

## JOURNAL OF THE HOUSE

## Sixty-fourth Legislative Assembly

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Bismarck, April 14, 2015

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

The prayer was offered by Pastor Paul Schauer, Sunne Lutheran Church, Wilton.

The roll was called and all members were present except Representatives Frantsvog and Hanson.

A quorum was declared by the Speaker.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. SUKUT MOVED** that the conference committee report on Engrossed HB 1313 as printed on HJ pages 1657-1658 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1313:** A BILL for an Act to create and enact chapter 26.1-12.2 of the North Dakota Century Code, relating to conversion of a mutual property and casualty insurance company to a stock insurance company; to amend and reenact section 26.1-12.1-10 and subdivision b of subsection 12 of section 26.1-17-33.1 of the North Dakota Century Code, relating to references to demutualization of domestic mutual insurance companies; and to repeal section 26.1-12-32 of the North Dakota Century Code, relating to demutualization of domestic mutual insurance companies.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 72 YEAS, 20 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Hawken; Headland; Hofstad; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber; Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke; Speaker Belter

**NAYS:** Amerman; Boe; Delmore; Glassheim; Guggisberg; Haak; Hogan; Holman; Hunskor; Kelsh; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Schneider; Strinden; Wallman

**ABSENT AND NOT VOTING:** Frantsvog; Hanson

Reengrossed HB 1313 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. NATHE MOVED** that the conference committee report on Engrossed HB 1068 as printed on HJ page 1597 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. ROHR MOVED** that the conference committee report on Engrossed HB 1372 as printed on HJ page 1626 be adopted, which motion prevailed on a voice vote.

**SEVENTH ORDER OF BUSINESS  
MOTION**

**REP. GUGGISBERG MOVED** that the report of the Minority as printed on HJ pages 1580-1584 be substituted for the report of the Majority on Engrossed SB 2008.

**REP. BELTER ANNOUNCED** a recorded roll call vote on the motion that the report of the Minority be substituted for the report of the Majority on Engrossed SB 2008.

**ROLL CALL**

The question being on the motion that the report of the Minority be substituted for the report of the Majority on Engrossed SB 2008, the roll was called and there were 35 YEAS, 58 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, D.; Anderson, P.; Beadle; Boe; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Keiser; Kelsh; Klemin; Koppelman, K.; Larson; Maragos; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Olson; Onstad; Oversen; Schneider; Silbernagel; Strinden; Wallman; Zubke; Speaker Belter

**NAYS:** Anderson, B.; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Headland; Hofstad; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Kempenich; Kiefert; Klein; Koppelman, B.; Kreidt; Kretschmar; Laning; Lefor; Looyesen; Louser; Martinson; Meier; Monson; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz

**ABSENT AND NOT VOTING:** Frantsvog

The motion failed on a recorded roll call vote.

Therefore, the report of the Majority was adopted.

**SECOND READING OF SENATE BILL**

**SB 2008:** A BILL for an Act to provide an appropriation for defraying the expenses of the public service commission; to amend and reenact section 49-01-05 of the North Dakota Century Code, relating to the salary of public service commissioners; to authorize a transfer; to provide for retroactive application; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 75 YEAS, 18 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Hawken; Headland; Hofstad; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Zubke; Speaker Belter

**NAYS:** Amerman; Anderson, P.; Glassheim; Guggisberg; Haak; Hanson; Hogan; Holman; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Schneider; Strinden; Wallman

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed SB 2008 passed and the emergency clause was declared carried.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. KEISER MOVED** that the House do concur in the Senate amendments to Reengrossed HB 1390 as printed on HJ pages 1552-1554, which motion prevailed on a voice vote.

Reengrossed HB 1390 as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1390:** A BILL for an Act to create and enact section 23-29-04.2 of the North Dakota Century Code, relating to establishment by the state department of health of one or more operating pilot projects to examine and determine standards for rules governing operations and permitting of commercial oilfield special waste recycling facilities for oilfield special waste from oil and gas drilling and production operations; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 87 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Muscha; Nathe; Nelson, J.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke; Speaker Belter

**NAYS:** Boe; Holman; Kelsh; Mooney; Nelson, M.; Wallman

**ABSENT AND NOT VOTING:** Frantsvog

Reengrossed HB 1390 passed and the emergency clause was declared carried.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. NATHE MOVED** that the House do concur in the Senate amendments to Reengrossed HB 1358 as printed on HJ pages 1552-1554, which motion prevailed on a voice vote.

Reengrossed HB 1358 as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1358:** A BILL for an Act to create and enact a new section to chapter 38-08 and a new subsection to section 38-08-26 of the North Dakota Century Code, relating to the operation of underground gathering pipelines and the sharing of information by a surface owner; to amend and reenact subsection 18 of section 38-08-02, subdivisions d and l of subsection 1 of section 38-08-04, subsection 6 of section 38-08-04, and section 38-08-04.5 of the North Dakota Century Code, relating to an exception to confidentiality of well data, to underground gathering pipelines, to temporarily abandoned status, and the uses of the abandoned oil and gas well plugging and site reclamation fund; to provide a report to the legislative management; to provide a transfer; to provide an appropriation; and to declare an emergency.

**ROLL CALL**

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Zubke; Speaker Belter

**NAYS:** Wallman

**ABSENT AND NOT VOTING:** Beadle; Frantsvog

Reengrossed HB 1358 passed and the emergency clause was declared carried.

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**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HCR 3047.

**SENATE AMENDMENTS TO ENGROSSED HOUSE CONCURRENT RESOLUTION  
 NO. 3047**

Page 1, line 1, after "A concurrent resolution" replace the remainder of the resolution with "to amend and reenact section 5 of article IV of the Constitution of North Dakota, relating to residency requirements of members of the legislative assembly."

**STATEMENT OF INTENT**

This measure would require a member of the legislative assembly to be a resident of the district from which selected.

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA,  
 THE SENATE CONCURRING THEREIN:**

That the following proposed amendment to section 5 of article IV of the Constitution of North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the primary election to be held in 2016, in accordance with section 16 of article IV of the Constitution of North Dakota.

**SECTION 1. AMENDMENT.** Section 5 of article IV of the Constitution of North Dakota is amended and reenacted as follows:

**Section 5.** ~~Each person elected to member of the legislative assembly must be, on the day of the election during the entire term for which selected, a qualified elector in the district from which the member was chosen selected and must have been a resident of the state for one year immediately prior to that election selection to the legislative assembly. Each house of the legislative assembly shall adopt rules regarding confirmation and verification of the qualifications, as required under this section, of its members throughout the term for which elected.~~"

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate has appointed as a conference committee to act with a like committee from the House on:

**HB 1004:** Sens. Kilzer; G. Lee; Mathern

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

**HB 1007:** Sens. Kilzer; Bowman; Robinson

**HB 1010:** Sens. Sorvaag; Erbele; Mathern  
**HB 1019:** Sens. Erbele; Holmberg; Heckaman  
**HB 1024:** Sens. Kilzer; G. Lee; Mathern  
**HB 1025:** Sens. Kilzer; Bowman; Robinson  
**HB 1210:** Sens. Luick; Casper; Nelson  
**HB 1321:** Sens. Armstrong; Luick; Grabinger  
**HB 1367:** Sens. Armstrong; Casper; Grabinger  
**HB 1368:** Sens. Casper; Armstrong; Grabinger  
**HB 1443:** Sens. Carlisle; Holmberg; Heckaman

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2021.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2012 and SB 2205, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2012:** Sens. Kilzer; Erbele; Mathern  
**SB 2205:** Sens. Dever; J. Lee; Axness

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2226.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2312.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently failed to pass: SB 2161.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1030:** Your conference committee (Sens. Armstrong, Luick, Nelson and Reps. Kretschmar, Klemin, Wallman) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1216, adopt amendments as follows, and place HB 1030 on the Seventh order:

That the Senate recede from its amendments as printed on page 1216 of the House Journal and pages 921 and 922 of the Senate Journal and that House Bill No. 1030 be amended as follows:

Page 2, line 28, after "violation" insert "in chapter 19-03.1"

Page 3, line 4, remove the colon

Page 3, remove lines 5 through 12

Page 3, line 13, replace "five-year period before the commission of the offense" with "the individual is sentenced under section 12.1-32-02.1"

Renumber accordingly

HB 1030 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1244, as engrossed:** Your conference committee (Sens. Anderson, Larsen, Warner and Reps. Damschen, B. Anderson, Muscha) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1369, adopt amendments as follows, and place HB 1244 on the Seventh order:

That the Senate recede from its amendments as printed on page 1369 of the House Journal and page 1098 of the Senate Journal and that Engrossed House Bill No. 1244 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 54-06-14.5 of the North Dakota Century Code as created by section 1 of House Bill No. 1387, as approved by the sixty-fourth legislative assembly, relating to state employee use of sick leave and annual leave.

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

**SECTION 1. AMENDMENT.** Section 54-06-14.5 of the North Dakota Century Code as created by section 1 of House Bill No. 1387, as approved by the sixty-fourth legislative assembly, is amended and reenacted as follows:

**54-06-14.5. Use of sick leave and annual leave - Birth or adoption - Family leave priority.**

1. During the first six ~~weeks~~months following birth or placement, an employer shall grant an employee's request to use up to ~~one hundred sixty hours~~six weeks of sick leave under section 54-06-14 to care for the employee's newborn child or to care for a child placed with the employee, by a child-placing agency licensed under chapter 50-12, for adoption or placed with the employee as a precondition to adoption under section 14-15-12, but not both. The employer shall compensate the employee for leave used by the employee under this subsection on the same basis as the employee would be compensated if the leave had been taken due to the employee's illness, medical needs, or health needs. This subsection does not prevent an employee from using sick leave for the employee's illness, medical needs, or health needs following the birth of a child or from using leave under section 54-52.4-03.
2. If an employee requests to use annual leave under section 54-06-14 for any of the reasons identified under subsection 1 of section 54-52.4-02, the employer shall give priority to the request."

Renumber accordingly

Engrossed HB 1244 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1255:** Your conference committee (Sens. J. Lee, Dever, Axness and Reps. Hofstad, Weisz, Mooney) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1369-1371 and place HB 1255 on the Seventh order.

HB 1255 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2356, as engrossed:** Your conference committee (Sens. Laffen, Schaible, Murphy and Reps. Brabandt, Nathe, Muscha) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 945 and place SB 2356 on the Seventh order.

Engrossed SB 2356 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2312, as engrossed:** Your conference committee (Sens. Rust, Campbell, Sinner and Reps. Owens, Sukut, Hanson) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 1093-1094 and place SB 2312 on the Seventh order.

Engrossed SB 2312 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2295, as engrossed:** Your conference committee (Sens. Larsen, Anderson, Axness and

Reps. Porter, Seibel, Muscha) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1175-1176, adopt amendments as follows, and place SB 2295 on the Seventh order:

That the House recede from its amendments as printed on pages 1175 and 1176 of the Senate Journal and pages 1408 and 1409 of the House Journal and that Engrossed Senate Bill No. 2295 be amended as follows:

Page 1, line 9, remove "services in accordance with the"

Page 1, line 10, remove "individual's education"

Page 1, line 23, replace "Rehabilitating" with "Under verbal, standing, or written orders, except in the case of providing services in a clinical setting which requires written orders, rehabilitating"

Page 2, line 1, replace "Rehabilitating" with "Under verbal, standing, or written orders, except in the case of providing services in a clinical setting which requires written orders, rehabilitating"

Page 2, line 6, remove "or"

Page 2, line 7, after "g." insert "Providing injury screening or physician extender services; or  
h."

Page 2, line 10, after "means" insert "any moderate or vigorous"

Page 2, line 11, replace ", including" with "during"

Page 2, line 12, after the second underscored comma insert "performance arts, stretching."

Page 2, line 12, remove "or"

Page 2, line 12, after "fitness" insert ", military, industrial, or public safety activities"

Page 3, line 3, replace "direction" with "guidance or rehabilitation order"

Renumber accordingly

Engrossed SB 2295 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2097, as engrossed:** Your conference committee (Sens. Poolman, Klein, Murphy and Reps. Beadle, Louser, Hanson) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 994-995, adopt amendments as follows, and place SB 2097 on the Seventh order:

That the House recede from its amendments as printed on pages 994 and 995 of the Senate Journal and pages 1184 and 1185 of the House Journal and that Engrossed Senate Bill No. 2097 be amended as follows:

Page 1, line 11, replace the second "a" with "an individual"

Page 1, line 12, replace "booth renter" with "under this chapter"

Page 1, line 21, remove "braiding."

