

## JOURNAL OF THE HOUSE

### Sixty-fifth Legislative Assembly

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**Bismarck, April 18, 2017**

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

The prayer was offered by Brad Bales, KNDR Christian Radio, Mandan.

The roll was called and all members were present except Representatives Guggisberg and Kiefert.

A quorum was declared by the Speaker.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. BOEHNING MOVED** that the conference committee report on Engrossed HB 1022 as printed on HJ pages 1701-1702 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1022, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1022:** A BILL for an Act to provide an appropriation for defraying the expenses of the retirement and investment office; and to provide for a transfer.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 83 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Docket; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Klemin; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Sukut; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Becker, Rick C.; Ertelt; Johnston; Koppelman, B.; Magrum; Simons; Streyle; Toman; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kiefert

Reengrossed HB 1022 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. KARLS MOVED** that the conference committee report on Engrossed SB 2216 as printed on HJ pages 1718-1719 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2216, as amended, was placed on the Fourteenth order of business.

#### SECOND READING OF SENATE BILL

**SB 2216:** A BILL for an Act to create and enact a new subsection to section 12.1-17-11 of the North Dakota Century Code, relating to the definition of a health care facility; to amend and reenact subsection 1 of section 12.1-17-11 of the North Dakota Century Code, relating to contact by bodily fluids or excrement; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 76 YEAS, 16 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Kasper; Keiser; Kempenich; Klemin; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Westlind; Zubke

**NAYS:** Becker, Rick C.; Brabandt; Delzer; Kading; Koppelman, B.; Magrum; Marschall; Oliver; Olson; Paur; Ruby, D.; Schatz; Simons; Skroch; Weisz; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kiefert

Engrossed SB 2216, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. J. NELSON MOVED** that the conference committee report on Engrossed SB 2015 as printed on HJ pages 1715-1718 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2015, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF SENATE BILL**

**SB 2015:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for legislative management studies; to provide for a legislative management justice reinvestment oversight committee; and to provide for reports.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 85 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Klemin; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Ertelt; Koppelman, B.; Magrum; Ruby, D.; Ruby, M.; Simons; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kiefert

Engrossed SB 2015, as amended, passed.

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**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The President has appointed Sen. Schaible to replace Sen. Davison on the Conference Committee on HB 1275.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The President has appointed Sen. Bowman to replace Sen. Krebsbach on the Conference Committee on SB 2009.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The President has appointed Sen. Erbele to replace Sen. Wanzek on the Conference Committee on SB 2020.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The President has appointed Sen. Armstrong to replace Sen. Myrdal on the Conference Committee on SB 2139.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1022.

**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 2015, SB 2216.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has adopted the conference committee report on: HB 1178.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1369.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1005, HB 1016, HB 1300.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2011, SB 2183, SB 2200, SB 2313.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2011, SB 2183, SB 2200, SB 2313.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1019, as engrossed:** Your conference committee (Sens. Sorvaag, Krebsbach, Mathern and Reprs. Streyle, Schatz, Schmidt) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1292-1295, adopt amendments as follows, and place HB 1019 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1292-1295 of the House Journal and pages 1060-1063 of the Senate Journal and that Engrossed House Bill No. 1019 be amended as follows:

Page 1, line 5, after the second semicolon insert "to provide a statement of legislative intent;"

Page 1, replace lines 18 through 23 with:

"Administration	\$3,043,722	\$625,006	\$3,668,728
Park operations and maintenance	19,877,931	692,627	20,570,558
Recreation	<u>6,407,120</u>	<u>632,434</u>	<u>7,039,554</u>
Total all funds	\$29,328,773	\$1,950,067	\$31,278,840
Less estimated income	<u>14,517,835</u>	<u>3,871,726</u>	<u>18,389,561</u>
Total general fund	\$14,810,938	(\$1,921,659)	\$12,889,279"

Page 2, replace lines 11 through 14 with:

"Lewis and Clark interpretive center	\$918,279	\$332,408	\$1,250,687
Total all funds	\$918,279	\$332,408	\$1,250,687
Less estimated income	0	362,019	362,019
Total general fund	\$918,279	(\$29,611)	\$888,668"

Page 2, replace lines 19 through 21 with:

"Grand total general fund	\$16,702,916	(\$2,048,640)	\$14,654,276
Grand total special funds	14,517,835	4,233,745	18,751,580
Grand total all funds	\$31,220,751	\$2,185,105	\$33,405,856"

Page 2, line 28, replace "\$188,889" with "\$181,775"

Page 2, line 28, replace "\$7,085" with "\$6,572"

Page 2, line 29, replace "\$1,249" with "\$1,241"

Page 3, line 22, after "GRANT" insert "- EXEMPTION - GRANT TO STATE HISTORICAL SOCIETY AND RECREATION OPPORTUNITIES ON SOVEREIGN LANDS"

Page 3, line 23, after "funding" insert "received"

Page 3, line 24, replace "authorized by the sixty-fourth legislative assembly" with "during the 2015-17 biennium"

Page 3, line 24, remove "the purpose of"

Page 3, line 25, after the period insert "Notwithstanding section 4 of chapter 54 of the 2015 Session Laws, the parks and recreation department shall use this \$1,000,000 to provide:

1. A grant of \$500,000 to the state historical society for defraying the expenses of double ditch historic site repairs for the period beginning with the effective date of this Act, and ending June 30, 2019; and
2. Up to \$500,000 for the purpose of developing recreation opportunities on sovereign lands in the state for the period beginning with the effective date of this Act, and ending June 30, 2019."

Page 4, line 5, after "Laws" insert ", and continued in the 2015-17 biennium pursuant to section 9 of chapter 53 of the 2015 Session Laws,"

Page 4, after line 12, insert:

**"SECTION 9. EXEMPTION - 2015-17 MATCHING FUNDS REQUIREMENT - INTERNATIONAL PEACE GARDEN.** Notwithstanding the provisions of section 9 of chapter 53 of the 2015 Session Laws, relating to matching requirements, the International Peace Garden may spend up to \$100,000 of the funds appropriated in subdivision 2 of section 30 of chapter 15 of the 2013 Session Laws and continued in the 2015-17 biennium, without raising dollar-for-dollar matching funds before spending the funds, for the purpose of completing the demolition project of the peace towers, for the period beginning with the effective date of this Act and ending June 30, 2017."

