

**JOURNAL OF THE SENATE**

**Sixty-third Legislative Assembly**

\* \* \* \* \*

**Bismarck, April 12, 2013**

The Senate convened at 8:00 a.m., with President Wrigley presiding.

The prayer was offered by Pastor LaRue Goetz, Reviva Prayer Fellowship, Bismarck.

The roll was called and all members were present except Senator Hogue.

A quorum was declared by the President.

**SECOND READING OF HOUSE BILL**

**HB 1382:** A BILL for an Act to amend and reenact section 57-39.2-04.2 of the North Dakota Century Code, relating to sales tax exemption for a wind-powered electrical generating facility; to provide an effective date; and to provide an expiration date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 38 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Axness; Berry; Burckhard; Campbell; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Krebsbach; Laffen; Larsen; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schneider; Sinner; Sitte; Sorvaag; Triplett; Wanzek; Wardner; Warner

**NAYS:** Anderson; Bowman; Carlisle; Cook; Klein; Lee, G.; Schaible; Unruh

**ABSENT AND NOT VOTING:** Hogue

HB 1382 passed.

\*\*\*\*\*

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3019:** A concurrent resolution directing the Legislative Management to study the property tax system.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed HCR 3019 was declared adopted on a voice vote.

\*\*\*\*\*

**CONSIDERATION OF AMENDMENTS**

**HB 1234, as engrossed and amended: SEN. COOK (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1234:** A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to income tax withholding for oil and gas royalties; to amend and reenact section 15-05-10, subsection 4 of section 38-08-04, sections 57-51.1-01 and 57-51.1-03, subsection 1 of section 57-51.1-03.1, and section 57-51.2-02 of the North Dakota Century Code, relating to oil extraction tax definitions and exemptions and the state-tribal oil tax agreement; and to provide an effective date.

**ROLL CALL**

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Hogue

Engrossed HB 1234, as amended, passed.

\*\*\*\*\*

**CONSIDERATION OF AMENDMENTS**

**HB 1003, as engrossed: SEN. KILZER (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1003:** A BILL for an Act to provide an appropriation for defraying the expenses of the attorney general; to amend and reenact section 54-12-11 and subsection 1 of section 57-51-15 of the North Dakota Century Code, relating to the salary of the attorney general and to gross production tax allocation; to provide for a report to the budget section; and to declare an emergency.

**ROLL CALL**

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Hogue

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

\*\*\*\*\*

**CONSIDERATION OF AMENDMENTS**

**HB 1006, as engrossed: SEN. WANZEK (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

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

**ROLL CALL**

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Hogue

Engrossed HB 1006, as amended, passed.

\*\*\*\*\*

#### CONSIDERATION OF AMENDMENTS

**HCR 3017: SEN. MURPHY (Natural Resources Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### 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.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3017, as amended, was declared adopted on a voice vote.

\*\*\*\*\*

#### SECOND READING OF HOUSE BILL

**HB 1325:** A BILL for an Act to provide for the hosting of legislative exchanges; to provide an appropriation; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 2 YEAS, 44 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Campbell; Dever

**NAYS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Carlisle; Cook; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Hogue

Engrossed HB 1325 failed.

\*\*\*\*\*

#### SECOND READING OF HOUSE BILL

**HB 1296:** A BILL for an Act to amend and reenact section 15.1-13-20 of the North Dakota Century Code, relating to teachers licensed in other states.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell;

Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Marcellais

**ABSENT AND NOT VOTING:** Hogue

HB 1296 passed.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

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

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Cook; Kilzer

**ABSENT AND NOT VOTING:** Hogue

Engrossed HB 1211 passed.

\*\*\*\*\*

### 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, and has committee recommendation of DO NOT PASS, the roll was called and there were 26 YEAS, 20 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Axness; Berry; Burckhard; Campbell; Dotzenrod; Flakoll; Grabinger; Heckaman; Holmberg; Laffen; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schneider; Sinner; Sorvaag; Triplett; Warner

**NAYS:** Andrist; Armstrong; Bowman; Carlisle; Cook; Dever; Erbele; Grindberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lyson; Miller; Schaible; Sitte; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Hogue

Reengrossed HB 1356, as amended, passed.

\*\*\*\*\*

### MOTION

**SEN. KLEIN MOVED** that Senate Rule 508 be amended, replacing "sixty-fifth legislative day" with "sixty-eighth legislative day", which motion prevailed.

**MOTION**

**SEN. KLEIN MOVED** that the Senate stand in recess until 12:00 p.m., which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with President Wrigley presiding.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1134, HB 1261, and Reengrossed HB 1302, which motion prevailed.

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

**Engrossed HB 1134:** Sens. Lyson, Unruh, Triplett

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

**Reengrossed HB 1302:** Sens. Oehlke, Armstrong, Axness

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. J. LEE MOVED** that the Senate do not concur in the House amendments to SB 2354 as printed on SJ page 1242 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on SB 2354: Sens. J. Lee, Larsen, Axness.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. HOLMBERG MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2006 as printed on SJ pages 1310-1312 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2006: Sens. Krebsbach, Grindberg, O'Connell.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. HOLMBERG MOVED** that the Senate do not concur in the House amendments to Reengrossed SB 2007 as printed on SJ pages 1317-1320 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on Reengrossed SB 2007: Sens. Kilzer, Bowman, Robinson.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. HOLMBERG MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2009 as printed on SJ pages 1320-1321 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2009: Sens. Krebsbach, G. Lee, Warner.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. HOLMBERG MOVED** that the Senate do not concur in the House amendments to SB 2010 as printed on SJ pages 1312-1313 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on SB 2010: Sens. G. Lee, Carlisle, Mathern.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. HOLMBERG MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2017 as printed on SJ pages 1313-1314 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2017: Sens. Kilzer, Carlisle, Warner.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. HOLMBERG MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2019 as printed on SJ pages 1314-1317 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2019: Sens. Grindberg, Erbele, O'Connell.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. DEVER MOVED** that the Senate do not concur in the House amendments to Reengrossed SB 2369 as printed on SJ pages 1242-1248 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on Reengrossed SB 2369: Sens. Schaible, Dever, Nelson.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. MILLER MOVED** that the Senate do concur in the House amendments to Reengrossed SB 2146 as printed on SJ page 1207, which motion prevailed on a voice vote.