Page 2, line 15, remove the overstrike over the overstruck comma

Page 2, remove the overstrike over line 16

Page 2, line 17, remove the overstrike over "a: ~~Laser use~~"

Page 2, line 18, remove the overstrike over "~~;~~and"

Page 2, line 19, remove the overstrike over "~~b. Chemical peels~~"

Page 2, line 19, remove the overstrike over "~~using:~~"

Page 2, line 20, remove the overstrike over "~~(1) Thirty percent~~"

Page 2, line 20, after "~~percent~~" insert "or higher concentration of"

Page 2, line 20, remove the overstrike over "~~alpha hydroxy acid~~"

Page 2, line 21, remove the overstrike over the overstruck semicolon

Page 2, line 22, remove the overstrike over "~~(2) Twenty percent~~"

Page 2, line 22, after "~~percent~~" insert "or higher concentration of"

Page 2, line 22, remove the overstrike over "~~beta hydroxy acid~~"

Page 2, line 23, remove the overstrike over the overstruck semicolon

Page 2, line 24, remove the overstrike over "~~(3) Two percent~~"

Page 2, line 24, after "~~percent~~" insert "or higher concentration of"

Page 2, line 24, remove the overstrike over "~~resorcinol~~"

Page 2, line 24, after "higher" insert: ";

(4) Fifteen percent or higher concentration of trichloroacetic acid (TCA); or

(5) Fifteen percent or higher concentration of phenol"

Page 2, line 24, remove the overstrike over the overstruck period

Page 4, line 21, remove "physician licensed to practice"

Page 4, remove line 22

Page 4, line 23, replace "under chapter 43-12.1" with "licensed healthcare provider"

Page 5, line 24, replace "Compiled" with "Complied"

Page 8, line 5, replace "one hundred" with "fifty"

Renumber accordingly

Engrossed SB 2097 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2030, as engrossed:** Your conference committee (Sens. Armstrong, Luick, Nelson and Reps. Kretschmar, Larson, Wallman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1283-1284, adopt amendments as follows, and place SB 2030 on the Seventh order:

That the House recede from its amendments as printed on page 1140 of the Senate Journal and pages 1283 and 1284 of the House Journal and that Engrossed Senate Bill No. 2030 be amended as follows:

Page 1, line 19, after the period insert "If a person previously has been convicted of an offense under this chapter, other than an offense related to marijuana, or an equivalent offense from another court in the United States, a violation of this subsection is a class C felony."

Renumber accordingly

Engrossed SB 2030 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2226, as engrossed:** Your conference committee (Sens. Cook, Triplett, Unruh and Reps. Keiser, Porter, Mock) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1066-1067, adopt amendments as follows, and place SB 2226 on the Seventh order:

That the House recede from its amendments as printed on pages 1066 and 1067 of the Senate Journal and pages 1203 and 1204 of the House Journal and that Engrossed Senate Bill No. 2226 be amended as follows:

Page 1, line 1, after "sections" insert "54-40.2-04, 54-40.2-05,"

Page 1, line 1, after "57-51.2-01" insert a comma

Page 1, line 2, after the first "to" insert "legislative confirmation of state-tribal tax collection agreements and the"

Page 1, line 5, after "boundaries" insert "; and to provide an effective date"

Page 1, after line 6, insert:

**"SECTION 1. AMENDMENT.** Section 54-40.2-04 of the North Dakota Century Code is amended and reenacted as follows:

**54-40.2-04. Approval of agreement by governor and tribes - Approval by legislative assembly for tax collection agreements.**

As a condition precedent to an agreement made under this chapter becoming effective, it must have the approval of the governor of North Dakota and the governing bodies of the tribes involved. If the agreement is a tax collection agreement between the tax commissioner and one or more tribes, the agreement also is subject to confirmation by a majority of members elected to the house of representatives and the senate and does not become effective until its legislative confirmation date or the effective date in the agreement, whichever is later. Each tax collection agreement presented for legislative confirmation must contain an expiration date not more than sixteen years after its effective date and the expiration date must be March thirty-first of an odd-numbered year. If the agreement ~~se-~~ provides obtains the approvals under this section and, if required, legislative confirmation under this section, it may be submitted to the secretary for approval.

**SECTION 2. AMENDMENT.** Section 54-40.2-05 of the North Dakota Century Code is amended and reenacted as follows:

**54-40.2-05. Filing of agreement.**

~~Within ten days after a declaration of~~After approval by the governor and following approval of the agreement by the tribe or tribes affected by the agreement and, if required, legislative confirmation, and prior to commencement of its performance, an agreement made pursuant to this chapter must be filed with:

1. The secretary.
2. The clerk of court of each county where the principal office of one of the parties to the agreement is located.
3. The secretary of state.
4. The affected tribal government."

Page 1, line 10, after "enter" insert "separate"

Page 1, line 10, remove the overstrike over "agreements"

Page 1, line 10, remove "an"

Page 1, line 11, remove "agreement"

Page 1, line 12, after "Indians" insert an underscored comma

Page 1, after line 16, insert:

"Each agreement under this chapter is subject to confirmation by a majority of members elected to the house of representatives and the senate and does not become effective until its confirmation date or the effective date in the agreement, whichever is later. Each agreement presented for confirmation must contain an expiration date not more than sixteen years after its effective date and the expiration date must be March thirty-first of an odd-numbered year."

Page 3, after line 28, insert:

**"SECTION 5. EFFECTIVE DATE.** This Act is effective for agreements entered after July 31, 2015."

Renumber accordingly

Engrossed SB 2226 was placed on the Seventh order of business on the calendar.

#### **ANNOUNCEMENT**

**REP. BELTER ANNOUNCED** that the House stand in recess until 1:00 p.m.

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

#### **CORRECTION AND REVISION OF THE JOURNAL**

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

Page 1605, line 13, replace "Brandenburg" with "Brabandt"

Page 1618, line 52, replace "SB 2020" with "SB 2050"

Page 1624, after line 47, insert:

#### **"CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. K. KOPPELMAN MOVED** that the conference committee report on Reengrossed HB 1474 as printed on HJ page 1281 be adopted, which motion prevailed on a voice vote."

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

#### **COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on April 13, 2015, I have signed the following: HB 1040, HB 1072, HB 1085, HB 1197, HB 1201, HB 1284, HB 1340, HB 1379, and HB 1469.

#### **CONSIDERATION OF MESSAGES FROM THE SENATE**

**REP. VIGESAA MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1001 as printed on HJ pages 1422-1424, in the Senate amendments to Engrossed HB 1002 as printed on HJ pages 1546-1549, in the Senate amendments to Engrossed HB 1008 as printed on HJ pages 1414-1415, in the Senate amendments to Engrossed HB 1009 as printed on HJ pages 1574-1575, in the Senate amendments to Engrossed HB 1011 as printed on HJ pages 1497-1498, in the Senate amendments to Engrossed HB 1012 as printed on HJ pages 1498-1502, in the Senate amendments to Engrossed HB 1013 as printed on HJ pages 1549-1551, in the Senate amendments to Engrossed HB 1014 as printed on HJ pages 1507-1514, in the Senate amendments to Engrossed HB 1020 as printed on HJ pages 1609-1618, in the Senate amendments to Engrossed HB 1021 as printed on HJ pages 1529-1531, in the Senate amendments to Engrossed HB 1022 as printed on HJ pages 1299-1301, in the Senate amendments to

Reengrossed HB 1046 as printed on HJ page 1608, and in the Senate amendments to Reengrossed HB 1282 as printed on HJ page 1608 and that a conference committee be appointed to meet with a like committee from the Senate on each of these measures, which motion prevailed on a voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEES

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

**Engrossed HB 1001:** Reps. Vigesaa, Thoreson, Hogan.  
**Engrossed HB 1002:** Reps. Brandenburg, Thoreson, Glassheim.  
**Engrossed HB 1008:** Reps. Boehning, Vigesaa, Glassheim.  
**Engrossed HB 1009:** Reps. Schmidt, Dosch, Guggisberg.  
**Engrossed HB 1011:** Reps. Vigesaa, Kempenich, Glassheim.  
**Engrossed HB 1012:** Reps. Brandenburg, Thoreson, Glassheim.  
**Engrossed HB 1013:** Reps. Kempenich, Brandenburg, Hogan.  
**Engrossed HB 1014:** Reps. Brandenburg, Kempenich, Hogan.  
**Engrossed HB 1020:** Reps. Monson, Schmidt, Boe.  
**Engrossed HB 1021:** Reps. Skarphol, Streyle, Glassheim.  
**Engrossed HB 1022:** Reps. Thoreson, Boehning, Glassheim.  
**Reengrossed HB 1046:** Reps. D. Anderson, B. Anderson, Mooney.  
**Reengrossed HB 1282:** Reps. Porter, Seibel, Muscha.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**REP. VIGESAA MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2001, Engrossed SB 2002, Engrossed SB 2006, Engrossed SB 2011, Engrossed SB 2017, Engrossed SB 2023, Reengrossed SB 2046, and Reengrossed SB 2048, which motion prevailed.

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

**Engrossed SB 2001:** Reps. Vigesaa, Thoreson, Hogan  
**Engrossed SB 2002:** Reps. Monson, Dosch, Boe  
**Engrossed SB 2006:** Reps. Skarphol, Boehning, Hogan  
**Engrossed SB 2011:** Reps. Kempenich, Skarphol, Hogan  
**Engrossed SB 2017:** Reps. Brandenburg, Thoreson, Glassheim  
**Engrossed SB 2023:** Reps. Skarphol, Schmidt, Glassheim  
**Reengrossed SB 2046:** Reps. Bellew, Silbernagel, Holman  
**Reengrossed SB 2048:** Reps. Silbernagel, Weisz, Muscha

#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. DELZER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1006 as printed on HJ pages 1413-1414, which motion prevailed on a voice vote.

Engrossed HB 1006 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1006:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota aeronautics commission; and to create and enact a new section to chapter 2-05 of the North Dakota Century Code, relating to earnings of the aeronautics commission special fund.

#### ROLL CALL

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boehning; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel;

Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Becker, Rick C.; Bellew; Brabandt

**ABSENT AND NOT VOTING:** Frantsvog; Pollert

Reengrossed HB 1006 passed.

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

**REP. DELZER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1017 as printed on HJ page 1299, which motion prevailed on a voice vote.

Engrossed HB 1017 as amended, was placed on the Eleventh order of business.

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

**HB 1017:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of administrative hearings.

#### **ROLL CALL**

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog; Pollert

Reengrossed HB 1017 passed.

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

**REP. DELZER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1023 as printed on HJ pages 1503-1504, which motion prevailed on a voice vote.

Engrossed HB 1023 as amended, was placed on the Eleventh order of business.

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

**HB 1023:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota racing commission.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 50 YEAS, 42 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, D.; Anderson, P.; Beadle; Boe; Carlson; Damschen; Delmore; Delzer; Fehr; Glassheim; Guggisberg; Haak; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Keiser; Kelsh; Kiefert; Klein; Klemin; Koppelman, K.; Kreidt; Kretschmar; Looyesen; Louser; Martinson; Mitskog; Nelson, J.; Nelson, M.; Onstad; Oversen; Paur; Sanford; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Strinden; Sukut; Vigasaa; Zubke; Speaker Belter

**NAYS:** Anderson, B.; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Boschee; Brabandt; Brandenburg; Devlin; Dockter; Dosch; Froseth; Hanson; Hatlestad; Kading; Kasper; Kempenich; Koppelman, B.; Laning; Larson; Lefor; Maragos; Meier; Mock; Monson; Mooney; Muscha; Nathe; Olson; Owens; Porter; Rohr; Ruby; Schatz; Schmidt; Steiner; Streyle; Thoreson; Toman; Trotter; Wallman; Weisz

**ABSENT AND NOT VOTING:** Frantsvog; Pollert

Reengrossed HB 1023 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. KRETSCHMAR MOVED** that the conference committee report on HB 1030 as printed on HJ page 1216 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1030:** A BILL for an Act to create and enact a new section to chapter 12.1-32 of the North Dakota Century Code, relating to exceptions from mandatory minimum sentences; to amend and reenact subsection 19 of section 12.1-01-04, subdivision a of subsection 3 of section 12.1-20-03, and subsection 2 of section 12.1-32-07.1 of the North Dakota Century Code, relating to the definition of manifest injustice.

#### ROLL CALL

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trotter; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog; Pollert

Engrossed HB 1030 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. DAMSCHEN MOVED** that the conference committee report on Engrossed HB 1244 as printed on HJ page 1369 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1244:** A BILL for an Act to amend and reenact section 54-06-14.5 of the North Dakota Century Code as created by section 1 of House Bill No. 1387, as approved by the sixty-fourth legislative assembly, relating to state employee use of sick leave and annual leave.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 77 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boehning; Boschee; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, K.;

Kretschmar; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Sanford; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

**NAYS:** Becker, Rick C.; Bellew; Brabandt; Delzer; Keiser; Koppelman, B.; Kreidt; Laning; Lefor; Rohr; Ruby; Schatz; Schmidt; Steiner; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog; Pollert

Reengrossed HB 1244 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. HOFSTAD MOVED** that the conference committee report on HB 1255 as printed on HJ pages 1369-1370 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1255:** A BILL for an Act to create and enact a new section to chapter 23-27, a new section to chapter 26.1-36, and section 65-02-21.2 of the North Dakota Century Code, relating to air ambulance services and classifications of ambulance services for health insurance and workers' compensation benefits; and to amend and reenact section 50-24.1-16 of the North Dakota Century Code, relating to classification of ambulance services for medical assistance.