Page 4, line 14, after "Laws" insert ", and any unexpended funds of up to \$950,000 of one-time funding for park enhancements included in the natural resources line item in section 34 of chapter 49 of the 2015 Session Laws, designated for the Lewis and Clark interpretive center,"

Page 4, line 26, remove "developing a plan for continued monitoring and patrolling of the trail"

Page 4, line 27, replace "systems, and to determine the feasibility of establishing an interpretive center" with "designing and implementing a radio communication system"

for continued monitoring and patrolling of the trail systems, and providing matching funds for grant-funded trail development projects in the Pembina Gorge"

Page 4, after line 27, insert:

**"SECTION 13. LEGISLATIVE INTENT - STATE PARK MARINA SWIMMING RULES.** It is the intent of the sixty-fifth legislative assembly that the parks and recreation department establish rules for state park marinas to allow an individual currently renting a slip at the marina and the individual's immediate family members to swim in the marina area subject to the individual and each family member signing a release of liability waiver form developed by the department."

Page 6, line 22, after "for" insert "providing a grant to the state historical society, and for"

Page 6, line 24, replace "is" with ", and sections 5 and 9 of this Act are"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1019 - Parks and Recreation Department - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Administration	\$3,043,722	\$3,669,483	(\$755)	\$3,668,728	\$3,668,728	
Park operations and maintenance	19,877,931	20,576,055	(5,497)	20,570,558	20,570,558	
Recreation	6,407,120	7,039,985	(431)	7,039,554	7,039,554	
International Peace Garden	973,699	876,329		876,329	876,329	
Lewis and Clark Interpretive Center	918,279	1,251,118	(431)	1,250,687	1,250,687	
Total all funds	\$31,220,751	\$33,412,970	(\$7,114)	\$33,405,856	\$33,405,856	\$0
Less estimated income	14,517,835	18,752,093	(513)	18,751,580	18,751,580	0
General fund	\$16,702,916	\$14,660,877	(\$6,601)	\$14,654,276	\$14,654,276	\$0
FTE	66.00	62.50	0.00	62.50	62.50	0.00

#### Department No. 750 - Parks and Recreation Department - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Total Conference Committee Changes
Administration	(\$755)	(\$755)
Park operations and maintenance	(5,497)	(5,497)
Recreation	(431)	(431)
International Peace Garden		
Lewis and Clark Interpretive Center	(431)	(431)
Total all funds	(\$7,114)	(\$7,114)
Less estimated income	(513)	(513)
General fund	(\$6,601)	(\$6,601)
FTE	0.00	0.00

<sup>1</sup> Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month. Section 2 of the bill is adjusted to reflect this change, the same as the Senate version.

This amendment also:

- Adjusts a section to direct the department to use funding from the \$1 million grant received from the State Water Commission during the 2015-17 biennium to provide a \$500,000 grant to the State Historical Society for the Double Ditch Historic Site

repairs, and to use up to \$500,000 for developing recreation opportunities on sovereign lands. The Senate version included a \$1 million grant to the State Historical Society.

- Adjusts a section to exempt any funds included in the International Peace Garden line item for repair of the Peace Tower in Section 9 of Chapter 53 of the 2015 Session Laws, from provisions of North Dakota Century Code Section 54-44.1-11, relating to cancellation of unexpended funds, and allow \$100,000 of the funds to be used for the completion of the demolition project of the Peace Towers without meeting matching funds requirements, the same as the Senate version.
- Adjusts a section to allow carryover of one-time funding of \$950,000 for the Lewis and Clark Interpretive Center, the same as the Senate version.
- Adjusts a section relating to the use of \$116,000 of carryover funding relating to the Pembina Gorge area, the same as the Senate version.
- Adds a section of legislative intent that the Parks and Recreation Department establish rules to allow limited swimming in state park marina areas. Neither the House nor the Senate version included this section.

Engrossed HB 1019 was placed on the Seventh order of business on the calendar.

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

**HB 1324, as reengrossed:** Your conference committee (Sens. Schaible, Rust, Oban and Reps. Owens, Monson, Schreiber-Beck) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1177-1178, adopt amendments as follows, and place HB 1324 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1436-1438 of the House Journal and pages 1177 and 1178 of the Senate Journal and that Reengrossed House Bill No. 1324 be amended as follows:

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15.1-09.1 of the North Dakota Century Code, relating to audits of regional education associations; to"

Page 1, line 1, replace "15.1-27-03.1" with "15.1-01-03, 15.1-09.1-10,"

Page 1, line 2, after "the" insert "powers and duties of the state board of public school education and the"

Page 1, line 2, after "districts" insert "and regional education associations; to provide statements of legislative intent; and to provide for a legislative management study"

Page 1, remove lines 4 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 29

Page 4, replace lines 1 through 31 with:

**"SECTION 1. AMENDMENT.** Section 15.1-01-03 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-01-03. State board of public school education - Powers and duties.**

1. The state board of public school education shall:
  - a. Assist county committees in carrying out their duties.

- b. Provide county committees with clerical assistance, plans of procedure, standards, data, maps, forms, and other materials, information, and services.
  - c. Appoint members to the county committee, if the county superintendent does not fulfill this duty, as provided for in section 15.1-10-01.
  - d. Provide oversight for regional education associations as required by chapter 15.1-09.1.
2. ~~The state board of public school education may adopt rules regarding school district reorganizations, annexations, and dissolutions in accordance with chapter 28-32.~~

**SECTION 2.** A new section to chapter 15.1-09.1 of the North Dakota Century Code is created and enacted as follows:

**Regional education association - Audit.**

To be eligible for state funding, a regional education association must be audited, at least once every two years, by a certified public accountant or a licensed public accountant. The audit must be presented to the state board of public school education. If any irregularities are noted, the state board of public school education may direct the superintendent of public instruction to withhold all payments to a regional education association until the board determines the irregularities have been addressed.

**SECTION 3. AMENDMENT.** Section 15.1-09.1-10 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-09.1-10. State aid - Payable to a regional education association - Obligation of district.**

- 4. The superintendent of public instruction shall forward the portion of a school district's state aid which is payable by the superintendent under subdivision I of subsection 1 of section 15.1-27-03.1 as a result of the district's participation in a regional education association directly to the association in which the district participates. The superintendent shall forward the amount payable under this ~~subsection~~section at the same time and in the same manner as provided for other state aid payments under section 15.1-27-01, unless otherwise directed in accordance with section 2 of this Act.
- 2. ~~If the superintendent of public instruction determines that a school district failed to meet any contractual or statutory obligation imposed upon it as a result of the district's participation in a regional education association, the superintendent shall subtract the amount for which the district was not eligible from any future distribution of state aid to the district under section 15.1-27-01."~~

Page 7, remove the overstrike over line 29

Page 7, line 30, remove the overstrike over "percent of all revenues listed in paragraphs 6, 8, and 9 of"

Page 8, after line 3, insert:

**"SECTION 5. LEGISLATIVE MANAGEMENT STUDY - SERVICES PROVIDED TO SCHOOLS.** During the 2017-18 interim, the legislative management shall consider studying entities that deliver kindergarten through grade twelve professional development services, distance curriculum, support for schools in achieving school improvement goals, assistance with analysis and interpretation of student achievement data, and technology support services. The study must focus on the funding, governance, nature, scope, and quality of services provided to

schools. The study also must focus on the duplication of services across entities and the accountability for expenditures. The study must identify efficiencies and the desirability and feasibility of consolidating services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly.

