

## JOURNAL OF THE SENATE

### Sixty-fourth Legislative Assembly

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**Bismarck, April 13, 2015**

The Senate convened at 8:00 a.m., with President Pro Tempore Dever presiding.

The prayer was offered by Spiritual Adviser, Areena Seth, Unitarian Universalist Fellowship, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President Pro Tempore.

#### CONSIDERATION OF AMENDMENTS

**HB 1009, as engrossed: SEN. KREBSBACH (Appropriations Committee) MOVED** that the amendments on SJ pages 1341-1342 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1009:** A BILL for an Act to provide an appropriation for defraying the expenses of the state fair association; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1009, as amended, passed and the emergency clause was declared carried.

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#### CONSIDERATION OF AMENDMENTS

**HB 1219, as engrossed: SEN. ARMSTRONG (Energy and Natural Resources Committee) MOVED** that the amendments on SJ page 1345 be adopted and then be placed on the Fourteenth order with **DO NOT PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1219:** A BILL for an Act to amend and reenact subsection 1 of section 62.1-02-01, subsection 1 of section 62.1-02-01.1, and subsection 2 of section 62.1-03-01 of the North Dakota Century Code, relating to weapons.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 4 YEAS, 43 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Krebsbach; Laffen; Larsen; Triplett

**NAYS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Unruh; Wanzek; Wardner; Warner

Engrossed HB 1219, as amended, failed.

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#### REQUEST

**SEN. KREBSBACH REQUESTED** that the Journal reflect she intended to vote NAY on HB 1219, which request was granted.

#### CONSIDERATION OF AMENDMENTS

**HB 1004, as engrossed: SEN. KILZER (Appropriations Committee) MOVED** that the amendments on SJ pages 1338-1341 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1004:** A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health; to amend and reenact section 43-29.1-03 of the North Dakota Century Code, relating to selection criteria for the veterinarian loan repayment program; to provide a statement of legislative intent; and to provide for legislative management studies.

#### MOTION

**SEN. MATHERN MOVED** that Engrossed HB 1004, as amended, be amended as follows.

In lieu of the amendments adopted by the Senate as printed on pages \_\_\_\_\_ of the Senate Journal, Engrossed House Bill No. 1004 is amended as follows:

Page 1, line 2, remove the first "and"

Page 1, line 3, after "program" insert "; to provide a statement of legislative intent; and to provide for legislative management studies"

Page 1, replace lines 13 through 23 with:

"Salaries and wages	\$54,757,510	\$9,861,166	\$64,618,676
Accrued leave payments	2,223,289	(2,223,289)	0
Operating expenses	37,305,014	7,301,524	44,606,538
Capital assets	2,224,288	1,494,944	3,719,232
Grants	57,510,729	1,801,031	59,311,760
Tobacco prevention	5,544,251	1,369,464	6,913,715
WIC food payments	<u>24,659,861</u>	<u>(4,459,861)</u>	<u>20,200,000</u>
Total all funds	\$184,224,942	\$15,144,979	\$199,369,921
Less estimated income	<u>139,303,434</u>	<u>4,617,530</u>	<u>143,920,964</u>
Total general fund	\$44,921,508	\$10,527,449	\$55,448,957
Full-time equivalent positions	354.00	13.00	367.00"

Page 2, after line 9, insert:

"Forensic examiner x-ray equipment	0	44,000"
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Page 2, replace lines 11 through 13 with:

"Total all funds	\$1,245,000	\$824,000
Less estimated income	<u>265,000</u>	<u>488,000</u>
Total general fund	\$980,000	\$336,000"

Page 3, after line 10, insert:

**"SECTION 5. LEGISLATIVE INTENT - DIVISION OF FOOD AND LODGING LICENSE FEES.** It is the intent of the sixty-fourth legislative assembly that the division of food and lodging of the state department of health, based on risk and pursuant to audit recommendations, adjust division of food and lodging license fees to generate up to \$150,000 of additional special fund revenue. The state department of health shall use the additional special fund revenue as appropriated in section 1 of this Act to fund a portion of the costs related to additional full-time equivalent inspection positions in the division of food and lodging.

**SECTION 6. LEGISLATIVE MANAGEMENT STUDY - UNIVERSITY OF NORTH DAKOTA FORENSIC PATHOLOGY CENTER.** During the 2015-16 interim, the legislative management shall consider studying the feasibility and desirability of the university of North Dakota acquiring the building that houses the university of North Dakota forensic pathology center. 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 7. LEGISLATIVE MANAGEMENT STUDY - WASTE MANAGEMENT.** During the 2015-16 interim, the legislative management shall consider studying onsite sewage disposal in the state, including areas of the state lacking environmental programs to address onsite sewage disposal, lack of uniform standards for disposal, regulation authority, and the impact of onsite sewage disposal and waste management on industry and the public. 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:**

**House Bill No. 1004 - State Department of Health - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$54,757,510	\$61,864,139	\$2,754,537	\$64,618,676
Operating expenses	37,305,014	40,605,327	4,001,211	44,606,538
Capital assets	2,224,288	3,488,810	230,422	3,719,232
Grants	57,510,729	55,901,090	3,410,670	59,311,760
Tobacco prevention	5,544,251	6,413,715	500,000	6,913,715
WIC food payments	24,659,861	20,200,000		20,200,000
Accrued leave payments	2,223,289			
Total all funds	\$184,224,942	\$188,473,081	\$10,896,840	\$199,369,921
Less estimated income	139,303,434	138,320,871	5,600,093	143,920,964
General fund	\$44,921,508	\$50,152,210	\$5,296,747	\$55,448,957
FTE	354.00	361.00	6.00	367.00

**Department No. 301 - State Department of Health - Detail of Senate Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for Targeted Equity <sup>2</sup>	Adds Funding for Food & Lodging Inspectors <sup>3</sup>	Adds Funding for Environmental Health Positions <sup>4</sup>	Adds Funding for Environmental Health Section Legal Fees <sup>5</sup>	Adds One-Time Funding for Forensic Examiner Equipment <sup>6</sup>
Salaries and wages	(\$254,175)	\$1,559,659	\$270,638	\$560,582		
Operating expenses			55,850	117,936	270,000	
Capital assets						44,000
Grants						
Tobacco prevention						
WIC food payments						
Accrued leave payments						
Total all funds	(\$254,175)	\$1,559,659	\$326,488	\$678,518	\$270,000	\$44,000
Less estimated income	(108,257)	0	150,000	0	0	0
General fund	(\$145,918)	\$1,559,659	\$176,488	\$678,518	\$270,000	\$44,000
FTE	0.00	0.00	2.00	4.00	0.00	0.00

  

	Adjusts Funding for Women's Way <sup>7</sup>	Increases Funding for Rural EMS Grants <sup>8</sup>	Increases Funding for Tobacco Prevention <sup>9</sup>	Adds Funding for Federal Grants <sup>10</sup>	Increases Funding for Local Public Health Units <sup>11</sup>	Adds Funding for Cardiac System of Care <sup>12</sup>
Salaries and wages				\$467,833		
Operating expenses				3,357,425		200,000
Capital assets				186,422		
Grants		1,100,000		1,460,670	500,000	
Tobacco prevention			500,000			
WIC food payments						
Accrued leave payments						
Total all funds	\$0	\$1,100,000	\$500,000	\$5,472,350	\$500,000	\$200,000

Less estimated income	<u>(414,000)</u>	<u>0</u>	<u>500,000</u>	<u>5,472,350</u>	<u>0</u>	<u>0</u>
General fund	\$414,000	\$1,100,000	\$0	\$0	\$500,000	\$200,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Increases Funding for Suicide Prevention Grants <sup>13</sup>	Adds Funding for Dental Sealant Program <sup>14</sup>	Total Senate Changes
Salaries and wages		\$150,000	\$2,754,537
Operating expenses			4,001,211
Capital assets			230,422
Grants	350,000		3,410,670
Tobacco prevention			500,000
WIC food payments			
Accrued leave payments			
Total all funds	\$350,000	\$150,000	\$10,896,840
Less estimated income	<u>0</u>	<u>0</u>	<u>5,600,093</u>
General fund	\$350,000	\$150,000	\$5,296,747
FTE	0.00	0.00	6.00

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

<sup>2</sup> Funding for targeted equity is added, the same as the executive recommendation.

<sup>3</sup> Funding is added for 2 food and lodging inspectors to provide a total of 3 new FTE food and lodging inspectors, 2 less than the executive recommendation. Funding is provided for salaries and wages (\$260,958), related salary increase funding (\$9,680), and operating expenses (\$55,850). The funding source is also changed to provide \$150,000 of the cost of the 2 FTE positions is provided from special funds available as a result of fee increases.

<sup>4</sup> Funding is added for 4 FTE positions--municipal facilities (1 FTE position), waste management (1 FTE position), and water quality (2 FTE positions) to meet increased demands in oil-impacted areas, including salaries and wages (\$540,407), related salary increase funding (\$20,175), and operating expenses (\$117,936).

<sup>5</sup> Funding is provided for increased legal fees in the Environmental Health Section of the department.

<sup>6</sup> One-time funding is added for digital x-ray equipment for the forensic examiner.

<sup>7</sup> Funding for the Women's Way program is adjusted to provide \$414,000 from the general fund, instead of the community health trust fund.

<sup>8</sup> Funding is increased by \$1.1 million from the general fund for rural emergency medical services grants to provide a total of \$8.94 million, of which \$1.25 million is from the insurance tax distribution fund, the same as the executive recommendation.

<sup>9</sup> Funding for tobacco prevention is increased to provide for a grant from the Tobacco Prevention and Control Executive Committee to be used for the Centers for Disease Control *Best Practices for Comprehensive Tobacco Prevention and Control Programs*.

<sup>10</sup> Funding is added for federal grants anticipated by the department, including funding for colorectal cancer screening capacity, stroke prevention, and Ebola emergency preparedness, lab capacity, and hospital preparedness.

<sup>11</sup> Funding for grants to local public health units is increased by \$500,000 to provide a total of \$4.75 million from the general fund, \$250,000 less than the executive recommendation.

<sup>12</sup> Funding is added for cardiac system of care.

<sup>13</sup> Funding for suicide prevention grants is increased to provide a total of \$1,180,000 from the general fund, the same as the executive recommendation.

<sup>14</sup> Funding is added to expand the Seal! ND program which provides dental sealant services to elementary aged students.

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This amendment also adds:

- A section of legislative intent to provide the Division of Food and Lodging of the State Department of Health, based on risk and pursuant to audit recommendations, adjust food and lodging division license fees to generate up to \$150,000 of additional special fund revenue and that the department use the additional special fund revenue to fund a portion of the costs related to additional full-time equivalent inspection positions in the Division of Food and Lodging.
- A section to provide for a Legislative Management study of the feasibility and desirability of the University of North Dakota acquiring the building that houses the University of North Dakota Forensic Pathology Center.
- A section to provide for a Legislative Management study of onsite sewage disposal in the state, including areas of the state lacking environmental programs to address onsite sewage disposal, lack of uniform standards for disposal, regulation authority, and the impact of onsite sewage disposal and waste management on industry and the public.

#### REQUEST

**SEN. HECKAMAN REQUESTED** a verification vote on the motion to adopt the proposed amendments to Engrossed HB 1004, as amended, which request was granted.

The proposed amendments to Engrossed HB 1004, as amended, failed on a verification vote.

#### MOTION

**SEN. TRIPLETT MOVED** that Engrossed HB 1004, as amended, be amended as follows.

In addition to the amendments adopted by the Senate as printed on pages 1338-1341 of the Senate Journal, Engrossed House Bill No. 1004 is further amended as follows:

Page 2, after line 17, insert:

**"SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$675,378, or so much of the sum as may be necessary, to the state department of health for the purpose of funding additional full-time equivalent positions in the environmental health division of the department, for the biennium beginning July 1, 2015, and ending June 30, 2017. The state department of health is authorized four full-time equivalent positions in the environmental health division."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds 4 FTE positions and the related funding for salaries and wages (\$533,962) and operating expenses (\$141,416) to the budget for the State Department of Health during the 2013-15 biennium.

#### REQUEST

**SEN. HECKAMAN REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed HB 1004, as amended, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed HB 1004, as amended, the roll was called and there were 16 YEAS, 31 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axness; Dotzenrod; Flakoll; Grabinger; Heckaman; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Robinson; Schneider; Sinner; Triplett; Warner

**NAYS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Erbele; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Miller; Oehlke; Poolman; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

The proposed amendments to Engrossed HB 1004, as amended, failed on a recorded roll call vote.

#### **ROLL CALL**

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

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

Engrossed HB 1004, as amended, passed.

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

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1054, which motion prevailed.

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

**Engrossed HB 1054:** Sens. Unruh, Cook, Dotzenrod

#### **CONSIDERATION OF MESSAGES FROM THE HOUSE**

**SEN. KLEIN MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2023 as printed on SJ page 1321 and in the House amendments to Engrossed SB 2258 as printed on SJ pages 1357-1358 and that a conference committee be appointed to meet with a like committee from the House on each of these measures, which motion prevailed on a voice vote.

#### **APPOINTMENT OF CONFERENCE COMMITTEES**

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

**Engrossed SB 2023:** Sens. G. Lee, Holmberg, Robinson.

**Engrossed SB 2258:** Sens. Poolman, Davison, Nelson.

#### **MOTION**

**SEN. KLEIN MOVED** that the Senate stand in recess until 1:00 p.m., which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with President Pro Tempore Dever presiding.