#### CONFLICT OF INTEREST

**REP. PORTER STATED** that he had a conflict of interest on Engrossed HB 1255.

#### MOTION

**REP. CARLSON MOVED** that Rep. Porter be allowed to vote on Engrossed HB 1255, which motion prevailed.

#### ROLL CALL

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Monson; Mooney; Nathe; Nelson, J.; Nelson, M.; Olson; Oversen; Owens; Paur; Rohr; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Streyle; Strinden; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Becker, Rick C.; Delzer; Hogan; Mock; Muscha; Onstad; Porter; Ruby; Steiner

**ABSENT AND NOT VOTING:** Frantsvog; Pollert; Sukut

Engrossed HB 1255 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. KRETSCHMAR MOVED** that the conference committee report on Engrossed SB 2030 as printed on HJ page 1140 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2030:** A BILL for an Act to amend and reenact section 19-03.4-03 of the North Dakota Century Code, relating to drug paraphernalia; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 84 YEAS, 7 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Streyle; Strinden; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Bellew; Laning; Lefor; Rohr; Ruby; Schatz; Steiner

**ABSENT AND NOT VOTING:** Frantsvog; Pollert; Sukut

Engrossed SB 2030, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. BEADLE MOVED** that the conference committee report on Engrossed SB 2097 as printed on HJ pages 994-995 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2097:** A BILL for an Act to amend and reenact sections 43-11-01, 43-11-02, 43-11-04, 43-11-11, 43-11-13, 43-11-15, 43-11-25, 43-11-26, subsection 1 of section 43-11-27, and section 43-11-28 of the North Dakota Century Code, relating to the practice and licensing of cosmetology, manicuring, and esthetics.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 83 YEAS, 8 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Strinden; Thoreson; Toman; Trottier; Vigasaa; Wallman; Zubke; Speaker Belter

**NAYS:** Beadle; Delzer; Devlin; Fehr; Skarphol; Steiner; Streyle; Weisz

**ABSENT AND NOT VOTING:** Frantsvog; Pollert; Sukut

Engrossed SB 2097, as amended, passed.

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1006, HB 1017, and HB 1023.

**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 1001, HB 1002, HB 1008, HB 1009, HB 1011, HB 1012, HB 1013, HB 1014, HB 1021, and

HB 1022, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1001:** Reps. Vigesaa; Thoreson; Hogan  
**HB 1002:** Reps. Brandenburg; Thoreson; Glassheim  
**HB 1008:** Reps. Boehning; Vigesaa; Glassheim  
**HB 1009:** Reps. Schmidt; Dosch; Guggisberg  
**HB 1011:** Reps. Vigesaa; Kempenich; Glassheim  
**HB 1012:** Reps. Brandenburg; Thoreson; Glassheim  
**HB 1013:** Reps. Kempenich; Brandenburg; Hogan  
**HB 1014:** Reps. Brandenburg; Kempenich; Hogan  
**HB 1021:** Reps. Skarphol; Streyle; Glassheim  
**HB 1022:** Reps. Thoreson; Boehning; Glassheim

**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 1020, HB 1046, and HB 1282, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1020:** Reps. Monson; Schmidt; Boe  
**HB 1046:** Reps. D. Anderson; B. Anderson; Mooney  
**HB 1282:** Reps. Porter; Seibel; Muscha

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2164.

**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 2001:** Reps. Vigesaa; Thoreson; Hogan  
**SB 2006:** Reps. Skarphol; Boehning; Hogan  
**SB 2011:** Reps. Kempenich; Skarphol; Hogan  
**SB 2017:** Reps. Brandenburg; Thoreson; Glassheim  
**SB 2023:** Reps. Skarphol; Schmidt; Froseth

**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 2002:** Reps. Monson; Dosch; Boe  
**SB 2046:** Reps. Bellew; Silbernagel; Holman  
**SB 2048:** Reps. Silbernagel; Weisz; Muscha

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1030, HB 1244, HB 1255.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2030, SB 2097.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2070, SB 2326, SB 2333.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently failed to pass: SB 2072.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: HB 1034, HB 1051, HB 1111, HB 1112, HB 1136, HB 1141, HB 1165, HB 1241, HB 1264, HB 1285, HB 1304, HB 1305, HB 1328, HB 1366, HB 1387, HB 1393, HB 1432, HB 1450, HB 1456, HB 1457.

**REPORT OF STANDING COMMITTEE**

**SB 2013, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2013 was placed on the Sixth order on the calendar.

Page 1, line 7, after "state" insert "; to provide an exemption; to provide a statement of legislative intent; and to provide for legislative management studies"

Page 1, remove lines 20 through 24

Page 2, replace lines 1 through 10 with:

"Salaries and wages	\$15,940,953	\$2,339,053	\$18,280,006
Accrued leave payments	322,068	(322,068)	0
Operating expenses	29,430,802	1,397,390	30,828,192
Integrated formula payments	1,752,100,000	144,900,000	1,897,000,000
Grants - special education contracts	16,500,000	800,000	17,300,000
Grants - transportation	53,500,000	3,500,000	57,000,000
Grants - other grants	272,996,261	(4,451,534)	268,544,727
PowerSchool	0	6,000,000	6,000,000
Rapid enrollment grants	13,600,000	1,200,000	14,800,000
Transportation efficiency	30,000	0	30,000
National board certification	120,000	0	120,000
Total all funds	\$2,154,540,084	\$155,362,841	\$2,309,902,925
Less estimated income	436,996,759	71,635,714	508,632,473
Total general fund	\$1,717,543,325	\$83,727,127	\$1,801,270,452
Full-time equivalent positions	99.75	0.00	99.75"

Page 2, replace lines 15 through 22 with:

"Salaries and wages	\$3,780,053	\$401,127	\$4,181,180
Accrued leave payments	75,354	(75,354)	0
Operating expenses	1,895,726	0	1,895,726
Grants	2,519,000	616,500	3,135,500
Total all funds	\$8,270,133	\$942,273	\$9,212,406
Less estimated income	2,394,145	44,606	2,438,751
Total general fund	\$5,875,988	\$897,667	\$6,773,655
Full-time equivalent positions	29.75	0.00	29.75"

Page 2, remove lines 27 through 31

Page 3, replace lines 1 through 4 with:

"Salaries and wages	\$6,932,905	\$781,425	\$7,714,330
Accrued leave payments	134,846	(134,846)	0
Operating expenses	1,908,794	139,502	2,048,296
Capital assets	191,762	675,412	867,174
Grants	200,000	0	200,000
Total all funds	\$9,368,307	\$1,461,493	\$10,829,800
Less estimated income	1,568,928	120,282	1,689,210
Total general fund	\$7,799,379	\$1,341,211	\$9,140,590
Full-time equivalent positions	44.61	1.00	45.61"

Page 3, replace lines 9 through 16 with:

"Salaries and wages	\$4,415,180	\$344,969	\$4,760,149
Accrued leave payments	87,463	(87,463)	0
Operating expenses	707,006	157,700	864,706
Capital assets	35,364	46,590	81,954

Total all funds	\$5,245,013	\$461,796	\$5,706,809
Less estimated income	<u>743,427</u>	<u>(118,102)</u>	<u>625,325</u>
Total general fund	\$4,501,586	\$579,898	\$5,081,484
Full-time equivalent positions	30.00	0.00	30.00"

Page 3, replace lines 21 through 23 with:

"Grand total general fund	\$1,735,720,278	\$86,545,903	\$1,822,266,181
Grand total special funds	<u>441,703,259</u>	<u>71,682,500</u>	<u>513,385,759</u>
Grand total all funds	\$2,177,423,537	\$158,228,403	\$2,335,651,940"

Page 4, after line 3, insert:

"Civics education grant	0	200,000
Cardiopulmonary resuscitation training grants	0	450,000"

Page 4, replace line 6 with:

"Total department of public instruction - general fund	\$6,070,000	\$15,480,000"
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Page 4, replace lines 24 through 26 with:

"Grand total - all funds	\$10,375,095	\$16,386,000
Grand total - estimated income	<u>1,112,588</u>	<u>656,000</u>
Grand total - general fund	\$9,262,507	\$15,730,000"

Page 6, line 17, replace "twenty-seven" with "eighteen"

Page 6, line 19, replace "Sixty" with "Fifty-five"

Page 6, line 20, replace "Sixty" with "Fifty-four"

Page 6, line 31, replace "Sixty" with "Fifty-four"

Page 9, after line 13, insert:

**"SECTION 12. EXEMPTION - SAFETY GRANTS.** The amount appropriated for school district safety grants in section 1 of chapter 59 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended funds are available for school district safety grants during the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 13. UNSPENT GRANTS - STATE SCHOOL AID RESTRICTION - 2013-15 BIENNIUM.** Notwithstanding any provisions of Senate Bill No. 2031, as approved by the sixty-fourth legislative assembly, the superintendent of public instruction may not spend any of the moneys remaining in the grants - state school aid line item to contract for a study of the impact of early childhood education provider grants during the 2015-17 biennium."

Page 13, after line 18, insert:

**"SECTION 23. LEGISLATIVE INTENT - REGIONAL EDUCATION ASSOCIATIONS AND THE NORTH DAKOTA TEACHER CENTER NETWORK.** It is the intent of the sixty-fourth legislative assembly that, during the 2015-17 biennium, the North Dakota teacher center network merge with regional education associations and that the mergers be complete by July 1, 2017.

**SECTION 24. LEGISLATIVE MANAGEMENT STUDY - SCHOOL DISTRICT TRANSPORTATION.** During the 2015-16 interim, the legislative management shall consider studying school district transportation and state reimbursement for transportation. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

**SECTION 25. LEGISLATIVE MANAGEMENT STUDY - TEACHER PREPARATION AND RETENTION.** During the 2015-16 interim, the legislative management shall consider studying teacher preparation and retention, including reasons new teachers leave the profession, federal requirements for teacher preparation programs, and possible enhancements to teacher preparation programs and other programs designed to improve retention of new teachers. As part of the study the superintendent of public instruction shall prepare exit interview forms to be completed by school districts when a teacher separates employment. The superintendent of public instruction shall compile the information from the exit interviews and provide a report to the legislative management. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2013 - Summary of House Action**

	Base Budget	Senate Version	House Changes	House Version
Department of Public Instruction				
Total all funds	\$2,154,540,084	\$2,449,114,980	(\$139,212,055)	\$2,309,902,925
Less estimated income	436,996,759	508,680,867	(48,394)	508,632,473
General fund	\$1,717,543,325	\$1,940,434,113	(\$139,163,661)	\$1,801,270,452
State Library				
Total all funds	\$8,270,133	\$9,234,993	(\$22,587)	\$9,212,406
Less estimated income	2,394,145	2,439,261	(510)	2,438,751
General fund	\$5,875,988	\$6,795,732	(\$22,077)	\$6,773,655
School for the Deaf				
Total all funds	\$9,368,307	\$10,869,702	(\$39,902)	\$10,829,800
Less estimated income	1,568,928	1,693,570	(4,360)	1,689,210
General fund	\$7,799,379	\$9,176,132	(\$35,542)	\$9,140,590
Vision Services - School for the Blind				
Total all funds	\$5,245,013	\$5,730,901	(\$24,092)	\$5,706,809
Less estimated income	743,427	631,843	(6,518)	625,325
General fund	\$4,501,586	\$5,099,058	(\$17,574)	\$5,081,484
Bill total				
Total all funds	\$2,177,423,537	\$2,474,950,576	(\$139,298,636)	\$2,335,651,940
Less estimated income	441,703,259	513,445,541	(59,782)	513,385,759
General fund	\$1,735,720,278	\$1,961,505,035	(\$139,238,854)	\$1,822,266,181

**Senate Bill No. 2013 - Department of Public Instruction - House Action**

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$15,940,953	\$18,356,066	(\$76,060)	\$18,280,006
Operating expenses	29,430,802	30,828,192		30,828,192
Integrated formula payments	1,752,100,000	2,030,800,000	(133,800,000)	1,897,000,000
Grants - special education contracts	16,500,000	17,300,000		17,300,000
Grants - transportation	53,500,000	60,000,000	(3,000,000)	57,000,000
Grants - other grants	272,996,261	270,880,722	(2,335,995)	268,544,727
Rapid enrollment grants	13,600,000	14,800,000		14,800,000
Transportation efficiency	30,000	30,000		30,000
National board certification	120,000	120,000		120,000
Accrued leave payments	322,068			
PowerSchool		6,000,000		6,000,000
Total all funds	\$2,154,540,084	\$2,449,114,980	(\$139,212,055)	\$2,309,902,925
Less estimated income	436,996,759	508,680,867	(48,394)	508,632,473
General fund	\$1,717,543,325	\$1,940,434,113	(\$139,163,661)	\$1,801,270,452
FTE	99.75	99.75	0.00	99.75