**SECTION 6. LEGISLATIVE INTENT - REGIONAL EDUCATION**

**ASSOCIATIONS.** It is the intent of the sixty-fifth legislative assembly that during the 2017-19 biennium regional education associations merge or partner with other regional education associations and other educational service providers, or both, to form the most efficient and effective system of support for the schools in this state.

**SECTION 7. LEGISLATIVE INTENT - TRANSPORTATION GRANTS.**

It is the intent of the sixty-fifth legislative assembly that \$55,400,000 be included in the transportation grants line item in House Bill No. 1013, as approved by the sixty-fifth legislative assembly."

Renumber accordingly

Reengrossed HB 1324 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1002, as engrossed:** Your conference committee (Sens. Hogue, Erbele, Grabinger and Reps. Sanford, Schatz, Boe) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1432-1434, adopt amendments as follows, and place HB 1002 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1432-1434 of the House Journal and pages 1156-1158 of the Senate Journal and that Engrossed House Bill No. 1002 be amended as follows:

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

Page 1, line 2, after "exemption" insert "; and to amend and reenact section 16.1-08.1-03.1 as amended by section 6 of Senate Bill No. 2343, as approved by the sixty-fifth legislative assembly, subsection 7 of section 54-09-04, and section 54-09-12 of the North Dakota Century Code, relating to campaign disclosure statements, information preparation fees, and confidential information in filed records"

Page 1, replace lines 14 through 21 with:

"Salaries and wages	\$4,903,514	(\$250,750)	\$4,652,764
Operating expenses	2,053,162	657,856	2,711,018
Petition review	8,000	0	8,000
Election reform	<u>2,703,535</u>	<u>(1,510,880)</u>	<u>1,192,655</u>
Total all funds	\$9,668,211	(\$1,103,774)	\$8,564,437
Less estimated income	<u>3,583,536</u>	<u>(539,381)</u>	<u>3,044,155</u>
Total general fund	\$6,084,675	(\$564,393)	\$5,520,282
Full-time equivalent positions	34.00	(2.00)	32.00"

Page 2, replace lines 9 through 11 with:

"Grand total general fund	\$6,374,720	(\$565,988)	\$5,808,732
Grand total special funds	<u>3,583,536</u>	<u>(539,381)</u>	<u>3,044,155</u>
Grand total all funds	\$9,958,256	(\$1,105,369)	\$8,852,887"

Page 2, line 13, replace "\$94,446" with "\$84,948"

Page 2, line 13, replace "\$91,588" with "\$82,477"

Page 2, line 14, replace "\$1,249" with "\$1,241"

Page 2, after line 24, insert:



**"SECTION 5. AMENDMENT.** Section 16.1-08.1-03.1 of the North Dakota Century Code as amended by section 6 of Senate Bill No. 2343, as approved by the sixty-fifth legislative assembly, is amended and reenacted as follows:

**16.1-08.1-03.1. Special requirements for statements required of ~~measure committees circulating or promoting passage or defeat of initiated or referred measure~~ persons engaged in activities regarding ballot measures.**

1. For each reportable contribution and expenditure under section 5 of this Act, the threshold for reporting is one hundred dollars for any person ~~or measure committee circulating or promoting passage or defeat of an initiated or referred measure~~ engaged in activities described in subdivision e of subsection 13 of section 16.1-08.1-01.
2. For contributions received from an out-of-state contributor, a person ~~or measure committee circulating or promoting passage or defeat of an initiated or referred measure~~ engaged in activities described in subdivision e of subsection 13 of section 16.1-08.1-01 shall include the following information regarding ~~subcontributor~~ each subcontributor that has stated a contribution is for the express purpose of furthering the passage or defeat of a ballot measure in the statements required under section 5 of this Act:
  - a. A designation as to whether any person contributed in excess of one hundred dollars of the total contribution;
  - b. The name and mailing address of each subcontributor that contributed in excess of one hundred dollars of the total contribution;
  - c. The contribution amounts of each disclosed subcontributor; and
  - d. The occupation, employer, and address for the employer's principal place of business of each disclosed subcontributor.
3. An initiative and referendum sponsoring committee also shall file a disclosure statement by the date the secretary of state approves the petition for circulation, and shall file an additional statement on the date the petitions containing the required number of signatures are submitted to the secretary of state for review. The statements required under this subsection must be in the same form as the year - end statements under section 5 of this Act.
4. A sponsoring committee shall file a statement regarding its intent to compensate circulators before paying for petitions to be circulated.

**SECTION 6. AMENDMENT.** Subsection 7 of section 54-09-04 of the North Dakota Century Code is amended and reenacted as follows:

7. For preparing any listing or compilation of any information recorded or filed in the office of the secretary of state, ~~an amount established by the secretary of state to recover the actual cost for assembling and providing the information in the format requested~~ forty dollars for each record type requested. Unless otherwise agreed to by the secretary of state, the information must be provided in an electronic format. If provided in a paper format, an additional fee of fifty cents per page may be charged.

**SECTION 7. AMENDMENT.** Section 54-09-12 of the North Dakota Century Code is amended and reenacted as follows:

**54-09-12. Confidential information in filed records.**

1. A social security number or federal tax identification number disclosed or contained in any record filed with the secretary of state is confidential. However, a social security number or federal tax identification number

may be released as authorized in this section or by other state or federal law.

2. The secretary of state shall delete or obscure a social security or federal tax identification number before a copy of any record is released to the public. ~~A filing office or an officer or employee of the filing office~~The secretary of state, or an employee, agent, or contractor of the secretary of state's office, may not be held civilly or criminally liable for the inadvertent disclosure of a social security or federal tax identification number if the filer has placed the number in an improper field on the form prescribed by the secretary of state or the filer submitted a filing other than on the form prescribed by the secretary of state.
  