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

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

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

**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1009.

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

**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1219.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2039, SB 2164, SB 2284.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2039**

Page 1, line 1, remove "new section to chapter 15-10, a new section to chapter"

Page 1, line 2, remove "15.1-27, and a"

Page 1, line 3, remove "scholarship fund, uses of the foundation aid stabilization fund, and a"

Page 1, line 4, after "fund" insert "; to amend and reenact section 15.1-36-01 of the North Dakota Century Code, relating to the approval of school construction projects"

Page 1, line 4, replace "transfers" with "a transfer"

Page 1, replace lines 7 through 20 with:

**"SECTION 1. AMENDMENT.** Section 15.1-36-01 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-36-01. School construction projects - Approval.**

1. Notwithstanding the powers and duties of school boards provided by law, the superintendent of public instruction shall approve the construction, purchase, repair, improvement, modernization, or renovation of any public school building or facility before commencement of the project if the cost of the project, as estimated by the school board, is in excess of one hundred thousand dollars.
2. The superintendent of public instruction may not approve a project unless the school district proposing the project:
  - a. Demonstrates the need for the project and the educational utility of the project or demonstrates potential utilization of the project by a future reorganized school district;
  - b. ~~In the case of new construction or a renovation affecting more than fifty percent of an existing structure's square footage, demonstrates that circumstances within the district are likely to result in a stable or increasing~~Demonstrates that the student population has been stable or has increased during the preceding five school years and is expected to be stable or increase during the ensuing five school years; and
  - c. Demonstrates the capacity to pay for the project under rules adopted by the superintendent of public instruction pursuant to chapter 28-32.
3. a. If the superintendent of public instruction denies the project, the school board may appeal the superintendent's decision to the state board of public school education. In considering the appeal, the state board shall review:
  - (1) The need for the project;
  - (2) The educational utility of the project;
  - (3) The potential use of the project by a future reorganized school district;
  - (4) The capacity of the district to pay for the project; and
  - (5) Any other objective factors relative to the appeal.

- b. The decision of the state board is final.
- 4. This section is applicable to any construction, purchase, repair, improvement, renovation, or modernization, even if the school board pays for the project in whole or in part with moneys received on account of the leasing of lands acquired by the United States for flood control, navigation, and allied purposes in accordance with 33 U.S.C. 701c-3 or in accordance with moneys received under the American Recovery and Reinvestment Act of 2009.
- 5. For purposes of this chapter, "facility" includes a public school parking lot, public school athletic complex, or any other improvement to real property owned by the school district."

Page 2, replace lines 1 through 5 with:

**"North Dakota school district construction fund - Creation - Loans.**

- 1. In addition to any construction loans made available under section 15.1-36-02, the Bank of North Dakota shall authorize the use of and administer moneys in the North Dakota school district construction fund, which is a revolving fund. The fund consists of:
  - a. Amounts transferred into the fund by legislative action; and
  - b. Repayments of loans from the fund.
- 2. To be eligible for a loan under this section, the board of a school district shall:
  - a. Propose a new construction or remodeling project with a cost of at least one million dollars and an expected utilization of at least thirty years;
  - b. Obtain the approval of the superintendent of public instruction for the project under section 15.1-36-01;
  - c. (1) Request from the tax commissioner a statement of the estimated tax increase, in mills and dollars, which would be applicable to a residential parcel of average true and full value within the county in which the school district is headquartered, if a loan under this section and any associated school construction bond issue were to be authorized in accordance with chapter 21-03;
  - (2) Request from the tax commissioner a statement of the estimated tax increase, in mills and dollars, which would be applicable to an acre of cropland and to an acre of noncropland, of average true and full value within the county in which the school district is headquartered, if a loan under this section and any associated school construction bond issue were to be authorized in accordance with chapter 21-03;
  - (3) Publish in the official newspaper of the district the information from the statements required by this subdivision with the notice of the election to authorize the school construction bond issuance in accordance with section 21-03-12; and
  - (4) Post on the school district's website the information from the statements required by this subdivision for at least the thirty-day period immediately preceding the date of the election to authorize the school construction bond issuance in accordance with chapter 21-03;



- d. Receive authorization for a bond issuance in accordance with chapter 21-03; and
- e. Submit a completed application to the Bank of North Dakota.
3. The Bank of North Dakota shall prioritize the applications and award loans under this section to eligible school districts during July of each year, beginning in 2015. The prioritization must be based on a consideration of:
  - a. Student occupancy and academic needs in the district;
  - b. The age of existing structures to be replaced or remodeled;
  - c. Building design proposals that are based on safety and vulnerability assessments;
  - d. Community support;
  - e. Cost of the project and the ability of the school district to repay the loan; and
  - f. Any other criteria established in rule by the superintendent of public instruction, after consultation with an interim committee appointed by the legislative management.
4. The term of a loan under this section is twenty years, unless a shorter term is requested by the board of a school district in its application.
5. The interest rate on a loan under this section may not exceed two percent.
6. The maximum loan amount to which a school district is entitled under this section is ten million dollars."

Page 2, line 8, remove "an amount equal to"

Page 2, remove line 9

Page 2, line 10, replace "on July 1, 2016," with "the sum of \$100,000,000"

Page 2, remove lines 12 through 16

Page 2, line 17, replace "Sections 2, 4, and 5" with "Section 3"

Page 2, line 17, replace "are" with "is"

Page 2, line 19, remove "sections 2, 4,"

Page 2, line 20, replace "and 5" with "section 3"

Page 2, line 20, replace "take" with "takes"

Page 2, line 20, replace "sections become" with "section becomes"

Renumber accordingly

#### **STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment provides for the following:

- Creates school district construction loan program and provides program guidelines.
- Amends Section 15.1-36-01 regarding requirements for approval of school construction projects by the Superintendent of Public Instruction.

- Provides for a contingent transfer of \$100 million from the foundation aid stabilization fund to the school district construction loan fund. The transfer is contingent upon the passage of 2015 Senate Concurrent Resolution No. 4003 by the Legislative Assembly and approval of the measure by the voters of the state.
- Removes Sections 1, 2, and 5 which create a scholarship fund, provide for uses of the foundation aid stabilization fund, and provide a contingent transfer from the foundation aid stabilization fund to the scholarship fund.

#### HOUSE AMENDMENTS TO SENATE BILL NO. 2164

Page 1, line 1, replace the second "and" with a comma

Page 1, line 2, after "39-24-04" insert ", and section 39-24-05"

Page 1, line 2, after "fees" insert "and the state snowmobile fund"

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

Page 1, line 13, remove "sixty"

Page 1, line 16, overstrike "In addition, in each year"

Page 1, overstrike lines 17 and 18

Page 1, line 19, overstrike "unsatisfied judgment fund."

Page 1, line 19, remove the overstrike over "~~For each snowmobile registered under the provisions of~~"

Page 1, line 20, remove the overstrike over "~~this chapter, there must be assessed a snowmobile trail tax in the amount of~~"

Page 1, line 20, after "~~thirty-five~~" insert "forty-five"

Page 1, line 21, remove the overstrike over "~~dollars.~~"

Page 2, line 3, replace "twenty" with "twenty-five"

Page 2, line 7, replace "twenty" with "twenty-five"

Page 2, after line 8, insert:

**"SECTION 3. AMENDMENT.** Section 39-24-05 of the North Dakota Century Code is amended and reenacted as follows:

**39-24-05. Disposition of registration fees and trail tax - Transfer from highway tax distribution fund.**

Fees from registration of snowmobiles must be deposited with the state treasurer and credited to the highway tax distribution fund. The snowmobile trail tax must be deposited in a state snowmobile fund in the state treasury. Additionally, an amount equal to the tax collected on ~~thirty~~forty gallons [~~143.56~~151.42 liters] of motor vehicle fuel multiplied by the number of collector snowmobiles and snowmobiles registered under this chapter must be transferred annually from the highway tax distribution fund, before allocation of the fund under section 54-27-19, and credited to the state snowmobile fund. The parks and recreation department may, upon appropriation by the legislative assembly, expend from such fund moneys it deems necessary for purposes of administering snowmobile safety programs and establishing and maintaining snowmobile facilities and programs."

Re-number accordingly

**HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2284**

Page 1, line 2, after the first semicolon insert "and"

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

Page 1, line 3, remove "appropriation"

Page 2, remove lines 1 through 7

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment removes an appropriation of \$200,000 from the general fund, relating to domestic violence/rape crisis grants for community based and hospital based sexual assault nurse examiner programs.

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

**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SB 2346.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2023 and SB 2258, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2023:** Sens. G. Lee; Holmberg; Robinson

**SB 2258:** Sens. Poolman; Davison; Nelson

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

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

**SB 2150:** Reps. K. Koppelman; M. Johnson; Delmore

**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 1231.

**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 1144, HB 1406, and HB 1409, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1144:** Reps. Lefor; Sukut; M. Nelson

**HB 1406:** Reps. Toman; Froseth; Mitskog

**HB 1409:** Reps. Porter; Nathe; Muscha

**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 1054:** Sens. Unruh; Cook; Dotzenrod

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: SB 2327.

**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 2334.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently failed to pass: HB 1283.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2050, SB 2052, SB 2092, SB 2188, SB 2233, SB 2259, SB 2347, SB 2367.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1285, HB 1432.

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

**MR. SPEAKER:** The President has signed: HB 1034, HB 1051, HB 1111, HB 1112, HB 1136, HB 1141, HB 1165, HB 1264, HB 1304, HB 1305, HB 1328, HB 1366, HB 1387, HB 1393.

**REPORT OF STANDING COMMITTEE**

**HB 1015, as reengrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1015 was placed on the Sixth order on the calendar.

Page 1, line 2, after the second semicolon insert "to provide a contingent appropriation;"

Page 1, replace lines 13 through 19 with:

"Adult services	\$175,467,210	\$52,462,099	\$227,929,309
Youth services	28,604,526	2,911,581	31,516,107
Accrued leave payments	<u>4,639,529</u>	<u>(4,639,529)</u>	<u>0</u>
Total all funds	\$208,711,265	\$50,734,151	\$259,445,416
Less estimated income	<u>30,936,922</u>	<u>7,425,784</u>	<u>38,362,706</u>
Total general fund	\$177,774,343	\$43,308,367	\$221,082,710
Full-time equivalent positions	814.29	35.00	849.29"

Page 2, replace lines 8 through 11 with:

"DOCSTARS maintenance	0	150,000
Extraordinary repairs	<u>1,683,296</u>	<u>2,175,847</u>
Total all funds	\$8,339,046	\$8,288,891
Less estimated income	<u>5,198,000</u>	<u>4,900,000</u>
Total general fund	\$3,141,046	\$3,388,891"

Page 2, replace lines 21 through 24 with:

**"SECTION 4. CONTINGENT APPROPRIATION AND AUTHORIZATION - PAROLE AND PROBATION BUDGET SECTION REPORT.** The amount of \$1,782,325 from the general fund and 16 full-time equivalent positions included in section 1 of this Act may be spent and authorized only if the total number of individuals on community supervision exceeds 6,850. The department of corrections and rehabilitation shall notify the office of management and budget and report to the budget section each time one or more full-time equivalent positions are authorized under this section. Of the \$1,782,325 and the 16 full-time equivalent positions in this section, the department of corrections and rehabilitation may spend funding and fill full-time equivalent positions, as follows:

1. \$921,250 and five full-time equivalent positions if the number of individuals on community supervision exceeds 6,850.
2. In addition to the funding and full-time equivalent positions authorized in subsection 1, \$419,888 and three full-time equivalent positions if the number of individuals on community supervision exceeds 7,125.
3. In addition to the funding and full-time equivalent positions authorized in subsections 1 and 2, \$287,025 and three full-time equivalent positions if the number of individuals on community supervision exceeds 7,440.

4. In addition to the funding and full-time equivalent positions authorized in subsections 1 through 3, \$154,163 and three full-time equivalent positions if the number of individuals on community supervision exceeds 7,755."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1015 - Summary of Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Legislative Council				
Total all funds	\$0	\$50,000	\$0	\$50,000
Less estimated income	0	0	0	0
General fund	\$0	\$50,000	\$0	\$50,000
Department of Corrections and Rehab.				
Total all funds	\$208,711,265	\$247,857,238	\$11,588,178	\$259,445,416
Less estimated income	30,936,922	37,639,260	723,446	38,362,706
General fund	\$177,774,343	\$210,217,978	\$10,864,732	\$221,082,710
Bill total				
Total all funds	\$208,711,265	\$247,907,238	\$11,588,178	\$259,495,416
Less estimated income	30,936,922	37,639,260	723,446	38,362,706
General fund	\$177,774,343	\$210,267,978	\$10,864,732	\$221,132,710

**House Bill No. 1015 - Department of Corrections and Rehab. - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Adult services	\$175,467,210	\$216,385,178	\$11,544,131	\$227,929,309
Youth services	28,604,526	31,472,060	44,047	31,516,107
Accrued leave payments	4,639,529			
Total all funds	\$208,711,265	\$247,857,238	\$11,588,178	\$259,445,416
Less estimated income	30,936,922	37,639,260	723,446	38,362,706
General fund	\$177,774,343	\$210,217,978	\$10,864,732	\$221,082,710
FTE	814.29	826.29	23.00	849.29

**Department No. 530 - Department of Corrections and Rehab. - Detail of Senate Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for Targeted Equity <sup>2</sup>	Add Funding for Market Equity <sup>3</sup>	Adds Funding for Parole and Probation Staffing <sup>4</sup>	Adds Contingent Funding for Parole and Probation Staffing <sup>5</sup>	Adds Funding for Youth Correctional Center Staffing <sup>6</sup>
Adult services	(\$494,435)	\$2,126,442	\$1,705,382	\$1,115,681	\$1,782,325	
Youth services	(98,095)					142,142
Accrued leave payments						
Total all funds	(\$592,530)	\$2,126,442	\$1,705,382	\$1,115,681	\$1,782,325	\$142,142
Less estimated income	(26,554)	0	0	0	0	0
General fund	(\$565,976)	\$2,126,442	\$1,705,382	\$1,115,681	\$1,782,325	\$142,142
FTE	0.00	0.00	0.00	6.00	16.00	1.00

	Removes Funding for Adult Recidivism Program <sup>7</sup>	Adds Funding to Increase Contract Housing and Programming <sup>8</sup>	Adds Funding to Increase Extraordinary Repairs <sup>9</sup>	Adjusts Funding for Facility Maintenance and Operations <sup>10</sup>	Adds Funding for Equipment <sup>11</sup>	Adds Funding for DOCSTARS Maintenance <sup>12</sup>
Adult services	(\$1,300,000)	\$5,009,931	\$900,580	\$250,000	\$298,225	\$150,000
Youth services						
Accrued leave payments						
Total all funds	(\$1,300,000)	\$5,009,931	\$900,580	\$250,000	\$298,225	\$150,000
Less estimated income	0	0	150,000	600,000	0	0
General fund	(\$1,300,000)	\$5,009,931	\$750,580	(\$350,000)	\$298,225	\$150,000

FTE	0.00	0.00	0.00	0.00	0.00	0.00
	<b>Total Senate Changes</b>					
Adult services	\$11,544,131					
Youth services	44,047					
Accrued leave payments						
Total all funds	\$11,588,178					
Less estimated income	723,446					
General fund	\$10,864,732					
FTE	23.00					

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

<sup>2</sup> Funding of \$2,126,442 from the general fund is provided for targeted equity salary increases for correctional officer positions.

