, 2015. The department of human services is authorized four full-time equivalent positions.

Expedited ratesetting process	\$1,661,844
Recipient liability first claim	100,000
Supplemental nutrition assistance and temporary assistance for needy families program changes	500,304
Electronic prescriptions	299,324
Medical assistance program expansion	157,991,337
Committee on employment of people with disabilities	<u>39,594</u>
Total all funds	\$160,592,403
Less estimated income	<u>159,349,321</u>
Total general fund appropriation	<u>\$1,243,082"</u>

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1012 - Summary of Senate Action**

	Executive Budget	House Version	Senate Changes	Senate Version
Department of Human Services				
Total all funds	\$0	\$0	\$162,938,403	\$162,938,403
Less estimated income	<u>0</u>	<u>0</u>	160,449,321	160,449,321
General fund	\$0	\$0	<u>\$2,489,082</u>	<u>\$2,489,082</u>
DHS - Management				
Total all funds	\$124,062,199	\$101,503,888	\$13,302,977	\$114,806,865
Less estimated income	<u>61,473,447</u>	<u>56,933,812</u>	4,062,638	60,996,450
General fund	\$62,588,752	\$44,570,076	<u>\$9,240,339</u>	<u>\$53,810,415</u>
DHS - Program/Policy				
Total all funds	\$2,364,284,108	\$2,345,457,354	\$34,134,833	\$2,379,592,187
Less estimated income	<u>1,429,648,423</u>	<u>1,421,403,389</u>	14,577,165	1,435,980,554
General fund	\$934,635,685	\$924,053,965	<u>\$19,557,668</u>	<u>\$943,611,633</u>

DHS - State Hospital				
Total all funds	\$73,489,636	\$73,064,636	(\$73,064,636)	\$0
Less estimated income	19,254,163	19,254,163	(19,254,163)	0
General fund	\$54,235,473	\$53,810,473	(\$53,810,473)	\$0
DHS - Developmental Center				
Total all funds	\$53,050,470	\$52,760,470	(\$52,760,470)	\$0
Less estimated income	28,064,218	28,064,218	(28,064,218)	0
General fund	\$24,986,252	\$24,696,252	(\$24,696,252)	\$0
DHS - Statewide HSC				
Total all funds	\$6,069,755	\$5,069,755	(\$5,069,755)	\$0
Less estimated income	1,075,139	675,139	(675,139)	0
General fund	\$4,994,616	\$4,394,616	(\$4,394,616)	\$0
DHS - Northwest HSC				
Total all funds	\$8,958,191	\$8,918,191	(\$8,918,191)	\$0
Less estimated income	3,564,800	3,564,800	(3,564,800)	0
General fund	\$5,393,391	\$5,353,391	(\$5,353,391)	\$0
DHS - North Central HSC				
Total all funds	\$21,989,171	\$21,949,171	(\$21,949,171)	\$0
Less estimated income	9,185,305	9,185,305	(9,185,305)	0
General fund	\$12,803,866	\$12,763,866	(\$12,763,866)	\$0
DHS - Lake Region HSC				
Total all funds	\$12,736,133	\$12,696,133	(\$12,696,133)	\$0
Less estimated income	5,162,347	5,162,347	(5,162,347)	0
General fund	\$7,573,786	\$7,533,786	(\$7,533,786)	\$0
DHS - Northeast HSC				
Total all funds	\$27,882,775	\$27,842,775	(\$27,842,775)	\$0
Less estimated income	14,138,342	14,138,342	(14,138,342)	0
General fund	\$13,744,433	\$13,704,433	(\$13,704,433)	\$0
DHS - Southeast HSC				
Total all funds	\$39,030,472	\$37,690,472	(\$37,690,472)	\$0
Less estimated income	15,682,226	15,357,226	(15,357,226)	0
General fund	\$23,348,246	\$22,333,246	(\$22,333,246)	\$0
DHS - South Central HSC				
Total all funds	\$16,793,883	\$16,753,883	(\$16,753,883)	\$0
Less estimated income	7,813,290	7,813,290	(7,813,290)	0
General fund	\$8,980,593	\$8,940,593	(\$8,940,593)	\$0
DHS - West Central HSC				
Total all funds	\$29,826,746	\$29,462,590	(\$29,462,590)	\$0
Less estimated income	13,268,982	13,268,982	(13,268,982)	0
General fund	\$16,557,764	\$16,193,608	(\$16,193,608)	\$0
DHS - Badlands HSC				
Total all funds	\$12,345,718	\$12,305,718	(\$12,305,718)	\$0
Less estimated income	5,319,048	5,319,048	(5,319,048)	0
General fund	\$7,026,670	\$6,986,670	(\$6,986,670)	\$0
DHS - Field Services				
Total all funds	\$0	\$0	\$300,128,794	\$300,128,794
Less estimated income	0	0	122,127,860	122,127,860
General fund	\$0	\$0	\$178,000,934	\$178,000,934
Department of Commerce				
Total all funds	\$0	\$0	\$250,000	\$250,000
Less estimated income	0	0	150,000	150,000
General fund	\$0	\$0	\$100,000	\$100,000
Bill total				
Total all funds	\$2,790,519,257	\$2,745,475,036	\$212,241,213	\$2,957,716,249
Less estimated income	1,613,649,730	1,600,140,061	179,564,124	1,779,704,185
General fund	\$1,176,869,527	\$1,145,334,975	\$32,677,089	\$1,178,012,064

### House Bill No. 1012 - Department of Human Services - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Department of Human Services			\$162,938,403	\$162,938,403
Total all funds	\$0	\$0	\$162,938,403	\$162,938,403
Less estimated income	0	0	160,449,321	160,449,321
General fund	\$0	\$0	\$2,489,082	\$2,489,082
FTE	0.00	0.00	4.00	4.00

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

	Adds Funding for Robinson Recovery Center <sup>1</sup>	Adds Funding for Operating and Human Service Centers <sup>2</sup>	Adds Funding for Approved Initiatives <sup>3</sup>	Total Senate Changes
Department of Human Services	\$146,000	\$2,200,000	\$160,592,403	\$162,938,403
Total all funds	\$146,000	\$2,200,000	\$160,592,403	\$162,938,403
Less estimated income	0	1,100,000	159,349,321	160,449,321
General fund	\$146,000	\$1,100,000	\$1,243,082	\$2,489,082
FTE	0.00	0.00	4.00	4.00

<sup>1</sup> Funding is added for additional services to be provided by the Robinson Recovery Center.

<sup>2</sup> Funding is added for departmentwide operating expenses and operations of the human service centers.

<sup>3</sup> Funding is added for six initiatives approved by the Legislative Assembly in other bills. The department is authorized 4 FTE positions relating to this funding.