3. The secretary of state or an employee, agent, or contractor of the secretary of state's office may release a social security number or federal tax identification number to another public entity or the public entity's agents, employees, or contractors if disclosure is necessary for the receiving public entity to perform the receiving public entity's duties and responsibilities. The receiving public entity and the receiving public entity's agents, employees, and contractors shall maintain the confidential status of the social security number or federal tax identification number."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1002 - Summary of Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Secretary of State						
Total all funds	\$9,668,211	\$8,264,250	\$300,187	\$8,564,437	\$8,821,053	(\$256,616)
Less estimated income	3,583,536	2,587,539	456,616	3,044,155	3,150,978	(106,823)
General fund	\$6,084,675	\$5,676,711	(\$156,429)	\$5,520,282	\$5,670,075	(\$149,793)
Public Printing						
Total all funds	\$290,045	\$288,450	\$0	\$288,450	\$288,450	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$290,045	\$288,450	\$0	\$288,450	\$288,450	\$0
Bill total						
Total all funds	\$9,958,256	\$8,552,700	\$300,187	\$8,852,887	\$9,109,503	(\$256,616)
Less estimated income	3,583,536	2,587,539	456,616	3,044,155	3,150,978	(106,823)
General fund	\$6,374,720	\$5,965,161	(\$156,429)	\$5,808,732	\$5,958,525	(\$149,793)

**House Bill No. 1002 - Secretary of State - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$4,903,514	\$4,402,370	\$250,394	\$4,652,764	\$4,959,380	(\$306,616)
Operating expenses	2,053,162	2,661,018	50,000	2,711,018	2,661,018	50,000
Petition review	8,000	8,000		8,000	8,000	
Election reform	2,703,535	1,192,862	(207)	1,192,655	1,192,655	
Total all funds	\$9,668,211	\$8,264,250	\$300,187	\$8,564,437	\$8,821,053	(\$256,616)
Less estimated income	3,583,536	2,587,539	456,616	3,044,155	3,150,978	(106,823)
General fund	\$6,084,675	\$5,676,711	(\$156,429)	\$5,520,282	\$5,670,075	(\$149,793)
FTE	34.00	31.00	1.00	32.00	33.00	(1.00)

**Department No. 108 - Secretary of State - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Restores 1 FTE Position <sup>2</sup>	Adds Funding for Overtime and Temporary Salaries <sup>3</sup>	Adjusts Funding for Operating Expenses <sup>4</sup>	Adds Funding for Campaign Disclosure Software <sup>5</sup>	Total Conference Committee Changes
Salaries and wages	(\$6,429)	\$106,823	\$150,000			\$250,394
Operating expenses					50,000	50,000
Petition review						
Election reform	(207)					(207)

Total all funds	(\$6,636)	\$106,823	\$150,000	\$0	\$50,000	\$300,187
Less estimated income	(207)	106,823	150,000	200,000	0	456,616
General fund	(\$6,429)	\$0	\$0	(\$200,000)	\$50,000	(\$156,429)
FTE	0.00	1.00	0.00	0.00	0.00	1.00

<sup>1</sup> Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month. Section 2 is also adjusted to reflect the revised premium rate.

<sup>2</sup> Funding of \$106,823 is restored for 1 FTE position with funding from the general services operating fund. This results in a total reduction of 2 FTE positions and related funding of \$211,268 from the general fund. The House removed a total of 3 FTE positions and related funding of \$318,091 from the general fund. The Senate restored 2 FTE positions and related funding of \$213,646 from the general services operating fund.

<sup>3</sup> Funding of \$150,000 from the general services operating fund is added for overtime and temporary salaries. The Senate added \$350,000 from the general services operating fund for overtime and temporary salaries.

<sup>4</sup> A funding source change of \$200,000 is made from the general fund to the general services operating fund for operating expenses.

<sup>5</sup> Funding of \$50,000 is provided from the general fund for implementing software to comply with new campaign disclosure requirements approved in Senate Bill No. 2343. Section 5 of the bill also amends North Dakota Century Code Section 16.1-08.1-03.1, as amended by Section 6 of Senate Bill No. 2343, relating to subcontributor contributions for campaign and ballot measure purposes.

This amendment also:

- Adds a section to amend Section 54-09-04(7) to allow the Secretary of State to charge a flat rate fee of \$40 for certain information requests, rather than a fee based on each information request. The Senate also added this section.
- Adds a section to amend Section 54-09-12 to allow the Secretary of State to disclose social security numbers or federal tax identification numbers to public entities if disclosure is necessary for the receiving entity to perform its duties and responsibilities. The Senate also added this section.

#### **House Bill No. 1002 - Public Printing - Conference Committee Action**

The Senate did not change funding for public printing. No further action was taken in the Conference Committee related to public printing.

Engrossed HB 1002 was placed on the Seventh order of business on the calendar.

#### **ANNOUNCEMENT**

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

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

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

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

Page 1607, line 3, remove " and amended"

Page 1620, after line 6, insert:

**"APPOINTMENT OF CONFERENCE COMMITTEE  
THE SPEAKER APPOINTED** as a Conference Committee on:  
Reengrossed HB 1040: Reps. Weisz, B. Anderson, P. Anderson."

Page 1620, line 15, replace "bill" with "amended bill"

Page 1649, line 20, replace "HB 1023" with "Engrossed HB 1023"

Page 1695, line 6, replace "SB 2200" with "Engrossed SB 2200"

Page 1696, remove lines 25-26

**REP. KLEMIN MOVED** that the report be adopted, which motion prevailed on a voice vote.

#### **COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on April 17, 2017, I have signed the following: HB 1044, HB 1085, HB 1194, HB 1195, HB 1233, HB 1365, HB 1387, and HB 1418.

#### **FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Reps. Mock, P. Anderson, Beadle, Rich S. Becker, Blum, Boehning, Boschee, Carlson, Damschen, Delmore, Dobervich, Ertelt, Guggisberg, Hanson, Hogan, Holman, Howe, M. Johnson, Johnston, Kading, Kasper, Kiefert, B. Koppelman, K. Koppelman, Marschall, McWilliams, Mitskog, Monson, O'Brien, Olson, Owens, Paur, Pyle, Roers Jones, Sanford, Schneider, Schreiber-Beck, Skroch, Trottier, Vetter and Sens. Campbell, Casper, Clemens, Davison, Dotzenrod, Heckaman, Holmberg, Kreun, Laffen, G. Lee, J. Lee, Luick, Mathern, Meyer, Myrdal, Nelson, Osland, Piepkorn, Robinson, Roers, Sorvaag, Wardner introduced:  
(Approved by the Delayed Bills Committee)

**HCR 3036:** A concurrent resolution commemorating the twentieth anniversary of the Red River flood of 1997.

Was read the first time.

#### **MOTION**

**REP. VIGESAA MOVED** that the rules be suspended, that HCR 3036 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed on a voice vote..

Reps. Mock, P. Anderson, Beadle, Rich S. Becker, Blum, Boehning, Boschee, Carlson, Damschen, Delmore, Dobervich, Ertelt, Guggisberg, Hanson, Hogan, Holman, Howe, M. Johnson, Johnston, Kading, Kasper, Kiefert, B. Koppelman, K. Koppelman, Marschall, McWilliams, Mitskog, Monson, O'Brien, Olson, Owens, Paur, Pyle, Roers Jones, Sanford, Schneider, Schreiber-Beck, Skroch, Trottier, Vetter and Sens. Campbell, Casper, Clemens, Davison, Dotzenrod, Heckaman, Holmberg, Kreun, Laffen, G. Lee, J. Lee, Luick, Mathern, Meyer, Myrdal, Nelson, Osland, Piepkorn, Robinson, Roers, Sorvaag, Wardner introduced:  
(Approved by the Delayed Bills Committee)

#### **HOUSE CONCURRENT RESOLUTION NO. 3036**

A concurrent resolution commemorating the twentieth anniversary of the Red River flood of 1997.