<sup>3</sup> Funding of \$1,705,382 from the general fund is added for market equity salary increases.

<sup>4</sup> Funding of \$1,115,681 from the general fund is added for 6 parole and probation FTE positions. Of that amount, \$35,426 is for performance salary increases and \$21,403 is for health insurance premium adjustments related to the positions. This change brings the total number of new parole and probation positions to 13.

<sup>5</sup> Contingent funding of \$1,782,325 from the general fund is added for 16 parole and probation FTE positions. Positions and funding are contingent upon the number of individuals on community supervision. The intent of the contingent positions is to provide for an average parole and probation officer caseload of 65.

<sup>6</sup> Funding of \$142,142 from the general fund is added for 1 Youth Correctional Center FTE position. Of that amount, \$4,862 is for performance salary increases and \$3,567 is for health insurance premium adjustments related to the position.

<sup>7</sup> Funding of \$1.3 million from the general fund is removed for adult recidivism reduction.

<sup>8</sup> Funding of \$5,009,931 from the general fund is added to increase funding for contract housing and programming to provide a total of \$33,989,693.

<sup>9</sup> Funding of \$150,000 from other funds is added to provide for air conditioning in the Roughrider Industries building at the James River Correctional Center. One-time funding of \$750,580 from the general fund is added for perimeter fence and existing sally port renovation and replacement and installation of lighting luminaries at the James River Correctional Center.

<sup>10</sup> Funding of \$600,000 is added from the penitentiary land replacement fund and funding is reduced by \$350,000 from the general fund for facility maintenance and operations. This provides for total funding of \$993,405 for facility maintenance and operations, of which \$393,405 is from the general fund.

<sup>11</sup> Funding of \$298,225 from the general fund is added for parole officer phones and radios.

<sup>12</sup> One-time funding of \$150,000 from the general fund is added for Department of Corrections and Rehabilitation's DOCSTARS maintenance.

This amendment also:

- Removes Section 4, which designates \$1.3 million of the appropriation in the adult services line item for a recidivism reduction reentry program pilot project in Cass, Burleigh, Morton, and Williams Counties.
- Adds a section to identify the criteria for the 16 contingent parole and probation FTE

positions.

### REPORT OF STANDING COMMITTEE

**HB 1020, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1020 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "to amend and reenact sections 4-05.1-05, 4-08-10, 57-39.5-02, and 57-43.1-03.1 of the North Dakota Century Code, relating to North Dakota state university main research center full-time equivalent positions, North Dakota state university extension service full-time equivalent positions, the transfer of revenue from the farm machinery gross receipts tax, and fuel tax refunds; to authorize the Langdon research extension center to purchase certain land in Cavalier County;"

Page 1, line 4, remove "and"

Page 1, line 4, replace "an exemption" with "for exemptions; to provide an effective date; and to declare an emergency"

Page 1, remove lines 20 through 24

Page 2, replace lines 1 and 2 with:

"Extension service	\$48,867,985	\$6,069,583	\$54,937,568
Soil conservation committee	1,137,800	75,000	1,212,800
Accrued leave payments	<u>1,716,289</u>	<u>(1,716,289)</u>	<u>0</u>
Total all funds	\$51,722,074	\$4,428,294	\$56,150,368
Less estimated income	<u>23,897,809</u>	<u>1,928,899</u>	<u>25,826,708</u>
Total general fund	\$27,824,265	\$2,499,395	\$30,323,660
Full-time equivalent positions	258.26	7.65	265.91"

Page 2, replace lines 7 through 11 with:

"Northern crops institute	\$3,719,827	\$130,066	\$3,849,893
Accrued leave payments	<u>42,195</u>	<u>(42,195)</u>	<u>0</u>
Total all funds	\$3,762,022	\$87,871	\$3,849,893
Less estimated income	<u>1,797,161</u>	<u>(49,426)</u>	<u>1,747,735</u>
Total general fund	\$1,964,861	\$137,297	\$2,102,158"

Page 2, replace lines 18 through 23 with:

"Upper great plains transportation institute	\$25,038,160	(\$1,515,404)	\$23,522,756
Accrued leave payments	<u>241,627</u>	<u>(241,627)</u>	<u>0</u>
Total all funds	\$25,279,787	(\$1,757,031)	\$23,522,756
Less estimated income	<u>22,452,963</u>	<u>(4,277,306)</u>	<u>18,175,657</u>
Total general fund	\$2,826,824	\$2,520,275	\$5,347,099"

Page 2, remove lines 29 through 31

Page 3, replace lines 1 through 3 with:

"Main research center	\$102,691,843	\$33,633,794	\$136,325,637
Accrued leave payments	<u>2,561,394</u>	<u>(2,561,394)</u>	<u>0</u>
Total all funds	\$105,253,237	\$31,072,400	\$136,325,637
Less estimated income	<u>53,053,716</u>	<u>4,044,809</u>	<u>57,098,525</u>
Total general fund	\$52,199,521	\$27,027,591	\$79,227,112
Full-time equivalent positions	351.49	2.36	353.85"

Page 3, replace lines 8 through 18 with:

"Dickinson research center	\$6,116,621	\$1,241,540	\$7,358,161
Central grasslands research center	3,229,867	452,700	3,682,567

Hettinger research center	4,661,729	589,459	5,251,188
Langdon research center	2,832,495	344,621	3,177,116
North central research center	4,582,677	604,264	5,186,941
Williston research center	3,766,986	1,707,104	5,474,090
Carrington research center	7,892,494	1,693,020	9,585,514
Accrued leave payments	<u>503,916</u>	<u>(503,916)</u>	<u>0</u>
Total all funds	\$33,586,785	\$6,128,792	\$39,715,577
Less estimated income	<u>16,001,083</u>	<u>3,816,047</u>	<u>19,817,130</u>
Total general fund	\$17,585,702	\$2,312,745	\$19,898,447"

Page 3, replace lines 24 through 26 with:

"Agronomy seed farm	\$1,466,018	\$54,989	\$1,521,007
Accrued leave payments	<u>5,741</u>	<u>(5,741)</u>	<u>0</u>
Total special funds	\$1,471,759	\$49,248	\$1,521,007"

Page 4, replace lines 1 through 3 with:

"Grand total general fund	\$102,401,173	\$34,672,303	\$137,073,476
Grand total special funds	<u>118,674,491</u>	<u>5,687,271</u>	<u>124,361,762</u>
Grand total all funds	\$221,075,664	\$40,359,574	\$261,435,238"

Page 4, replace line 9 with:

"Agronomy laboratories		\$5,925,000	\$150,000"
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Page 4, replace lines 17 through 20 with:

"Upper great plains transportation institute road study			0
	1,250,000		
Dust issues technical support		0	100,000
Greenhouse utilities		0	400,000
Veterinary diagnostics laboratory		0	18,000,000
Seed cleaning plants		0	2,600,000
Flooded lands study		<u>82,000</u>	<u>82,000</u>
Total all funds		\$9,792,000	\$22,582,000
Total other funds		<u>950,000</u>	<u>150,000</u>
Total general fund		\$8,842,000	\$22,432,000"

Page 5, after line 2, insert:

**"SECTION 4. ACQUISITION OF LAND AUTHORIZED.** The state of North Dakota, by and through the state board of agricultural research and education, may acquire certain real property in Cavalier County to be used for the purposes of the Langdon research extension center on the terms and for a price as approved by the board, but not to exceed \$350,000 nor the appraised value of the property. The board may purchase the northeast ¼ of section 19 of township 161 north, range 59 west.

**SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$175,000, and from special funds, the sum of \$175,000, or so much of the sum as may be necessary, to the Langdon research extension center for the purpose of purchasing the real property described in section 4 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 6. AMENDMENT.** Section 4-05.1-05 of the North Dakota Century Code is amended and reenacted as follows:

**4-05.1-05. North Dakota state university main research center position adjustments - Budget section report.**

The North Dakota state university main research center must be located on the campus of North Dakota state university of agriculture and applied science. The



center is the administrative location of the agricultural experiment station. The center shall conduct research and coordinate all research activities of the agricultural experiment station. The research must have, as a purpose, the development and dissemination of technology important to the production and utilization of food, feed, fiber, and fuel from crop and livestock enterprises. The research must provide for an enhancement of the quality of life, sustainability of production, and protection of the environment. Subject to the availability of funds, the station director may adjust or increase full-time equivalent positions in order to carry out activities to accomplish the mission of the agricultural experiment station. All full or partial positions must be separate from North Dakota state university. Annually, the station director shall report to the office of management and budget and to the budget section any adjustments or increases made pursuant to this section. The center may conduct baseline research, including production and processing in conjunction with the research and extension centers of the state, regarding industrial hemp and other alternative industrial use crops. The center may collect feral hemp seed stock and develop appropriate adapted strains of industrial hemp which contain less than three-tenths of one percent tetrahydrocannabinol in the dried flowering tops. The agriculture commissioner shall monitor the collection of feral hemp seed stock and industrial hemp strain development and shall certify appropriate stocks for licensed commercial cultivation.

**SECTION 7. AMENDMENT.** Section 4-08-10 of the North Dakota Century Code is amended and reenacted as follows:

**4-08-10. Extension agent to submit monthly account of expenditures - Position adjustments - Budget section report.**

The extension agent shall submit monthly an accurate itemized account of all expenditures incurred by the agent in the regular conduct of duties to the North Dakota state university extension service for examination and audit. When charges are made by an extension agent for money expended in the performance of official duties, all items of one dollar or more expended and charged for must be covered by a subvoucher or receipt that must be signed by the person to whom the money was paid. The subvoucher or receipt must show at what place, on what date, and for what the money expended was paid. The extension agent shall forward the subvouchers or receipts with the bill, claim, account, or demand against the county. When charges are made for transportation expenses, they may not exceed the amounts provided by section 11-10-15, and must be in itemized form showing the mileage traveled, the days when and how traveled, and the purpose thereof, verified by affidavit. The account must be transmitted and recommended for payment by the North Dakota state university extension service which shall audit the same and which may approve or disallow any expense item therein. The state board of agricultural research and education and the president of North Dakota state university shall control and administer the North Dakota state university extension service subject to the supervision of the state board of higher education. Funds appropriated to the North Dakota state university extension service may not be commingled with funds appropriated to North Dakota state university. An appropriation request to defray expenses of the North Dakota state university extension service must be separate from an appropriation request to defray expenses of North Dakota state university. Subject to the availability of funds, the director of the North Dakota state university extension service may adjust or increase full-time equivalent positions in order to carry out activities to accomplish the mission of the extension service. All full or part-time positions must be separate from North Dakota state university. Annually, the director of the North Dakota state university extension service shall report to the office of management and budget and to the budget section any adjustments or increases made pursuant to this section.

**SECTION 8. AMENDMENT.** Section 57-39.5-02 of the North Dakota Century Code is amended and reenacted as follows:

**57-39.5-02. Imposition - Transfer of funds - Exemptions.**

There is imposed a tax of three percent upon the gross receipts of retailers from all sales at retail, including the leasing or renting, of farm machinery or irrigation equipment used exclusively for agricultural purposes. After July first of each year.

one million dollars of taxes collected under this chapter must be transferred to the state treasurer who shall deposit the moneys in the agricultural research fund. Gross receipts from sales at retail of farm machinery or irrigation equipment are exempted from the tax imposed by this chapter when the sale, lease, or rental is made to a purchaser or lessor who is entitled to a sales and use tax exemption under subsection 6 or 12 of section 57-39.2-04 on otherwise taxable sales at retail. There are specifically exempted from the tax imposed by this chapter the gross receipts from the sale, lease, or rental of used farm machinery, farm machinery repair parts, used irrigation equipment, or irrigation equipment repair parts used exclusively for agricultural purposes. For purposes of this section, "used" means:

1. Tax under this chapter or chapter 57-39.2 or 57-40.2 has been paid on a previous sale;
2. Tax under section 57-39.5-06 has been paid under a previous lease;
3. Originally purchased outside this state and previously owned by a farmer; or
4. Has been under rental for three years or more.

**SECTION 9. AMENDMENT.** Section 57-43.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

**57-43.1-03.1. Refund of tax for fuel used for agricultural purposes - Reductions.**

Any consumer who buys or uses any motor vehicle fuel for an agricultural purpose on which the motor vehicle fuel tax has been paid may file a claim with the commissioner for a refund under this chapter. ~~The amount of the tax refund under this section must be reduced by seven cents per gallon [3.79 liters] except for those fuels used in aircraft or with respect to refunds claimed by aircraft fuel users. The amount per gallon [3.79 liters] withheld from the refund must be deposited in the agricultural research fund.~~

Page 5, line 4, remove "- REPORT"

Page 5, after line 18, insert:

**"SECTION 13. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** The board of higher education may adjust or increase full-time equivalent positions as needed for the entities in section 1 of this Act. All full- or part-time positions must be separate from North Dakota state university. Annually, the board shall report to the office of management and budget and to the budget section any adjustments made pursuant to this section."