**House Bill No. 1012 - DHS - Management - Senate Action**

	Executive Budget	House Version	Senate Changes <sup>1</sup>	Senate Version
Salaries and wages	\$51,102,214	\$34,293,903	\$13,052,977	\$47,346,880
Operating expenses	72,743,825	67,197,985	250,000	67,447,985
Capital assets	216,160	12,000		12,000
Total all funds	\$124,062,199	\$101,503,888	\$13,302,977	\$114,806,865
Less estimated income	61,473,447	56,933,812	4,062,638	60,996,450
General fund	\$62,588,752	\$44,570,076	\$9,240,339	\$53,810,415
FTE	148.10	147.10	0.00	147.10

MANAGEMENT SUBDIVISION	FTE	General Fund	Estimated Income	Total
<b><sup>1</sup> Management - Proposed Senate changes:</b>				
<b>Administration - Support</b>				
Restores compensation adjustments made by the House		\$8,990,339	\$4,062,638	\$13,052,977
Restores a portion of operating expense reductions made by the House		\$250,000		\$250,000
<b>Information Technology Services</b>				
No changes				
<b>Total Senate changes - Management</b>	0.00	\$9,240,339	\$4,062,638	\$13,302,977

**House Bill No. 1012 - DHS - Program/Policy - Senate Action**

	Executive Budget	House Version	Senate Changes <sup>1</sup>	Senate Version
Salaries and wages	\$48,842,118	\$48,842,118		\$48,842,118
Operating expenses	106,543,180	104,546,029	2,334,000	106,880,029
Grants	453,774,130	453,874,130	500,000	454,374,130
Grants - Medical assistance	1,755,124,680	1,738,195,077	31,300,833	1,769,495,910
Total all funds	\$2,364,284,108	\$2,345,457,354	\$34,134,833	\$2,379,592,187

Less estimated income	<u>1,429,648,423</u>	<u>1,421,403,389</u>	<u>14,577,165</u>	<u>1,435,980,554</u>
General fund	\$934,635,685	\$924,053,965	\$19,557,668	\$943,611,633
FTE	342.50	342.50	0.00	342.50

PROGRAM AND POLICY SUBDIVISION	FTE	General Fund	Estimated Income	Total
<b>1 Program and Policy - Proposed Senate changes:</b>				
<b>Economic Assistance Policy Program</b>				
No changes				
<b>Child Support Program</b>				
No changes				
<b>Medical Services Program</b>				
Restores funding removed by the House for professional medical expert reviews of medical records and prior authorizations		42,000	42,000	84,000
Restores funding removed by the House for oversight for qualified service provider mileage differential		78,040	21,960	100,000
Restores a portion of caseload projections reduced by the House for transportation (\$250,000) and CHIP (\$650,000)		352,500	547,500	900,000
<b>Long-Term Care Program</b>				
Restores a portion of funding removed by the House for long-term care caseload projections as follows:		1,122,500	977,500	2,100,000
Nursing homes - \$955,000				
HCBS waiver - \$1,000,000				
Expanded SPED - \$145,000				
Restores funding removed by the House for personal needs allowance for basic care (\$193,725) and intermediate care facility for the intellectually disabled (\$170,280)		278,850	85,155	364,005
Adds funding to increase nursing facility, basic care, DD and QSP provider wage passthrough increase from 50 cents to \$1		14,858,778	12,728,050	27,586,828
Restores funding removed by the House for infant development caseload projections. The House removed its funding as part of the DD caseload projection reduction.		175,000	175,000	350,000
<b>Aging Services Program</b>				
Restores funding removed by the House for guardianship services		1,000,000		1,000,000
Adds funding for senior meals		900,000		900,000
<b>Children and Family Services Program</b>				
Adds funding for grants to a county social service board that is not on a reservation but is experiencing an increase in caseload from Spirit Lake for a total of \$300,000. The House added \$150,000.		150,000		150,000
<b>Mental Health and Substance Abuse Program</b>				
Adds funding for additional services to be provided by Robinson Recovery Center		150,000		150,000
<b>Developmental Disabilities Council</b>				
No changes				
<b>Developmental Disabilities Division</b>				

Adds funding for grants to existing facilities that provide leisure, recreational, and educational programs for individuals with intellectual or developmental disabilities	300,000	300,000
Adds funding for guardianship services for developmentally disabled individuals	100,000	100,000
<b>Vocational Rehabilitation</b>		
Adds funding for the older blind program for a total of \$100,000. The House added \$50,000.	50,000	50,000
<b>Total Senate changes - Program and Policy</b>	0.00	\$19,557,668
	\$14,577,165	\$34,134,833

Sections are added for the following:

- Background checks for foster care providers.
- Legislative intent to allow the department to hire a deputy director.
- Legislative intent relating to an electronic health records system.

A section added by the House relating to personal needs allowance adjustments is removed.

**House Bill No. 1012 - DHS - State Hospital - Senate Action**

	Executive Budget	House Version	Senate Changes <sup>1</sup>	Senate Version
State Hospital	\$73,489,636	\$73,064,636	(\$73,064,636)	
Total all funds	\$73,489,636	\$73,064,636	(\$73,064,636)	\$0
Less estimated income	19,254,163	19,254,163	(19,254,163)	0
General fund	\$54,235,473	\$53,810,473	(\$53,810,473)	\$0
FTE	457.45	457.45	(457.45)	0.00

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

	Executive Budget	House Version	Senate Changes <sup>1</sup>	Senate Version
Developmental Center	\$53,050,470	\$52,760,470	(\$52,760,470)	
Total all funds	\$53,050,470	\$52,760,470	(\$52,760,470)	\$0
Less estimated income	28,064,218	28,064,218	(28,064,218)	0
General fund	\$24,986,252	\$24,696,252	(\$24,696,252)	\$0
FTE	392.55	392.55	(392.55)	0.00

**House Bill No. 1012 - DHS - Statewide HSC - Senate Action**

	Executive Budget	House Version	Senate Changes <sup>1</sup>	Senate Version
Statewide human service centers	\$6,069,755	\$5,069,755	(\$5,069,755)	
Total all funds	\$6,069,755	\$5,069,755	(\$5,069,755)	\$0
Less estimated income	1,075,139	675,139	(675,139)	0
General fund	\$4,994,616	\$4,394,616	(\$4,394,616)	\$0
FTE	13.00	13.00	(13.00)	0.00

**House Bill No. 1012 - DHS - Northwest HSC - Senate Action**

	Executive Budget	House Version	Senate Changes <sup>1</sup>	Senate Version
Northwest Human Service Center	\$8,958,191	\$8,918,191	(\$8,918,191)	
	\$8,958,191	\$8,918,191	(\$8,918,191)	\$0

Total all funds				
Less estimated income	3,564,800	3,564,800	(3,564,800)	0
General fund	\$5,393,391	\$5,353,391	(\$5,353,391)	\$0
FTE	43.75	43.75	(43.75)	0.00

**House Bill No. 1012 - DHS - North Central HSC - Senate Action**

	Executive Budget	House Version	Senate Changes <sup>1</sup>	Senate Version
North Central Human Service Center	\$21,989,171	\$21,949,171	(\$21,949,171)	
Total all funds	\$21,989,171	\$21,949,171	(\$21,949,171)	\$0
Less estimated income	9,185,305	9,185,305	(9,185,305)	0
General fund	\$12,803,866	\$12,763,866	(\$12,763,866)	\$0
FTE	120.78	120.78	(120.78)	0.00

**House Bill No. 1012 - DHS - Lake Region HSC - Senate Action**

	Executive Budget	House Version	Senate Changes <sup>1</sup>	Senate Version
Lake Region Human Service Center	\$12,736,133	\$12,696,133	(\$12,696,133)	
Total all funds	\$12,736,133	\$12,696,133	(\$12,696,133)	\$0
Less estimated income	5,162,347	5,162,347	(5,162,347)	0
General fund	\$7,573,786	\$7,533,786	(\$7,533,786)	\$0
FTE	61.00	61.00	(61.00)	0.00

**House Bill No. 1012 - DHS - Northeast HSC - Senate Action**

	Executive Budget	House Version	Senate Changes <sup>1</sup>	Senate Version
Northeast Human Service Center	\$27,882,775	\$27,842,775	(\$27,842,775)	
Total all funds	\$27,882,775	\$27,842,775	(\$27,842,775)	\$0
Less estimated income	14,138,342	14,138,342	(14,138,342)	0
General fund	\$13,744,433	\$13,704,433	(\$13,704,433)	\$0
FTE	138.50	138.50	(138.50)	0.00

**House Bill No. 1012 - DHS - Southeast HSC - Senate Action**

	Executive Budget	House Version	Senate Changes <sup>1</sup>	Senate Version
Southeast Human Service Center	\$39,030,472	\$37,690,472	(\$37,690,472)	
Total all funds	\$39,030,472	\$37,690,472	(\$37,690,472)	\$0
Less estimated income	15,682,226	15,357,226	(15,357,226)	0
General fund	\$23,348,246	\$22,333,246	(\$22,333,246)	\$0
FTE	185.15	185.15	(185.15)	0.00