**WHEREAS**, the record-setting North Dakota winter of 1996-97 featured eight named blizzards resulting in record snowfall accumulations for Grand Forks, Fargo, and Bismarck; and

**WHEREAS**, on February 14, 1997, the National Weather Service predicted severe flooding along the Red River of the North, including all tributaries, between Wahpeton and Pembina, North Dakota, and subsequently projected flood crests of 17.9 feet in Wahpeton, 38 feet in Fargo, and 49 feet in Grand Forks; and

**WHEREAS**, Blizzard "Hannah" on April 5-6, 1997, caused an estimated loss of 90,000 head of cattle, downed the 2,060-foot KXJB-TV broadcast tower, toppled nearly 6,000 power poles, and forced approximately 90,000 homes to be without electricity; and

**WHEREAS**, flood waters along the Red River crested at 19.42 feet on April 6, 1997, and 19.25 feet on April 15, 1997, in Wahpeton and 39.72 feet on April 18, 1997, in Fargo; and

**WHEREAS**, on April 7, 1997, President Bill Clinton issued a major disaster declaration, as requested by Governor Ed Schafer, for severe flooding in all counties in North Dakota; and

**WHEREAS**, on April 16, 1997, Grand Forks Mayor Pat Owens recommended residents voluntarily evacuate the city; and

**WHEREAS**, on April 18, 1997, dikes in Grand Forks, North Dakota and East Grand Forks, Minnesota began to be overtopped, including Lincoln Park, Central Park, and Riverside Park neighborhoods, leading Mayor Owens to order the evacuation of over 50,000 people, which, up to that time, was the largest civilian evacuation in the United States since Atlanta, Georgia in 1864 during the American Civil War; and

**WHEREAS**, the flood waters pushed miles beyond the banks of the Red River, swamping fields, roads, and towns, submerging an area roughly the size of Delaware; and

**WHEREAS**, the flood waters in Grand Forks were 4 feet deep throughout downtown, covered rooftops in some neighborhoods, reached inland approximately 3 miles, and ultimately damaged 9,001 homes and 751 businesses; and

**WHEREAS**, the Grand Forks water treatment plant failed on the morning of April 19, 1997, leaving residents without water for 13 days and without potable water for 23 days; and

**WHEREAS**, on April 19, 1997, a fire started at the Security Building in a flooded downtown Grand Forks, spread over 3 city blocks, and destroyed 11 historic buildings over the course of two days; and

**WHEREAS**, the Red River crested in Grand Forks on April 22, 1997, at the historic high water mark of 54.35 feet after which the river level did not fall below 49 feet until April 26, with the river finally receding below flood stage of 28 feet on May 23, 1997; and

**WHEREAS**, on April 22, 1997, President Bill Clinton, Senators Kent Conrad and Byron Dorgan, and Congressman Earl Pomeroy, visited Grand Forks Air Force Base and committed \$488 million in federal assistance; and

**WHEREAS**, Red River flood waters ultimately inundated approximately 2,200 square miles of land, resulted in the evacuation of 70,000 residents, and caused approximately \$4 billion worth of damage; and

**WHEREAS**, the Grand Forks Air Force Base provided instrumental support throughout the disaster, including serving as a shelter for 3,500 evacuees and a medical shelter for more than 400 civilian patients, assembling approximately 800,000 of the 3.5 million sandbags used by the city of Grand Forks, and providing military equipment for fire suppression, evacuation, and civilian transport; and

**WHEREAS**, 694 homes and 493 other structures in Grand Forks were demolished following the flood, an additional 850 properties were purchased and demolished through a voluntary buyout program, and 161 homes and 414 structures were relocated to other properties to make space for permanent flood protection; and

**WHEREAS**, in addition to the more than \$48 million in damage to University of North Dakota buildings, 16 of the 22 schools owned by Grand Forks Public School District suffered a total \$72 million in damages, including 3 schools which suffered catastrophic damage; and

**WHEREAS**, disaster recovery funding from all sources exceeded \$567 million, including more than \$34 million in state and local funding; and

**WHEREAS**, following the disaster, the administrations of Governor Ed Schafer and Governor John Hoeven and the Legislative Assemblies throughout the decade following the flood continued to provide support for the cleanup, restoration, and flood prevention efforts in the Red River Valley; and

**WHEREAS**, in January 2007, the \$409 million Grand Forks Flood Prevention Project was completed, featuring approximately 8 miles of levees and walls expandable to protect against a 63-foot flood, 20 miles of recreational trails, two pedestrian bridges, and 2,200 acres of green space; and

**WHEREAS**, as a result of the Red River flood of 1997, the National Weather Service has changed its flood forecasting methodology, increased the number of monitoring gauges, updated satellite imagery, and revised surveys of the Red River channel; and

**WHEREAS**, major capital projects in the Red River Valley, including the \$19 million Grand Forks County office building, the \$104 million Ralph Engelstad Arena, and the \$16 million downtown Corporate Center, were built using flood mitigation designs such as raised foundations, elevated utility rooms, and integrated dewatering systems; and

**WHEREAS**, the City of Grand Forks has adopted other flood-stricken communities across the country to assist in flood prevention and management practices, including St. Bernard Parish, Louisiana; Cedar Rapids, Iowa; Minot, North Dakota; Findley, Ohio; and Biloxi, Mississippi; and

**WHEREAS**, flood mitigation lessons learned from the Red River flood of 1997 have been applied to city plans and flood prevention projects in communities throughout the Upper Midwest, including the cities of Valley City, Bismarck, Minot, Wahpeton, and Fargo;

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

That the Sixty-fifth Legislative Assembly recognizes the hard work exhibited by all communities impacted by winter storms and flooding during the winter of 1996 and the spring of 1997 in preventing and responding to historic natural events; and

**BE IT FURTHER RESOLVED**, that the Sixty-fifth Legislative Assembly congratulates all communities throughout the Red River Valley on their perseverance and commitment to rebuild following the devastation associated with the flood of 1997; and

**BE IT FURTHER RESOLVED**, that the Sixty-fifth Legislative Assembly expresses its gratitude and appreciation on behalf of the people of North Dakota to the United States federal government, United States Air Force, North Dakota National Guard, and countless businesses, organizations, and volunteers who assisted in the protection, recovery, and rebuilding of all 1997 flood-impacted communities; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the base commander of the Grand Forks Air Force Base; the director of the Federal Emergency Management Agency; the mayors of Wahpeton, Fargo, Grand Forks, Drayton, and Pembina; the North Dakota Adjutant General; the North Dakota Congressional delegation; former President Bill Clinton; former Governor Ed Schafer; the 1997 North Dakota Congressional delegation; and former Grand Forks Mayor Pat Owens.