Page 6, line 1, remove "Excluding \$400,000 provided from the general fund for the"

Page 6, line 2, replace "central grasslands research center agronomy laboratory, all other" with "The"

Page 6, after line 11, insert:

**"SECTION 18. EMERGENCY.** The appropriation for capital projects of \$20,750,000 in subdivision 4 of section 1 of this Act and sections 4 and 5 are declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1020 - Summary of Senate Action**

Base Budget	House Version	Senate Changes	Senate Version
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Transportation Institute				
Total all funds	\$25,279,787	\$22,772,669	\$750,087	\$23,522,756
Less estimated income	22,452,963	18,209,804	(34,147)	18,175,657
General fund	\$2,826,824	\$4,562,865	\$784,234	\$5,347,099
Branch Research Centers				
Total all funds	\$33,586,785	\$39,253,428	\$812,149	\$40,065,577
Less estimated income	16,001,083	19,818,755	173,375	19,992,130
General fund	\$17,585,702	\$19,434,673	\$638,774	\$20,073,447
NDSU Extension Service				
Total all funds	\$51,722,074	\$55,531,024	\$619,344	\$56,150,368
Less estimated income	23,897,809	25,933,838	(107,130)	25,826,708
General fund	\$27,824,265	\$29,597,186	\$726,474	\$30,323,660
Northern Crops Institute				
Total all funds	\$3,762,022	\$3,858,927	(\$9,034)	\$3,849,893
Less estimated income	1,797,161	1,746,735	1,000	1,747,735
General fund	\$1,964,861	\$2,112,192	(\$10,034)	\$2,102,158
Main Research Center				
Total all funds	\$105,253,237	\$113,918,205	\$22,407,432	\$136,325,637
Less estimated income	53,053,716	56,988,959	109,566	57,098,525
General fund	\$52,199,521	\$56,929,246	\$22,297,866	\$79,227,112
Agronomy Seed Farm				
Total all funds	\$1,471,759	\$1,523,264	(\$2,257)	\$1,521,007
Less estimated income	1,471,759	1,523,264	(2,257)	1,521,007
General fund	\$0	\$0	\$0	\$0
Bill total				
Total all funds	\$221,075,664	\$236,857,517	\$24,577,721	\$261,435,238
Less estimated income	118,674,491	124,221,355	140,407	124,361,762
General fund	\$102,401,173	\$112,636,162	\$24,437,314	\$137,073,476

### House Bill No. 1020 - Transportation Institute - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Upper great plains trans. institute	\$25,038,160	\$22,772,669	\$750,087	\$23,522,756
Accrued leave payments	241,627			
Total all funds	\$25,279,787	\$22,772,669	\$750,087	\$23,522,756
Less estimated income	22,452,963	18,209,804	(34,147)	18,175,657
General fund	\$2,826,824	\$4,562,865	\$784,234	\$5,347,099
FTE	53.75	54.98	0.00	54.98

### Department No. 627 - Transportation Institute - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for Road and Bridge Asset System <sup>2</sup>	Total Senate Changes
Upper great plains trans. institute	(\$42,913)	\$793,000	\$750,087
Accrued leave payments			
Total all funds	(\$42,913)	\$793,000	\$750,087
Less estimated income	(34,147)	0	(34,147)
General fund	(\$8,766)	\$793,000	\$784,234
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 of \$793,000 from the general fund is added for a road and bridge asset management system.

adjust or increase FTE positions for the Upper Great Plains Transportation Institute and report any adjustments to the Office of Management and Budget.

### House Bill No. 1020 - Branch Research Centers - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Dickinson research center	\$6,116,621	\$7,345,566	\$12,595	\$7,358,161
Central grasslands research center	3,229,867	3,541,123	141,444	3,682,567
Hettinger research center	4,661,729	5,237,855	13,333	5,251,188
Langdon research center	2,832,495	3,034,116	143,000	3,177,116
North central research center	4,582,677	5,170,497	16,444	5,186,941
Williston research center	3,766,986	5,338,868	135,222	5,474,090
Carrington research center	7,892,494	9,585,403	111	9,585,514
Accrued leave payments	503,916			
Langdon research center - Land purchase			350,000	350,000
Total all funds	\$33,586,785	\$39,253,428	\$812,149	\$40,065,577
Less estimated income	16,001,083	19,818,755	173,375	19,992,130
General fund	\$17,585,702	\$19,434,673	\$638,774	\$20,073,447
FTE	107.04	113.94	0.00	113.94

### Department No. 628 - Branch Research Centers - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Increases Funding for Equipment <sup>2</sup>	Adjusts Base Level Funding for Equipment <sup>3</sup>	Add Funding for Land Purchase <sup>4</sup>	Total Senate Changes
Dickinson research center	(\$12,405)	\$150,000	(\$125,000)		\$12,595
Central grasslands research center	(8,556)	25,000	125,000		141,444
Hettinger research center	(11,667)	150,000	(125,000)		13,333
Langdon research center	(7,000)	25,000	125,000		143,000
North central research center	(8,556)	150,000	(125,000)		16,444
Williston research center	(14,778)	25,000	125,000		135,222
Carrington research center	(24,889)	25,000			111
Accrued leave payments					
Langdon research center - Land purchase				350,000	350,000
Total all funds	(\$87,851)	\$550,000	\$0	\$350,000	\$812,149
Less estimated income	(1,625)	0	0	175,000	173,375
General fund	(\$86,226)	\$550,000	\$0	\$175,000	\$638,774
FTE	0.00	0.00	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 of \$550,000 from the general fund is added to increase funding for equipment over \$5,000 to \$1,050,000 from the general fund. This provides for \$150,000 per branch research center per biennium.

<sup>3</sup> Base level funding for equipment is adjusted among the branch research centers.

<sup>4</sup> One-time funding of \$175,000 from the general fund and \$175,000 from other funds is added for the purchase of real property in Cavalier County.

Other changes include;

- Adds a section to authorize the State Board of Higher Education to adjust or increase FTE positions for the Branch Research Centers and report any adjustments to the Office of Management and Budget.
- Adds a section to authorize the Langdon Research Extension Center to purchase land in Cavalier County and provides an emergency clause for the funding.

**House Bill No. 1020 - NDSU Extension Service - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Extension service	\$48,867,985	\$54,393,224	\$544,344	\$54,937,568
Soil conservation committee	1,137,800	1,137,800	75,000	1,212,800
Accrued leave payments	1,716,289			
Total all funds	\$51,722,074	\$55,531,024	\$619,344	\$56,150,368
Less estimated income	23,897,809	25,933,838	(107,130)	25,826,708
General fund	\$27,824,265	\$29,597,186	\$726,474	\$30,323,660
FTE	258.26	262.91	3.00	265.91

**Department No. 630 - NDSU Extension Service - Detail of Senate Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for New FTE Positions <sup>2</sup>	Increases Funding for Soil Conservation District Grants <sup>3</sup>	Removes Funding for Junior Gardener Program <sup>4</sup>	Total Senate Changes
Extension service	(\$226,600)	\$795,944		(\$25,000)	\$544,344
Soil conservation committee			75,000		75,000
Accrued leave payments					
Total all funds	(\$226,600)	\$795,944	\$75,000	(\$25,000)	\$619,344
Less estimated income	(107,130)	0	0	0	(107,130)
General fund	(\$119,470)	\$795,944	\$75,000	(\$25,000)	\$726,474
FTE	0.00	3.00	0.00	0.00	3.00

<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 added from the general fund for three new FTE positions as follows:

	FTE	Salary and Benefits	Operating Expenses	Total
Area livestock specialist	1.00	\$207,972	\$40,000	\$247,972
Community vitality specialist	1.00	207,972	40,000	247,972
Rural leadership position	1.00	260,000	40,000	300,000
Total	3.00	\$675,944	\$120,000	\$795,944

<sup>3</sup> Funding of \$75,000 from the general fund is added to increase soil conservation district grants.

<sup>4</sup> One-time funding of \$25,000 from the general fund for the Burleigh County Extension Services Junior Master Gardener's program is removed.

Other changes include amending Section 4-08-10 to authorize the extension director, upon the availability of funds, to adjust or increase FTE positions in order to carry out activities critical to the mission of the Extension Service.

**House Bill No. 1020 - Northern Crops Institute - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Northern crops institute	\$3,719,827	\$3,858,927	(\$9,034)	\$3,849,893
Accrued leave payments	42,195			
Total all funds	\$3,762,022	\$3,858,927	(\$9,034)	\$3,849,893
Less estimated income	1,797,161	1,746,735	1,000	1,747,735
General fund	\$1,964,861	\$2,112,192	(\$10,034)	\$2,102,158
FTE	12.00	12.00	0.00	12.00

**Department No. 638 - Northern Crops Institute - Detail of Senate Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Total Senate Changes
Northern crops institute	(\$9,034)	(\$9,034)
Accrued leave payments		
Total all funds	(\$9,034)	(\$9,034)
Less estimated income	1,000	1,000
General fund	(\$10,034)	(\$10,034)
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.

Other changes include adding a section to authorize the State Board of Higher Education to adjust or increase FTE positions for the Northern Crops Institute and report any adjustments to the Office of Management and Budget.

**House Bill No. 1020 - Main Research Center - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Main research center	\$102,691,843	\$113,918,205	\$22,407,432	\$136,325,637
Accrued leave payments	2,561,394			
Total all funds	\$105,253,237	\$113,918,205	\$22,407,432	\$136,325,637
Less estimated income	53,053,716	56,988,959	109,566	57,098,525
General fund	\$52,199,521	\$56,929,246	\$22,297,866	\$79,227,112
FTE	351.49	355.85	(2.00)	353.85

**Department No. 640 - Main Research Center - Detail of Senate Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for Graduate Student Staffing <sup>2</sup>	Removes New Precision Agriculture FTE Positions <sup>3</sup>	Adds Funding for Precision Agriculture Operations and Grants <sup>4</sup>	Adds Funding for Equipment <sup>5</sup>	Adds One-Time Funding for Capital Projects <sup>6</sup>
Main research center	(\$305,786)	\$800,000	(\$468,782)	\$600,000	\$550,000	\$20,750,000
Accrued leave payments						
Total all funds	(\$305,786)	\$800,000	(\$468,782)	\$600,000	\$550,000	\$20,750,000
Less estimated income	(40,434)	0	0	0	0	150,000
General fund	(\$265,352)	\$800,000	(\$468,782)	\$600,000	\$550,000	\$20,600,000
FTE	0.00	0.00	(2.00)	0.00	0.00	0.00

	Adds One-Time Funding for Greenhouse Utilities <sup>7</sup>	Adds One-Time Funding for Flooded Lands Study <sup>8</sup>	Total Senate Changes
Main research center	\$400,000	\$82,000	\$22,407,432
Accrued leave payments			
Total all funds	\$400,000	\$82,000	\$22,407,432
Less estimated income	0	0	109,566
General fund	\$400,000	\$82,000	\$22,297,866
FTE	0.00	0.00	(2.00)

<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 \$800,000 from the general fund is added for graduate student funding for greater research efficiencies and effectiveness.

<sup>3</sup> Funding from the general fund for two new FTE positions is removed as follows:

	FTE	Salaries and Benefits	Operating Expenses	Total
Precision agriculture scientist	(1.00)	(\$234,072)	(\$50,000)	(\$284,072)
Precision agriculture technician	(1.00)	(134,710)	(50,000)	(184,710)
<b>Total</b>	<b>(2.00)</b>	<b>(\$368,782)</b>	<b>(\$100,000)</b>	<b>(\$468,782)</b>

<sup>4</sup> Funding of \$600,000 from the general fund is added for precision agriculture operating expenses and grants.

<sup>5</sup> Funding of \$550,000 from the general fund is added for equipment.

<sup>6</sup> One-time funding is provided for capital projects as follows:

	General Fund	Other Funds	Total
Central Grasslands Research		\$150,000	\$150,000
Center agronomy laboratory			
Veterinary diagnostics laboratory	18,000,000		18,000,000
Seed cleaning plants	2,600,000		2,600,000
<b>Total</b>	<b>\$20,600,000</b>	<b>\$150,000</b>	<b>\$20,750,000</b>

<sup>7</sup> One-time funding of \$400,000 is added from the general fund for increased utility costs related to the greenhouse.

<sup>8</sup> One-time funding of \$82,000 from the general fund is added to continue the flooded lands study relating to the recovery of grasslands affected by the Souris River flooding.

This amendment also:

- Amends Section 4-05.1-05 to authorize the station director, upon the availability of funds, to adjust or increase FTE positions in order to carry out activities critical to the mission of the Agriculture Experiment Station.
- Amends Section 14 related to appropriations for the agronomy laboratories to allow for the carryover of \$400,000 provided from the general fund for the Central Grasslands Research Center agronomy laboratory by the 63<sup>rd</sup> Legislative Assembly.

**House Bill No. 1020 - Agronomy Seed Farm - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Agronomy seed farm	\$1,466,018	\$1,523,264	(\$2,257)	\$1,521,007
Accrued leave payments	5,741			
<b>Total all funds</b>	<b>\$1,471,759</b>	<b>\$1,523,264</b>	<b>(\$2,257)</b>	<b>\$1,521,007</b>
Less estimated income	1,471,759	1,523,264	(2,257)	1,521,007
<b>General fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FTE</b>	<b>3.00</b>	<b>3.00</b>	<b>0.00</b>	<b>3.00</b>

**Department No. 649 - Agronomy Seed Farm - Detail of Senate Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Total Senate Changes
Agronomy seed farm	(\$2,257)	(\$2,257)
Accrued leave payments		
<b>Total all funds</b>	<b>(\$2,257)</b>	<b>(\$2,257)</b>
Less estimated income	(2,257)	(2,257)
<b>General fund</b>	<b>\$0</b>	<b>\$0</b>
<b>FTE</b>	<b>0.00</b>	<b>0.00</b>

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

Other changes include adding a section to authorize the State Board of Higher Education to adjust or increase FTE positions for the Agronomy Seed Farm and report any adjustments to

the Office of Management and Budget.

**REPORT OF STANDING COMMITTEE**

**HB 1282, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1282, as amended, was placed on the Sixth order on the calendar.

In lieu of amendments adopted by the Senate as printed on page 766 of the Senate Journal, Reengrossed House Bill No. 1282 is amended as follows:

Page 1, line 5, replace "\$200,000" with "\$500,000"

Page 1, line 12, after the period insert "The funding provided in this section is considered a one-time funding item."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1415, as engrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1415, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on pages 1042 and 1043 of the Senate Journal, Engrossed House Bill No. 1415 is amended as follows:

Page 1, line 1, after "provide" insert "for Fargo flood control project funding requirements; and to provide"

Page 1, after line 2, insert:

**"SECTION 1. FARGO INTERIOR FLOOD CONTROL PROJECT FUNDING REQUIREMENTS.** Any funds designated by the sixty-fourth legislative assembly for Fargo interior flood control projects may be expended only for Fargo interior flood control projects, including levees and dikes, until a federal appropriation is provided for project construction for the Fargo flood control project, at which time the funds may be used for a federally authorized Fargo flood control project, for the biennium beginning July 1, 2015, and ending June 30, 2017. Except as otherwise provided, these funds may be used only for land purchases and construction, including right-of-way acquisition costs, and may not be used for the purchase of dwellings."