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

Adjusts Funding   Adjusts Funding   Adjusts Funding   Decreases   Adds Funding   Decreases

	for Health Insurance Premium Increases <sup>1</sup>	for English Language Learner Grants <sup>2</sup>	for Integrated Formula Payments <sup>3</sup>	Funding for Transportation Grants <sup>4</sup>	for Medicaid Matching Requirements <sup>5</sup>	Funding for Free Meals to Students Eligible for Reduced Meals <sup>5</sup>
Salaries and wages	(\$76,060)					
Operating expenses						
Integrated formula payments			(133,800,000)			
Grants - special education contracts						
Grants - transportation				(3,000,000)		
Grants - other grants		(1,300,000)			323,611	(867,000)
Rapid enrollment grants						
Transportation efficiency						
National board certification						
Accrued leave payments						
PowerSchool						
<b>Total all funds</b>	<b>(\$76,060)</b>	<b>(\$1,300,000)</b>	<b>(\$133,800,000)</b>	<b>(\$3,000,000)</b>	<b>\$323,611</b>	<b>(\$867,000)</b>
Less estimated income	(48,394)	0	0	0	0	0
<b>General fund</b>	<b>(\$27,666)</b>	<b>(\$1,300,000)</b>	<b>(\$133,800,000)</b>	<b>(\$3,000,000)</b>	<b>\$323,611</b>	<b>(\$867,000)</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for Civics Education Grant <sup>7</sup>	Adjusts Funding for Other Grants <sup>8</sup>	Total House Changes
Salaries and wages			(\$76,060)
Operating expenses			
Integrated formula payments			(133,800,000)
Grants - special education contracts			
Grants - transportation			(3,000,000)
Grants - other grants	200,000	(692,606)	(2,335,995)
Rapid enrollment grants			
Transportation efficiency			
National board certification			
Accrued leave payments			
PowerSchool			
<b>Total all funds</b>	<b>\$200,000</b>	<b>(\$692,606)</b>	<b>(\$139,212,055)</b>
Less estimated income	0	0	(48,394)
<b>General fund</b>	<b>\$200,000</b>	<b>(\$692,606)</b>	<b>(\$139,163,661)</b>
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> Funding for English language learner grants included in Senate Bill No. 2031 is adjusted to provide a total of \$1.2 million from the general fund.

<sup>3</sup> Integrated formula payments are reduced based on House amendments to Senate Bill No. 2031, to provide a total of \$1,897,000,000, of which \$219,134,000 is from the state tuition fund and \$1,677,866,000 is from the general fund. This level of funding represents a \$144,900,000 increase from 2013-15 base level integrated formula payments and a \$3,000,000 reduction from the executive recommendation. Funding for integrated formula payments is adjusted for the following:

Per student integrated formula payment rate adjustments	(\$43,580,000)
Senate increase to "at-risk" factor is removed	(45,100,000)
Additional property tax relief added by the Senate is removed	(22,000,000)
Additional professional development days added by the Senate are removed	(20,000,000)
Increases to the English language learner and regional education association factors included in the executive recommendation and the Senate version are removed	(1,320,000)
Increases to the school size weighting factors added by the Senate are removed	(1,800,000)
<b>Total adjustment to integrated formula payments included in Engrossed Senate Bill No. 2013</b>	<b>(\$133,800,000.00)</b>

<sup>4</sup> Funding for transportation grants is reduced to provide a total of \$57 million from the general fund, an increase of \$3.5 million from the 2013-15 biennium.

<sup>5</sup> Funding is added for Medicaid matching requirements of school districts related to increased medical assistance payment rates for physical, occupational, and speech therapy

services resulting from Senate Bill No. 2272.

<sup>6</sup> Funding added by the Senate to provide free breakfast and lunch to students eligible for reduced meals is decreased to provide a total of \$205,000 from the general fund to provide free breakfast to students eligible for reduced meals.

<sup>7</sup> One-time funding is added to provide for a passthrough grant to the North Dakota Humanities Council for the development of elementary and secondary civics education.

<sup>8</sup> Funding is removed or reduced for the following other grants provided from the general fund:

	General Fund (Decrease)	Total General Fund
Mentoring program	(\$300,000)	\$2,700,000
Teacher center network	(54,000)	360,000
LEAD Center	(7,500)	260,000
Rural art outreach program	(20,000)	415,000
North Dakota Young Entrepreneur education program	(140,000)	0
"We the People" program	(5,000)	20,000
Pathfinders Parent project	(146,106)	0
National writing projects	(20,000)	173,000
Total general fund	(\$692,606)	\$3,928,000

This amendment also:

- Designates funding for CPR grants (\$450,000) as one-time funding from the general fund;
- Amends the section related to the distribution of transportation grants to adjust reimbursement rates to reflect \$3 million reduction in total available grants;
- Adds an exemption to provide that any safety grant funds at the end of the 2013-15 biennium may be continued to the 2015-17 biennium;
- Adds a section of legislative intent to require that, during the 2015-17 biennium, teacher center networks merge with regional education associations and to provide mergers are complete by July 1, 2017;
- Adds a section to provide for a Legislative Management study of school district transportation and state reimbursement;
- Adds a section to provide for a Legislative Management study of teacher preparation and retention, including reasons new teachers leave the profession, federal requirements for teacher preparation programs, and possible enhancements to teacher preparation programs and other programs designed to improve retention of new teachers. As part of the study the Department of Public Instruction must prepare exit interview forms to be completed by school districts when a teacher separates employment. Information from the exit interviews must be compiled by the Department of Public Instruction and the department must report to the Legislative Management regarding the data compiled from the exit interviews.

#### Senate Bill No. 2013 - State Library - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$3,780,053	\$4,203,767	(\$22,587)	\$4,181,180
Operating expenses	1,895,726	1,895,726		1,895,726
Grants	2,519,000	3,135,500		3,135,500
Accrued leave payments	75,354			
Total all funds	\$8,270,133	\$9,234,993	(\$22,587)	\$9,212,406
Less estimated income	2,394,145	2,439,261	(510)	2,438,751
General fund	\$5,875,988	\$6,795,732	(\$22,077)	\$6,773,655
FTE	29.75	29.75	0.00	29.75

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

Adjusts Total House

	Funding for Health Insurance Premium Increases <sup>1</sup>	Changes
Salaries and wages	(\$22,587)	(\$22,587)
Operating expenses		
Grants		
Accrued leave payments		
Total all funds	(\$22,587)	(\$22,587)
Less estimated income	(510)	(510)
General fund	(\$22,077)	(\$22,077)
FTE	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

### Senate Bill No. 2013 - School for the Deaf - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$6,932,905	\$7,754,232	(\$39,902)	\$7,714,330
Operating expenses	1,908,794	2,048,296		2,048,296
Capital assets	191,762	867,174		867,174
Grants	200,000	200,000		200,000
Accrued leave payments	134,846			
Total all funds	\$9,368,307	\$10,869,702	(\$39,902)	\$10,829,800
Less estimated income	1,568,928	1,693,570	(4,360)	1,689,210
General fund	\$7,799,379	\$9,176,132	(\$35,542)	\$9,140,590
FTE	44.61	45.61	0.00	45.61

### Department No. 252 - School for the Deaf - Detail of House Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Total House Changes
Salaries and wages	(\$39,902)	(\$39,902)
Operating expenses		
Capital assets		
Grants		
Accrued leave payments		
Total all funds	(\$39,902)	(\$39,902)
Less estimated income	(4,360)	(4,360)
General fund	(\$35,542)	(\$35,542)
FTE	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

### Senate Bill No. 2013 - Vision Services - School for the Blind - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$4,415,180	\$4,784,241	(\$24,092)	\$4,760,149
Operating expenses	707,006	864,706		864,706
Capital assets	35,364	81,954		81,954
Accrued leave payments	87,463			
Total all funds	\$5,245,013	\$5,730,901	(\$24,092)	\$5,706,809
Less estimated income	743,427	631,843	(6,518)	625,325
General fund	\$4,501,586	\$5,099,058	(\$17,574)	\$5,081,484
FTE	30.00	30.00	0.00	30.00

**Department No. 253 - Vision Services - School for the Blind - Detail of House Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Total House Changes
Salaries and wages	(\$24,092)	(\$24,092)
Operating expenses		
Capital assets		
Accrued leave payments		
Total all funds	(\$24,092)	(\$24,092)
Less estimated income	(6,518)	(6,518)
General fund	(\$17,574)	(\$17,574)
FTE	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

**REPORT OF STANDING COMMITTEE**

**SB 2016, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2016 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first semicolon insert "to provide an appropriation to the information technology department;"

Page 1, line 2, after the third semicolon insert "to provide legislative intent;"

Page 1, replace line 13 with:

"Salaries and wages	\$6,063,904	\$636,876	\$6,700,780"
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Page 1, replace line 17 with:

"Civil air patrol	287,451	24,322	311,773"
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Page 1, replace lines 19 through 22 with:

"Air guard contract	11,483,158	(3,428,604)	8,054,554
Army guard contract	59,192,835	750,414	59,943,249
Veterans' cemetery	647,005	164,481	811,486
Reintegration program	1,491,980	411,763	1,903,743"

Page 1, remove line 24

Page 2, replace lines 1 and 2 with:

"Total all funds	\$87,318,968	(\$1,355,432)	\$85,963,536
Less estimated income	<u>70,164,642</u>	<u>(3,230,290)</u>	<u>66,934,352</u>
Total general fund	\$17,154,326	\$1,874,858	\$19,029,184"

Page 2, replace lines 7 and 8 with:

"Salaries and wages	\$10,553,021	\$1,816,888	\$12,369,909
Operating expenses	8,364,488	2,182,981	10,547,469"

Page 2, replace lines 10 and 11 with:

"Grants	19,373,247	(700,000)	18,673,247
Disaster costs	147,718,567	(39,553,083)	108,165,484"

Page 2, replace lines 14 through 16 with:

"Total all funds	\$186,975,218	(\$35,853,109)	\$151,122,109
Less estimated income	<u>177,679,955</u>	<u>(39,161,780)</u>	<u>138,518,175</u>
Total general fund	\$9,295,263	\$3,308,671	\$12,603,934"

Page 2, replace lines 21 through 23 with:

"Grand total general fund	\$26,449,589	\$6,683,529	\$33,133,118
Grand total special funds	<u>247,844,597</u>	<u>(40,392,070)</u>	<u>207,452,527</u>
Grand total all funds	\$274,294,186	(\$33,708,541)	\$240,585,645"

Page 3, replace line 5 with:

"Disaster coordination contract	1,500,000	0"
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Page 3, replace lines 16 through 20 with:

"Total all funds	\$6,751,240	\$2,815,000
Less estimated income	<u>2,000,000</u>	<u>1,069,500</u>
Total general fund	\$4,751,240	\$1,745,500"

Page 3, remove lines 25 through 31

Page 4, line 4, after "providing" insert "for repair and replacement of infrastructure and"

Page 4, line 5, replace "organized" with "recreation"

Page 4, after line 8, insert:

**"SECTION 4. APPROPRIATION - INFORMATION TECHNOLOGY DEPARTMENT.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,500,000, or so much of the sum as may be necessary, to the information technology department for the purpose of planning and coordinating the implementation of the statewide radio interoperability network as provided in section 6 of this Act, for the biennium beginning July 1, 2015, and ending June 30, 2017. The funding provided in this section is considered a one-time funding item.

**SECTION 5. STATEWIDE RADIO INTEROPERABILITY NETWORK - LEGISLATIVE INTENT - REPORT TO THE SIXTY-FIFTH LEGISLATIVE ASSEMBLY.** The information technology department, under the direction of the statewide interoperability executive committee, shall determine the feasibility and desirability of implementing a statewide radio interoperability network. The department shall consult with representatives of political subdivisions and private entities affected by the implementation of the network to determine participation in the project. If the department determines it is feasible and desirable to proceed with the project, the department shall enter into agreements, including joint powers agreements, with affected entities to delineate the roles and responsibilities of each entity to implement the project. The agreements shall detail estimated future project costs to be paid by each entity.

The information technology department shall report to the appropriations committees of the sixty-fifth legislative assembly regarding the department's evaluation of the project, participation by affected entities, and recommendations for proceeding with the project or discontinuing future participation. It is the intent of the sixty-fourth legislative assembly that future legislative appropriations be provided for the state's share of the core project if the information technology department determines it is feasible and desirable to proceed with the project.