Reengrossed SB 2146, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

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

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 37 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Axness; Berry; Campbell; Carlisle; Dotzenrod; Erbele; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Wanzek; Wardner; Warner

**NAYS:** Anderson; Armstrong; Bowman; Cook; Dever; Flakoll; Poolman; Unruh

**ABSENT AND NOT VOTING:** Burckhard; Hogue

Reengrossed SB 2146 passed.

\*\*\*\*\*

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. FLAKOLL MOVED** that the Senate do concur in the House amendments to Engrossed SB 2238 as printed on SJ page 1241, which motion prevailed on a voice vote.

Engrossed SB 2238, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

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

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 41 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Wanzek; Wardner; Warner

**NAYS:** Armstrong; Oehlke; Poolman; Unruh

**ABSENT AND NOT VOTING:** Burckhard; Hogue

Reengrossed SB 2238 passed.

\*\*\*\*\*

**CONSIDERATION OF AMENDMENTS**

**HB 1004, as engrossed: SEN. HOLMBERG (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

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

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard; Hogue

Engrossed HB 1004, as amended, passed.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1029:** A BILL for an Act to create and enact a new subsection to section 57-35.3-05 of the North Dakota Century Code, relating to a tax credit for contributions to the housing incentive fund; to amend and reenact subsection 3 of section 54-17-07.3 and sections 54-17-40, 54-17-41, and 57-38-01.32 of the North Dakota Century Code, relating to a multifamily housing finance program and to the housing incentive fund and tax credits; to provide a continuing appropriation; to provide an effective date; to provide an expiration date; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard; Hogue

Engrossed HB 1029, as amended, passed and the emergency clause was declared carried.

\*\*\*\*\*

#### SECOND READING OF HOUSE BILL

**HB 1198:** A BILL for an Act to create and enact two new sections to chapter 57-38 and two new subdivisions to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to a homestead income tax credit and a commercial property income tax credit; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard; Hogue

Reengrossed HB 1198, as amended, passed.

\*\*\*\*\*

#### MOTION

**SEN. KLEIN MOVED** that HB 1312, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1447:** A BILL for an Act to amend and reenact subsection 3 of section 16.1-08.1-02, subsection 2 of section 16.1-08.1-03, subsection 4 of section 16.1-08.1-03.1, subsection 3 of section 16.1-08.1-03.3, subsection 3 of section 16.1-08.1-03.8, subsection 2 of section 16.1-08.1-03.9, subsection 2 of section 16.1-08.1-03.10, subsection 2 of section 16.1-08.1-03.11, subsection 2 of section 16.1-08.1-03.12, and sections 16.1-08.1-04 and 16.1-08.1-06 of the North Dakota Century Code, relating to campaign contribution and expenditure reports and reporting deadlines; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEAS, 44 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Mathern

**NAYS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard; Hogue

Engrossed HB 1447 failed.



\*\*\*\*\*

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

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

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

HCR 3027 was declared lost on a voice vote.

\*\*\*\*\*

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

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

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3038 was declared adopted on a voice vote.

\*\*\*\*\*

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3021:** A concurrent resolution directing the Legislative Management to study the feasibility and desirability of providing assistance to obtain rural water for households with arsenic and other harmful substances in the well water.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3021 was declared adopted on a voice vote.

\*\*\*\*\*

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

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

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed HCR 3029 was declared adopted on a voice vote.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. OEHLKE MOVED** that the conference committee report on SB 2207 as printed on SJ page 1371 be adopted, which motion prevailed on a voice vote.

SB 2207, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2207:** A BILL for an Act to create and enact a new subsection to section 57-38-30.5 of

the North Dakota Century Code, relating to the effect of the expiration of the federal research tax credit on the state income tax credit for research and experimental expenditures; to provide for retroactive application; and to provide an expiration date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard; Hogue

Engrossed SB 2207 passed.

\*\*\*\*\*

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. SITTE MOVED** that the conference committee report on SB 2310 as printed on SJ pages 1330-1331 be adopted, which motion prevailed on a voice vote.

SB 2310, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2310:** A BILL for an Act to amend and reenact subsections 4 and 6 of section 39-08-13 of the North Dakota Century Code, relating to accident report forms.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Armstrong; O'Connell

**ABSENT AND NOT VOTING:** Burckhard; Hogue

Engrossed SB 2310 passed.

\*\*\*\*\*

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. ANDRIST MOVED** that the conference committee report on Engrossed SB 2352 as printed on SJ page 1331 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2352, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2352:** A BILL for an Act to authorize the conveyance of real property owned by the state of North Dakota.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard; Hogue

Reengrossed SB 2352 passed.

\*\*\*\*\*

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. LARSEN MOVED** that the conference committee report on Engrossed SB 2087 as printed on SJ page 1370 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2087, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2087:** A BILL for an Act to amend and reenact sections 43-05-15 and 43-05-16.3 of the North Dakota Century Code, relating to the renewal of licenses and disciplinary investigations of podiatrists.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Andrist; Armstrong

**ABSENT AND NOT VOTING:** Burckhard; Hogue

Reengrossed SB 2087 passed.

\*\*\*\*\*

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. BERRY MOVED** that the conference committee report on Engrossed SB 2113 as printed on SJ page 1330 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2113, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2113:** A BILL for an Act to amend and reenact section 44-04-18.1 of the North Dakota Century Code, relating to confidentiality of emergency responder peer or group counseling session records relating to critical incident stress management.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard; Hogue

Reengrossed SB 2113 passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. ANDERSON MOVED** that the conference committee report on SB 2114 as printed on SJ page 1331 be adopted, which motion prevailed on a voice vote.