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3036:** A concurrent resolution commemorating the twentieth anniversary of the Red River flood of 1997.

**REQUEST**

**REP. MOCK REQUESTED** that the following remarks from himself and from Rep. Carlson be printed in the Journal.

**REMARKS OF REPRESENTATIVE MOCK**

There have been no parties. No balloons. And no cake. But over the last 6 months, we've silently celebrated 8 birthdays – each one turning 20 years old.

You, understandably, may not recall any of these names, but their description will likely ring a bell.

Andy brought an early start to winter with a ferocious 12 inches of snow; Betty and Christopher – arriving with days of each other – collectively added another 12 inches of snow just before Christmas.

Doris and Elmo were the coldest members of this family, together bringing more than 8 inches of back pain and sending wind chill temperatures down to 80 below zero. Franzi followed suit and piled another 8 inches of misery on top of the heap, while Gust was a late winter terror which caused everyone in the valley to cringe.

The most famous of this family was Hannah. She shaped our lives in a way no one could imagine. On April 4th, she rolled into the valley bringing wind, freezing rain, and snow – none of which was welcome as cities along the Red River Valley were already battling against rising flood waters.

Hannah devastated everything she touched. She destroyed sandbag dikes in Richland County; froze cars, houses, and trees within flood waters; claimed the lives of nearly 100,000 head of cattle; left almost 90,000 homes without power for a week, and even toppled the then second-tallest structure in the world, the KXJB broadcast tower in Blanchard.

The wrath created by the “birth” of these 8 brothers and sisters is why we celebrate another anniversary today.

Throughout the spring of 1997, North Dakotans and Minnesotans living in the Red River Valley frantically prepared for a flood of historic magnitude. It was a “100-year flood,” newscasters would say. Forecasts from the National Weather Service predicted flood waters would crest at 17.9 feet in Wahpeton, 38 feet in Fargo, and 49 feet in Grand Forks.

Each city took necessary precautions. Wahpeton froze within flood waters overcame many of the city's dikes and crested at nearly 19.5 feet, then 19.25 feet one week later. Our friends

in Fargo watched nervously as the river inched towards 40 feet and soaked the highest sandbags of nearly every dike in town. While most of Fargo was spared significant damage, some neighborhoods in south and northeast Fargo weren't nearly as fortunate.

And then there was Grand Forks.

City engineers designed and built flood protection up to 52-feet – 49 feet of flooding as predicted and 3 additional feet for freeboard. But in a moment, you'll understand why the Red River flood of 1997 answered the question: "how do you drown in 3 feet of water?"

I'd like to ask members to imagine that today is April 18th, 1997.

It's 4:15 in the morning; a Friday. Grand Forks officials made the call and ordered the evacuation of Lincoln Park. Our neighbors -- at least those who were sleeping -- were quickly awakened as sirens were activated.

"Can you blast the sirens real hard down in Lincoln Drive?" ordered one official as he called 911 just before 5am.

The uncomfortable noise of civil defense sirens would continue to drown any remaining optimism over the next several days as the river rapidly topped dikes, neighborhood by neighborhood.

Later this afternoon, dikes around Central Park will prove to be too short as homes around the water treatment plant begin to fill with water.

Early tomorrow morning, Riverside neighborhood will be the next to succumb to still-rising waters. At 8 a.m. on Saturday, April 19th, our city's water treatment plant will fail and leave our water lines ironically dry for the next 23 days.

Around 4 p.m. on Saturday is when the unthinkable call is made to 911: a fire has broken out in downtown Grand Forks. The blaze started in the historic Security Building and timbers will hop from building to building in the high wind and ultimately claim 11 of our oldest buildings, 60 apartments, and nearly 120 years of archives from the Pulitzer Prize winning Grand Forks Herald.

Within 72 hours, nearly 60,000 of our neighbors -- 90% of Grand Forks and all East Grand Forks -- will secure their place in history as part of the largest civilian evacuation in the United States since Atlanta, GA was cleared in 1864 during the American Civil War.

Water four feet deep will flow over city streets and spread nearly 3 miles into town. 83% of homes and 62% of businesses -- 9,001 and 751, respectively -- will ultimately suffer damage after waters finally recede more than a month from now.

Our friends at Grand Forks Air Force Base have always been -- and will continue to be -- incredible neighbors though thick and thin. Airmen, officers, and families will step up to fill 800,000 of the 3.5 million sandbags, build dikes and levees, and provide the equipment needed to fight back flames that ravaged our city. Our Air Force Base will also be a vital lifeline that eventually houses more than 400 hospital patients and 3,500 evacuees. And students at Grand Forks Central high school will forever remember the year they had their prom on base.

History will be generous to more than 20,000 volunteers who will help Grand Forks through flood prevention and recovery. The city will clear 60,000 tons of water-logged memories from a community that only produces 40,000 tons of garbage in a year.

We will eventually lose 1,000 homes and 500 other buildings when we write the final chapter of the 1997 flood, but we won't lose more than 3% of our population and our city will recover to be stronger and more resilient than ever through this fight.

"Adversity reveals character," a future mayor (Michael Brown) will say. And time will prove that he was never more correct.

Grand Forks, and all towns in the 1997 flood, are communities of grit and determination. Residents refused to buckle, even when the river roared through their homes. And one day

we will be able to celebrate the anniversary of this \$4 billion natural disaster knowing that we persevered without a single loss of life.

And now, back to present day:

As a member of the Grand Forks delegation, and as one of the many legislators who serve a community impacted by the floods of 1997, I say thank you to everyone filled a sandbag, watched the pumps, fought the flames, rescued memories, shoveled debris, and rebuilt our homes. No effort was too big or too small.

Today's anniversary could be somber. But instead I choose to celebrate the accomplishments of North Dakota, and our nation, as we came together to fight a common foe in service and defense of friends and perfect strangers alike. We are a strong North Dakota, now and forever, and today is a great reminder of our potential when we all pull in the same direction.

On behalf of all communities affected by the flood of 1997: we are grateful.

#### **REMARKS OF REPRESENTATIVE CARLSON**

If you can remember - for a lot of you that were here - it took us almost six years to pay off the bills because of the flood that happened in 1997. And even though Fargo didn't burn, it was a tragedy for the State of North Dakota and there was no vandalism. There were no fires burning as the Excel Energy folks and the Cass County energy folks were pulling meters off the houses standing in water. I rented a big pay loader, I remember, and I had to drive over an eight feet-high dike and almost tipped it over sliding up and down over that slimy dike. For a week I hauled people in who volunteered to help save other people's houses. We hauled sand bags and food in for a week. We took canoes to the houses that weren't under water just to check on them and make sure the pumps were working. So we didn't burn but we had a tremendous amount of damage in our city. There's been a lot of discussion and Grand Forks has done some more permanent diking and some more permanent things that have helped prevent that situation from happening again in their city.