**SECTION 6. STATE RADIO POSITIONS - REALIGNMENT.** The salaries and wages line item in subdivision 2 of section 1 of this Act includes \$192,621 from the general fund to realign state radio dispatch positions within the employee classification system."

Page 5, line 13, replace "these purposes" with "the collecting of information on North Dakotans who served in a theatre or area of armed conflict since the Vietnam conflict"

Page 6, line 25, after "to" insert "repair and replacement of infrastructure and"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2016 - Summary of House Action**

	Base Budget	Senate Version	House Changes	House Version
Information Technology Department				
Total all funds	\$0	\$0	\$1,500,000	\$1,500,000
Less estimated income	0	0	0	0
General fund	\$0	\$0	\$1,500,000	\$1,500,000
Adjutant General				
Total all funds	\$87,318,968	\$86,076,472	(\$112,936)	\$85,963,536
Less estimated income	70,164,642	66,999,975	(65,623)	66,934,352
General fund	\$17,154,326	\$19,076,497	(\$47,313)	\$19,029,184
Department of Emergency Services				
Total all funds	\$186,975,218	\$166,387,463	(\$13,265,354)	\$153,122,109
Less estimated income	177,679,955	145,941,897	(5,423,722)	140,518,175
General fund	\$9,295,263	\$20,445,566	(\$7,841,632)	\$12,603,934
Bill total				
Total all funds	\$274,294,186	\$252,463,935	(\$11,878,290)	\$240,585,645
Less estimated income	247,844,597	212,941,872	(5,489,345)	207,452,527
General fund	\$26,449,589	\$39,522,063	(\$6,388,945)	\$33,133,118

**Senate Bill No. 2016 - Information Technology Department - House Action**

	Base Budget	Senate Version	House Changes	House Version
Operating expenses			\$1,500,000	\$1,500,000
Total all funds	\$0	\$0	\$1,500,000	\$1,500,000
Less estimated income	0	0	0	0
General fund	\$0	\$0	\$1,500,000	\$1,500,000
FTE	0.00	0.00	0.00	0.00

**Department No. 112 - Information Technology Department - Detail of House Changes**

	Add One-Time Funding for Statewide Radio Interoperability Network <sup>1</sup>	Total House Changes
Operating expenses	\$1,500,000	\$1,500,000
Total all funds	\$1,500,000	\$1,500,000
Less estimated income	0	0
General fund	\$1,500,000	\$1,500,000
FTE	0.00	0.00

<sup>1</sup> One-time funding of \$1.5 million from the general fund is provided for planning and coordinating the implementation of the statewide radio interoperability network.

This amendment also directs the Information Technology Department to consult with representatives of political subdivisions and private entities affected by the implementation of the statewide radio interoperability network to determine participation in the project.

**Senate Bill No. 2016 - Adjutant General - House Action**

	<b>Base Budget</b>	<b>Senate Version</b>	<b>House Changes</b>	<b>House Version</b>
Salaries and wages	\$6,063,904	\$6,725,625	(\$24,845)	\$6,700,780
Operating expenses	4,112,891	4,322,891		4,322,891
Capital assets	200,632	388,046		388,046
Grants	509,514	1,009,514		1,009,514
Civil air patrol	287,451	312,526	(753)	311,773
Tuition, recruiting, and retention	2,517,500	2,517,500		2,517,500
Air guard contract	11,483,158	8,078,647	(24,093)	8,054,554
Army guard contract	59,192,835	59,996,706	(53,457)	59,943,249
Veterans' cemetery	647,005	815,251	(3,765)	811,486
Reintegration program	1,491,980	1,909,766	(6,023)	1,903,743
Accrued leave payments	812,098			
<b>Total all funds</b>	<b>\$87,318,968</b>	<b>\$86,076,472</b>	<b>(\$112,936)</b>	<b>\$85,963,536</b>
Less estimated income	70,164,642	66,999,975	(65,623)	66,934,352
<b>General fund</b>	<b>\$17,154,326</b>	<b>\$19,076,497</b>	<b>(\$47,313)</b>	<b>\$19,029,184</b>
FTE	177.00	165.00	0.00	165.00

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

	<b>Adjusts Funding for Health Insurance Premium Increases<sup>1</sup></b>	<b>Total House Changes</b>
Salaries and wages	(\$24,845)	(\$24,845)
Operating expenses		
Capital assets		
Grants		
Civil air patrol	(753)	(753)
Tuition, recruiting, and retention		
Air guard contract	(24,093)	(24,093)
Army guard contract	(53,457)	(53,457)
Veterans' cemetery	(3,765)	(3,765)
Reintegration program	(6,023)	(6,023)
Accrued leave payments		
<b>Total all funds</b>	<b>(\$112,936)</b>	<b>(\$112,936)</b>
Less estimated income	(65,623)	(65,623)
<b>General fund</b>	<b>(\$47,313)</b>	<b>(\$47,313)</b>
FTE	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

**Senate Bill No. 2016 - Department of Emergency Services - House Action**

	<b>Base Budget</b>	<b>Senate Version</b>	<b>House Changes</b>	<b>House Version</b>
Salaries and wages	\$10,553,021	\$12,231,220	\$138,689	\$12,369,909
Operating expenses	8,364,488	15,947,469	(5,400,000)	10,547,469
Capital assets	682,000	740,000		740,000
Grants	19,373,247	21,673,247	(3,000,000)	18,673,247
Disaster costs	147,718,567	108,169,527	(4,043)	108,165,484
Accrued leave payments	283,895			
Radio Communications		626,000		626,000
Disaster costs - State share		5,000,000	(5,000,000)	
Chronic flooding assistance		2,000,000		2,000,000
<b>Total all funds</b>	<b>\$186,975,218</b>	<b>\$166,387,463</b>	<b>(\$13,265,354)</b>	<b>\$153,122,109</b>
Less estimated income	177,679,955	145,941,897	(5,423,722)	140,518,175
<b>General fund</b>	<b>\$9,295,263</b>	<b>\$20,445,566</b>	<b>(\$7,841,632)</b>	<b>\$12,603,934</b>
FTE	69.00	69.00	0.00	69.00

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

<b>Adjusts Funding for Health Insurance Premium</b>	<b>Add Funding for State Radio Dispatch Positions<sup>2</sup></b>	<b>Remove Funding from the State Disaster Relief</b>	<b>Remove One-Time Funding for Grants to Fire</b>	<b>Remove One-Time Funding for Radio Communication</b>	<b>Remove One-Time Funding for Disaster Volunteer</b>
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	Increases <sup>1</sup>		Fund <sup>3</sup>	Departments <sup>4</sup>	s Improvement <sup>5</sup>	Coordination <sup>6</sup>
Salaries and wages	(\$53,932)	\$192,621				
Operating expenses					(5,000,000)	(400,000)
Capital assets						
Grants				(3,000,000)		
Disaster costs	(4,043)					
Accrued leave payments						
Radio Communications						
Disaster costs - State share			(5,000,000)			
Chronic flooding assistance						
Total all funds	(\$57,975)	\$192,621	(\$5,000,000)	(\$3,000,000)	(\$5,000,000)	(\$400,000)
Less estimated income	(23,722)	0	(5,000,000)	0	0	(400,000)
General fund	(\$34,253)	\$192,621	\$0	(\$3,000,000)	(\$5,000,000)	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Total House Changes
Salaries and wages	\$138,689
Operating expenses	(5,400,000)
Capital assets	
Grants	(3,000,000)
Disaster costs	(4,043)
Accrued leave payments	
Radio Communications	
Disaster costs - State share	(5,000,000)
Chronic flooding assistance	
Total all funds	(\$13,265,354)
Less estimated income	(5,423,722)
General fund	(\$7,841,632)
FTE	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> Funding of \$192,621 from the general fund is provided to realign State Radio dispatch positions within the employee classification system.

<sup>3</sup> Funding of \$5 million from the state disaster relief fund appropriated to the Adjutant General in a separate section in the bill to provide the required state share of funding for defraying expenses associated with presidentially declared disasters is removed.

<sup>4</sup> One-time funding of \$3 million for grants to fire departments to purchase equipment for train derailment fires is removed.

<sup>5</sup> One-time funding of \$5 million from the general fund for the radio communications improvement project is removed.

<sup>6</sup> One-time funding of \$400,000 from the state disaster relief fund for disaster volunteer coordination is removed.

This amendment also:

- Amends Section 4 to allow the funds provided to remove debris and other health hazards in a service district experiencing chronic flooding to also be used for repairing and replacing infrastructure.
- Adds a new section identifying that of the amount provided for salaries and wages in subdivision 2 of Section 1, \$192,621 from the general fund is to realign State Radio dispatch positions within the employee classification system.

#### REPORT OF STANDING COMMITTEE

**SB 2151, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended,**

recommends **DO PASS** (13 YEAS, 9 NAYS, 1 ABSENT AND NOT VOTING).  
Engrossed SB 2151, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 1111 of the House Journal, Engrossed Senate Bill No. 2151 is amended as follows:

Page 1, line 4, after the first semicolon insert "to provide for a superintendent of public instruction study and report to the legislative management;"

Page 2, line 30, remove "one thousand five"

Page 2, line 31, replace "hundred" with "two thousand"

Page 3, line 1, remove "or reduced"

Page 3, line 2, remove "one thousand dollars for each child so"

Page 3, line 3, replace "enrolled who is not eligible for free or reduced lunches" with "one thousand dollars for each child enrolled in a program of early childhood education, if the child is eligible for reduced lunches under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751, et seq.]"

Page 4, after line 7, insert:

**"SECTION 6. SUPERINTENDENT OF PUBLIC INSTRUCTION STUDY - REPORT TO LEGISLATIVE MANAGEMENT.** During the 2015-16 interim, the superintendent of public instruction shall study the implementation of a uniform system for the accounting, budgeting, and reporting of data by an early childhood education provider who has received a grant distributed in accordance with section 3 of this Act. The superintendent of public instruction shall report its findings to the legislative management by August 1, 2016."

Page 4, line 10, replace "\$6,000,000" with "\$3,000,000"

Re-number accordingly

#### **REPORT OF STANDING COMMITTEE**

**SB 2206, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2206, as amended, was placed on the Sixth order on the calendar.

In addition to the amendments adopted by the House as printed on pages 1311-1313 of the House Journal, Engrossed Senate Bill No. 2206 is further amended as follows:

Page 1, line 9, replace "establish a social services financing commission" with "provide for a legislative management study"

Page 7, remove lines 9 through 31

Page 8, replace lines 1 through 14 with:

#### **"SECTION 12. SOCIAL SERVICES FINANCING - LEGISLATIVE MANAGEMENT STUDY.**

1. During the 2015-16 interim, the legislative management shall study the feasibility and desirability of developing a proposal and options for transferring the cost of operating social service programs from county property tax levies to state general fund appropriations, the tax ramifications of the transfer, and the cost and benefits of the transfer to the state and the state's citizens. If developed, the proposal and options may include a timeline for the major milestones of a transition plan, considerations for a transition, estimated costs, the property tax reduction for the amount of budgeted savings brought about by a transfer of county social services costs to the state, and the elimination of the county social

services levy under section 50-06.2-05. The study may include input from counties and affected executive branch agencies.

2. The legislative management shall assign the study to an interim committee that studies taxation issues.
3. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

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

**SB 2070:** Your conference committee (Sens. Armstrong, Luick, Nelson and Reps. Larson, Brabandt, Wallman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1088, adopt amendments as follows, and place SB 2070 on the Seventh order:

That the House recede from its amendments as printed on page 1088 of the Senate Journal and page 1259 of the House Journal and that Senate Bill No. 2070 be amended as follows:

Page 1, line 13, replace "and" with an underscored comma

Page 1, line 15, after "individual" insert ". and the overdosed individual must have been in need of emergency medical services"

Renumber accordingly

SB 2070 was placed on the Seventh order of business on the calendar.

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

**SB 2333, as engrossed:** Your conference committee (Sens. Casper, Armstrong, Grabinger and Reps. Karls, Klemin, Wallman) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1140 and place SB 2333 on the Seventh order.

Engrossed SB 2333 was placed on the Seventh order of business on the calendar.

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

**SB 2326, as engrossed:** Your conference committee (Sens. Schaible, Flakoll, Oban and Reps. Schreiber Beck, Zubke, Mock) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1021-1022, adopt amendments as follows, and place SB 2326 on the Seventh order:

That the House recede from its amendments as printed on pages 866 and 867 of the Senate Journal and pages 1021 and 1022 of the House Journal and that Engrossed Senate Bill No. 2326 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 15.1-07 and seven new sections to chapter 54-59 of the North Dakota Century Code, relating to reportable data fields and the statewide longitudinal data system; to repeal sections 15.1-02-18, 15.1-02-18.1, and 15.1-02-18.2 of the North Dakota Century Code, relating to the statewide longitudinal data system; and to provide for a continuing appropriation.