SB 2114, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2114:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to sanctions against a provider who provides services under a provider agreement with medical assistance; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard; Hogue

Engrossed SB 2114 passed.

\*\*\*\*\*

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1211, HB 1296, HB 1382, HCR 3019.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HCR 3021, HCR 3029, HCR 3038.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1004, HB 1198.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1006, HB 1234, HCR 3017.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1356.

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

**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1003.

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

**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1029.

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

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

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

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

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

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

passed: SB 2146 and SB 2238.

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

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

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

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

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

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

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

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

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

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

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

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

**SB 2175:** Reps. Klemin; Brabandt; Delmore

**SB 2187:** Reps. Weisz; Anderson; Muscha

**SB 2205:** Reps. Weisz; Kiefert; Oversen

**SB 2211:** Reps. D. Johnson; Rust; M. Nelson

**SB 2213:** Reps. Kasper; B. Koppelman; Amerman

**SB 2227:** Reps. Kretschmar; Boehning; Hogan

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 12, 2013: SB 2108, SB 2125, SB 2214, SB 2229, SB 2251, SB 2323, SB 2345, SB 2356.

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on April 12, 2013, I have signed the following: SB 2067, SB 2068, SB 2085, SB 2096, SB 2116, SB 2128, SB 2164, SB 2165, SB 2239, SB 2294, SB 2340, and SB 2342.

**MOTION**

**SEN. KLEIN MOVED** that the absent members be excused, which motion prevailed.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Monday, April 15, 2013, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1004, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1004 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 14 with:

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

Page 1, replace lines 17 through 19 with:

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

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

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

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

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

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

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

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

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

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

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

Total all funds	\$357,423	\$0	\$124,367	(\$124,367)	\$100,000	\$457,423
Less estimated income	90,147	0	0	0	0	90,147
General fund	\$267,276	\$0	\$124,367	(\$124,367)	\$100,000	\$367,276
FTE	0.00	0.00	1.00	(1.00)	0.00	0.00

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

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

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

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

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

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

#### REPORT OF STANDING COMMITTEE

**HB 1012, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1012 was placed on the Sixth order on the calendar.

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:

	Base Level	Adjustments or Enhancements	Appropriation
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	\$248,293,768	\$1,175,522,982
Grand total special funds	<u>1,670,969,526</u>	<u>(51,714,662)</u>	<u>1,619,254,864</u>
Grand total all funds	\$2,598,198,740	\$196,579,106	\$2,794,777,846
Full-time equivalent positions	2,197.35	(1.27)	2,196.08"

Page 3, replace line 15 with:

"State hospital capital projects	1,800,000	864,714"
----------------------------------	-----------	----------

Page 3, replace lines 24 through 26 with:

"Total all funds	\$50,349,515	\$2,669,714
Less estimated income	<u>36,602,712</u>	<u>1,086,093</u>
Total general fund	\$13,746,803	\$1,583,621"

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."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

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

	Executive Budget	House Version	Senate Changes	Senate Version
DHS - Management				
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
DHS - Program/Policy				
Total all funds	\$2,364,284,108	\$2,345,457,354	\$34,134,833	\$2,379,592,187
Less estimated income	1,429,648,423	1,421,403,389	14,577,165	1,435,980,554
General fund	\$934,635,685	\$924,053,965	\$19,557,668	\$943,611,633
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	\$49,302,810	\$2,794,777,846
Less estimated income	1,613,649,730	1,600,140,061	19,114,803	1,619,254,864
General fund	\$1,176,869,527	\$1,145,334,975	\$30,188,007	\$1,175,522,982

**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>*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	1,429,648,423	1,421,403,389	14,577,165	1,435,980,554
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>*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)	
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
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	(185.15)	(46.65)

**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 <sup>2</sup>	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

<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>				
<sup>2</sup> Field services - Proposed Senate changes:				
<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.

### REPORT OF STANDING COMMITTEE

**HB 1013, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1013 was placed on the Sixth order on the calendar.

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 5 with:

"Salaries and wages	\$14,409,300	\$2,211,536	\$16,620,836
Accrued leave payments	0	0	0
Operating expenses	29,099,187	631,615	29,730,802
Funding pool for initiatives	0	2,750,000	2,750,000
Grants - state school aid	918,459,478	(918,459,478)	0
Integrated formula payments	0	1,809,800,000	1,809,800,000
Grants - special education contracts	16,000,000	500,000	16,500,000
Grants - transportation	48,500,000	5,000,000	53,500,000
Grants - other grants	304,609,393	(31,903,132)	272,706,261"

Page 2, replace lines 10 through 12 with:

"Total all funds	\$1,678,082,358	\$523,675,541	\$2,201,757,899
Less estimated income	<u>434,485,707</u>	<u>2,758,442</u>	<u>437,244,149</u>
Total general fund	\$1,243,596,651	\$520,917,099	\$1,764,513,750"

Page 2, replace lines 18 through 24 with:

"Salaries and wages	\$3,450,359	\$482,347	\$3,932,706
Accrued leave payments	0	0	0
Operating expenses	1,695,726	200,000	1,895,726
Grants	<u>2,252,500</u>	<u>266,500</u>	<u>2,519,000</u>
Total all funds	\$7,398,585	\$948,847	\$8,347,432
Less estimated income	<u>2,134,610</u>	<u>266,237</u>	<u>2,400,847</u>
Total general fund	\$5,263,975	\$682,610	\$5,946,585"

Page 2, remove lines 30 and 31

Page 3, replace line 1 with:

"Salaries and wages	\$5,932,638	\$1,254,447	\$7,187,085
Accrued leave payments	0	0	0
Operating expenses	1,633,911	274,883	1,908,794"

Page 3, replace lines 4 through 6 with:

"Total all funds	\$7,808,249	\$2,681,651	\$10,489,900
Less estimated income	<u>1,193,277</u>	<u>1,382,391</u>	<u>2,575,668</u>
Total general fund	\$6,614,972	\$1,299,260	\$7,914,232"



Page 3, replace lines 12 through 19 with:

"Salaries and wages	\$3,815,825	\$780,860	\$4,596,685
Accrued leave payments	0	0	0
Operating expenses	707,006	13,800	720,806
Capital assets	39,500	<u>3,284,900</u>	<u>3,324,400</u>
Total all funds	\$4,562,331	\$4,079,560	\$8,641,891
Less estimated income	<u>835,091</u>	<u>24,264</u>	<u>859,355</u>
Total general fund	\$3,727,240	\$4,055,296	\$7,782,536
Full-time equivalent positions	29.50	0.50	30.00"

Page 3, replace lines 24 through 26 with:

"Grand total general fund	\$1,259,202,838	\$526,954,265	\$1,786,157,103
Grand total special funds	<u>438,648,685</u>	<u>4,431,334</u>	<u>443,080,019</u>
Grand total all funds	\$1,697,851,523	\$531,385,599	\$2,229,237,122"

Page 4, after line 4, insert:

"Funding pool for initiatives	0	2,750,000
Information technology staffing analysis	0	100,000
Early childhood care and education study	0	200,000
Governing North Dakota textbook	0	20,000"

Page 4, replace lines 6 through 8 with:

"Total department of public instruction - all funds	\$22,101,716	\$3,070,000
Total department of public instruction - estimated income	<u>21,717,716</u>	<u>0</u>
Total department of public instruction - general fund	\$384,000	\$3,070,000"

Page 4, after line 18, insert:

"Remodel of west wing	0	2,762,000"
-----------------------	---	------------

Page 4, replace lines 21 through 26 with:

"Total school for the blind - all funds	\$70,000	\$3,302,829
Total school for the blind - estimated income	0	<u>110,329</u>
Total school for the blind - general fund	\$70,000	\$3,192,500
Grand total - all funds	\$23,170,246	\$7,375,088
Grand total - estimated income	<u>22,612,446</u>	<u>1,112,588</u>
Grand total - general fund	\$557,800	\$6,262,500"

Page 5, remove lines 15 through 30

Page 6, remove lines 1 and 2

Page 7, line 13, replace "three" with "thirteen"

Page 7, line 15, replace "Forty-six" with "Fifty-two"

Page 7, line 17, replace "Forty-six" with "Fifty"

Page 7, line 28, replace "Forty-six" with "Fifty"

Page 8, line 4, replace "Twenty-six" with "Thirty"

Page 9, after line 2, insert:

**"SECTION 11. SUPERINTENDENT - SCHOOL FOR THE DEAF - AUTHORIZATION - CONTINGENT FUNDING.** The salaries and wages line item in subdivision 3 of section 1 of this Act includes \$142,242 from the general fund to provide funding for a full-time superintendent at the school for the deaf. The school for the deaf may use the funding to fill a full-time superintendent position as directed by the superintendent of public instruction. This funding is contingent on the

superintendent of public instruction certifying to the director of the office of management and budget that the position has been filled by a full-time superintendent. The office of management and budget shall prorate the amount of funding available to the school for the deaf based on the retirement date of the current superintendent of the school for the deaf.

**SECTION 12. SUPERINTENDENT - SCHOOL FOR THE BLIND - AUTHORIZATION - CONTINGENT FUNDING.** The salaries and wages line item in subdivision 4 of section 1 of this Act includes \$144,670 from the general fund to provide funding for a full-time superintendent at the school for the blind. In addition, a .5 full-time equivalent position is added, which is contingent on a determination made by the superintendent of public instruction that the position should be filled by a full-time superintendent. The school for the blind may use the funding to fill a full-time superintendent position as directed by the superintendent of public instruction. This funding is contingent on the superintendent of public instruction certifying to the director of the office of management and budget that the position has been filled by a full-time superintendent. The office of management and budget shall prorate the amount of funding available to the school for the blind based on the retirement date of the current superintendent of the school for the blind."

Page 9, after line 10, insert:

**"SECTION 15. INFORMATION TECHNOLOGY STAFFING ANALYSIS.**

Subdivision 1 of section 1 of this Act includes \$100,000 from the general fund for the superintendent of public instruction to contract with the information technology department and a private consultant to conduct an information technology staffing analysis for the biennium beginning July 1, 2013, and ending June 30, 2015. The analysis must include a review of the department of public instruction information technology staffing duties, responsibilities, and staffing levels and must consider the feasibility and desirability of transferring additional information technology positions to the information technology department and must provide recommendations regarding the appropriate level of information technology staff for the department of public instruction."

Page 9, replace lines 15 through 21 with:

**"SECTION 17. LEGISLATIVE INTENT - REIMBURSEMENT OF TITLE FUNDING DUE TO FEDERAL SEQUESTRATION.** If, as a result of the federal sequestration order for fiscal year 2013, issued pursuant to section 251A of the Balanced Budget and Emergency Deficit Control Act, as amended [2 U.S.C. 901A], school districts experience a reduction in funds provided under title I, part A of the Elementary and Secondary Education Act of 1965, as amended [20 U.S.C. 6301, et seq.], it is the intent of the legislative assembly that the superintendent of public instruction introduce legislation to the sixty-fourth legislative assembly seeking state funding for school districts to offset these federal funding reductions."