Fargo is still addressing those issues and I can tell you that it is a disaster in cities that have flood problems and as a State we need to step forward. But probably the best memory I have of all, is all the people that came to help. They came from Minnesota and South Dakota, Iowa and Canada and they filled sand bag after sand bag. They worked, they made food and the Red Cross was there when we needed them. Unfortunately, we were in a position where my community was unable to help yours because we were struggling to save our own. Well when we went into floods in future years, we protected them as well.

To this day, my city has still not lost the flood fight and everybody has a different opinion about protection but I can tell you that we cannot afford to lose our major cities or our small towns. The biggest thing is to thank people, because you quickly forget. When you're driving home and all you see are rows of power poles snapped off and laying in the ice on the ground and your saying "now not only do we have a flood, but we don't have power". It was a situation that I hope never gets repeated. I've been through many of them in Fargo and I hope I never see another one but it's inevitable and some days the water will rise and hopefully we're protected but this was just a little way of saying thank you to the citizens of North Dakota. We found out how resilient our people are and we hope that spirit never leaves this State.

#### **ROLL CALL**

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.;



Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

HCR 3036 was declared adopted on a recorded roll call vote.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. SANFORD MOVED** that the conference committee report on Engrossed HB 1002 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1002, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1002:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the secretary of state and public printing; to provide an exemption; and to amend and reenact section 16.1-08.1-03.1 as amended by section 6 of Senate Bill No. 2343, as approved by the sixty-fifth legislative assembly, subsection 7 of section 54-09-04, and section 54-09-12 of the North Dakota Century Code, relating to campaign disclosure statements, information preparation fees, and confidential information in filed records.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 74 YEAS, 20 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Maragos; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Owens; Pollert; Porter; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Steiner; Sukut; Trottier; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Becker, Rick C.; Devlin; Headland; Johnston; Louser; Magrum; McWilliams; Nelson, M.; Oliver; Olson; Paur; Pyle; Ruby, D.; Ruby, M.; Simons; Skroch; Streyle; Toman; Vetter; Speaker Bellew

Reengrossed HB 1002 passed.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HCR 3036.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1002.

#### MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)

**MR. SPEAKER:** The President has signed: HB 1005, HB 1016, HB 1300.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1005, HB 1016, HB 1300.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1178, HB 1369.

#### MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2015, SB 2135, SB 2216.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: SB 2015, SB 2135, SB 2216.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2011, SB 2183, SB 2200, SB 2313.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2012, SB 2144, SB 2224.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1221, HB 1235.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has appointed Sen. Oban to replace Sen. Schaible on the Conference Committee on HB 1275.

#### **DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 18, 2017: HB 1005, HB 1016, HB 1216, HB 1300.

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

**HB 1007, as engrossed:** Your conference committee (Sens. Hogue, Sorvaag, Mathern and Reps. Boehning, Brabandt, Delmore) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1272-1274, adopt amendments as follows, and place HB 1007 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1272-1274 of the House Journal and pages 1030-1032 of the Senate Journal and that Engrossed House Bill No. 1007 be amended as follows:

Page 1, line 2, after "rights" insert "; to amend and reenact sections 14-02.4-15 and 34-14-09 of the North Dakota Century Code, relating to discriminatory practices in public services and employee claims for wages; and to provide an expiration date"

Page 1, replace lines 12 through 16 with:

"Salaries and wages	\$2,423,746	(\$8,762)	\$2,414,984
Operating expenses	<u>361,327</u>	<u>(32,409)</u>	<u>328,918</u>
Total all funds	\$2,785,073	(\$41,171)	\$2,743,902
Less estimated income	<u>437,832</u>	<u>2,084</u>	<u>439,916</u>
Total general fund	\$2,347,241	(\$43,255)	\$2,303,986"

Page 1, line 19, replace "\$40,068" with "\$37,165 from the general fund"

Page 1, line 20, replace "\$1,249" with "\$1,241"

Page 1, after line 20, insert:

**"SECTION 3. AMENDMENT.** Section 14-02.4-15 of the North Dakota Century Code is amended and reenacted as follows:

#### **14-02.4-15. Public services - Discriminatory practices.**

1. It is a discriminatory practice for a person engaged in the provision of public services to fail to provide to ~~a person~~ an individual access to the use of and benefit thereof, or to give adverse or unequal treatment to ~~a person~~ an individual in connection therewith because of the ~~person's~~ individual's race, color, religion, sex, national origin, age, physical or mental disability, or status with respect to marriage or public assistance.
2. Subsection 1 does not apply to:

- a. An individual committed to the legal and physical custody of the department of corrections and rehabilitation; or
- b. An individual confined in a correctional facility, as defined in section 12-44.1-01.

**SECTION 4. AMENDMENT.** Section 34-14-09 of the North Dakota Century Code is amended and reenacted as follows:

**34-14-09. Employees' remedies - Limitation on wages collectible.**

1. An employee may file with the department a claim for wages due under this chapter or under chapter 34-06 ~~with the department not later than if the filing is made within~~ two years from the date the wages are due and the amount of the wages claimed due is at least one hundred twenty-five dollars but not more than fifteen thousand dollars. For purposes of this section, wages are due at each regular payday immediately following the work period during which wages were earned. ~~Whenever~~ if the department denies the claim for wages due because the amount claimed is less than one hundred twenty-five dollars, the department shall inform the claimant of the opportunity for the claimant to pursue the claim in small claims court under chapter 27-08.1. If the department denies the claim for wages due because the amount claimed is more than fifteen thousand dollars, the department shall inform the claimant of the opportunity for the claimant to pursue the claim in district court under chapter 27-05.
2. If the labor commissioner determines that wages have not been paid and that the unpaid wages constitute an enforceable claim, the commissioner, upon request of the employee, may take an assignment in trust for the wages or a claim for liquidated damages in amounts the commissioner deems valid and enforceable without being bound by any of the technical rules respecting the validity of any assignments and may bring any legal action necessary to collect the claim. With the consent of the assigning employee at the time of the assignment, the commissioner may settle and adjust the claim to the same extent as the assigning employee.
3. The limitation of action under section 34-01-13 is tolled by the filing of a claim with the commissioner until the commissioner determines the claim is not enforceable or the commissioner reassigns the claim to the employee. ~~With the consent of the assigning employee at the time of the assignment, the commissioner may settle and adjust the claim to the same extent as the assigning employee.~~

**SECTION 5. EXPIRATION DATE.** Section 4 of this Act is effective through June 30, 2019, and after that date is ineffective."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

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

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$2,423,746	\$2,417,887	(\$2,903)	\$2,414,984	\$2,414,984	
Operating expenses	361,327	328,918		328,918	328,918	
Total all funds	\$2,785,073	\$2,746,805	(\$2,903)	\$2,743,902	\$2,743,902	\$0
Less estimated income	437,832	439,916	0	439,916	439,916	0
General fund	\$2,347,241	\$2,306,889	(\$2,903)	\$2,303,986	\$2,303,986	\$0
FTE	15.00	14.00	0.00	14.00	14.00	0.00

**Department No. 406 - Labor Commissioner - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Total Conference Committee Changes
Salaries and wages	(\$2,903)	(\$2,903)
Operating expenses		
<hr/>		
Total all funds	(\$2,903)	(\$2,903)
Less estimated income	0	0
<hr/>		
General fund	(\$2,903)	(\$2,903)
FTE	0.00	0.00

<sup>1</sup> Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month. Section 2 of the bill is also adjusted to reflect the revised premium rate.