Page 1, line 6, after the first "project" insert a comma

Page 1, line 7, after the period insert "It is the intent of the sixty-fourth legislative assembly that \$120,000,000 of the \$570,000,000, be used for Fargo interior flood control projects and that any funds spent for Fargo interior flood control projects after July 1, 2017, require 50 percent matching funds from the Fargo flood authority."

Page 1, line 7, remove "further"

Page 1, replace lines 8 through 10 with "\$326,000,000 yet to be designated by the state for the Fargo flood control project be made available in equal installments over the next five bienniums. It is the intent of the sixty-fourth legislative assembly that funding for the Fargo flood control project will end June 30, 2021, if a federal appropriation has not been provided by June 30, 2021."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1431, as engrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1431, as amended, was placed on the Fourteenth order 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 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 "~~resoreinol~~"

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 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.

#### CONSIDERATION OF AMENDMENTS

**HB 1282, as reengrossed and amended: SEN. AXNESS (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1282:** A BILL for an Act to provide an appropriation to the department of commerce to address health care workforce needs in rural areas of the state.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 37 YEAS, 10 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Casper; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Krebsbach; Lee, J.; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Bekkedahl; Cook; Kilzer; Klein; Laffen; Larsen; Lee, G.; Luick; Miller; Oehlke

Reengrossed HB 1282, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1015, as reengrossed: SEN. WANZEK (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1015:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide an appropriation to the legislative council; to provide a contingent appropriation; to provide for a legislative management study; and to provide legislative intent.

#### ROLL CALL

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

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

Reengrossed HB 1015, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1415, as engrossed and amended: SEN. G. LEE (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1415:** A BILL for an Act to provide for Fargo flood control project funding requirements; and to provide legislative intent.

**ROLL CALL**

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

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

Engrossed HB 1415, as amended, passed.

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**CONSIDERATION OF AMENDMENTS**

**HB 1020, as engrossed: SEN. BOWMAN (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1020:** A BILL for an Act to provide an appropriation for defraying the expenses of the extension service, northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm; to amend and reenact sections 4-05.1-05, 4-08-10, 57-39.5-02, and 57-43.1-03.1 of the North Dakota Century Code, relating to North Dakota state university main research center full-time equivalent positions, North Dakota state university extension service full-time equivalent positions, the transfer of revenue from the farm machinery gross receipts tax, and fuel tax refunds; to authorize the Langdon research extension center to purchase certain land in Cavalier County; to provide for a report; to provide for transfers; to provide for a legislative management study; to provide for exemptions; to provide an effective 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1020, as amended, passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1431:** A BILL for an Act to authorize the Langdon research extension center to purchase certain land in Cavalier County; 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, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 47 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**NAYS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle;

Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed HB 1431, as amended, failed.

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### SECOND READING OF HOUSE BILL

**HB 1046:** A BILL for an Act to provide an appropriation to the department of human services for costs relating to expanded traumatic brain injury programming; and to provide an appropriation.

### ROLL CALL

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

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

Reengrossed HB 1046, as amended, passed.

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### APPOINTMENT OF CONFERENCE COMMITTEE

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1144, Engrossed HB 1406, and Engrossed HB 1409, which motion prevailed.

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

**Engrossed HB 1144:** Sens. Casper, Oehlke, Sinner  
**Engrossed HB 1406:** Sens. Cook, Oehlke, Triplett  
**Engrossed HB 1409:** Sens. Schaible, Unruh, Murphy

### CONSIDERATION OF MESSAGES FROM THE HOUSE

**SEN. KLEIN MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2002 as printed on SJ pages 1358-1360, in the House amendments to Engrossed SB 2039, and in the House amendments to Reengrossed SB 2284 and that a conference committee be appointed to meet with a like committee from the House on each of these measures, which motion prevailed on a voice vote.

### APPOINTMENT OF CONFERENCE COMMITTEES

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

**Engrossed SB 2002:** Sens. Carlisle, Sorvaag, Robinson.  
**Engrossed SB 2039:** Sens. Schaible, Flakoll, Oban.  
**Reengrossed SB 2284:** Sens. Casper, Armstrong, Nelson.

### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. COOK MOVED** that the Senate do concur in the House amendments to Engrossed SB 2318 as printed on SJ page 1320, which motion prevailed on a voice vote.

Engrossed SB 2318 as amended, was placed on the Eleventh order of business.

### SECOND READING OF SENATE BILL

**SB 2318:** A BILL for an Act to create and enact a new section to chapter 57-39.2 and a new subdivision to subsection 4 of section 57-40.2-03.3 of the North Dakota Century Code, relating to a sales and use tax exemption for carbon dioxide capture

equipment used for enhanced oil recovery; to amend and reenact section 57-60-06 of the North Dakota Century Code, relating to ad valorem property tax exemption for carbon dioxide capture equipment used for enhanced oil recovery; to provide for a legislative management study; and to provide an effective date.

#### ROLL CALL

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

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

Reengrossed SB 2318 passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. KLEIN MOVED** that the Senate do concur in the House amendments to Engrossed SB 2278 as printed on SJ pages 1360-1361, which motion prevailed on a voice vote.

Engrossed SB 2278 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2278:** A BILL for an Act to amend and reenact sections 43-07-04, 43-07-04.1, 43-07-07, 43-07-09, 43-07-10, and 43-07-15 of the North Dakota Century Code, relating to contractor licensing and fees; to repeal section 43-07-05 of the North Dakota Century Code, relating to contractor license fees; to provide a penalty; 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 45 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Nelson; O'Connell

Reengrossed SB 2278 passed and the emergency clause was declared carried.

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#### MOTION

**SEN. KLEIN MOVED** that the Senate stand in recess until 4:30 p.m., which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with President Pro Tempore Dever presiding.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1015, HB 1046, HB 1282, HB 1415.

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

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

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1431.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, unchanged: SB 2289.

**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 2012.

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2012

Page 1, line 2, remove "to create and enact subdivision aa of subsection 1 of section 50-09-29 and a"

Page 1, remove line 3

Page 1, line 4, replace "assistance for needy families benefits and to the monthly maintenance needs allowance;" with "to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to a behavioral health services quarterly report;"

Page 1, line 5, after "sections" insert "6-09-47,"

Page 1, line 5, after the second comma insert "and"

Page 1, line 5, remove ", and subsection 1 of section"

Page 1, line 6, remove "50-09-29,"

Page 1, line 6, after "to" insert "the medical facility infrastructure loan fund,"

Page 1, line 8, after the first semicolon insert "to repeal section 3 of chapter 84 of the 2013 Session Laws, relating to the medical facility infrastructure fund balance transfer;"

Page 1, line 8, after the second semicolon insert "to provide a limitation, relating to a program of all inclusive care for the elderly;"

Page 1, line 9, after the semicolon insert "to provide advance payments to select enrolled providers;"

Page 1, line 10, remove "a"

Page 1, line 10, replace "study" with "studies"

Page 1, line 11, remove "to the legislative council"

Page 1, remove line 24

Page 2, replace lines 1 through 5 with:

"Salaries and wages	\$23,949,306	\$5,307,754	\$29,257,060
Operating expenses	67,749,348	25,838,164	93,587,512
Capital assets	12,000	14,000	26,000
Total all funds	\$91,710,654	\$31,159,918	\$122,870,572
Less estimated income	<u>53,608,032</u>	<u>17,232,729</u>	<u>70,840,761</u>
Total general fund	\$38,102,622	\$13,927,189	\$52,029,811"

Page 2, replace lines 10 through 17 with:

"Salaries and wages	\$52,422,982	\$5,738,890	\$58,161,872
Operating expenses	107,894,413	(2,670,378)	105,224,035
Capital assets	0	10,000	10,000
Grants	458,913,620	5,739,753	464,653,373
Grants - medical assistance	<u>1,910,060,462</u>	<u>486,902,962</u>	<u>2,396,963,424</u>

Total all funds	\$2,529,291,477	\$495,721,227	\$3,025,012,704
Less estimated income	<u>1,587,974,557</u>	<u>391,287,908</u>	<u>1,979,262,465</u>
Total general fund	\$941,316,920	\$104,433,319	\$1,045,750,239"

Page 2, replace lines 22 through 26 with:

"Human service centers	\$182,433,538	\$16,456,866	\$198,890,404
Institutions	<u>130,697,211</u>	<u>14,378,471</u>	<u>145,075,682</u>
Total all funds	\$313,130,749	\$30,835,337	\$343,966,086
Less estimated income	<u>126,067,783</u>	<u>6,627,9591</u>	<u>132,695,734</u>
Total general fund	\$187,062,966	\$24,207,386	\$211,270,352"

Page 2, remove line 31

Page 3, replace lines 1 through 3 with:

"Grand total general fund	\$1,166,482,508	\$142,567,894	\$1,309,050,402
Grand total special funds	<u>1,767,650,372</u>	<u>415,148,588</u>	<u>2,182,798,960</u>
Grand total all funds	\$2,934,132,880	\$557,716,482	\$3,491,849,362
Full-time equivalent positions	2,201.08	10.00	2,211.08"

Page 3, replace lines 15 through 18 with:

"Early childhood services grants	400,000	0	0
Developmental disabilities equipment	0	10,000	10,000
Heating plant repairs and upgrades - State hospital	0	1,156,000	1,156,000
Heating plant repairs and upgrades - Life skills and transition center	0	75,000	75,000
Window replacement - Life skills and transition center	0	44,000	44,000
Equipment over \$5,000 - State hospital	0	275,000	275,000
Equipment over \$5,000 - Life skills and transition center	0	200,000	200,000
Extraordinary repairs - State hospital	0	1,000,000	1,000,000
Extraordinary repairs - Life skills and transition center	<u>0</u>	<u>1,250,000</u>	<u>1,250,000</u>
Total all funds	\$15,319,714	\$4,010,000	\$4,010,000
Less estimated income	<u>10,686,093</u>	<u>10,000</u>	<u>10,000</u>
Total general fund	\$4,633,621	\$4,000,000"	\$4,000,000"

Page 3, line 27, after "budget" insert "and the legislative council"

Page 4, after line 13, insert:

**"SECTION 6. EXEMPTION - LEISURE, RECREATIONAL, AND EDUCATIONAL PROGRAMS.** The grants line item in Subdivision 2 of Section 1 of this Act includes \$150,000 for providing grants for services to provide leisure, recreational, and educational programs for individuals with intellectual or developmental disabilities in the northeast and southeast human service regions. The requirements of chapter 54-44.4 do not apply to the selection of a grantee, the grant award, or payments made under this section.

**SECTION 7. DEPARTMENT OF HUMAN SERVICES - PROGRAM OF ALL INCLUSIVE CARE FOR THE ELDERLY - LIMITATION.** The department of human services may not expand the program of all inclusive care for the elderly during the biennium beginning July 1, 2015 and ending June 30, 2017, into a community that is not operating a program site on August 1, 2015.

**SECTION 8. ADVANCE PAYMENTS - ADJUSTMENTS - EXEMPTION.** The department of human services may provide advance payments to select enrolled providers related to the implementation of the new Medicaid management information system for the period beginning with the effective date of this Act and ending June 30, 2015. The department may spend funds appropriated from the general fund in its grants - medical assistance line item in subdivision 2 of section 1 of this Act for making these advance payments if sufficient funding from the general fund is not available from the department's 2013-15 biennium appropriation. The department shall adjust 2015-17 biennium payments to the enrolled providers to recoup the advance payments. The amount appropriated from special funds in the grants - medical assistance line item in subdivision 2 of section 1 of chapter 12 of the



2013 Session Laws is not subject to section 54-44.1-11, and any unspent funds relating to the federal funds share of any advance payments may be continued and used for paying the federal share of medical assistance payments for the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 9. AMENDMENT.** Section 6-09-47 of the North Dakota Century Code is amended and reenacted as follows:

**6-09-47. (~~Effective through July 31, 2017~~) Medical facility infrastructure loan program fund - Continuing appropriation - Audit and costs of administration.**

1. The Bank of North Dakota shall administer a loan program to provide loans to medical facilities to conduct construction that improves the health care infrastructure in the state or improves access to existing nonprofit health care providers in the state. The construction project may include land purchases and may include purchase, lease, erection, or improvement of any structure or facility to the extent the governing board of the health care facility has the authority to authorize such activity.
2. In order to be eligible under this loan program, the applicant must be the governing board of the health care facility which shall submit an application to the Bank. The application must:
  - a. Detail the proposed construction project, which must be a project of at least one million dollars and which is expected to be utilized for at least thirty years;
  - b. Demonstrate the need and long-term viability of the construction project; and
  - c. Include financial information as the Bank may determine appropriate to determine eligibility, such as whether there are alternative financing methods.
3. The governor shall establish a task force to review loan applications under this section and to make recommendations to the Bank on the loan applications. The task force must include representation of medical providers and medical facilities from the oil-producing counties in the state. The task force shall work with the Bank to establish criteria for eligibility for a loan under the program. The criteria established by the task force and the Bank must give priority to applicants that are located in oil-producing counties.
4. A loan provided under this section:
  - a. May not exceed the lesser of fifteen million dollars or seventy-five percent of the actual cost of the project;
  - b. Must have an interest rate equal to one percent; and
  - c. Must provide a repayment schedule of no longer than twenty-five years.
5. A recipient of a loan under this section shall complete the financed construction project within twenty-four months of approval of the loan. Failure to comply with this subsection may result in forfeiture of the entire loan received under this section.
6. The medical facility infrastructure fund is a special fund in the state treasury. This fund is a revolving fund. All moneys intranferred into the medical facility infrastructure fund, interest on moneys in the fund, and collections of principal and interest on loans from the fund are appropriated to the Bank on a continuing basis for the purpose of providing loans under this section.