Page 9, line 23, replace "\$1,500,000" with "\$1,766,500"

Page 10, line 25, replace "nine" with "ten"

Page 10, line 26, replace "thirty-three" with "ninety-two"

Page 10, line 27, replace "twelve" with "fourteen"

Page 10, line 27, replace "four" with "six"

Page 10, line 27, remove "seven"

Page 12, line 9, after "thousand" insert "five hundred"

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1013 - Summary of Senate Action**

	Executive Budget	House Version	Senate Changes	Senate Version
Information Technology Department				
Total all funds	\$0	\$880,953	(\$880,953)	\$0
Less estimated income	0	880,953	(880,953)	0
General fund	\$0	\$0	\$0	\$0
Department of Public Instruction				
Total all funds	\$2,194,721,295	\$2,068,395,430	\$133,362,469	\$2,201,757,899
Less estimated income	1,151,411,433	436,763,161	480,988	437,244,149
General fund	\$1,043,309,862	\$1,631,632,269	\$132,881,481	\$1,764,513,750
State Library				
Total all funds	\$8,622,432	\$7,928,807	\$418,625	\$8,347,432
Less estimated income	2,400,847	2,388,159	12,688	2,400,847
General fund	\$6,221,585	\$5,540,648	\$405,937	\$5,946,585
School for the Deaf				
Total all funds	\$10,347,658	\$10,096,929	\$392,971	\$10,489,900
Less estimated income	2,575,668	2,566,583	9,085	2,575,668
General fund	\$7,771,990	\$7,530,346	\$383,886	\$7,914,232
Vision Services - School for the Blind				
Total all funds	\$5,735,221	\$5,561,739	\$3,080,152	\$8,641,891
Less estimated income	859,355	849,784	9,571	859,355
General fund	\$4,875,866	\$4,711,955	\$3,070,581	\$7,782,536
Bill total				
Total all funds	\$2,219,426,606	\$2,092,863,858	\$136,373,264	\$2,229,237,122
Less estimated income	1,157,247,303	443,448,640	(368,621)	443,080,019
General fund	\$1,062,179,303	\$1,649,415,218	\$136,741,885	\$1,786,157,103

### House Bill No. 1013 - Information Technology Department - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages		\$880,953	(\$880,953)	
Total all funds	\$0	\$880,953	(\$880,953)	\$0
Less estimated income	0	880,953	(880,953)	0
General fund	\$0	\$0	\$0	\$0
FTE	0.00	6.00	(6.00)	0.00

### Department No. 112 - Information Technology Department - Detail of Senate Changes

	Removes Transfer of FTE Positions to the Information Technology Department <sup>1</sup>	Total Senate Changes
Salaries and wages	(\$880,953)	(\$880,953)
Total all funds	(\$880,953)	(\$880,953)
Less estimated income	(880,953)	(880,953)
General fund	\$0	\$0
FTE	(6.00)	(6.00)

<sup>1</sup> Funding added by the House for 6 FTE positions to be transferred from the Department of Public Instruction is removed.

This amendment removes:

- A section added by the House requiring the Superintendent of Public Instruction to transfer 6 FTE information technology positions to the Information Technology Department by September 30, 2014, or request Budget Section approval for an extension of the deadline. The section also provides the department may seek

Emergency Commission approval to transfer funding from the salaries and wages line item to the operating expenses line item to pay for the services provided by the Information Technology Department.

- A section added by the House to authorize 6 FTE positions and appropriate \$880,953 from special funds derived from other income to the Information Technology Department for positions to be transferred from the Department of Public Instruction.

**House Bill No. 1013 - Department of Public Instruction - Senate Action**

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$16,611,338	\$15,602,405	\$1,018,431	\$16,620,836
Operating expenses	30,149,802	29,630,802	100,000	29,730,802
Integrated formula payments	1,787,400,000	1,684,550,000	125,250,000	1,809,800,000
Grants - Special education contracts	16,500,000	16,500,000		16,500,000
Grants - Transportation	53,500,000	48,500,000	5,000,000	53,500,000
Grants - Other grants	273,410,155	270,640,155	2,066,106	272,706,261
Rapid enrollment grants	17,000,000			
Transportation efficiency	30,000	30,000		30,000
National board certification	120,000	120,000		120,000
Accrued leave payments		322,068	(322,068)	
Funding pool for initiatives		2,500,000	250,000	2,750,000
<b>Total all funds</b>	<b>\$2,194,721,295</b>	<b>\$2,068,395,430</b>	<b>\$133,362,469</b>	<b>\$2,201,757,899</b>
Less estimated income	1,151,411,433	436,763,161	480,988	437,244,149
<b>General fund</b>	<b>\$1,043,309,862</b>	<b>\$1,631,632,269</b>	<b>\$132,881,481</b>	<b>\$1,764,513,750</b>
FTE	99.75	99.75	0.00	99.75

**Department No. 201 - Department of Public Instruction - Detail of Senate Changes**

	Restores Executive Compensation Package <sup>1</sup>	Removes Separate Line Item for Accrued Leave Payments <sup>2</sup>	Increases Funding Pool for Initiatives <sup>3</sup>	Increases Funding for Passthrough Grants <sup>4</sup>	Increases Funding for the Teacher Mentoring Program <sup>5</sup>	Adds Funding for Pathfinders Parent Project <sup>6</sup>
Salaries and wages	\$696,363	\$322,068				
Operating expenses						
Integrated formula payments						
Grants - Special education contracts						
Grants - Transportation						
Grants - Other grants				915,000	1,000,000	131,106
Rapid enrollment grants						
Transportation efficiency						
National board certification						
Accrued leave payments		(322,068)				
Funding pool for initiatives			250,000			
<b>Total all funds</b>	<b>\$696,363</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$915,000</b>	<b>\$1,000,000</b>	<b>\$131,106</b>
Less estimated income	480,988	0	0	0	0	0
<b>General fund</b>	<b>\$215,375</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$915,000</b>	<b>\$1,000,000</b>	<b>\$131,106</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

  

	Adds Funding for Governing North Dakota Textbook <sup>7</sup>	Increases Funding for Transportation Grants <sup>8</sup>	Adds Funding for Study of Information Technology FTE Positions and Services <sup>9</sup>	Decreases Funding Related to Isolated Schools <sup>10</sup>	Decreases Funding Related to Home Education Supervision Factor <sup>11</sup>	Decreases Funding Related to the School District Size Weighting Factor <sup>12</sup>
Salaries and wages						
Operating expenses			100,000			
Integrated formula payments				(1,300,000)	(515,000)	(435,000)
Grants - Special education contracts						
Grants - Transportation		5,000,000				
Grants - Other grants	20,000					
Rapid enrollment grants						
Transportation efficiency						
National board certification						
Accrued leave payments						
Funding pool for initiatives						
<b>Total all funds</b>	<b>\$20,000</b>	<b>\$5,000,000</b>	<b>\$100,000</b>	<b>(\$1,300,000)</b>	<b>(\$515,000)</b>	<b>-\$435,000.00</b>