**House Bill No. 1012 - DHS - South Central HSC - Senate Action**

	Executive Budget	House Version	Senate Changes <sup>1</sup>	Senate Version
South Central Human Service Center	\$16,793,883	\$16,753,883	(\$16,753,883)	
Total all funds	\$16,793,883	\$16,753,883	(\$16,753,883)	\$0
Less estimated income	7,813,290	7,813,290	(7,813,290)	0

General fund	\$8,980,593	\$8,940,593	(\$8,940,593)	\$0
FTE	83.50	83.50	(83.50)	0.00

**House Bill No. 1012 - DHS - West Central HSC - Senate Action**

	Executive Budget	House Version	Senate Changes <sup>1</sup>	Senate Version
West Central Human Service Center	\$29,826,746	\$29,462,590	(\$29,462,590)	
Total all funds	\$29,826,746	\$29,462,590	(\$29,462,590)	\$0
Less estimated income	13,268,982	13,268,982	(13,268,982)	0
General fund	\$16,557,764	\$16,193,608	(\$16,193,608)	\$0
FTE	136.10	136.10	(136.10)	0.00

**House Bill No. 1012 - DHS - Badlands HSC - Senate Action**

	Executive Budget	House Version	Senate Changes <sup>1</sup>	Senate Version
Badlands Human Service Center	\$12,345,718	\$12,305,718	(\$12,305,718)	
Total all funds	\$12,345,718	\$12,305,718	(\$12,305,718)	\$0
Less estimated income	5,319,048	5,319,048	(5,319,048)	0
General fund	\$7,026,670	\$6,986,670	(\$6,986,670)	\$0
FTE	74.70	74.70	(74.70)	0.00

**House Bill No. 1012 - DHS - Field Services - Senate Action**

	Executive Budget	House Version	Senate Changes	Senate Version
Human service centers			\$174,228,688	\$174,228,688
Institutions			125,900,106	125,900,106
Total all funds	\$0	\$0	\$300,128,794	\$300,128,794
Less estimated income	0	0	122,127,860	122,127,860
General fund	\$0	\$0	\$178,000,934	\$178,000,934
FTE	0.00	0.00	1706.48	1706.48

**Department No. 349 - DHS - Field Services - Detail of Senate Changes**

	Creates Field Services Subdivision <sup>1</sup>	Senate Changes <sup>2</sup>	Total Senate Changes
Human service centers	\$172,688,688	\$1,540,000	\$174,228,688
Institutions	125,825,106	75,000	125,900,106
Total all funds	\$298,513,794	\$1,615,000	\$300,128,794
Less estimated income	121,802,860	325,000	122,127,860
General fund	\$176,710,934	\$1,290,000	\$178,000,934
FTE	1706.48	0.00	1706.48

<sup>1</sup> The human service centers and institutions subdivision which provided separate line items for each institution and human service center is changed to the field services subdivision. The State Hospital and the Developmental Center line items are combined into the institutions line item and all of the human service centers are combined into one human service centers line item.

	FTE	General Fund	Estimated Income	Total
<b>Field Services</b>				
<b>Field services - Proposed Senate changes:</b>				
<b>State Hospital</b>				
Restores funding removed by the House for water temperature controls for shower rooms in the LaHaug Building		\$75,000		\$75,000
<b>Southeast Human Service Center</b>				
Restores funding removed by the House for a 16-unit transitional living facility		\$975,000	\$325,000	\$1,300,000
<b>South Central Human Service Center</b>				
Adds funding for transitional employment grants		\$240,000		\$240,000
<b>Total Senate changes - Field services</b>	0.00	\$1,290,000	\$325,000	\$1,615,000

**House Bill No. 1012 - Department of Commerce - Senate Action**

	Executive Budget	House Version	Senate Changes	Senate Version
Department of Commerce			\$250,000	\$250,000
Total all funds	\$0	\$0	\$250,000	\$250,000
Less estimated income	0	0	150,000	150,000
General fund	\$0	\$0	\$100,000	\$100,000
FTE	0.00	0.00	0.00	0.00

**Department No. 601 - Department of Commerce - Detail of Senate Changes**

	Adds Funding for Health Care Consortium <sup>1</sup>	Total Senate Changes
Department of Commerce	\$250,000	\$250,000
Total all funds	\$250,000	\$250,000
Less estimated income	150,000	150,000
General fund	\$100,000	\$100,000
FTE	0.00	0.00

<sup>1</sup> Sections are added to provide an appropriation to the Department of Commerce for funding the activities of the health care consortium and to create the consortium.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. VIGESAA MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1012 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on Engrossed HB 1012: Reps. Pollert, Bellew, Holman.

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

**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1020.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1020**

In lieu of the amendments adopted by the Senate as printed on pages 1415-1419 of the

Senate Journal, Engrossed House Bill No. 1020 is amended as follows:

Page 1, line 2, remove "to create and enact a new"

Page 1, remove line 3

Page 1, line 4, remove "policies and procedures of the state water commission;"

Page 1, line 4, replace "sections" with "section"

Page 1, line 5, remove "and 54-35-02.37"

Page 1, line 5, remove "and sections 6 and 7 of"

Page 1, line 6, remove "chapter 46 of the 2011 Session Laws"

Page 1, line 6, remove ", the"

Page 1, line 7, remove "water-related topics overview committee, and Fargo flood control project funding"

Page 1, line 8, after the semicolon insert "to provide for a loan from the Bank of North Dakota;"

Page 1, replace lines 17 through 22 with:

"Administrative and support services	\$3,229,873	\$1,620,136	\$4,850,009
Water and atmospheric resources	<u>498,413,774</u>	<u>324,694,788</u>	<u>823,108,562</u>
Total all funds	\$501,643,647	\$326,314,924	\$827,958,571
Less estimated income	<u>486,648,448</u>	<u>341,310,123</u>	<u>827,958,571</u>
Total general fund	\$14,995,199	(\$14,995,199)	\$0"

Page 2, line 25, remove the comma

Page 2, line 26, remove "subject to budget section approval,"

Page 2, after line 28, insert:

**"SECTION 5. BANK OF NORTH DAKOTA LOAN - WESTERN AREA WATER SUPPLY AUTHORITY.** The Bank of North Dakota shall provide a loan of \$40,000,000 to the western area water supply authority for construction of the project. The terms and conditions of the loan must be negotiated by the western area water supply authority and the Bank of North Dakota and any previous loans may be added to and merged into this loan as agreed by the authority and the Bank of North Dakota. The authority may repay the loan from income from specific project features. If the authority is in default in the payment of the principal of or interest on the obligation to the Bank of North Dakota for the loan, the authority is subject to the default provisions under section 61-40-09."

Page 3, remove lines 5 through 31

Page 4, replace lines 1 through 13 with:

**"SECTION 7. FARGO FLOOD CONTROL PROJECT FUNDING.** Funds designated by the sixty-first legislative assembly, the sixty-second legislative assembly, and the sixty-third legislative assembly for Fargo flood control are available only for levee and dike protection until the Fargo flood control project receives federal authorization, a project partnership agreement is executed, a federal appropriation is provided for project construction, and the budget for the Fargo flood control project is approved by the state water commission.

**SECTION 8. LEGISLATIVE INTENT - FARGO FLOOD CONTROL PROJECT FUNDING.** It is the intent of the sixty-third legislative assembly that the state provide one-half of the local cost-share of constructing a federally authorized

Fargo flood control project and that total Fargo flood control project funding to be provided by the state not exceed \$450,000,000."