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

**SECTION 1.** A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

##### **Protection of student data - School district policy.**

1. The board of each school district shall adopt a policy regarding the protection of student data.

2. The policy must require that permission be obtained from the board before any student data is shared with an individual who is not a school district employee or shared with any other entity. This provision does not apply to the sharing of data with a student's parent or to the sharing of data, if required by law.
3. The policy must require the school district superintendent to compile:
  - a. A list of all individuals with whom, and entities with which, student data is shared; and
  - b. A list, by title, of all school district personnel who have access to student data.
4. A school district shall make copies of the policy available upon request.

**SECTION 2.** A new section to chapter 54-59 of the North Dakota Century Code is created and enacted as follows:

**Statewide longitudinal data system committee - Membership.**

1. The statewide longitudinal data system committee consists of:
  - a. The commissioner of the board of higher education or the commissioner's designee;
  - b. The superintendent of public instruction or the superintendent's designee;
  - c. The chief information officer or the officer's designee;
  - d. The director of the department of career and technical education or the director's designee;
  - e. The director of job service North Dakota or the director's designee;
  - f. The commissioner of commerce or the commissioner's designee;
  - g. The director of the department of human services or the director's designee;
  - h. The director of the North Dakota educational technology council;
  - i. The executive director of the North Dakota council of educational leaders or the executive director's designee;
  - j. The director of the North Dakota workforce development council or the director's designee; and
  - k. Two members of the legislative assembly appointed by the chairman of the legislative management.
2. The governor shall designate the chairman of the committee.

**SECTION 3.** A new section to chapter 54-59 of the North Dakota Century Code is created and enacted as follows:

**Statewide longitudinal data system committee - Duties.**

1. The statewide longitudinal data system committee shall manage a statewide longitudinal data system that:
  - a. Provides for the dissemination of management information to stakeholders and partners of state education, training, and employment systems; and

- b. Uses data from educational and workforce systems as central sources of statewide longitudinal data.
2. The statewide longitudinal data system committee shall establish policies and adopt rules addressing access to and the collection, storage, and sharing of information and the systems necessary to perform those functions, subject to applicable federal and state privacy laws and interagency agreements and restrictions relating to confidential information required to conform to applicable federal and state privacy laws.
3. The statewide longitudinal data system committee shall provide operational oversight for information sharing activities and make recommendations for and provide oversight of information sharing budgets.
4. The statewide longitudinal data system committee in consultation with the information technology department shall:
  - a. Establish the terms and conditions under which a person may be authorized to access data through the statewide longitudinal data system;
  - b. Direct that all statewide longitudinal data system administrators implement approved data protection practices to ensure the security of electronic and physical data, provided that the practices include requirements for encryption and staff training;
  - c. Provide for biennial privacy and security audits of the statewide longitudinal data system;
  - d. Establish protocols, including procedures, for the notification of students and parents in the event of a data breach involving the statewide longitudinal data system;
  - e. Require that data retention and disposition by the statewide longitudinal data system be governed by the same policies as those instituted for the information technology department; and
  - f. Require the provision of annual training regarding data protection to any individuals who have access to the statewide longitudinal data system, including school district employees, employees of the North Dakota university system office and institutions under the control of the state board of higher education, and elected or appointed state or local governmental officials.

**SECTION 4.** A new section to chapter 54-59 of the North Dakota Century Code is created and enacted as follows:

**Statewide longitudinal data system committee - Powers.**

1. The statewide longitudinal data system committee may authorize studies to benefit and improve workforce training and education.
2. The statewide longitudinal data system committee may appoint additional work groups and task forces to serve in an advisory capacity.

**SECTION 5.** A new section to chapter 54-59 of the North Dakota Century Code is created and enacted as follows:

**Statewide longitudinal data system committee - Report to legislative management.**

During each interim the statewide longitudinal data system committee shall provide a report regarding the statewide longitudinal data system to one or more

committees designated by the legislative management and shall provide recommendations for further development, cost proposals, proposals for legislation, and recommendations for data sharing governance.

**SECTION 6.** A new section to chapter 54-59 of the North Dakota Century Code is created and enacted as follows:

**Statewide longitudinal data system committee - Continuing appropriation.**

The statewide longitudinal data system committee may solicit and receive gifts, grants, and donations from public and private sources. Any moneys received in accordance with this section are appropriated on a continuing basis for the support of the statewide longitudinal data system.

**SECTION 7.** A new section to chapter 54-59 of the North Dakota Century Code is created and enacted as follows:

**Statewide longitudinal data system committee - Information technology department.**

1. The information technology department, at the direction of the statewide longitudinal data system committee, shall maintain a statewide longitudinal data system among education, workforce, and training entities.
2. The information technology department and the statewide longitudinal data system committee may, subject to federal and state privacy laws, enter interagency agreements, including agreements designating authorized representatives of the educational agencies participating in the system, pursuant to the Family Educational Rights and Privacy Act [20 U.S.C. 1232g; 34 CFR 99].
3. The information technology department shall staff and provide other necessary support to the statewide longitudinal data system committee.

**SECTION 8.** A new section to chapter 54-59 of the North Dakota Century Code is created and enacted as follows:

**State agencies - Mandatory provision of information - Confidentiality.**

1. The information technology department may request from any state agency:
  - a. All information required by 20 U.S.C. 9871(e)(2)(D); and
  - b. Any other educational information the statewide longitudinal data system committee determines is required for a longitudinal data system to comply with state or federal law.
2. Subject to applicable restrictions on the use and disclosure of confidential information required to comply with federal and state privacy laws, any state agency receiving a request for information under subsection 1 shall provide the information at the time and in the manner required by the information technology department.

**SECTION 9. REPEAL.** Sections 15.1-02-18, 15.1-02-18.1, and 15.1-02-18.2 of the North Dakota Century Code are repealed."

Renumber accordingly

Engrossed SB 2326 was placed on the Seventh order of business on the calendar.

**ANNOUNCEMENT**

**REP. BELTER ANNOUNCED** that the House stand in recess until 4:30 p.m.

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

**MOTION**

**REP. VIGESAA MOVED** that SB 2151, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

**REQUEST**

**REP. MOCK REQUESTED** that the amendments for SB 2016 be debated separately, which request was granted.

**SIXTH ORDER OF BUSINESS**

**SPEAKER BELTER DEEMED** approval of the amendments to Engrossed SB 2013 and Engrossed SB 2206.

Engrossed SB 2013 and Engrossed SB 2206, as amended, were placed on the Fourteenth order of business on the calendar.

**SIXTH ORDER OF BUSINESS**

**SB 2016, as engrossed: REP. BRANDENBURG (Appropriations Committee) MOVED** that the amendments on HJ page 875 be adopted and then be placed on the Fourteenth order with **DO PASS**.

**REQUEST**

**REP. GUGGISBERG REQUESTED** a recorded roll call vote, which request was granted.

**ROLL CALL**

The question being on the motion to adopt the amendments to Engrossed SB 2016, the roll was called and there were 54 YEAS, 37 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Hawken; Headland; Hofstad; Johnson, D.; Kading; Karls; Kempenich; Kiefert; Klein; Klemin; Kreidt; Laning; Lefor; Looyesen; Louser; Maragos; Martinson; Monson; Nathe; Olson; Owens; Paur; Porter; Ruby; Schatz; Schmidt; Schreiber Beck; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trotter; Vigesaa; Weisz; Zubke; Speaker Belter

**NAYS:** Amerman; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Delmore; Glasheim; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Johnson, M.; Kasper; Keiser; Kelsh; Koppelman, B.; Koppelman, K.; Kretschmar; Larson; Mitskog; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Rohr; Sanford; Schneider; Seibel; Strinden; Wallman

**ABSENT AND NOT VOTING:** Frantsvog; Meier; Pollert

The proposed amendments to Engrossed SB 2016 were adopted on a recorded roll call vote.

**SECOND READING OF SENATE BILL**

**SB 2016:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the adjutant general; to provide an appropriation to the information technology department; to provide for transfers; to provide exemptions; to provide legislative intent; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 7 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glasheim; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin;

Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyson; Louser; Maragos; Martinson; Mock; Monson; Mooney; Nathe; Nelson, J.; Olson; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trotter; Vigasaa; Weisz; Zubke; Speaker Belter

**NAYS:** Anderson, P.; Guggisberg; Holman; Mitskog; Muscha; Nelson, M.; Wallman

**ABSENT AND NOT VOTING:** Frantsvog; Meier; Pollert

Engrossed SB 2016, as amended, passed and the emergency clause was declared carried.

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### MOTION

**REP. VIGESAA MOVED** that SB 2144 be moved to the top of the calendar, which motion prevailed.

### SECOND READING OF SENATE BILL

**SB 2144:** A BILL for an Act to create and enact six new subsections to section 11-11-14 and subsection 4 of section 11-11.1-01 of the North Dakota Century Code, relating to consolidation and revision of provisions governing property tax levy authority; to amend and reenact section 2-02-07, subsection 9 of section 2-06-01, section 2-06-07, sections 4-02-26, 4-02-27.3, and 4-08-15, subsection 17 of section 4-22-26, sections 4-33-11, 4.1-47-14, 4.1-47-16, 4.1-47-25, 11-11-53, 11-11-65, 11-11.1-04, 11-28-06, 11-28.3-03, 11-28.3-09, 18-06-10, 18-10-07, 18-11-10, subsection 1 of section 21-03-06, subsections 3, 5, and 6 of section 21-03-07, sections 23-06-30, 23-18-01, 23-30-01, 23-30-07, 24-05-01, 24-05-02, 24-05-05, 24-05-16, 24-08-07, 32-12.1-08, 32-12.1-11, 40-05-09.2, 40-05-19, 40-05-20, 40-26-08, 40-28-05, 40-29-14, 40-31-08, and 40-37-03, subsections 1 and 3 of section 40-38-02, sections 40-38.1-02, 40-43-01, 40-45-01, 40-45-27, 40-46-02, 40-46-25, 40-46-26, 40-48-07, 40-49-22, 40-55-08, 40-55-09, 40-57.2-04, and 40-57.4-04, subsection 8 of section 40-58-07, subsection 2 of section 40-58-15, section 40-59-01, subsection 2 of section 40-60-02, subsection 3 of section 40-61-03.1, sections 40-61-10, 50-03-01, 50-03-06, 50-06.2-05, 57-15-01.1, 57-15-06, 57-15-06.4, 57-15-06.6, 57-15-06.7, 57-15-08, 57-15-10, 57-15-10.1, 57-15-12, 57-15-12.1, 57-15-12.3, 57-15-19.4, 57-15-19.5, 57-15-19.6, 57-15-20, 57-15-20.2, 57-15-22.2, 57-15-27.1, 57-15-28, 57-15-28.1, 57-15-30.1, 57-15-38, 57-15-42, 57-15-48, 57-15-50, 57-15-51, 57-15-51.1, 57-15-53, and 57-15-55, subsection 1 of section 57-15-56, sections 57-20-23 and 57-47-04, subsection 16 of section 58-03-07, and sections 58-17-02, 61-04.1-26, and 61-24-02 of the North Dakota Century Code, relating to consolidation and revision of provisions governing property tax levy authority of counties, cities, park districts, soil conservation districts, and various boards and commissions; to repeal sections 4-02-27, 4-02-27.1, 4-02-27.2, 4-02-35, 4-02-37, and 4-08-15.1, chapter 4-16, sections 11-11-18, 11-11-20, 11-11-21, 11-11-22, 11-11-23, 11-11-24, 11-11-25, 11-11-45, 11-11-46, 11-11-47, 11-11-59, 11-11-60, 11-11-61, 11-11.1-06, 11-28-12, 11-28-13, 11-28-14, 11-28-15, 11-28-16, 11-28-17, 11-28-18, 11-28-19, 11-28-20, 11-28-21, and 11-28-22, chapters 11-36 and 11-37, sections 18-06-11, 18-07-01, and 18-10-14, chapters 23-18, 23-18.1, and 23-18.2, sections 32-12.1-12, 32-12.1-14, 40-05-09.1, 40-43-02, 40-43-03, 40-43-04, 40-45-02, 40-57-19, and 40-57-19.1, chapters 49-17.2 and 52-09, sections 57-15-06.3, 57-15-06.5, 57-15-06.8, 57-15-06.9, 57-15-06.10, 57-15-12.2, 57-15-20.3, 57-15-20.4, 57-15-26.3, 57-15-26.5, 57-15-27.2, 57-15-36, 57-15-37.1, 57-15-43, 57-15-44, 57-15-54, 57-15-55.1, 57-15-57, 57-15-59, 57-15-60, and 57-15-62, chapter 57-17, section 58-02-30, and chapter 58-15 of the North Dakota Century Code, relating to consolidation, revision, and elimination of obsolete provisions relating to property tax levy authority of counties, cities, park districts, soil conservation districts, and various boards and commissions; to provide for a transition; 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 84 YEAS, 6 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Kading; Karls; Kasper; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Carlson; Delzer; Johnson, M.; Laning; Schreiber Beck; Seibel

**ABSENT AND NOT VOTING:** Frantsvog; Keiser; Meier; Pollert

Engrossed SB 2144, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2206:** A BILL for an Act to create and enact sections 50-06-05.8 and 50-06-20.1 of the North Dakota Century Code, relating to the department of human services assuming certain costs of certain social service programs and to the establishment of a human services grant program; to amend and reenact sections 11-23-01, 50-01.2-00.1, 50-03-08, 50-06-20, 50-09-27, and 50-24.1-14, subsection 3 of section 57-15-01.1, and subsection 34 of section 57-15-06.7 of the North Dakota Century Code, relating to county social service board budgets and programs funded at state expense and reduction of county property tax levy authority for social service board budgets to reflect county savings from programs funded at state expense; to repeal sections 50-03-09, 50-06.2-05.1, and 50-09-21.1 of the North Dakota Century Code, relating to the county's share of medical assistance for therapeutic foster care, service payments to the elderly and disabled, and the county share of foster care costs; to provide for a legislative management study; 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 83 YEAS, 7 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dockter; Fehr; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Mitskog; Mock; Monson; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Zubke; Speaker Belter

**NAYS:** Delzer; Dosch; Froseth; Glassheim; Mooney; Schatz; Wallman

**ABSENT AND NOT VOTING:** Frantsvog; Keiser; Meier; Pollert

Engrossed SB 2206, as amended, passed and the emergency clause was declared carried.