Less estimated income	0	0	0	0	0	0
General fund	\$20,000	\$5,000,000	\$100,000	(\$1,300,000)	(\$515,000)	(\$435,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Decreases Funding Related to Changes in Other In-Lieu Revenue Percentages <sup>13</sup>	Increases Funding Related to a Decrease in the Local Tax Contribution <sup>14</sup>	Increases Funding Related to Changes in the Minimum Local Effort Calculation <sup>15</sup>	Total Senate Changes
Salaries and wages				\$1,018,431
Operating expenses				100,000
Integrated formula payments	(2,700,000)	119,600,000	10,600,000	125,250,000
Grants - Special education contracts				
Grants - Transportation				5,000,000
Grants - Other grants				2,066,106
Rapid enrollment grants				
Transportation efficiency				
National board certification				
Accrued leave payments				(322,068)
Funding pool for initiatives				250,000
Total all funds	(\$2,700,000)	\$119,600,000	\$10,600,000	\$133,362,469
Less estimated income	0	0	0	480,988
General fund	(\$2,700,000)	\$119,600,000	\$10,600,000	\$132,881,481
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> This amendment increases the flexible funding pool added by the House to provide one-time funding totaling \$2,750,000 for the following items that were **not** included in the executive recommendation:

- Management information systems - Website updates.
- Safe and drug-free schools salary funding.
- Statewide accreditation system.
- Business manager training program.

Funding is also included in the pool for the following items included in the executive recommendation:

- Management information systems - STARS maintenance and development (\$719,000).
- Common core state standards (\$500,000).
- Teacher and principal evaluation systems (\$400,000).

The funding provided for the Superintendent's initiatives funding pool is offset by funding reductions in line items related to the initiatives included in the executive recommendation, for a net increase in funding of \$1,131,000 from the general fund.

<sup>4</sup> This amendment increases funding in the other grants line item to restore funding increases included in the executive recommendation and removed by the House for the following passthrough grants:

- North Central Council for School Television (\$50,000) to provide a total of \$535,000, the same as the executive recommendation.
- Rural art outreach project (\$35,000) to provide a total of \$415,000, the same as the executive recommendation.
- National writing projects (\$15,000) to provide a total of \$173,000, the same as the executive recommendation.

In addition, funding for a passthrough grant for the Gearing Up for Kindergarten program removed by the House is restored to \$815,000, the same as the executive recommendation.

<sup>5</sup> Funding for the teacher mentoring program removed by the House is restored to provide a total of \$2.3 million from the general fund, the same as the executive recommendation.

<sup>6</sup> Funding is added for a passthrough grant to the Pathfinders Parent Project. This funding was not included in the executive recommendation.

<sup>7</sup> One-time funding is added for a grant to the State Historical Society for the republication of the *Governing North Dakota* textbook. This funding was not included in the executive recommendation.

<sup>8</sup> This amendment restores the increase in transportation grants included in the executive recommendation and removed by the House to provide a total of \$53.5 million from the general fund.

<sup>9</sup> This amendment adds one-time funding for the Superintendent of Public Instruction to contract with the Information Technology Department and a private consultant to conduct an information technology staffing analysis.

<sup>10</sup> Funding added by the House related to a change in the average daily membership eligibility criteria for isolated schools from 100 students to 125 students is removed. The executive recommendation did not include this change.

<sup>11</sup> Funding is reduced for savings related to a reduction in the home education supervision factor from .50 to .20. The executive recommendation did not include this change.

<sup>12</sup> Funding added by the House for changes in the school district size weighting factor is reduced by the Senate. The executive recommendation did not change the school district size weighting factors.

<sup>13</sup> Funding is reduced for savings related to changes in the percentage of other in-lieu revenue included in the formula. The executive recommendation did not include this change.

<sup>14</sup> Funding for integrated formula payments is increased due to a decrease in the local contribution from 70 mills to 50 mills, the same as the executive recommendation.

<sup>15</sup> Funding for integrated formula payments is increased due to changes in the minimum local effort calculation. The executive recommendation did not include this change.

---

This amendment also:

- Changes the section of the bill related to the salary of the Superintendent of Public Instruction to provide 4 percent annual salary increases, the same as the executive budget. The House provided 3 percent annual increases.
- Removes two sections added by the House related to the transfer of 6 FTE positions to the Information Technology Department, including a section providing an appropriation of \$883,953 from special funds to the Information Technology Department for defraying the expenses of 6 FTE information technology positions transferred from the Department of Public Instruction.
- Removes a section added by the House related to a study of the costs and benefits of accepting federal funds and the consequences of declining federal funds.
- Removes a legislative intent section added by the House allowing school districts to participate in the Gearing Up for Kindergarten program.
- Amends a section related to the distribution of transportation grants to update

reimbursement rates for the \$5 million increase restored by the Senate to the executive budget level.

- Adds a section to identify funding for an information technology staffing analysis of the Department of Public Instruction.
- Amends North Dakota Century Code Section 15.1-18.1-02 related to the national certification program to increase the payment from \$1,000 to \$1,500 effective July 1, 2015. The change recommended in the executive budget was inadvertently not changed in the bill as introduced.
- Adds a section of legislative intent that the Superintendent of Public Instruction propose legislation to the 64th Legislative Assembly to replace any reductions to federal title funds due to sequestration with state funding.