Page 4, line 19, after "projects" insert ", including levees and dikes"

Page 4, line 21, remove "or for a river diversion project. Notwithstanding"

Page 4, remove lines 22 and 23

Page 4, line 24, remove "Fargo flood control project"

Page 4, line 27, after the period insert "Costs incurred by nonstate entities for dwellings or other real property which are not paid by state funds are eligible for application by the nonstate entity for cost-sharing with the state."

Page 4, remove lines 28 through 31

Page 5, remove lines 1 through 3

Page 5, line 13, replace "\$515,000,000" with "\$287,000,000"

Page 5, remove lines 14 through 31

Page 6, replace lines 1 through 3 with:

**"SECTION 12. FARGO FLOOD CONTROL - REPORTS TO THE BUDGET SECTION.** The Fargo-Moorhead area diversion authority board shall report to the budget section prior to December 2013 and prior to October 2014 regarding an update on congressional authorization of the diversion project and the status of the self-insured crop insurance pool, mitigation efforts, easements, and the project budget."

Page 6, remove lines 12 through 30

Page 7, remove lines 1 through 16

Page 7, line 17, after "1" insert "of this Act and section 5"

Page 7, line 18, replace "is" with "are"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1020 - State Water Commission - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Administrative and support services	\$4,042,784	\$3,909,500	\$940,509	\$4,850,009
Water and atmospheric resources	823,096,248	822,339,358	769,204	823,108,562
Accrued leave payments		325,774	(325,774)	
Total all funds	\$827,139,032	\$826,574,632	\$1,383,939	\$827,958,571
Less estimated income	809,359,388	826,574,632	1,383,939	827,958,571
General fund	\$17,779,644	\$0	\$0	\$0
FTE	90.00	90.00	0.00	90.00

#### Department No. 770 - State Water Commission - Detail of Senate Changes

Restores Executive Compensation Package <sup>1</sup>	Removes Separate Line Item for Accrued Leave	Increases Funding for Operating Expenses <sup>3</sup>	Total Senate Changes

		Payments <sup>2</sup>		
Administrative and support services	\$86,252	\$49,192	\$805,065	\$940,509
Water and atmospheric resources	492,622	276,582		769,204
Accrued leave payments		(325,774)		(325,774)
Total all funds	\$578,874	\$0	\$805,065	\$1,383,939
Less estimated income	578,874	0	805,065	1,383,939
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

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

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

<sup>3</sup> Funding for the following operating expenses is increased to pay fees to other agencies due to the change in funding source for the State Water Commission from the general fund to special funds:

- Audit fees \$53,000 - State Auditor
- Attorney's fees \$321,276 - Attorney General
- Rent \$430,789 - Office of Management and Budget

This amendment removes:

- Sections added by the House to amend 2011 Session Laws and 2009 Session Laws, previously amended in 2011, related to Fargo flood control funding. The House amendments changed legislative guidelines for Fargo flood control project expenditures.
- A section added by the House to provide that total Fargo flood control project funding to be provided by the state not exceed \$325 million.
- Sections added by the House 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.
- A section added by the House to require the State Water Commission to adopt policies regarding project development and financing.
- A section added by the House which 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.
- A section added by the House to require the State Water Commission to move information technology hardware to the Information Technology Department secure data center.
- A section added by the House to require 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 Legislative Assembly in 2013.
- The requirement that the State Water Commission receive 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.

In addition, this amendment:

- Adds a section to provide for a \$40 million loan from the Bank of North Dakota to the Western Area Water Supply Authority for construction of the project, which is declared an emergency measure.
- Adds a section to provide that funds designated by the Legislative Assembly for Fargo flood control are available only for levee and dike protection until the project receives federal authorization, a project partnership agreement is executed, and

there is a federal appropriation for construction. In addition, the budget for the Fargo flood control project must be approved by the State Water Commission.

- Adds a section of legislative intent that the state provide one-half of the local cost-share of constructing a federally authorized Fargo flood control project and that total Fargo flood control project funding not exceed \$450 million.
- Adds a section requiring the Fargo-Moorhead Area Diversion Authority reports to the Budget Section.
- Amends guidelines for Fargo flood control project expenditures included in a section added by the House to designate \$100 million for Fargo flood control projects. The guidelines are amended to match the guidelines approved by the 62<sup>nd</sup> and 61<sup>st</sup> Legislative Assemblies and to include levees and dikes.
- Allows the State Water Commission to use funding in the resources trust fund to pay off or defease outstanding bond issues when the balance in the resources trust fund exceeds \$287 million rather than \$515 million, as provided in the executive recommendation.

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

**REP. VIGESAA MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1020 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on Engrossed HB 1020: Reps. Carlson, Skarphol, Williams.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**REP. VIGESAA MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2012 and Engrossed SB 2242, which motion prevailed.

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

**Engrossed SB 2012:** Reps. Brandenburg, Thoreson, Guggisberg

**Engrossed SB 2242:** Reps. Silbernagel, Damschen, S. Kelsh

#### **ANNOUNCEMENT**

**SPEAKER DEVLIN ANNOUNCED** that Rep. Owens will replace Rep. Trottier on the Conference Committee on SCR 4030.

#### **ANNOUNCEMENT**

**SPEAKER DEVLIN ANNOUNCED** that Rep. Dockter will replace Rep. Boehning on the Conference Committee on HB 1306.

#### **ANNOUNCEMENT**

**SPEAKER DEVLIN ANNOUNCED** that Rep. Zaiser will replace Rep. Amerman on the Conference Committee on HB 1306.

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

**REP. D. JOHNSON MOVED** that the House do concur in the Senate amendments to HCR 3017 as printed on HJ page 1510, which motion prevailed on a voice vote.

HCR 3017, as amended, was placed on the Eleventh order of business.

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

**HCR 3017:** A concurrent resolution urging the United States Fish and Wildlife Service and the United States Department of Agriculture's Natural Resources Conservation Service to fairly administer water management laws and regulations in a manner that allows landowners and tenants certainty and cooperation in the management of these laws and regulations.

**ROLL CALL**

The question being on the final adoption of the amended resolution, which has been read. The roll was called and there were 86 YEAS, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; 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; Vigasaa; Wall; Weisz; Wieland; Williams; Speaker Devlin

**NAYS:** Boschee; Guggisberg; Hogan; Kelsh, S.; Mooney; Zaiser

**ABSENT AND NOT VOTING:** Belter; Trottier

Engrossed HCR 3017 was declared adopted on a recorded roll call vote.

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**REPORT OF CONFERENCE COMMITTEE**

**HB 1166, as engrossed:** Your conference committee (Sens. Campbell, Cook, Triplett and Reps. Owens, Schmidt, Zaiser) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1130 and place HB 1166 on the Seventh order.

Engrossed HB 1166 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. OWENS MOVED** that the conference committee report on Engrossed HB 1166 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1166, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1166:** A BILL for an Act to amend and reenact subsection 2 of section 40-63-04 of the North Dakota Century Code, relating to the business or investment income tax exemption for the purchase, lease, or rehabilitation of property within a renaissance zone; and to provide an effective date.

**ROLL CALL**

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; 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; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Fehr

**ABSENT AND NOT VOTING:** Belter; Trottier

Reengrossed HB 1166 passed.

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**ANNOUNCEMENT**

**SPEAKER DEVLIN ANNOUNCED** that the House would stand in recess until 4:30 p.m.

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

**MOTION**

**REP. WEISZ MOVED** that SB 2243 be returned to the floor and placed on the Seventh order, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**REP. VIGESAA MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2018 and Engrossed SB 2074, which motion prevailed.

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

**Engrossed SB 2018:** Reps. Martinson, Skarphol, Williams

**Engrossed SB 2074:** Reps. Klemin, Brabandt, Hanson

**ANNOUNCEMENT**

**SPEAKER DEVLIN ANNOUNCED** that Rep. Streytle will replace Rep. Sanford on the Conference Committee on SB 2021.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1170, as engrossed:** Your conference committee (Sens. Larsen, Dever, Axness and Reps. Damschen, Fehr, Oversen) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1309-1310 and place HB 1170 on the Seventh order.