7. Funds in the medical facility infrastructure fund may be used for loans as provided under this section and to pay the costs of administration of the fund. Annually, the Bank may deduct a service fee for administering the medical facility infrastructure fund maintained under this section.
8. The medical facility infrastructure fund must be audited in accordance with section 6-09-29. The cost of the audit and any other actual costs incurred by the Bank on behalf of the fund must be paid from the fund.
9. The Bank shall deposit loan repayment funds in the medical facility infrastructure fund. After deduction of fees and costs as provided in this section, the Bank shall make an annual transfer of repayment funds deposited in the medical facility infrastructure fund to the state treasurer for deposit in the strategic investment and improvements fund.

**~~(Effective August 1, 2017, through July 31, 2043) Medical facility infrastructure loan program – Continuing appropriation – Audit and costs of administration.~~**

- ~~1. The Bank of North Dakota shall service loans made under the medical facility infrastructure loan program. The repayment schedule of these loans may not exceed twenty-five years.~~
- ~~2. Funds in the medical facility infrastructure fund may be used for loans as provided under this section and to pay the costs of administration of the fund. Annually, the Bank may deduct a service fee for administering the medical facility infrastructure fund maintained under this section.~~
- ~~3. The medical facility infrastructure fund must be audited in accordance with section 6-09-29. The cost of the audit and any other actual costs incurred by the Bank on behalf of the fund must be paid from the fund.~~
- ~~4. The Bank shall deposit loan repayment funds in the medical facility infrastructure fund. After deduction of fees and costs as provided in this section, the Bank shall make an annual transfer of repayment funds deposited in the medical facility infrastructure fund to the state treasurer for deposit in the strategic investment and improvements fund.~~

**SECTION 10.** A new section to chapter 50-06 of the North Dakota Century Code is created and enacted as follows:

**Behavioral health services quarterly report.**

The department of human services shall publish a quarterly report of all behavioral health services provided by or supported by the department. The report must include each type of behavioral health service, the number of clients served for each service, and the amount of state and federal funds budgeted and spent for each service. Data must be identified for behavioral health services by human service region and by mental health services provided to children, mental health services provided to adults, and substance abuse services."

Page 6, remove lines 24 through 30

Page 7, replace lines 1 through 15 with:

**"SECTION 14. ROBINSON RECOVERY CENTER FUNDING.**

Notwithstanding the designation of funding for the Robinson recovery center in the appropriation for the department of human services in section 1 of this Act, the department may reprocure the contract for methamphetamine treatment services if the current contractor is unable to provide the full capacity of services anticipated under the current contract for the biennium beginning July 1, 2015, and ending June 30, 2017. Funding otherwise designated for the Robinson recovery center may be used to support the costs of the reprocured contract."

Page 7, line 24, replace "10" with "15"

Page 7, remove lines 27 through 31

Page 8, remove lines 1 through 25

Page 8, after line 30, insert:

**"SECTION 18. LEGISLATIVE MANAGEMENT STUDY - MENTAL HEALTH HOTLINE SERVICES.** During the 2015-16 interim, the legislative management shall consider studying the various telephone contact numbers supported by state appropriations to access information regarding services and programs available and determine if multiple numbers are necessary to respond appropriately to the residents of the state. The legislative management shall report its findings and recommendations, along with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

**SECTION 19. REPORT TO LEGISLATIVE MANAGEMENT - ADULT PROTECTIVE SERVICES PROGRAM.** During the 2015-16 interim, the department of human services shall report to the legislative management regarding the adult protective services program including the effectiveness of the program, information on services and outcomes, and funding by human service region and in total.

**SECTION 20. LEGISLATIVE MANAGEMENT STUDY - AUTISM SERVICES.** During the 2015-16 interim, the legislative management shall consider studying services to children with autism. The study must include a review of services currently provided by the department of human services, superintendent of public instruction and other state and local agencies, and an evaluation of the effectiveness of the continuum of care, transition between programs, and outcomes. The study must also identify current funding for these programs and projected funding needs in future bienniums by funding source. The legislative management shall report its findings and recommendations, along with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

**SECTION 21. LEGISLATIVE MANAGEMENT STUDY - LIFE SKILLS AND TRANSITION CENTER.** During the 2015-16 interim, the legislative management shall consider studying the use of the structures and property of the life skills and transition center to determine the best and most efficient use of the properties. If conducted, the study must review the potential to transfer clients from the life skills and transition center to under-utilized facilities on the state hospital campus or to a community-based setting. The study must also review potential alternative uses of structures on the life skills and transition center campus. The legislative management shall report its finding and the recommendations, together with any legislation necessary to implement the recommendations, to the sixty-fifth legislative assembly.

**SECTION 22. BEHAVIORAL HEALTH SERVICES - LEGISLATIVE MANAGEMENT REPORTS.** During the 2015-16 interim, the department of human services shall present its quarterly behavioral health services reports to the legislative management."

Page 9, remove lines 1 through 19

Page 9, line 22, replace "12 and 13" with "15 and 16"

Page 9, line 26, replace "Section 17 of this Act is" with "The medical assistance-grants line item in subdivision 2 of section 1 and sections 8 and 17 of this Act are"

Page 9, after line 27, insert:

**"SECTION 26. REPEAL.** Section 3 of Chapter 84 of the 2013 Session Laws is repealed."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2012 - Summary of House Action**

	Base Budget	Senate Version	House Changes	House Version
Legislative Council				
Total all funds	\$0	\$50,000	(\$50,000)	\$0
Less estimated income	0	0	0	0
General fund	\$0	\$50,000	(\$50,000)	\$0
DHS - Management				
Total all funds	\$91,710,654	\$123,522,794	(\$652,222)	\$122,870,572
Less estimated income	53,608,032	71,213,128	(372,367)	70,840,761
General fund	\$38,102,622	\$52,309,666	(\$279,855)	\$52,029,811
DHS - Program/Policy				
Total all funds	\$2,529,291,477	\$3,074,493,091	(\$49,480,387)	\$3,025,012,704
Less estimated income	1,587,974,557	1,999,696,868	(20,434,403)	1,979,262,465
General fund	\$941,316,920	\$1,074,796,223	(\$29,045,984)	\$1,045,750,239
DHS - Field Services				
Total all funds	\$313,130,749	\$348,982,051	(\$5,015,965)	\$343,966,086
Less estimated income	126,067,783	131,739,212	956,522	132,695,734
General fund	\$187,062,966	\$217,242,839	(\$5,972,487)	\$211,270,352
Bill total				
Total all funds	\$2,934,132,880	\$3,547,047,936	(\$55,198,574)	\$3,491,849,362
Less estimated income	1,767,650,372	2,202,649,208	(19,850,248)	2,182,798,960
General fund	\$1,166,482,508	\$1,344,398,728	(\$35,348,326)	\$1,309,050,402

**Senate Bill No. 2012 - Legislative Council - House Action**

	Base Budget	Senate Version	House Changes	House Version
Operating expenses		\$50,000	(\$50,000)	
Total all funds	\$0	\$50,000	(\$50,000)	\$0
Less estimated income	0	0	0	0
General fund	\$0	\$50,000	(\$50,000)	\$0
FTE	0.00	0.00	0.00	0.00

**Department No. 160 - Legislative Council - Detail of House Changes**

	Removes Funding for Study <sup>1</sup>	Total House Changes
Operating expenses	(\$50,000)	(\$50,000)
Total all funds	(\$50,000)	(\$50,000)
Less estimated income	0	0
General fund	(\$50,000)	(\$50,000)
FTE	0.00	0.00

<sup>1</sup> Funding is removed to hire a consultant to assist with a study of the delivery system for children with special health care needs.

**Senate Bill No. 2012 - DHS - Management - House Action**

	Base Budget	Senate Version	House Changes <sup>1</sup>	House Version
Salaries and wages	\$23,949,306	\$27,778,596	\$1,478,464	\$29,257,060
Operating expenses	67,749,348	95,718,198	(2,130,686)	93,587,512
Capital assets	12,000	26,000		26,000
Total all funds	\$91,710,654	\$123,522,794	(\$652,222)	\$122,870,572
Less estimated income	53,608,032	71,213,128	(372,367)	70,840,761
General fund	\$38,102,622	\$52,309,666	(\$279,855)	\$52,029,811
FTE	147.10	147.10	0.00	147.10

<sup>1</sup>

**Management - House Changes:**

FTE Positions	General Fund	Other Funds	Total

**2015-17 Ongoing Funding Changes**

Adjusts funding for base payroll changes	1,033,645	186,838	1,220,483
Adjusts funding for employee health insurance premiums to reflect the revised premium estimate of \$1,130.22	(73,719)	(37,030)	(110,749)
Adjusts base payroll to increase salaries and wages by \$368,730 and decrease operating expenses by \$368,730			0

**Administration**

Reduces funding for operating expenses	(14,259)	(26,288)	(40,547)
Removes funding for energy impact pool funds	(1,033,645)	(186,838)	(1,220,483)

**Informational Technology**

Reduces funding for operating expenses	(191,877)	(309,049)	(500,926)
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Total ongoing funding changes	0.00	(\$279,855)	(\$372,367)	(\$652,222)
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**Senate Bill No. 2012 - DHS - Program/Policy - House Action**

	Base Budget	Senate Version	House Changes <sup>1</sup>	House Version
Salaries and wages	\$52,422,982	\$58,921,459	(\$759,587)	\$58,161,872
Operating expenses	107,894,413	109,248,284	(4,024,249)	105,224,035
Capital assets		10,000		10,000
Grants	458,913,620	471,383,480	(6,730,107)	464,653,373
Grants - medical assistance	<u>1,910,060,462</u>	<u>2,434,929,868</u>	<u>(37,966,444)</u>	<u>2,396,963,424</u>
Total all funds	\$2,529,291,477	\$3,074,493,091	(\$49,480,387)	\$3,025,012,704
Less estimated income	<u>1,587,974,557</u>	<u>1,999,696,868</u>	<u>(20,434,403)</u>	<u>1,979,262,465</u>
General fund	\$941,316,920	\$1,074,796,223	(\$29,045,984)	\$1,045,750,239
FTE	347.50	352.00	(3.50)	348.50

1

**Program and Policy - House Changes:**

	FTE Positions	General Fund	Other Funds	Total
<b>2015-17 Ongoing Funding Changes</b>				
Adjusts funding for employee health insurance premiums to reflect the revised premium estimate of \$1,130.22		(\$126,396)	(\$135,230)	(\$261,626)
<b>Economic Assist Policy - Grants</b>				
Reduces funding for operating expenses		(\$2,637)	(\$57,947)	(\$60,584)
Removes funding for child care assistance provider rate increase		(\$2,022,099)	\$0	(\$2,022,099)
<b>Child Support Enforcement</b>				
Reduces funding for operating expenses		(\$5,147)	(\$21,085)	(\$26,232)
<b>Medical Services</b>				
Reduces funding for operating expenses		(\$185,106)	(\$53,130)	(\$238,236)
Reduces funding for grant cost and caseload changes		(\$1,000,000)	(\$1,000,000)	(\$2,000,000)
Reduces provider inflationary increases from 3/3 to 2/2 percent		(\$3,169,019)	(\$3,318,083)	(\$6,487,102)
Adds funding to rebase the ambulance rate increase to a percentage of the WSI fee schedule and to provide the same percentage to each category of the schedule		\$125,000	\$125,000	\$250,000
Removes 1 FTE assisted living position	(1.00)	(\$146,234)	\$0	(\$146,234)
Reduces funding for physical, occupational, and speech therapy service provider rate increase to a 50 percent fee schedule (SB 2272)		(\$427,280)	(\$750,891)	(\$1,178,171)
Adds funding from the health care trust fund for a one-time grant for a critical access hospital in the west central human service region located in a city with a population of between 1,500 and 2,500 based on the most recent federal decennial census		\$0	\$250,000	\$250,000
Reduces funding relating to SB 2043 to allow the department to negotiate additional rebates from drug manufacturers under the medical assistance program and allows the department to join a multistate supplemental drug rebate pool		(\$950,574)	(\$950,574)	(\$1,901,148)
<b>Long-Term Care</b>				
Reduces provider inflationary increases from 3/3 to 2/2 percent		(\$2,749,164)	(\$2,420,352)	(\$5,169,516)
Reduces the increase in the monthly maintenance needs allowance for a community spouse of a medical assistance recipient to \$2,550 effective 1/1/2016		(\$347,625)	(\$347,625)	(\$695,250)
Reduces funding relating to anticipated lower utilization of long term care services		(\$5,000,000)	(\$5,000,000)	(\$10,000,000)
Changes the funding source from the general fund to the health care trust fund for nursing facility asset limit changes		(\$300,000)	\$300,000	\$0