### House Bill No. 1013 - State Library - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$3,932,706	\$3,705,227	\$227,479	\$3,932,706
Operating expenses	1,895,726	1,895,726		1,895,726
Grants	2,794,000	2,252,500	266,500	2,519,000
Accrued leave payments		75,354	(75,354)	
Total all funds	\$8,622,432	\$7,928,807	\$418,625	\$8,347,432
Less estimated income	2,400,847	2,388,159	12,688	2,400,847
General fund	\$6,221,585	\$5,540,648	\$405,937	\$5,946,585
FTE	29.75	29.75	0.00	29.75

### Department No. 250 - State Library - Detail of Senate Changes

	Restores Executive Compensation Package <sup>1</sup>	Removes Separate Line Item for Accrued Leave Payments <sup>2</sup>	Increases State Aid to Libraries <sup>3</sup>	Total Senate Changes
Salaries and wages	\$152,125	\$75,354		\$227,479
Operating expenses				
Grants			266,500	266,500
Accrued leave payments		(75,354)		(75,354)
Total all funds	\$152,125	\$0	\$266,500	\$418,625
Less estimated income	12,688	0	0	12,688
General fund	\$139,437	\$0	\$266,500	\$405,937
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> This amendment restores the increase in state aid to libraries included in the executive recommendation and removed by the House to provide a total of \$1,766,500 from the general fund.

In addition, the section related to the distribution of state aid to public libraries is amended to provide for the distribution of aid totaling \$1,766,500.

### House Bill No. 1013 - School for the Deaf - Senate Action

Executive Budget	House Version	Senate Changes	Senate Version
------------------	---------------	----------------	----------------

Salaries and wages	\$7,044,843	\$6,675,567	\$511,518	\$7,187,085
Operating expenses	1,908,794	1,892,495	16,299	1,908,794
Capital assets	1,194,021	1,194,021		1,194,021
Grants	200,000	200,000		200,000
Accrued leave payments		134,846	(134,846)	
Total all funds	\$10,347,658	\$10,096,929	\$392,971	\$10,489,900
Less estimated income	2,575,668	2,566,583	9,085	2,575,668
General fund	\$7,771,990	\$7,530,346	\$383,886	\$7,914,232
FTE	44.61	44.61	0.00	44.61

**Department No. 252 - School for the Deaf - Detail of Senate Changes**

	Restores Executive Compensation Package <sup>1</sup>	Removes Separate Line Item for Accrued Leave Payments <sup>2</sup>	Restores Funding for Professional Development <sup>3</sup>	Adds Contingent Funding for a Full-Time Superintendent Position <sup>4</sup>	Total Senate Changes
Salaries and wages	\$234,430	\$134,846		\$142,242	\$511,518
Operating expenses			16,299		16,299
Capital assets					
Grants					
Accrued leave payments		(134,846)			(134,846)
Total all funds	\$234,430	\$0	\$16,299	\$142,242	\$392,971
Less estimated income	9,085	0	0	0	9,085
General fund	\$225,345	\$0	\$16,299	\$142,242	\$383,886
FTE	0.00	0.00	0.00	0.00	0.00

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

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

<sup>3</sup> This amendment restores a funding increase for professional development included in the executive recommendation and removed by the House.

<sup>4</sup> Contingent funding is added for a full-time superintendent position. The position is currently vacant and is shared with North Dakota Vision Services - School for the Blind.

In addition, this amendment adds a section to provide the School for the Deaf may use up to \$142,242 provided from the general fund, contingent on the retirement of the current superintendent, to fill a full-time superintendent position. The salary authorization is to be prorated based on the retirement date of the current superintendent. The section also provides the Superintendent of Public Instruction may determine how the superintendent position at the School for the Deaf is filled.

**House Bill No. 1013 - Vision Services - School for the Blind - Senate Action**

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$4,452,015	\$4,191,070	\$405,615	\$4,596,685
Operating expenses	720,806	720,806		720,806
Capital assets	562,400	562,400	2,762,000	3,324,400
Accrued leave payments		87,463	(87,463)	
Total all funds	\$5,735,221	\$5,561,739	\$3,080,152	\$8,641,891
Less estimated income	859,355	849,784	9,571	859,355
General fund	\$4,875,866	\$4,711,955	\$3,070,581	\$7,782,536
FTE	29.50	29.50	0.50	30.00



## Department No. 253 - Vision Services - School for the Blind - Detail of Senate Changes

	Restores Executive Compensation Package <sup>1</sup>	Removes Separate Line Item for Accrued Leave Payments <sup>2</sup>	Adds Contingent Funding for a Full-Time Superintendent Position <sup>3</sup>	Adds Funding to Remodel West Wing of the School Building <sup>4</sup>	Total Senate Changes
Salaries and wages	\$173,482	\$87,463	\$144,670		\$405,615
Operating expenses					
Capital assets				2,762,000	2,762,000
Accrued leave payments		(87,463)			(87,463)
Total all funds	\$173,482	\$0	\$144,670	\$2,762,000	\$3,080,152
Less estimated income	9,571	0	0	0	9,571
General fund	\$163,911	\$0	\$144,670	\$2,762,000	\$3,070,581
FTE	0.00	0.00	0.50	0.00	0.50

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

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

<sup>3</sup> Contingent funding and a .5 FTE position is added for a full-time superintendent position. Currently, the .5 FTE position related to the superintendent is filled by a Braille music instructor and the superintendent is shared with the School for the Deaf.

<sup>4</sup> One-time funding is provided to remodel the west wing of the school building occupied by Grand Forks Public Schools.

In addition, this amendment adds a section to provide the North Dakota Vision Services - School for the Blind may use up to \$144,670 provided from the general fund, contingent on the retirement of the current superintendent, to fill a full-time superintendent position. The salary authorization is to be prorated based on the retirement date of the current superintendent. The section provides a .5 FTE superintendent position added to the School for the Blind is contingent on a determination made by the Superintendent of Public Instruction that a full-time superintendent position is required at the School for the Blind. The section also provides that the Superintendent of Public Instruction may determine how the superintendent position at the School for the Blind is filled.