Engrossed HB 1170 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. FEHR MOVED** that the conference committee report on Engrossed HB 1170 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1170, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1170:** A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to nursing and basic care facility ratesetting; and to amend and reenact section 50-24.4-06 of the North Dakota Century Code, relating to allowable costs in nursing home ratesetting.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 63 YEAS, 26 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Boe; Boehning; Damschen; Delmore; Dockter; Fehr; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klein; Klemin; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Rohr; Rust; Sanford; Silbernagel; Steiner; Strinden; Sukut; Thoreson; Wall; Weisz; Wieland; Williams

**NAYS:** Beadle; Becker; Bellew; Brabandt; Brandenburg; Carlson; Delzer; Dosch; Drovdal; Froseth; Grande; Headland; Kempenich; Koppelman, B.; Koppelman, K.; Louser; Nathe; Pollert; Porter; Ruby; Schmidt; Skarphol; Streytle; Toman; Vigesaa; Speaker Devlin

**ABSENT AND NOT VOTING:** Belter; Boschee; Schatz; Trottier; Zaiser

Reengrossed HB 1170 passed.

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#### REPORT OF CONFERENCE COMMITTEE

**HB 1338, as engrossed:** Your conference committee (Sens. Schaible, Dever, Nelson and Reps. Brabandt, Silbernagel, S. Kelsh) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1260-1261 and place HB 1338 on the Seventh order.

Engrossed HB 1338 was placed on the Seventh order of business on the calendar.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. BRABANDT MOVED** that the conference committee report on Engrossed HB 1338 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1338, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1338:** A BILL for an Act to provide for a board of university and school lands study of private lands owned adjacent to lands under the control of the United States army corps of engineers and a report to the legislative management.

#### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Boe; Boehning; 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; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Vigesaa; Wall; Weisz; Wieland; Williams; Speaker Devlin

**ABSENT AND NOT VOTING:** Belter; Boschee; Schatz; Trottier; Zaiser

Reengrossed HB 1338 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. WEISZ MOVED** that the conference committee report on Engrossed SB 2243 as printed on HJ page 1429 be rejected, which motion prevailed on a voice vote.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1281.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1038.

#### SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1038

In lieu of the amendments adopted by the Senate as printed on pages 922 and 923 of the Senate Journal, Reengrossed House Bill No. 1038 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for the establishment of an autism spectrum disorder database and an autism spectrum disorder voucher program; to provide for a department of human services study and report to the legislative management; and to provide an appropriation.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:****SECTION 1.****Autism spectrum disorder database - Rulemaking - Confidentiality.**

1. The state department of health shall establish and administer an autism spectrum disorder database. The database must include a record of all reported cases of autism spectrum disorder in the state and any other information determined relevant and appropriate by the department in order to complete epidemiologic surveys of the autism spectrum disorder, enable research and analysis of the autism spectrum disorder, and provide services to individuals with an autism spectrum disorder.
2. The state department of health shall establish criteria regarding who is qualified to report a case of autism spectrum disorder to the database. In establishing this criteria, the department shall require that the reporter be a doctoral-level professional and be appropriately licensed, credentialed, and experienced in the field of autism spectrum disorder, including intellectual testing and other formal evidenced-based assessments for autism spectrum disorders. The department shall consult with experts in establishing this criteria.
3. The database established under this section must:
  - a. Include the reported individual's diagnoses under the American psychiatric association's diagnostic and statistical manual of mental disorders, fifth edition; and
  - b. Include a complete physical evaluation of the reported individual, performed by a licensed physician.
4. The state health council shall adopt rules to provide for mandatory reporting to the autism spectrum disorder database and to establish reporting requirements, including timeliness requirements.
5. The state department of health shall keep confidential all records of the database which could be used to identify a reported individual; however, the department may provide these records to other state agencies as necessary to effect the purposes of this database without regard to the confidential nature of the records. If the department provides confidential records of the database to a state agency, the department shall notify the receiving agency of the confidential nature of the records and the receiving agency shall treat these records as confidential.

**SECTION 2.****Autism spectrum disorder voucher program - Appeal.**

1. The department of human services shall establish a voucher program to assist in funding equipment and general educational needs related to autism spectrum disorder for individuals under age twenty-two who have been diagnosed with autism spectrum disorder. The program may include funding for assistive technology; video modeling videos or equipment; language-generating devices; training and educational material for parents; parenting education; sensory equipment; tutors; safety equipment; travel tools; self-care equipment; timers; visual representation systems; language comprehension equipment; and registration and related expenses for workshops and training to improve independent living skills, employment opportunities, and other executive or social skills. In determining the amount of a voucher for which an applicant may be determined eligible under this section, the department shall consider the applicant's level of functioning.

2. The department shall adopt rules addressing management of this voucher program and establishing the eligibility requirements and exclusions for this voucher program. The program may not provide a voucher for early intensive behavioral intervention, including applied behavioral analysis, intensive early interventional behavioral therapy, intensive behavioral intervention, the Lovaas method, the Denver model, LEAP (learning experiences - an alternative program for preschoolers and parents), TEACCH (treatment and education of autistic and related communication handicapped children), pivotal response training, or discrete trial training.
3. A decision on a voucher application which is issued by the department under this section may be appealed as provided under chapter 28-32.

**SECTION 3. DEPARTMENT OF HUMAN SERVICES AUTISM SPECTRUM DISORDER STUDY AND REPORT TO THE LEGISLATIVE MANAGEMENT.** During the 2013-14 interim, in consultation with clinicians who have expertise in the evaluation, diagnosis, and treatment of autism spectrum disorder, the department of human services shall study autism spectrum disorder services, including the most feasible service delivery system for individuals not served in the developmental disability system who have an autism spectrum disorder. Before August 1, 2014, the department of human services shall report to the legislative management the outcome and recommendations of this study.

**SECTION 4. APPROPRIATION - STATE DEPARTMENT OF HEALTH - AUTISM SPECTRUM DISORDER DATABASE.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$200,648, or so much of the sum as may be necessary, to the state department of health for the purpose of establishing and administering an autism spectrum disorder database, for the biennium beginning July 1, 2013, and ending June 30, 2015. The state department of health is authorized one full-time equivalent position for this purpose.

**SECTION 5. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - STATE AUTISM COORDINATOR.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$400,000, or so much of the sum as may be necessary, to the department of human services for the purpose of hiring a state autism coordinator who would be responsible for implementing a resource and service center to provide information and services for individuals with autism spectrum disorder, developing a statewide outreach plan, conducting regional meetings and an annual conference, and developing a protocol for use after screenings, for the biennium beginning July 1, 2013, and ending June 30, 2015. The department of human services is authorized one full-time equivalent position for this purpose.