Reduces funding for basic care provider payment changes to provide a total of \$386,685, of which \$262,950 is from the general fund		(\$237,050)	\$0	(\$237,050)
Adds funding for basic care provider payment changes relating to HB 1359 to provide a total of \$1,136,685, of which \$1,012,950 is from the general fund		\$750,000	\$0	\$750,000
Changes the funding source from the general fund to the health care trust fund for the 24 month bed layaway program		(\$546,786)	\$546,786	\$0
Adjusts funding relating to the limitation on expansion of the Program of All-inclusive Care for the Elderly (PACE)		(\$500,415)	(\$546,181)	(\$1,046,596)
<b>DD Council</b>				
Reduces funding for operating expenses		\$0	(\$449)	(\$449)
Adjusts the funding source for salary increase allocation		(\$11,224)	\$11,224	\$0
<b>Aging Services</b>				
Reduces funding for operating expenses		(\$38,808)	(\$60,598)	(\$99,406)
Reduces provider inflationary increases from 3/3 to 2/2 percent		(\$192,683)	\$0	(\$192,683)
Removes new inflationary increases for aging services		(\$326,033)	\$0	(\$326,033)
Reduces funding for adult protective services to provide a total of \$464,894		(\$615,179)	\$0	(\$615,179)
Reduces funding for increasing guardianship establishments for vulnerable adults from 52 slots to 26 slots		(\$65,000)	\$0	(\$65,000)
<b>Children and Family Services</b>				
Reduces funding for operating expenses		(\$17,457)	(\$25,701)	(\$43,158)
Reduces provider inflationary increases from 3/3 to 2/2 percent		(\$1,263,207)	(\$752,493)	(\$2,015,700)
Reduces funding for positions relating to administering federal childcare law changes	(1.50)	(\$172,459)	(\$118,681)	(\$291,140)
Reduces funding relating to post adoption services		(\$84,570)	(\$45,598)	(\$130,168)
Reduces funding for child care provider incentive grants to provide a total of \$400,000		(\$100,000)	\$0	(\$100,000)
Reduces funding for early childhood services specialists grants to provide a total of \$300,000		(\$100,000)	\$0	(\$100,000)
Removes funding for a contract rate increase for Chafee Independent Living		(\$89,180)	\$0	(\$89,180)
<b>Mental Health - Substance Abuse</b>				
Reduces funding for operating expenses		(\$42,318)	(\$42,063)	(\$84,381)
Reduces provider inflationary increases from 3/3 to 2/2 percent		(\$52,218)	(\$2,135)	(\$54,353)
Reduces funding for extended services for individuals with serious mental illness to reduce the number of new slots from 50 to 25		(\$277,495)	\$0	(\$277,495)
Reduces funding for traumatic brain injury prevocational skills training to reduce from 8 hours to 4 hours the amount of time allocated each month for each of the 50 slots		(\$239,782)	\$0	(\$239,782)
Removes funding for trauma-informed system of care program		(\$229,130)	(\$58,500)	(\$287,630)
Removes funding for a grant to a statewide family-controlled parent-to-parent support organization (\$205,000) and to a statewide family-to-family health information and education organization (\$205,000)		(\$410,000)	\$0	(\$410,000)
Removes increased funding for indigent care services and acute hospitalization and recovery services relating to substance abuse		(\$1,000,000)	\$0	(\$1,000,000)
Reduces operating fees relating to mental health hotline services		(\$155,000)	\$0	(\$155,000)
Reduces funding for substance use disorder innovation and substance use disorder needs assessment		(\$353,570)	(\$526,922)	(\$880,492)
<b>Vocational Rehabilitation</b>				
Reduces funding for operating expenses		(\$5,122)	(\$10,530)	(\$15,652)
Reduces provider inflationary increases from 3/3 to 2/2 percent		(\$6,291)	\$0	(\$6,291)
Reduces funding for Centers for Independent Living to provide a total of \$2.4 million		(\$500,000)	\$0	(\$500,000)
Removes funding for professional development for stipends for vocational counselors to obtain master degrees		(\$35,571)	(\$131,429)	(\$167,000)
<b>Developmental Disabilities</b>				
Reduces funding for operating expenses		(\$24,175)	(\$24,345)	(\$48,520)
Reduces provider inflationary increases from 3/3 to 2/2 percent		(\$4,151,811)	(\$3,913,340)	(\$8,065,151)
Removes funding for 1 FTE developmental disabilities nurse position	(1.00)	(\$91,454)	(\$91,455)	(\$182,909)
Removes funding for a benefit allowance increase for developmental disabilities services providers		(\$1,000,000)	(\$1,000,000)	(\$2,000,000)
Removes funding increase for guardianship services for individuals with intellectual disabilities to provide a total of \$2,482,906		(\$193,358)	\$0	(\$193,358)
Adds funding to provide leisure, recreational, and educational programs for individuals with intellectual or developmental disabilities		\$150,000	\$0	\$150,000
<b>Autism Services</b>				
Reduces funding for operating expenses		(\$1,532)	(\$1,252)	(\$2,784)
Reduces provider inflationary increases from 3/3 to 2/2 percent		(\$25,944)	(\$25,944)	(\$51,888)
Reduces funding for new autism waiver slots from 30 to 22		(\$234,880)	(\$234,880)	(\$469,760)
Reduces new autism voucher slots from 20 to 10. Total autism voucher slots are 53.		(\$250,001)	\$0	(\$250,001)
Total ongoing funding changes	(3.50)	(\$29,045,984)	(\$20,434,403)	(\$49,480,387)

## Senate Bill No. 2012 - DHS - Field Services - House Action

	Base Budget	Senate Version	House Changes <sup>1</sup>	House Version
Human service centers	\$182,433,538	\$202,171,367	(\$3,280,963)	\$198,890,404
Institutions	130,697,211	146,810,684	(1,735,002)	145,075,682
Total all funds	\$313,130,749	\$348,982,051	(\$5,015,965)	\$343,966,086
Less estimated income	126,067,783	131,739,212	956,522	132,695,734
General fund	\$187,062,966	\$217,242,839	(\$5,972,487)	\$211,270,352
FTE	1706.48	1725.48	(10.00)	1715.48

1

## Field Services - Senate Changes:

	FTE Positions	General Fund	Other Funds	Total
<b>2015-17 Ongoing Funding Changes</b>				
Adjusts funding for employee health insurance premiums to reflect the revised premium estimate of \$1,130.22		(\$1,271,700)	(\$27,869)	(\$1,299,569)
<b>Institutions</b>				
Adjusts the funding source allocation for salary increase	0.00	(\$18,540)	\$18,540	\$0
Reduces operating expenses for State Hospital (\$350,000), and Life Skills and Transition Center (\$250,000)		(\$397,000)	(\$203,000)	(\$600,000)
Changes the funding source for the 15-bed Tomkins program to collections from the Department of Corrections and Rehabilitation		(\$1,520,369)	\$1,520,369	\$0
Reduces funding for extraordinary repairs to provide a total of \$1.25 million - Life Skills and Transition Center		(\$321,360)	\$0	(\$321,360)
Reduces funding for equipment over \$5,000 to provide a total of \$200,000 - Life Skills and Transition Center		(\$175,000)	\$0	(\$175,000)
Reduces 1 FTE position at the State Hospital	(1.00)	(\$130,000)	\$0	(\$130,000)
Reduces equipment over \$5,000 to provide a total of \$275,000 - State Hospital		(\$124,338)	\$0	(\$124,338)
Reduces extraordinary repairs to provide a total of \$1 million - State Hospital		(\$359,505)	\$0	(\$359,505)
Adjusts equipment over \$5,000 to one-time funding for State Hospital (\$275,000) and Life Skills and Transition Center (\$200,000) and extraordinary repairs to one-time funding for State Hospital (\$1 million) and Life Skills and Transition Center (\$1.25 million)		(\$2,725,000)	\$0	(\$2,725,000)
<b>Human Service Centers</b>				
Reduces funding for operating expenses		(\$51,454)	(\$37,671)	(\$89,125)
Reduces provider inflationary increases from 3/3 to 2/2 percent		(\$564,989)	\$0	(\$564,989)
Removes 3 FTE child welfare regional supervisor positions in the north central, southeast, and west central regions	(3.00)	(\$437,771)	(\$52,273)	(\$490,044)
Reduces funding for a 10-bed crisis residential and transitional living unit in the north central region to 5-beds		(\$199,397)	(\$63,400)	(\$262,797)
Removes funding for DD case manager positions for north central, northeast, and lake region	(3.00)	(\$249,669)	(\$188,349)	(\$438,018)
Removes funding for the integrated dual disorder treatment program for west central region	(3.00)	(\$393,295)	\$0	(\$393,295)
Reduces funding for a 10-bed short-term residential facility for the Badlands region to provide a 5-bed unit		(\$119,725)	\$0	(\$119,725)
Adds funding to provide Mobile-on-Call crisis services in the west central region		\$250,000	\$0	\$250,000
Removes funding for mental health disorder prevention services		(\$90,000)	\$0	(\$90,000)
Removes funding for increasing payment rates for behavioral health care provider services		(\$1,000,000)	\$0	(\$1,000,000)
Removes funding for operating expenses for Good Health television services		(\$73,375)	(\$9,825)	(\$83,200)
Total ongoing funding changes	(10.00)	(\$9,972,487)	\$956,522	(\$9,015,965)
<b>One-time funding items</b>				
<b>Institutions</b>				
Adds one-time funding for heating plant repairs and upgrades - State Hospital		1,156,000	0	1,156,000
Adds one-time funding for heating plant repairs and upgrades - Life Skills and Transition Center		75,000	0	75,000
Adds one-time funding for window replacement of the domestic violence shelter on the Life Skills and Transition Center campus		44,000	0	44,000
Adjusts equipment over \$5,000 from ongoing funds for State Hospital (\$275,000) and Life Skills and Transition Center (\$200,000) and extraordinary repairs from ongoing funds for State Hospital (\$1 million) and Life Skills and Transition Center (\$1.25 million)		2,725,000	0	2,725,000
Total one-time funding changes	0.00	\$4,000,000	\$0	\$4,000,000

Total changes - Field services

(10.00)

(\$5,972,487)

\$956,522

(\$5,015,965)

This amendment also:

- Removes Section 9 relating to an annual percentage increase in the TANF benefit amount that is equal to the annual percentage increase in the consumer price index.
- Removes Section 10 relating to monthly maintenance needs allowance for a community spouse and annual increases in the monthly maintenance needs allowance.
- Removes Section 11 providing legislative intent that the Department of Human Services develop a plan for a medically fragile intensive care facility for certain individuals transitioning from the Life Skills and Transition Center during the 2015-16 interim and that the plan consider the resident's and their family's preferences regarding the location of the facility and that the department include funding for the facility in its 2017-19 biennium budget request.
- Removes Section 18 providing for a Legislative Management study of the delivery system for children with special health care needs.
- Removes Section 19 providing an appropriation to the Legislative Council of \$50,000 for a Legislative Management study of the delivery system for children with special health care needs.
- Adds a section to provide an exemption from procurement requirements for grants for services to provide leisure, recreational, and educational programs for individuals with intellectual or developmental disabilities in the northeast and southeast human service regions.
- Adds a section providing the Department of Human Services may not expand the program of all inclusive care for the elderly (PACE) into a community which is not operating a program site on August 1, 2015.
- Adds a section to allow the Department of Human Services to provide advance payments to select enrolled providers related to the implementation of the new Medicaid management information system.
- Adds a section changing the medical facility infrastructure loan fund to a revolving loan fund.
- Repeals the section which would have required any balance remaining in the medical facility infrastructure loan fund on June 30, 2017, to be transferred to the strategic investment and improvements fund.
- Adds a section to allow the Department of Human Services to reprocur the contract for methamphetamine treatment services, if the current contractor is unable to provide the full capacity of services anticipated under the current contract.
- Adds a section providing for a Legislative Management study of the various telephone contact numbers supported by state appropriations to access information regarding services and programs available and to determine if multiple numbers are necessary to respond appropriately to the citizens of the state.
- Adds a section requiring the Department of Human Services to provide a Legislative Management report regarding the adult protective services program, including the effectiveness of the program, information on services and outcomes, and funding by human service region and in total.
- Adds a section providing for Legislative Management study of the use of the structures and property of the Life Skills and Transition Center.
- Adds a section providing for a Legislative Management study of services to children with autism.
- Adds sections requiring the Department of Human Services to publish a quarterly report on behavioral health services beginning January 1, 2016, and to report to the Legislative Management.
- Changes the emergency clause section.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SB 2041.



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

**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SB 2272.

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2278 and SB 2318.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2002, SB 2039, and SB 2284, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2002:** Sens. Carlisle; Sorvaag; Robinson

**SB 2039:** Sens. Schaible; Flakoll; Oban

**SB 2284:** Sens. Casper; Armstrong; Nelson

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

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

**SB 2014:** Reps. Silbernagel; Bellew; Holman

**SB 2027:** Reps. Brabandt; K. Koppelman; Delmore

**SB 2340:** Reps. Boehning; Toman; Strinden

**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 1004, HB 1005, HB 1007, HB 1010, HB 1019, HB 1024, HB 1025, HB 1210, HB 1321, HB 1367, HB 1368, and HB 1443, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1004:** Reps. Bellew; Kreidt; Holman

**HB 1005:** Reps. Silbernagel; J. Nelson; Holman

**HB 1007:** Reps. Kreidt; J. Nelson; Holman

**HB 1010:** Reps. Kreidt; Silbernagel; Holman

**HB 1019:** Reps. Monson; Sanford; Guggisberg

**HB 1024:** Reps. J. Nelson; Pollert; Holman

**HB 1025:** Reps. Kreidt; J. Nelson; Holman

**HB 1210:** Reps. Karls; K. Koppelman; P. Anderson

**HB 1321:** Reps. K. Koppelman; M. Johnson; P. Anderson

**HB 1367:** Reps. Brabandt; K. Koppelman; Delmore

**HB 1368:** Reps. Kretschmar; Klemin; Delmore

**HB 1443:** Reps. Streyle; Vigesaa; Boe

**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 1144:** Sens. Casper; Oehlke; Sinner

**HB 1406:** Sens. Cook; Oehlke; Triplett

**HB 1409:** Sens. Schaible; Unruh; Murphy

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

**MR. PRESIDENT:** The Speaker has signed: SB 2020, SB 2052, SB 2092, SB 2188, SB 2233, SB 2259, SB 2347, SB 2367.

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

**MR. SPEAKER:** The President has signed: SB 2050, SB 2052, SB 2092, SB 2188, SB 2233, SB 2259, SB 2347, SB 2367.

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

**MR. SPEAKER:** The President has signed: HB 1285, HB 1432.

### DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 13, 2015: SB 2050, SB 2052, SB 2092, SB 2188, SB 2233, SB 2259, SB 2347, SB 2367.

### REPORT OF STANDING COMMITTEE

**HCR 3047, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HCR 3047 was placed on the Sixth order on the calendar.

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

### REPORT OF CONFERENCE COMMITTEE

**SB 2161, as engrossed:** Your conference committee (Sens. Hogue, Armstrong, Grabinger and Reps. Hawken, Kretschmar, Wallman) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 1016-1018 and place SB 2161 on the Seventh order.

Engrossed SB 2161 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 so 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.

#### **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.

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

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Reengrossed HB 1049, which motion prevailed.

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

**Reengrossed HB 1049:** Sens. J. Lee, Dever, Warner

#### **CONSIDERATION OF MESSAGES FROM THE HOUSE**

**SEN. KLEIN MOVED** that the Senate do not concur in the House amendments to Reengrossed SB 2046 and in the House amendments to Reengrossed SB 2048 and that a conference committee be appointed to meet with a like committee from the House on each of these measures, which motion prevailed on a voice vote.