#### REPORT OF STANDING COMMITTEE

**HB 1021, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1021 was placed on the Sixth order on the calendar.

Page 1, replace lines 10 through 14 with:

"Workforce safety and insurance operations	\$58,413,293	\$5,555,225	\$63,968,518
Litigation contingency	0	750,000	750,000
Total special funds	\$58,413,293	\$6,305,225	\$64,718,518
Full-time equivalent positions	247.14	7.00	254.14"

Page 1, remove lines 15 through 24

Page 2, replace lines 1 through 7 with:

**"SECTION 2. LITIGATION CONTINGENCY.** Funding included in the litigation contingency line item in section 1 of this Act may be spent by workforce safety and

insurance only for fees and other costs associated with workforce safety and insurance pursuing a civil action for damages relating to the unsuccessful advanced information management computer system project."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1021 - Workforce Safety and Insurance - Senate Action**

	Executive Budget	House Version	Senate Changes	Senate Version
Workforce Safety and Insurance	\$63,131,407			
Workforce Safety and Insurance operation		56,014,723	7,953,795	63,968,518
Accrued leave payments		1,662,965	(1,662,965)	
Litigation Contingency			750,000	750,000
<b>Total all funds</b>	<b>\$63,131,407</b>	<b>\$57,677,688</b>	<b>\$7,040,830</b>	<b>\$64,718,518</b>
Less estimated income	63,131,407	57,677,688	7,040,830	64,718,518
General fund	\$0	\$0	\$0	\$0
FTE	250.14	250.14	4.00	254.14

**Department No. 485 - Workforce Safety and Insurance - Detail of Senate Changes**

	Restores Executive Compensation Package <sup>1</sup>	Removes Separate Line Item for Accrued Leave Payments <sup>2</sup>	Adds Funding for Contingent Litigation Fees and Costs <sup>3</sup>	Adds Funding for Information Technology Projects <sup>4</sup>	Removes Funding for Business Process Analysis <sup>5</sup>	Removes Funding for Information Technology Staffing Analysis <sup>6</sup>
Workforce Safety and Insurance						
Workforce Safety and Insurance operation	1,397,598	1,662,965		4,725,000	(500,000)	(100,000)
Accrued leave payments		(1,662,965)				
Litigation Contingency			750,000			
<b>Total all funds</b>	<b>\$1,397,598</b>	<b>\$0</b>	<b>\$750,000</b>	<b>\$4,725,000</b>	<b>(\$500,000)</b>	<b>(\$100,000)</b>
Less estimated income	1,397,598	0	750,000	4,725,000	(500,000)	(100,000)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Restores Information Technology Staff <sup>7</sup>	Total Senate Changes
Workforce Safety and Insurance		
Workforce Safety and Insurance operation	768,232	7,953,795
Accrued leave payments		(1,662,965)
Litigation Contingency		750,000
<b>Total all funds</b>	<b>\$768,232</b>	<b>\$7,040,830</b>
Less estimated income	768,232	7,040,830
General fund	\$0	\$0
FTE	4.00	4.00

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

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

<sup>3</sup> This amendment provides contingent funding for litigation costs that may be necessary in order to recover expenses paid to Aon eSolutions.

<sup>4</sup> This amendment adds funding for information technology projects. The agency may determine which projects are developed.

<sup>5</sup> This amendment removes the funding added by the House for the business process analysis.

<sup>6</sup> This amendment removes the funding added by the House for an information technology staffing analysis.

<sup>7</sup> This amendment restores the 4 FTE information technology positions and the related funding transferred to the Information Technology Department in the executive budget and the House version.

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

**SB 2047:** Your conference committee (Sens. Schaible, Poolman, Marcellais and Reps. Kasper, Becker, Amerman) recommends that the **SENATE ACCEDE** to the House amendments and place SB 2047 on the Seventh order.

SB 2047 was placed on the Seventh order of business on the calendar.

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

**SB 2201:** Your conference committee (Sens. Dever, Poolman, Nelson and Reps. Schatz, Rohr, J. Kelsh) recommends that the **SENATE ACCEDE** to the House amendments and place SB 2201 on the Seventh order.

SB 2201 was placed on the Seventh order of business on the calendar.

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

**SB 2257:** Your conference committee (Sens. Sitte, Lyson, Nelson and Reps. Steiner, Boehning, Hogan) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1096 and place SB 2257 on the Seventh order.

SB 2257 was placed on the Seventh order of business on the calendar.

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

**SB 2095, as engrossed:** Your conference committee (Sens. Schaible, Luick, Marcellais and Reps. Rust, Heller, Mock) recommends that the **SENATE ACCEDE** to the House amendments and place SB 2095 on the Seventh order.

Engrossed SB 2095 was placed on the Seventh order of business on the calendar.

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

**SB 2339, as reengrossed:** Your conference committee (Sens. Laffen, Unruh, Murphy and Reps. Beadle, Kreun, Gruchalla) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 808, adopt amendments as follows, and place SB 2339 on the Seventh order:

That the House recede from its amendments as printed on page 808 of the Senate Journal and pages 928 and 929 of the House Journal and that Reengrossed Senate Bill No. 2339 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study to create an inventory and strategic plan relating to residential and commercial development programs and infrastructure and to provide for a study of programs providing residential and commercial development assistance.

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - PROGRAMS FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT AND RELATED INFRASTRUCTURE.** During the 2013-14 interim, the legislative management shall consider a study to create an inventory of and strategic plan for state, local, and federal programs relating to residential and commercial development and related infrastructure needs, including the option to create a low-interest revolving loan program for municipal infrastructure. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly.

**SECTION 2. HOUSING FINANCE AGENCY INVENTORY OF PROGRAMS PROVIDING RESIDENTIAL AND COMMERCIAL DEVELOPMENT ASSISTANCE - LEGISLATIVE MANAGEMENT STUDY.** During the 2013-14 interim, the housing finance agency, working with the Bank of North Dakota and department of commerce, shall survey appropriate state, local, and federal entities to create an inventory of government programs, including housing finance programs, energy efficiency programs, home and residential accessibility programs, disaster recovery programs, and other governmental programs providing residential and commercial development assistance. The housing finance agency shall present this inventory to the legislative management and shall identify program overlap and program gaps."

Renumber accordingly

Reengrossed SB 2339 was placed on the Seventh order of business on the calendar.

The Senate stood adjourned pursuant to Senator Klein's motion.

**William R. Horton, Secretary**