**SECTION 6. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - STATEWIDE AUTISM SPECTRUM DISORDER TRAINING EFFORT.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the department of human services for the purpose of implementing a statewide autism spectrum disorder training effort, including physician training, regional training, school staff training, and parent training, for the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 7. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - AUTISM SPECTRUM DISORDER VOUCHER PROGRAM.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$2,219,854, or so much of the sum as may be necessary, to the department of human services for the purpose of issuing vouchers and completing a study on autism spectrum disorder services, for the biennium beginning July 1, 2013, and ending June 30, 2015. "

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1422.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1422**

In lieu of the amendments adopted by the House as printed on page 1071 of the Senate Journal, Engrossed House Bill No. 1422 is amended as follows:

Page 1, line 1, remove "to create and enact a new subsection to section 50-11.1-03 and two new"

Page 1, remove line 2

Page 1, line 3, remove "sizes for licensed child care;"

Page 1, line 10, replace "thirty" with "twenty-four"

Page 1, remove lines 11 through 21

Page 2, remove lines 1 through 24

Page 2, line 26, replace "\$2,100,000" with "\$6,000,000"

Page 2, line 28, after "initiative" insert "under sections 50-11.1-14.1 and 50-11.1-18"

Page 2, line 28, remove "The"

Page 2, remove lines 29 through 31

Page 3, remove lines 1 and 2

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1422 - Department of Human Services - Senate Action**

	Executive Budget	House Version	Senate Changes	Senate Version
Child care stabilization initiative		\$2,100,000	\$3,900,000	\$6,000,000
Total all funds	\$0	\$2,100,000	\$3,900,000	\$6,000,000
Less estimated income	0	0	0	0
General fund	\$0	\$2,100,000	\$3,900,000	\$6,000,000
FTE	0.00	0.00	0.00	0.00

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

	Increases Funding to Child Care Stabilization Initiative <sup>1</sup>	Total Senate Changes
Child care stabilization initiative	\$3,900,000	\$3,900,000
Total all funds	\$3,900,000	\$3,900,000
Less estimated income	0	0
General fund	\$3,900,000	\$3,900,000
FTE	0.00	0.00

<sup>1</sup> This amendment increases the funding for the child care stabilization initiative to provide \$6 million, all of which is from the general fund. This is a \$3.9 million increase from the House version.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1312.

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HCR 3017.

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently failed to pass: HB 1356.

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

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

**HB 1005:** Reps. Sanford; Brandenburg; Guggisberg

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1012 and HB 1020, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1012:** Reps. Pollert; Bellew; Holman

**HB 1020:** Reps. Carlson; Skarphol; Williams

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

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

**HB 1005:** Sens. Carlisle; Bowman; Robinson

**HB 1029:** Sens. Cook; Campbell; Dotzenrod

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

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

**HB 1010:** Sens. Wanzek; Erbele; Robinson

**HB 1016:** Sens. Grindberg; Holmberg; Robinson

**HB 1017:** Sens. Wanzek; Carlisle; O'Connell

**HB 1234:** Sens. Cook; Miller; Triplett

**HB 1319:** Sens. Flakoll; Schaible; Heckaman

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2218.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2001, SB 2014, and SB 2018, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2001:** Sens. Carlisle; Holmberg; Mathern

**SB 2014:** Sens. Carlisle; Erbele; Warner

**SB 2018:** Sens. Grindberg; Holmberg; Robinson

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

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

**SB 2012:** Reps. Brandenburg; Thoreson; Guggisberg

**SB 2242:** Reps. Silbernagel; Damschen; S. Kelsh

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

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

**SB 2015:** Reps. Wieland; Pollert; Holman

**SCR 4010:** Reps. Boehning; Steiner; Hanson

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

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

**SB 2018:** Reps. Martinson; Skarphol; Williams

**SB 2074:** Reps. Klemin; Brabandt; Hanson

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Dockter to replace Rep. Boehning on the Conference Committee on HB 1306.

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Zaiser to replace Rep. Amerman on the Conference Committee on HB 1306.

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

**MR. SPEAKER:** The President has appointed Sen. Berry to replace Sen. Nelson for the Sixty-ninth and Seventieth legislative days on the Conference Committee on HB 1099.

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

**MR. SPEAKER:** The President has appointed Sen. Grabinger to replace Sen. Nelson for the Sixty-ninth and Seventieth legislative days on the Conference Committee on HB 1128.

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

**MR. SPEAKER:** The President has appointed Sen. Grabinger to replace Sen. Nelson for the Sixty-ninth and Seventieth legislative days on the Conference Committee on HB 1136.

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

**MR. SPEAKER:** The President has appointed Sen. Schaible to replace Sen. Nelson for the Sixty-ninth and Seventieth legislative days on the Conference Committee on HB 1452.

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

**MR. SPEAKER:** The President has appointed Sen. Poolman to replace Sen. Nelson for the Sixty-ninth and Seventieth legislative days on the Conference Committee on SB 2210.

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

**MR. SPEAKER:** The President has appointed Sen. Poolman to replace Sen. Nelson for the Sixty-ninth and Seventieth legislative days on the Conference Committee on SB 2369.

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Streyle to replace Rep. Sanford on the Conference Committee on SB 2021.

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Owens to replace Rep. Trottier on the Conference Committee on SCR 4030.

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

**MR. PRESIDENT:** The House has not adopted the conference committee report on: SB 2243.

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: HB 1205.

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: SB 2132,

SB 2213.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1166.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1170, HB 1338.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2126, SB 2129, SB 2162.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2115, SB 2144, SB 2152, SB 2175, SB 2225, SB 2227, SB 2299, SB 2330, SB 2361.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2047, SB 2095, SB 2218, SB 2310, SB 2339.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2344.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1023, HB 1167, HB 1202, HB 1219, HB 1368, HB 1410.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2047, SB 2095, SB 2218, SB 2310, SB 2339, SB 2344.

**MOTION**

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

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Seventh, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Friday, April 19, 2013, which motion prevailed.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1134, as engrossed:** Your conference committee (Sens. Lyson, Unruh, Triplett and Reps. Drovdal, Froseth, S. Kelsh) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1258-1260, adopt amendments as follows, and place HB 1134 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1258-1260 of the House Journal and pages 1144 and 1145 of the Senate Journal and that Engrossed House Bill No. 1134 be amended as follows:

Page 1, line 22, remove "or"

Page 2, line 3, replace the underscored comma with an underscored semicolon

Page 2, line 3, after "or" insert:

"e. Equipped with"

Page 2, line 4, after "commission" insert "which reduce the volume or intensity of the flare by more than sixty percent"

Page 2, line 15, overstrike "and a showing" and insert immediately thereafter "that shows to the satisfaction of the industrial commission"

Page 3, line 23, after "years" insert "and thirty days"

Page 4, line 9, after "years" insert "and thirty days"

Renumber accordingly

Engrossed HB 1134 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1171, as engrossed:** Your conference committee (Sens. Sorvaag, Klein, Sinner and Reps. Keiser, Sukut, M. Nelson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1225-1226, adopt amendments as follows, and place HB 1171 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1225 and 1226 of the House Journal and pages 968 and 969 of the Senate Journal and that Engrossed House Bill No. 1171 be amended as follows:

Page 1, line 9, after "contract" insert "issued in this state"

Page 1, line 20, after "insurance" insert "issued in this state"

Page 2, line 9, replace "Within ninety days of the effective date of this Act" with "Before November 1, 2014"

Page 2, line 17, replace "ninety days" with "twelve months"

Page 2, line 17, after the first "the" insert "potential"

Page 2, line 20, remove the second "and"

Page 2, line 21, after "b." insert "Review the insurer's records to determine whether the individual who has died purchased any other products with the insurer; and

c."

Page 3, line 8, after "4." insert "Every insurer shall implement procedures to account for:

- a. Nicknames, initials used in lieu of a first or middle name, use of a middle name, compound first and middle names, and interchanged first and middle names;
- b. Compound last names, maiden or married names, and hyphens, blank spaces, and apostrophes in last names;
- c. Incomplete date of birth data and transposition of the month and date portions of a date of birth; and
- d. Incomplete social security numbers.

5."

Page 3, line 14, replace "5." with "6."

Page 3, line 17, replace "6." with "7."

Page 3, line 20, replace "under chapter 47-30.1" with "as provided under this chapter"

Page 3, line 21, replace "7." with "8."

Page 3, line 21, replace "one hundred twenty days" with "twelve months"

Page 3, line 22, replace "notify" with ":

- a. Notify"

Page 3, line 23, remove the underscored colon

Page 3, line 24, replace "a. A" with "a"

Page 3, line 25, after "submitted" insert "and completed"

Page 3, line 25, remove the underscored semicolon

Page 3, line 26, replace "b. The" with "that the"

Page 3, line 28, replace the underscored period with "and unable to complete the necessary payment; and"

Page 3, line 29, replace "8." with "b."