#### **APPOINTMENT OF CONFERENCE COMMITTEES**

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

**Reengrossed SB 2046:** Sens. Larsen, J. Lee, Axness.

**Reengrossed SB 2048:** Sens. J. Lee, Anderson, Warner.

#### **MOTION**

**SEN. KLEIN MOVED** that Senate Rule 509 be amended replacing "sixty-fifth legislative day" with "sixty-eighth legislative day", which motion prevailed.

#### **MOTION**

**SEN. KLEIN MOVED** that HB 1256 be placed at the top of the Seventh order, which motion prevailed.

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

**SEN. DEVER MOVED** that the conference committee report on Engrossed HB 1256 as printed on SJ page 834 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1256, as amended, was placed on the Fourteenth order of business.

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

**HB 1256:** A BILL for an Act to amend and reenact sections 50-06.4-01, 50-06.4-02, 50-06.4-04, 50-06.4-05, 50-06.4-06, 50-06.4-07, 50-06.4-08, 50-06.4-09, 50-24.1-33, and 54-38-05, and subsection 25 of section 65-01-02 of the North Dakota Century Code, relating to the definition of brain injury; and to provide for a legislative management study.

#### **ROLL CALL**

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

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek;

Wardner; Warner

**ABSENT AND NOT VOTING:** Carlisle

Engrossed HB 1256, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. LAFFEN MOVED** that the conference committee report on Engrossed SB 2356 as printed on SJ page 945 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2356, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2356:** A BILL for an Act to provide for a legislative management study of abandoned gravel pit reclamation practices and standards.

**ROLL CALL**

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

**YEAS:** Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Dever; Dotzenrod; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Wanzek; Wardner; Warner

**NAYS:** Anderson; Axness; Cook; Davison; Erbele; O'Connell; Triplett; Unruh

**ABSENT AND NOT VOTING:** Carlisle

Reengrossed SB 2356 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. LARSEN MOVED** that the conference committee report on Engrossed SB 2295 as printed on SJ pages 1175-1176 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2295, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2295:** A BILL for an Act to amend and reenact sections 43-39-01 and 43-39-04 and subdivision d of subsection 1 of section 43-39-10 of the North Dakota Century Code, relating to the regulation of athletic trainers; 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 36 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Davison; Dever; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Klein; Krebsbach; Larsen; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; Oban; Oehlke; Robinson; Rust; Schaible; Schneider; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Cook; Dotzenrod; Flakoll; Kilzer; Laffen; Lee, G.; O'Connell; Poolman; Sinner; Sorvaag

**ABSENT AND NOT VOTING:** Carlisle

Reengrossed SB 2295 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

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

Engrossed SB 2097, as amended, was placed on the Eleventh order of business.

**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 39 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Triplett; Wanzek; Wardner; Warner

**NAYS:** Armstrong; Casper; Cook; Laffen; O'Connell; Sorvaag; Unruh

**ABSENT AND NOT VOTING:** Carlisle

Reengrossed SB 2097 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

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

Engrossed SB 2030, as amended, was placed on the Eleventh order of business.

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

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

**ABSENT AND NOT VOTING:** Carlisle

Reengrossed SB 2030 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. RUST MOVED** that the conference committee report on Reengrossed HB 1206 as printed on SJ page 1347 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1206, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1206:** A BILL for an Act to create and enact section 39-08-20.2 of the North Dakota Century Code, relating to special mobile equipment and liability insurance; to amend and reenact subsection 5 of section 39-16-01 of the North Dakota Century Code, relating to motor vehicle financial responsibility; to provide a penalty; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Carlisle

Reengrossed HB 1206, as amended, passed and the emergency clause was declared carried.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. KLEIN MOVED** that the conference committee report on Engrossed HB 1102 as printed on SJ page 1072 be adopted, which motion prevailed on a voice vote.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2046 and SB 2048, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2046:** Sens. Larsen; J. Lee; Axness

**SB 2048:** Sens. J. Lee; Anderson; Warner

**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 1049:** Sens. J. Lee; Dever; Warner

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

**MR. SPEAKER:** The Senate has adopted the conference committee report on: HB 1102.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2030, SB 2097, SB 2295, SB 2356.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1256.

**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: HB 1206.

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on April 13, 2015, I have signed the following: SB 2004, SB 2007, SB 2043, SB 2189, SB 2214, SB 2250, SB 2271, SB 2274, SB 2320, and SB 2348.

**MOTION**

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

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Tuesday, April 14, 2015, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1018, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1018 was placed on the Sixth order on the calendar.

Page 1, line 2, after the third semicolon insert "to amend and reenact section 54-60-17 of the North Dakota Century Code, relating to workforce development;"

Page 1, replace line 12 with:

"Salaries and wages	\$12,361,114	\$834,068	\$13,195,182"
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Page 1, replace line 14 with:

"Operating expenses	15,635,749	3,049,374	18,685,123"
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Page 1, replace line 16 with:

"Grants	56,622,950	14,076,506	70,699,456"
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Page 1, remove line 24

Page 2, replace lines 1 through 4 with:

"Entrepreneurship grants and vouchers	0	3,250,000	3,250,000
Partner programs	<u>2,022,044</u>	<u>200,000</u>	<u>2,222,044</u>
Total all funds	\$93,864,446	\$38,908,728	\$132,773,174
Less estimated income	<u>51,707,386</u>	<u>23,812,087</u>	<u>75,519,473</u>
Total general fund	\$42,157,060	\$15,096,641	\$57,253,701"

Page 2, replace lines 20 through 22 with:

"Enhanced use lease grant	2,500,000	7,500,000
Child care facility grants	0	3,000,000
Homeless shelter grants	0	1,500,000"

Page 2, replace line 24 with:

"Tribal community college grants	0	4,000,000"
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Page 2, replace line 27 with:

"Workplace safety training facility grant	0	4,000,000
Workforce recruitment campaign	0	300,000"

Page 2, remove lines 29 and 30

Page 3, replace lines 1 and 2 with:

"Entrepreneurship grants and vouchers	0	1,750,000
Tourism international	0	247,836
Educators and industry externships	<u>0</u>	<u>50,000</u>
Total all funds	\$45,955,636	\$46,176,325
Less estimated income	<u>23,655,636</u>	<u>22,359,869</u>
Total general fund	\$22,300,000	\$23,816,456"



Page 3, line 7, after the boldfaced hyphen insert "**CONTINGENCY -**"

Page 3, line 8, replace "\$2,000,000" with "\$4,000,000"

Page 3, line 9, remove "acquiring land, site"

Page 3, line 10, replace "development, and design for" with "constructing"

Page 3, line 11, after the period insert "The grant is contingent upon the organization raising at least \$4,000,000 of non-state funds for the construction of the workplace safety training facility."

Page 3, line 20, replace "\$2,500,000" with "\$7,500,000"

Page 3, line 24, replace "funds" with "up to \$3,100,000, or additional amounts as necessary,"

Page 3, line 25, remove "and construction"

Page 3, line 26, remove "commences"

Page 3, line 27, replace "Funds" with "Remaining funds"

Page 3, line 27, remove "and construction commences"

Page 3, line 30, remove ", such as fiber"

Page 4, line 2, replace "\$1,875,000" with "\$3,000,000"

Page 4, line 9, replace "\$2,500,000" with "\$3,250,000"

Page 4, line 9, replace "\$2,350,000" with "\$3,100,000"

Page 4, line 13, remove "use"

Page 4, line 14, replace "up to" with "provide a"

Page 4, line 14, remove "to provide a"

Page 4, line 15, after "located" insert "and provide a \$300,000 grant to each of the two entrepreneurial centers associated with a research university located in a city with a population of at least 50,000 according to the most recent decennial census"

Page 4, after line 26, insert:

**"SECTION 9. TRIBAL COLLEGE GRANTS.** The grants line item in section 1 of this Act includes the sum of \$4,000,000 for tribal college grants, \$2,000,000 of which is from the general fund and \$2,000,000 is from the student loan trust fund, for the biennium beginning July 1, 2015, and ending June 30, 2017."

Page 5, line 22, replace "\$1,500,000" with "\$1,550,000"

Page 5, line 29, after the period insert "The department of commerce shall make available \$1,000,000 of the funds transferred to the research North Dakota fund for research North Dakota for grants to conduct research on and commercialization for the prevention of, treatment of, or cure for viral diseases, cancer, and other pathogens, for the period beginning July 1, 2015, and ending June 30, 2016. If the grants are not awarded by June 30, 2016, the funds must be made available for other authorized purposes of research North Dakota."

Page 7, after line 3, insert:

**"SECTION 24. AMENDMENT.** Section 54-60-17 of the North Dakota Century Code is amended and reenacted as follows:

**54-60-17. Division of workforce development - Internships, apprenticeships, and work experience opportunities.**

The division of workforce development shall administer a program to increase use of internships, apprenticeships, and work experience opportunities for higher education students and high school students enrolled in grade eleven or twelve, and educators. The primary focus of this program must be higher education internships in target industries. This program shall provide services to employers, communities, and business organizations to increase internship, apprenticeship, and work experience opportunities. The department shall maintain records of the number of internship, apprenticeship, and work experience opportunities subsidized within each funding recipient."

Page 7, line 4, replace "\$1,500,000" with "\$1,550,000"

Page 7, line 5, after "1" insert "relating to the operation intern program"

Page 7, line 5, replace "10" with "14"

Page 7, line 5, remove ", relating to the operation intern program,"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1018 - Summary of Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Adjutant General				
Total all funds	\$0	\$200,000	\$0	\$200,000
Less estimated income	0	0	0	0
General fund	\$0	\$200,000	\$0	\$200,000
Department of Commerce				
Total all funds	\$93,864,446	\$120,997,699	\$11,775,475	\$132,773,174
Less estimated income	51,707,386	68,527,697	6,991,776	75,519,473
General fund	\$42,157,060	\$52,470,002	\$4,783,699	\$57,253,701
Bill total				
Total all funds	\$93,864,446	\$121,197,699	\$11,775,475	\$132,973,174
Less estimated income	51,707,386	68,527,697	6,991,776	75,519,473
General fund	\$42,157,060	\$52,670,002	\$4,783,699	\$57,453,701

**House Bill No. 1018 - Department of Commerce - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$12,361,114	\$13,207,534	(\$12,352)	\$13,195,182
Operating expenses	15,635,749	18,315,874	369,249	18,685,123
Capital assets	10,000			
Grants	56,622,950	60,130,878	10,568,578	70,699,456
Discretionary funds	928,082	928,082		928,082
Economic development initiatives	186,846			
Ag products utilization commission	3,240,494	3,320,018		3,320,018
North Dakota trade office	2,613,400	2,613,400		2,613,400
Partner programs	2,022,044	2,122,044	100,000	2,222,044
Accrued leave payments	243,767			
Research North Dakota		4,000,000		4,000,000
Workforce enhancement fund		1,000,000		1,000,000
Flood impact grants/loans		12,859,869		12,859,869
Entrepreneurship grants and vouchers		2,500,000	750,000	3,250,000
Total all funds	\$93,864,446	\$120,997,699	\$11,775,475	\$132,773,174
Less estimated income	51,707,386	68,527,697	6,991,776	75,519,473
General fund	\$42,157,060	\$52,470,002	\$4,783,699	\$57,253,701
FTE	69.25	69.40	0.00	69.40

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

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Increases Funding for Partner Program <sup>2</sup>	Increases One- Time Funding <sup>3</sup>	Total Senate Changes
Salaries and wages	(\$49,525)		\$37,173	(\$12,352)
Operating expenses			369,249	369,249
Capital assets				
Grants			10,568,578	10,568,578
Discretionary funds				
Economic development initiatives				
Ag products utilization commission				
North Dakota trade office Partner programs		100,000		100,000
Accrued leave payments				
Research North Dakota Workforce enhancement fund				
Flood impact grants/loans				
Entrepreneurship grants and vouchers			750,000	750,000
Total all funds	(\$49,525)	\$100,000	\$11,725,000	\$11,775,475
Less estimated income	(8,224)	0	7,000,000	6,991,776
General fund	(\$41,301)	\$100,000	\$4,725,000	\$4,783,699
FTE	0.00	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 is increased for partner programs related to small business development programs to provide a total of \$300,000.

<sup>3</sup> One-time funding is increased for the following one-time funding items:

	House Version	General Fund Increase	Other Funds Increase	Senate Version
Child care facility grant program	\$1,875,000	\$1,125,000		\$3,000,000
Tribal college grants	2,000,000		2,000,000	4,000,000
Enhanced use lease grant	2,500,000		5,000,000	7,500,000
Entrepreneurial centers and vouchers	1,000,000	750,000		1,750,000
Workforce recruitment campaign		300,000		300,000
Educators and externship grants		50,000		50,000
Workplace safety facility	2,000,000	2,000,000		4,000,000
Homeless shelter grants	1,000,000	500,000		1,500,000
Total	\$10,375,000	\$4,725,000	\$7,000,000	\$22,100,000

This amendment also:

- Requires the organization receiving the workplace safety grant to raise at least \$4 million of nonstate funds for the construction of a workplace safety facility.
- Makes available \$1 million of Research North Dakota funding for grants to conduct research on and commercialization for the prevention of, treatment of, or cure of viral diseases, cancer, and other pathogens, until June 30, 2016. If the grants are not awarded by June 30, 2016, the funds become available for other Research North Dakota grants.
- Allows the department to provide grants of up to \$3.1 million or additional amounts if necessary under the enhanced used lease grant program for taxiway reconnection and alert pad refurbishment.
- Requires the department to provide three separate grants of \$300,000 to the IDEA Center, North Dakota State University Research & Technology Park, and the University of North Dakota Center for Innovation.
- Designates \$2 million of the \$4 million provided for tribal college grants from the

student loan trust fund.

- Amends North Dakota Century Code Section 54-60-17 to include educators under the workforce development program.
- Transfers \$247,836 for tourism international from ongoing funding to one-time funding.

#### **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.

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

**Jane Schaible, Secretary**