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**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2144.

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

clause carried: SB 2016.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2206.

**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 1113, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1113:** Reprs. Laning; Dockter; Mooney

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2323.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2003, SB 2008, SB 2009, SB 2010, and SB 2304, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2003:** Sens. Kilzer; Sorvaag; O'Connell  
**SB 2008:** Sens. Carlisle; Wanzek; O'Connell  
**SB 2009:** Sens. Bowman; Erbele; O'Connell  
**SB 2010:** Sens. Krebsbach; Erbele; Mathern  
**SB 2304:** Sens. Poolman; Davison; Dever

**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 2205:** Reprs. Hofstad; Rich S. Becker; Oversen

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The President has appointed Sen. Sorvaag to replace Sen. Carlisle for the Sixty-seventh legislative day on the Conference Committee on SB 2017.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2113, SB 2292.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1068, HB 1372.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** Your signature is respectfully requested on: SB 2278, SB 2289, SB 2318, SB 2327, SB 2334.

#### MOTION

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Seventh, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Wednesday, April 15, 2015, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**SB 2018, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2018 was placed on the Sixth order on the calendar.

"Salaries and wages	\$11,367,710	\$2,607,279	\$13,974,989
Accrued leave payments	211,332	(211,332)	0
Operating expenses	2,666,016	1,966,649	4,632,665
Capital assets	1,699,725	2,800,569	4,500,294
Grants	1,000,000	(100,000)	900,000
Cultural heritage grants	504,500	0	504,500
Exhibits	0	300,000	300,000
Yellowstone-Missouri-Fort Union	4,492	0	4,492
Total all funds	\$17,453,775	\$7,363,165	\$24,816,940
Less estimated income	3,221,964	252,937	3,474,901
Total general fund	\$14,231,811	\$7,110,228	\$21,342,039
Full-time equivalent positions	68.00	10.00	78.00"

Page 2, replace lines 4 through 15 with:

"North Dakota studies eighth grade curriculum	\$150,000	\$0
Historic sites exhibits	50,000	0
Project pool	950,000	0
State's 125th celebration planning	100,000	0
Technology costs	0	100,650
Fort Totten and Stutsman repairs	0	875,000
Double Ditch	0	250,000
Electronic records project	0	264,000
Dakota the dinosaur	0	1,500,000
Traveling and historic sites exhibits	0	300,000
Promotion funding for historical events	0	200,000
Whitestone hill native memorial	0	25,000
Total all funds	\$1,250,000	\$3,514,650
Less estimated income	0	175,000
Total general fund	\$1,250,000	\$3,339,650"

Page 2, after line 28, insert:

**"SECTION 5. DOUBLE DITCH FUNDING.** The capital assets line item in section 1 of this Act include one-time funding of \$250,000 from the general fund for developing a coordinated plan between the state historical society and the army corps of engineers for the funding and repair of the double ditch historic site river bank, for the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 6. WHITESTONE HILL NATIVE MEMORIAL - MATCHING FUNDS.** Of the funds appropriated in the capital assets line item in section 1 of this Act, \$25,000 from the general fund is for the Whitestone hill native memorial. The state historical society shall certify to the office of management and budget that one dollar of private funds has been raised for every one dollar of state funds for the memorial before any state funds may be spent."

Page 2, line 30, replace "\$4,675,000" with "\$925,000"

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2018 - State Historical Society - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$11,367,710	\$14,290,938	(\$315,949)	\$13,974,989
Operating expenses	2,666,016	4,682,665	(50,000)	4,632,665
Capital assets	1,699,725	6,575,294	(2,075,000)	4,500,294
Grants	1,000,000	900,000		900,000
Cultural heritage grants	504,500	504,500		504,500
Yellowstone-Missouri-Fort Union Comm	4,492	4,492		4,492
Accrued leave payments	211,332			
Exhibits		300,000		300,000
Total all funds	\$17,453,775	\$27,257,889	(\$2,440,949)	\$24,816,940
Less estimated income	3,221,964	3,480,717	(5,816)	3,474,901

General fund	\$14,231,811	\$23,777,172	(\$2,435,133)	\$21,342,039
FTE	68.00	79.00	(1.00)	78.00

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

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Removes Funding for New Historic Site Supervisor <sup>2</sup>	Removes Funding for Welk Homestead Operations <sup>3</sup>	Adds One-Time Funding for Dakota the Dinosaur <sup>4</sup>	Removes One-Time Funding for Double Ditch Historic Site <sup>5</sup>	Removes One-Time Funding for Fort Totten and Stutsman County Courthouse <sup>6</sup>
Salaries and wages	(\$61,537)	(\$169,412)	(\$85,000)			
Operating expenses			(50,000)			
Capital assets				1,500,000	(3,250,000)	(300,000)
Grants						
Cultural heritage grants						
Yellowstone-Missouri-Fort Union Comm						
Accrued leave payments						
Exhibits						
<b>Total all funds</b>	<b>(\$61,537)</b>	<b>(\$169,412)</b>	<b>(\$135,000)</b>	<b>\$1,500,000</b>	<b>(\$3,250,000)</b>	<b>(\$300,000)</b>
Less estimated income	(5,816)	0	0	0	0	0
<b>General fund</b>	<b>(\$55,721)</b>	<b>(\$169,412)</b>	<b>(\$135,000)</b>	<b>\$1,500,000</b>	<b>(\$3,250,000)</b>	<b>(\$300,000)</b>
FTE	0.00	(1.00)	0.00	0.00	0.00	0.00

	Reduces One-Time Funding for Whitestone Hill Native Memorial <sup>7</sup>	Total House Changes
Salaries and wages		(\$315,949)
Operating expenses		(50,000)
Capital assets	(25,000)	(2,075,000)
Grants		
Cultural heritage grants		
Yellowstone-Missouri-Fort Union Comm		
Accrued leave payments		
Exhibits		
<b>Total all funds</b>	<b>(\$25,000)</b>	<b>(\$2,440,949)</b>
Less estimated income	0	(5,816)
<b>General fund</b>	<b>(\$25,000)</b>	<b>(\$2,435,133)</b>
FTE	0.00	(1.00)

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> Funding is removed from the general fund for a new historic site supervisor FTE position (\$163,091) and related salary increase (\$6,321).

<sup>3</sup> Funding is removed from the general fund for temporary employee salary and wages (\$85,000) and related operating costs (\$50,000) of the Welk Homestead.

<sup>4</sup> One-time funding from the general fund is added for the purchase of Dakota the dinosaur.

<sup>5</sup> One-time funding from the general fund for the Double Ditch Historic Site repairs is reduced from \$3,500,000 to \$250,000.

<sup>6</sup> One-time funding from the general fund and other funds is reduced from \$1,175,000 to \$675,000, providing project funding as follows:

	General Fund	Other Funds	Total
Fort Totten repairs	\$500,000	\$100,000	\$600,000
Stutsman County Courthouse repairs	200,000	75,000	275,000
<b>Total</b>	<b>\$700,000</b>	<b>\$175,000</b>	<b>\$875,000</b>

<sup>7</sup> One-time funding is reduced from \$50,000 to \$25,000 for the Whitestone Hill native

memorial and a section is added requiring a dollar-for-dollar match of private funds.

This amendment also:

- Transfers \$200,000 from the general fund for the promotion funding from ongoing funding to one-time funding.
- Transfers \$300,000 from the general fund for the traveling and historic sites exhibits from ongoing funding to one-time funding.
- Adds a section to provide the one-time funding appropriated to the State Historical Society for the Double Ditch Historic Site be used for developing a coordinated plan between the State Historical Society and the Army Corps of Engineers for the funding and repair of the Double Ditch Historic Site river bank.
- Amends the emergency clause from \$4,675,000 to \$925,000 relating to \$250,000 for the Double Ditch Historic Site project and Fort Totten and Stutsman County Courthouse repairs.

#### REPORT OF STANDING COMMITTEE

**SB 2019, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2019 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "and for providing" with "; to provide a 2013-15 appropriation; to provide"

Page 1, line 3, after the second semicolon insert "to amend and reenact section 43-30-05.2 of the North Dakota Century Code, relating to the private investigative and security board and peace officers; to provide an effective date;"

Page 1, replace lines 17 through 24 with:

"Administration	\$2,573,593	\$623,129	\$3,196,722
Accrued leave payments	181,577	(181,577)	0
Park operations and maintenance	15,045,525	18,378,406	33,423,931
Recreation	<u>5,585,875</u>	<u>2,021,544</u>	<u>7,607,419</u>
Total all funds	\$23,386,570	\$20,841,502	\$44,228,072
Less estimated income	<u>10,505,431</u>	<u>4,357,404</u>	<u>14,862,835</u>
Total general fund	\$12,881,139	\$16,484,098	\$29,365,237
Full-time equivalent positions	55.00	11.00	66.00"

Page 2, replace lines 5 and 6 with:

"International Peace Garden	<u>\$973,699</u>	<u>\$535,297</u>	<u>\$1,508,996</u>
Total general fund	\$973,699	\$535,297	\$1,508,996"

Page 2, replace lines 12 and 13 with:

"Lewis and Clark interpretive center	<u>\$0</u>	<u>\$1,005,279</u>	<u>\$1,005,279</u>
Total general fund	\$0	\$1,005,279	\$1,005,279"

Page 2, replace lines 18 through 20 with:

"Grand total general fund	\$13,854,838	\$18,024,674	\$31,879,512
Grand total special funds	<u>10,505,431</u>	<u>4,357,404</u>	<u>14,862,835</u>
Grand total all funds	\$24,360,269	\$22,382,078	\$46,742,347"

Page 2, replace line 26 with:

"Parks enhancements	\$3,897,800	\$13,000,000"
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Page 3, replace lines 6 and 7 with:

"State park study	0	25,000
International Peace Garden demolition project	0	200,000"

Page 3, replace lines 9 through 11 with:

"Total all funds	\$7,447,800	\$15,460,596
Less estimated income	<u>1,270,300</u>	<u>345,000</u>
Total general fund	\$6,177,500	\$15,115,596"

Page 3, line 24, replace "\$585,297" with "\$535,297"

Page 3, line 30, replace "\$580,000" with "\$455,000"

Page 4, line 2, remove "\$125,000 for one-time costs relating to the Lewis and Clark interpretive center expansion"

Page 4, line 3, remove "project,"

Page 4, line 5, replace "Fort Mandan foundation" with "Lewis and Clark interpretive center"

Page 4, after line 6, insert:

**"SECTION 6. 2013-15 BIENNIUM APPROPRIATION - LEWIS AND CLARK INTERPRETIVE CENTER OPERATING COSTS.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$125,000, or so much of the sum as may be necessary, to the parks and recreation department for the purpose of defraying operating costs of the Lewis and Clark interpretive center, for the period beginning with the effective date of this Act, and ending June 30, 2015.

**SECTION 7. STATE PARK ENHANCEMENTS.** The park operations and maintenance line item in subdivision 1 of section 1 of this Act includes one-time funding of \$13,000,000 for state park enhancements. Of this amount, \$3,000,000 is for the Lewis and Clark interpretive center, of which \$2,050,000 is for a grant for debt repayment which results in receiving all assets and inventory from the Lewis and Clark foundation, and \$950,000 is for operating costs of the Lewis and Clark interpretive center, \$100,000 is for repair and replacement of a timber bridge at the Roughrider Bridge trail, and \$9,900,000 is for state park enhancements as determined necessary by the director of the parks and recreation department, for the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 8. DAKOTA INSTITUTE OF THE LEWIS AND CLARK FORT MANDAN FOUNDATION - DISSOLUTION AND DISTRIBUTION OF INVENTORY.** Upon acquisition of the Dakota institute of the Lewis and Clark Fort Mandan foundation by the state of North Dakota, the state shall dissolve the entity. All rights, title, interests, copyrights, and remaining inventory of any Dakota institute publication, book, and other document or production, regardless of format excluding video, after transfer of the institute must be granted to the author or producer of the document or production."