Page 3, line 29, replace "Upon providing notice under subsection 7, an insurer immediately shall submit the" with "Submit any"

Page 4, line 1, remove "as provided"

Page 4, after line 2, insert:

9. Except as otherwise provided under this chapter, chapter 47-30.1 applies to the escheatment of unclaimed life insurance benefits or unclaimed retained asset accounts.

**Rulemaking.**

The commissioner may adopt rules to limit an insurer's death master file comparisons and revised death master file comparisons required under this chapter to the insurer's electronic searchable files, to allow the commissioner to approve an insurer's plan and timeline for conversion of the insurer's files to electronic searchable files, and to allow for phasing-in compliance with this chapter according to an insurer's plan and timeline approved by the commissioner.

Page 4, line 6, after "**practices**" insert "**- Liability limitation**"

Page 4, line 7, after the second underscored period insert "This chapter does not create a private cause of action for violation of this chapter. Once an insurer submits unclaimed life insurance benefits or unclaimed retained asset accounts, plus any applicable accrued interests, to the state abandoned property office in compliance with this chapter, the insurer is relieved and indemnified from additional liability to any person relating to the proceeds submitted. This indemnification from liability is in addition to any other protections provided by law."

Page 4, line 11, overstrike "Funds" and insert immediately thereafter "Except as otherwise provided under this section, funds"

Page 4, line 12, overstrike "more than"

Page 4, line 13, overstrike "three years" and insert immediately thereafter "one year"

Page 4, line 14, overstrike ", but property described in"

Page 4, overstrike line 15

Page 4, line 16, overstrike "years"

Page 4, line 16, after "is" insert "a policy"

Page 4, line 25, after the first "the" insert "insurance"

Page 4, line 26, overstrike "that" and insert immediately thereafter "of the potential death of"

Page 4, line 26, overstrike "has died" and insert immediately thereafter ". in which case the company shall comply with subsection 6"

Page 5, line 20, overstrike "Notwithstanding any other provision of law, if" and insert immediately thereafter "if"

Page 5, line 20, after the second "the" insert "death or potential"

Page 5, line 21, overstrike "and the beneficiary has not communicated with the insurer"

Page 5, line 22, after "~~four~~" insert "twelve"

Page 5, line 22, remove the overstrike over "~~months~~"

Page 5, line 22, remove "ninety days"

Page 5, line 22, after the second "the" insert "death or potential"

Page 5, remove line 26

Page 5, line 27, after "b." insert "Review the insurer's records to determine whether the individual who has died purchased any other products with the insurer:

c."

Page 6, line 3, replace the underscored period with "; and

d. Report and deliver the unclaimed property to the administrator as abandoned property if the benefits are due in accordance with the applicable insurance policy or annuity contract and the beneficiary has not submitted and completed a claim with the insurer."

Re-number accordingly

Engrossed HB 1171 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2115, as engrossed:** Your conference committee (Sens. Berry, Hogue, Nelson and Reps. Boehning, Steiner, Hanson) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 939-940, adopt amendments as follows, and place SB 2115 on the Seventh order:

That the House recede from its amendments as printed on pages 939 and 940 of the Senate Journal and page 1061 of the House Journal and that Engrossed Senate Bill No. 2115 be amended as follows:

Page 2, line 13, remove "as"

Page 2, line 14, remove "determined by the agency to which the records are submitted"

Page 4, after line 9, insert:

"7. Unless made confidential under subsection 1, records received by the state department of emergency services under chapter 37-17.1 from the federal government and any public or private agency or entity for disaster mitigation, preparation, response, and recovery are exempt."

Re-number accordingly

Engrossed SB 2115 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2144:** Your conference committee (Sens. Laffen, Unruh, Murphy and Reps. Ruby, Kasper, Boschee) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1206-1207, adopt amendments as follows, and

place SB 2144 on the Seventh order:

That the House recede from its amendments as printed on pages 1206 and 1207 of the Senate Journal and pages 1266 and 1267 of the House Journal and that Senate Bill No. 2144 be amended as follows:

Page 8, line 16, after "has" insert "a"

Page 8, line 16, replace "owners" with "owner"

Page 8, after line 24, insert:

"5. In order to regulate organizations that have minority ownership, the secretary of state shall collect one thousand dollars for articles of incorporation for a corporation, articles of organization for a limited liability company, or articles of amendment related to an organization that has a minority owner. This fee is in addition to the fees provided for these filings under section 10-19.1-147 or 10-32-150. Fees collected by the secretary of state under this subsection must be deposited in the secretary of state's general services operating fund."

Renumber accordingly

SB 2144 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2152:** Your conference committee (Sens. Unruh, Laffen, Murphy and Reps. Kasper, Ruby, Boschee) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1208, adopt amendments as follows, and place SB 2152 on the Seventh order:

That the House recede from its amendments as printed on page 1208 of the Senate Journal and pages 1267 and 1268 of the House Journal and that Senate Bill No. 2152 be amended as follows:

Page 1, line 1, after "to" insert "create and enact a new subsection to section 10-31-13 of the North Dakota Century Code, relating to regulation of professional organizations; and to"

Page 1, after line 15, insert:

**"SECTION 2.** A new subsection to section 10-31-13 of the North Dakota Century Code is created and enacted as follows:

In order to regulate organizations that have ownership that renders more than one professional service, the secretary of state shall collect one thousand dollars for articles of incorporation for a corporation, articles of organization for a limited liability company, or articles of amendment related to an organization that has ownership that renders more than one professional service. This fee is in addition to the fees provided for these filings under section 10-19.1-147 or 10-32-150. Fees collected by the secretary of state under this subsection must be deposited in the secretary of state's general services operating fund."

Renumber accordingly

SB 2152 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2175, as engrossed:** Your conference committee (Sens. Sorvaag, Unruh, Sinner and Reps. Klemin, Brabandt, Delmore) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1097 and place SB 2175 on the Seventh order.

Engrossed SB 2175 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2225, as engrossed:** Your conference committee (Sens. Armstrong, Sitte, Nelson and Reps. Paur, Toman, Hogan) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 942, adopt amendments as follows, and place SB 2225 on the Seventh order:

That the House recede from its amendments as printed on page 942 of the Senate Journal and page 1063 of the House Journal and that Engrossed Senate Bill No. 2225 be amended as follows:

Page 1, line 12, overstrike the semicolon and insert immediately thereafter an underscored comma

Page 1, line 12, remove the overstrike over "priests" and insert immediately thereafter an underscored comma

Page 1, line 13, remove "5. Priests"

Page 1, line 13, overstrike the semicolon and insert immediately thereafter "and"

Page 1, line 13, remove the overstrike over "elergy"

Page 1, line 14, remove "6. Clergy"

Page 1, line 14, after "~~icensed~~" insert ". authorized"

Page 1, line 14, remove the overstrike over "~~by recognized denominations~~"

Page 1, line 15, replace "7." with "5."

Page 1, line 15, overstrike "person" and insert immediately thereafter "individual"

Renumber accordingly

Engrossed SB 2225 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2227, as engrossed:** Your conference committee (Sens. Berry, Sitte, Nelson and Reps. Kretschmar, Boehning, Hogan) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1093 and place SB 2227 on the Seventh order.

Engrossed SB 2227 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2299, as engrossed:** Your conference committee (Sens. Armstrong, Lyson, Grabinger and Reps. Louser, Laning, Mooney) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1011-1013, adopt amendments as follows, and place SB 2299 on the Seventh order:

That the House recede from its amendments as printed on pages 1011-1013 of the Senate Journal and pages 1132-1134 of the House Journal and that Engrossed Senate Bill No. 2299 be amended as follows:

Page 1, line 7, after "sections" insert "16.1-08.1-03.12,"

Page 1, line 8, remove "to repeal section"

Page 1, remove line 9

Page 1, line 10, remove "statements required of political organizations;"

Page 3, line 13, after the period insert "However, if a political committee, the only purpose of which is accepting contributions and making expenditures for a political purpose,

incorporates for liability purposes only, the committee is not considered a corporation for the purposes of this chapter."