Page 4, after line 21, insert:

**"SECTION 11. EXEMPTION.** Up to \$200,000 of Pembina gorge area project funding from the general fund included in the natural resources line item contained in section 30 of chapter 15 of the 2013 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation may be expended during the biennium beginning July 1, 2015, and ending June 30, 2017, for renting property in the Pembina gorge area for the purpose of providing office space for employees or individuals responsible for monitoring or patrolling the trail systems in the area, developing a plan for continued monitoring and patrolling of the trail systems, and to determine the feasibility of establishing an interpretive center.

**SECTION 12. AMENDMENT.** Section 43-30-05.2 of the North Dakota Century Code is amended and reenacted as follows:

**43-30-05.2. Peace officers.**

Notwithstanding section 12.1-13-04, the board may issue a license to an individual who is a peace officer if the license issued to that peace officer under chapter 12-63 is on inactive status. The board may issue a registration to provide private security service to an active duty peace officer."

Page 4, line 22, replace "\$22,400,000" with "\$13,000,000"

Page 4, line 24, after the comma insert "and section 6 of this Act"

Page 4, line 24, replace "is" with "are"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2019 - Parks and Recreation Department - House Action**

	Base Budget	Senate Version	House Changes	House Version
Administration	\$2,573,593	\$3,218,398	(\$21,676)	\$3,196,722
Natural resources	15,045,525	43,046,186	(9,622,255)	33,423,931
Recreation	5,585,875	7,607,419		7,607,419
International Peace Garden	973,699	1,558,996	(50,000)	1,508,996
Accrued leave payments	181,577			
Lewis and Clark		580,000	425,279	1,005,279
Total all funds	\$24,360,269	\$56,010,999	(\$9,268,652)	\$46,742,347
Less estimated income	10,505,431	14,680,226	182,609	14,862,835
General fund	\$13,854,838	\$41,330,773	(\$9,451,261)	\$31,879,512
FTE	55.00	62.00	4.00	66.00

**Department No. 750 - Parks and Recreation Department - Detail of House Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Reduces Funding for Temporary Salaries <sup>2</sup>	Reduces One-Time Funding for Park Improvement Plan <sup>3</sup>	Reduces One-Time Funding for Peace Tower Demolition Project <sup>4</sup>	Removes One-Time Funding for Lewis and Clark Expansion Project <sup>5</sup>	Adds One-Time Funding for a State Park Study <sup>6</sup>
Administration	(\$46,676)					\$25,000
Natural resources		(222,255)	(9,400,000)			
Recreation						
International Peace Garden				(50,000)		
Accrued leave payments						
Lewis and Clark					(125,000)	
Total all funds	(\$46,676)	(\$222,255)	(\$9,400,000)	(\$50,000)	(\$125,000)	\$25,000
Less estimated income	(1,286)	0	0	0	0	0
General fund	(\$45,390)	(\$222,255)	(\$9,400,000)	(\$50,000)	(\$125,000)	\$25,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds FTE positions - Lewis and Clark <sup>7</sup>	Total House Changes
Administration		(\$21,676)
Natural resources		(9,622,255)
Recreation		
International Peace Garden		(50,000)
Accrued leave payments		
Lewis and Clark	550,279	425,279
Total all funds	\$550,279	(\$9,268,652)
Less estimated income	183,895	182,609
General fund	\$366,384	(\$9,451,261)
FTE	4.00	4.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised

premium estimate of \$1,130.22 per month.

<sup>2</sup> Funding for temporary salaries is reduced due to converting five temporary administrative assistant positions to 5 FTE positions.

<sup>3</sup> One-time funding for park improvement projects is reduced to provide a total of \$13 million, of which up to \$9.9 million may be used at the discretion of the Director of the Parks and Recreation Department for any state park enhancement projects, \$3 million is for the Lewis and Clark Interpretive Center, of which \$2,050,000 is for a grant for debt repayment and \$950,000 is for operating costs for the Lewis and Clark Interpretive Center for the 2015-17 biennium, and \$100,000 is for the repair and replacement of a timber bridge at the Roughrider Bridge trail.

<sup>4</sup> One-time funding is reduced for the International Peace Garden's Peace Tower demolition project to provide a total of \$200,000 for the demolition project.

<sup>5</sup> One-time funding is removed for the Lewis and Clark Interpretive Center expansion project.

<sup>6</sup> One-time funding is added for a study of the feasibility and desirability of a new state park.

<sup>7</sup> Positions and funding are added for the Lewis and Clark Interpretive Center for the 2015-17 biennium.

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This amendment also:

- Adjusts a section to provide one-time funding of \$13 million for state park enhancements, of which up to \$9.9 million may be used at the discretion of the Director of the Parks and Recreation Department for any state park enhancement projects, \$3 million is for the Lewis and Clark Interpretive Center, and \$100,000 is for the repair and replacement of a timber bridge at the Roughrider Bridge trail.

#### REPORT OF STANDING COMMITTEE

**SB 2088, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (14 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2088 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and"

Page 1, line 3, after "management" insert "; and to provide an expiration date"

Page 3, line 1, after "**Duties**" insert "**- Acceptance of moneys - Consent**"

Page 3, line 3, after "activities" insert: " , provided that before the foundation may accept moneys under this section, the foundation shall:

- a. Obtain from the benefactor a detailed statement indicating the purpose for the contribution, the expected results, and the time frame within which the expected results are to be achieved;
- b. Present the statement required under subdivision a to:
  - (1) The legislative assembly during a regular or a special session;  
or
  - (2) The budget section of the legislative management, if the legislative assembly is not in session; and
- c. Obtain the consent of the legislative assembly or the budget section of the legislative management

Page 3, line 6, replace "2." with "3."

Page 3, line 8, replace "3." with "4."

Page 3, after line 18, insert:

**"SECTION 9. EXPIRATION DATE - RETURN OF UNSPENT MONEYS.** This Act is effective through June 30, 2017, and after that date is ineffective. Any moneys not distributed by the foundation as of June 30, 2017, must be returned to the benefactor."

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2107, as reengrossed and amended: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2107, as amended, was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2199, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2199, as amended, was placed on the Sixth order on the calendar.

Page 1, line 2, replace "pilot project; and" with ", to amend and reenact section 54-12-14 of the North Dakota Century Code, relating to the assets forfeiture fund;"

Page 1, line 3, after "management" insert "; to provide a continuing appropriation; and to declare an emergency"

Page 1, line 5, after the boldfaced hyphen insert "**REPORTS -**"

Page 1, line 7, replace "\$1,000,000" with "\$500,000"

Page 1, line 8, remove "implementing a human trafficking victims treatment and"

Page 1, remove lines 9 through 18

Page 1, line 19, replace "support of advocacy services; and programs promoting positive outcomes for victims" with "providing grants to organizations involved in providing prevention and treatment services related to human trafficking victims in non-oil-producing counties for the period beginning with the effective date of this Act and ending June 30, 2017. The attorney general may provide grants for the development and implementation of direct care, emergency or long-term crisis services, residential care, training for law enforcement, support of advocacy services, and programs promoting positive outcomes for victims. Any organization that receives a grant under this section shall report to the attorney general and the appropriations committees of the sixty-fifth legislative assembly on the use of the funds received and the outcomes of its program"

Page 1, line 21, replace "pilot project" with "grant program"

Page 1, line 21, after the period insert "This appropriation is a one-time funding item."

**SECTION 2. BOARD OF UNIVERSITY AND SCHOOL LANDS - USE OF OIL AND GAS IMPACT GRANTS - REPORTS.** The board of university and school lands funds, from funds designated in House Bill No. 1176 as approved by the sixty-fourth legislative assembly, for grants to law enforcement agencies impacted by oil and gas development, shall make available \$750,000 for grants to organizations involved in providing prevention and treatment services related to human trafficking victims in hub cities located in oil-producing counties for the period beginning with the effective date of this Act and ending June 30, 2017. The board of university and school lands shall award the grants as directed by the attorney general. Any organization that receives a grant under this section shall report to the attorney

general and the appropriations committees of the sixty-fifth legislative assembly on the use of the funds received and the outcomes of its program.

**SECTION 3. AMENDMENT.** Section 54-12-14 of the North Dakota Century Code is amended and reenacted as follows:

**54-12-14. Assets forfeiture fund - Created - Purpose - Continuing appropriation.**

1. The attorney general assets forfeiture fund consists of funds appropriated by the legislative assembly and additional funds obtained from moneys, assets, and proceeds seized and forfeited pursuant to section 19-03.1-36, amounts received through court proceedings as restitution, amounts remaining from the forfeiture of property after the payment of expenses for forfeiture and sale authorized by law, and amounts received from a multijurisdictional drug task force as defined in section 54-12-26. The amount of deposits into the fund which do not come from legislative appropriation or from a multijurisdictional drug task force and are not payable to another governmental entity may not exceed two hundred thousand dollars within a biennium and any moneys in excess of that amount must be deposited in the general fund. The funds are appropriated, as a standing and continuing appropriation, to the attorney general for the following purposes:
  1. a. For obtaining evidence for enforcement of any state criminal law or law relating to the control of drug abuse.
  2. b. For repayment of rewards to qualified local programs approved under section 12.1-32-02.2, if the information that was reported to the qualified local program substantially contributed to forfeiture of the asset, and for paying, at the discretion of the attorney general, rewards for other information or assistance leading to a forfeiture under section 19-03.1-36.
  3. c. For paying, at the discretion of the attorney general, any expenses necessary to seize, detain, inventory, safeguard, maintain, advertise, or sell property seized, detained, or forfeited pursuant to section 19-03.1-36, or of any other necessary expenses incident to the seizure, detention, or forfeiture of such property.
  4. d. For equipping, for law enforcement functions, forfeited vessels, vehicles, and aircraft retained as provided by law for official use by the state board of pharmacy or a law enforcement agency.
  5. e. For paying, at the discretion of the attorney general, overtime compensation to agents of the bureau of criminal investigation incurred as a result of investigations of violations of any state criminal law or law relating to the control of drug abuse.
  6. f. For paying matching funds required to be paid as a condition for receipt of funds from a federal government program awarding monetary grants or assistance for the investigation, apprehension, or prosecution of persons violating the provisions of chapter 19-03.1.
2. The attorney general shall, with the concurrence of the director of the office of management and budget, establish the necessary accounting procedures for the use of the fund, and shall personally approve, in writing, all requests from the director of the bureau of criminal investigation or the director of the drug enforcement unit for the use of the fund.
3. Notwithstanding subsection 1, the amount of deposits into the fund related to human trafficking are appropriated, as a standing and continuing appropriation, to the attorney general for awarding grants to organizations providing prevention and treatment services for human trafficking victims.

**SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF CONFERENCE COMMITTEE**

**HB 1106, as engrossed:** Your conference committee (Sens. Armstrong, Hogue, Nelson and Reps. Paur, Maragos, Delmore) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1130, adopt amendments as follows, and place HB 1106 on the Seventh order:

That the Senate recede from its amendments as printed on page 1130 of the House Journal and page 886 of the Senate Journal and that Engrossed House Bill No. 1106 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 of issues relating to criminal defendants who are veterans or who are currently serving in the armed forces.

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - CRIMINAL JUSTICE ISSUES RELATING TO DEFENDANTS WHO ARE VETERANS OR SERVING IN ARMED FORCES.**

1. The legislative management shall consider studying, during the 2015-16 interim, issues related to criminal defendants who are veterans or who are currently serving in the armed forces, including:
  - a. Whether additional treatment and sentencing options should be considered if a defendant is suspected to have posttraumatic stress disorder or other behavioral health conditions;
  - b. Whether the additional treatment and sentencing options should apply to both misdemeanor and felony offenses and, if applied to misdemeanor offenses, the impact those additional cases would have on the courts and the department of corrections and rehabilitation;
  - c. The point in the criminal proceeding at which the inquiry regarding the defendant's behavioral health condition should be made;
  - d. What actions are being taken by other states' judicial and criminal justice systems to address similar issues regarding criminal defendants who are veterans or who are currently serving in the armed forces; and
  - e. What steps the state needs to take to ensure that veterans and other armed forces personnel with posttraumatic stress disorder or other behavioral health conditions are best handled in the state's criminal justice system.
2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

Engrossed HB 1106 was placed on the Seventh order of business on the calendar.

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

**Buell J. Reich, Chief Clerk**