Page 3, line 30, after "6." insert "Incidental committee" means a committee, club, association, or other group of persons that makes a contribution or expenditure, but for which making contributions and expenditures for political purposes is not its primary purpose.

7."

Page 4, line 4, replace "7." with "8."

Page 4, line 6, overstrike "8." and insert immediately thereafter "9."

Page 4, line 9, overstrike "9." and insert immediately thereafter "10."

Page 4, line 24, overstrike "and"

Page 4, line 26, after "state" insert "; and

f. An incidental committee"

Page 4, line 27, overstrike "10." and insert immediately thereafter "11."

Page 5, line 1, overstrike "11." and insert immediately thereafter "12."

Page 5, line 12, overstrike "12." and insert immediately thereafter "13."

Page 8, line 3, overstrike the first comma and insert immediately thereafter "and"

Page 8, line 3, overstrike the first "and"

Page 8, line 3, after "address" insert ", and a designation as to whether the committee is incorporated solely for the purpose of liability protection."

Page 8, line 4, overstrike "in which it receives any contribution"

Page 8, line 11, after the period insert "An incidental political committee is required to register under this section only as a result of making a reportable expenditure or contribution in the aggregate during any reporting period, but the registration under this section does not change the nature of business for the organization."

Page 15, after line 3, insert:

**"SECTION 13. AMENDMENT.** Section 16.1-08.1-03.12 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-08.1-03.12. Contribution statements of ~~political organizations~~ incidental committees and other political committees.**

1. ~~An organization governed by section 527 of the Internal Revenue Code [26 U.S.C. 527], which solicits or receives contributions or makes expenditures for political purposes, shall file a statement showing the name and mailing address of each contributor of an amount in excess of two hundred dollars in the aggregate for the reporting period and a listing of all expenditures of an amount in excess of two hundred dollars in the aggregate made for political purposes with the secretary of state. The statement must include the amount of each reportable contribution and the date the contribution was received. The statement must also include the amount of each reportable expenditure and the date the expenditure was made.~~
2. ~~A pre-election statement must be filed no later than the twelfth day before a primary, special, or general election and must be complete from the~~

- beginning of the calendar year through the twentieth day before the election.
3. ~~A year-end statement covering the entire calendar year must be filed no later than the thirty-first day of January of the following year.~~
  4. ~~Even if such an organization has not received any contributions or made any expenditure in excess of two hundred dollars during the reporting period, the organization shall file a statement as required by this chapter.~~
  5. ~~A statement filed according to this section during the reporting period must show the following:~~
    - a. ~~The gross total of all contributions received and expenditures made in excess of two hundred dollars;~~
    - b. ~~The gross total of all contributions received and expenditures made of two hundred dollars or less; and~~
    - c. ~~The cash on hand in the filer's account at the start and close of the reporting period.~~
  6. ~~The organization shall report the occupation, employer, and principal place of business of each person, or the political committee if not already registered according to state or federal law, that contributed five thousand dollars or more in the aggregate during the reporting period.~~
  1. An incidental committee or political committee not otherwise covered by another section of this chapter may make a contribution to a measure committee for the purpose of promoting the passage or defeat of an initiated or referred measure or make a contribution to any other person that makes an independent expenditure. The incidental committee or political committee may make an independent expenditure for a political purpose or for the purpose of promoting passage or defeat of initiated or referred measures. The incidental committee or political committee shall file a statement disclosing a contribution for a political purpose or an independent expenditure made under this subsection with the secretary of state within forty-eight hours after making the contribution or independent expenditure. The statement filed under this subsection must include:
    - a. The full name of the incidental committee or political committee;
    - b. The complete address of the incidental committee or political committee;
    - c. The name of the recipient of the contribution or independent expenditure;
    - d. If the contribution or independent expenditure is related to a measure, the title of the measure and whether the contribution or independent expenditure is made in support of or opposition to the measure;
    - e. If the contribution or independent expenditure is related to a measure, the election date on which the measure appeared or will appear on the ballot;
    - f. The amount of the contribution or independent expenditure made to a recipient in this state;
    - g. The cumulative total of contributions and independent expenditures since the beginning of the calendar year made to recipients in this state;

- h. The telephone number, printed name, and signature of the individual completing the report, attesting to the report being true, complete, and correct; and
  - i. The date on which the report was signed.
2. An incidental committee that solicits or accepts contributions for any political purpose shall file a statement in the office of the secretary of state no later than the thirty-second day before the date of any primary, special, or general election. The statement must be complete from the beginning of that calendar year through the fortieth day before the date of the primary, special, or general election. The committee shall file a complete statement for the entire calendar year no later than the thirty-first day of January of the following year in which the committee received a reportable contribution. Even if an incidental committee has not received any contributions in excess of two hundred dollars during the reporting period, the committee shall file a statement as required under this chapter. A statement filed under this subsection during the reporting period must show the following:
- a. The gross total of all contributions received in excess of two hundred dollars;
  - b. The name and mailing address of each contributor that contributed in excess of two hundred dollars in the aggregate to the committee during a reporting period;
  - c. The gross total of all contributions received of two hundred dollars or less;
  - d. The date the last reportable contribution was received;
  - e. The cash on hand in the filer's account at the start and close of the reporting period; and
  - f. The occupation, employer, and principal place of business of each person, or the political committee if not already registered according to state or federal law, which contributed five thousand dollars or more in the aggregate during the reporting period."

Page 16, line 25, overstrike "or"

Page 16, line 25, after "16.1-08.1-03.11" insert ", or 16.1-08.1-03.12"

Page 20, remove lines 10 and 11

Page 20, line 12, replace "16" with "17"

ReNUMBER accordingly

Engrossed SB 2299 was placed on the Seventh order of business on the calendar.

#### **REPORT OF CONFERENCE COMMITTEE**

**SB 2330:** Your conference committee (Sens. Miller, Campbell, Dotzenrod and Reps. Owens, Klein, S. Kelsh) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 899 and place SB 2330 on the Seventh order.

SB 2330 was placed on the Seventh order of business on the calendar.

#### **REPORT OF CONFERENCE COMMITTEE**

**SB 2361:** Your conference committee (Sens. Luick, Poolman, Marcellais and Reps. Heller, D. Johnson, Hunskor) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 942-943, adopt amendments as follows, and place SB 2361 on the Seventh order:

That the House recede from its amendments as printed on pages 942 and 943 of the Senate Journal and page 1092 of the House Journal and that Senate Bill No. 2361 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 15-62.1 of the North Dakota Century Code, relating to a student loan consolidation program at the Bank of North Dakota; and to provide for a report.

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

**SECTION 1.** A new section to chapter 15-62.1 of the North Dakota Century Code is created and enacted as follows:

**Student loan consolidation program - Requirements - Authority to expand.**

1. The agency shall develop and administer a student loan consolidation program under which the agency may refinance state, federal, and alternative education loans for eligible physicians. In order to be eligible under this subsection, a physician must:
  - a. Be licensed in accordance with chapter 43-17; and
  - b. Be a resident of and practice in a North Dakota city having a population that does not exceed four thousand five hundred.
2. The agency may expand the student loan consolidation program to serve individuals other than those referenced in subsection 1.

**SECTION 2. STUDENT LOAN CONSOLIDATION PROGRAM - REPORT.**

The Bank of North Dakota shall provide a written report regarding the implementation of the student loan consolidation program to the legislative management at the biennial meeting during which interim committee reports are presented."

Renumber accordingly

SB 2361 was placed on the Seventh order of business on the calendar.

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

**Buell J. Reich, Chief Clerk**