This amendment also:

- Amends North Dakota Century Code Section 14-02.4-15 to preclude correctional system inmates from filing complaints with the Department of Labor and Human Rights.
- Amends Section 34-14-09 to provide that an employee may file a wage complaint with the department for disputes of at least \$125 but not more than \$15,000. The department is to refer a claimant to the appropriate small claims court if the wage dispute is under \$125 and refer the claimant to the appropriate district court if the wage dispute is over \$15,000. This amendment is effective through June 30, 2019, and after that date is ineffective. The Senate version included a minimum dispute amount of \$200, but no maximum or expiration date.

Engrossed HB 1007 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1013, as engrossed:** Your conference committee (Sens. Holmberg, Krebsbach, Robinson and Reps. Monson, Schmidt, Boe) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1438-1445, adopt amendments as follows, and place HB 1013 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1438-1445 of the House Journal and pages 1158-1165 of the Senate Journal and that Engrossed House Bill No. 1013 be amended as follows:

Page 1, line 8, after the first semicolon insert "to provide a statement of legislative intent;"

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 11 with:

"Salaries and wages	\$18,280,006	(\$840,830)	\$17,439,176
Operating expenses	30,517,072	(352,067)	30,165,005
Integrated formula payments	1,916,640,000	18,564,163	1,935,204,163
Grants - special education	17,300,000	2,000,000	19,300,000
Grants - transportation	57,000,000	(1,600,000)	55,400,000
Grants - other grants	267,807,227	(13,424,522)	254,382,705
Grants - program grants	0	6,210,000	6,210,000
Grants - passthrough grants	0	2,898,000	2,898,000
PowerSchool	6,000,000	(500,000)	5,500,000
Transportation efficiency	30,000	0	30,000
National board certification	120,000	0	120,000
Total all funds	\$2,313,694,305	\$12,954,744	\$2,326,649,049

Less estimated income	<u>624,685,766</u>	<u>266,361,299</u>	<u>891,047,065</u>
Total general fund	\$1,689,008,539	(\$253,406,555)	\$1,435,601,984"

Page 2, replace lines 17 through 22 with:

"Salaries and wages	\$4,019,839	\$132,919	\$4,152,758
Operating expenses	1,713,393	(109,318)	1,604,075
Grants	<u>2,785,500</u>	<u>(676,472)</u>	<u>2,109,028</u>
Total all funds	\$8,518,732	(\$652,871)	\$7,865,861
Less estimated income	<u>2,438,751</u>	<u>(191,191)</u>	<u>2,247,560</u>
Total general fund	\$6,079,981	(\$461,680)	\$5,618,301"

Page 2, remove lines 28 through 31

Page 3, replace lines 1 through 4 with:

"Salaries and wages	\$7,291,854	\$296,895	\$7,588,749
Operating expenses	1,925,163	101,380	2,026,543
Capital assets	227,174	664,504	891,678
Grants	<u>186,900</u>	<u>(6,900)</u>	<u>180,000</u>
Total all funds	\$9,631,091	\$1,055,879	\$10,686,970
Less estimated income	<u>1,089,210</u>	<u>2,109,234</u>	<u>3,198,444</u>
Total general fund	\$8,541,881	(\$1,053,355)	\$7,488,526
Full-time equivalent positions	45.61	(0.00)	45.61"

Page 3, replace lines 9 through 14 with:

"Salaries and wages	\$4,554,349	\$106,646	\$4,660,995
Operating expenses	739,169	34,037	773,206
Capital assets	<u>24,454</u>	<u>150,238</u>	<u>174,692</u>
Total all funds	\$5,317,972	\$290,921	\$5,608,893
Less estimated income	<u>569,325</u>	<u>645,422</u>	<u>1,214,747</u>
Total general fund	\$4,748,647	(\$354,501)	\$4,394,146"

Page 3, replace lines 20 through 22 with:

"Grand total general fund	\$1,708,379,048	(\$255,276,091)	\$1,453,102,957
Grand total special funds	<u>628,783,052</u>	<u>268,924,764</u>	<u>897,707,816</u>
Grand total all funds	\$2,337,162,100	\$13,648,673	\$2,350,810,773"

Page 3, line 25, replace "\$1,249" with "\$1,241"

Page 3, remove lines 28 through 31

Page 4, replace lines 1 and 2 with:

"Department of public instruction	\$65,196	\$181,686	\$246,882
State library	66,885	10,100	76,985
School for the deaf	117,494	3,584	121,078
North Dakota vision services - school for the blind	<u>82,223</u>	<u>70</u>	<u>82,293</u>
Total	\$331,798	\$195,440	\$527,238"

Page 4, replace lines 12 through 15 with:

"Regional education association merger grants		0	100,000
North Dakota governor's school science, technology, engineering, and mathematics programs		0	220,000
Integrated formula payments		0	<u>185,000,000</u>
Total department of public instruction - all funds	\$12,700,030		\$185,320,000
Total department of public instruction - estimated income		0	<u>185,320,000</u>
Total department of public instruction - general fund	\$12,700,030		\$0"

Page 5, replace lines 1 through 3 with:

"Grand total - all funds	\$13,606,030	\$186,188,500
Grand total - estimated income	<u>656,000</u>	<u>186,188,500</u>
Grand total - general fund	\$12,950,030	\$0"

Page 5, line 20, replace "\$270,000,000" with "\$295,100,000"

Page 5, line 21, after "fund" insert ". Of this amount, \$100,000 is for regional education association merger grants and \$295,000,000 is"

Page 5, line 22, replace "\$160,000,000" with "\$185,100,000"

Page 5, after line 22, insert:

**"SECTION 7. ESTIMATED INCOME - ONE-TIME FUNDING - STUDENT LOAN TRUST FUND.** The estimated income line item in subdivision 1 of section 1 of this Act includes \$220,000 from the student loan trust fund for the purpose of providing a one-time grant for North Dakota governor's school science, technology, engineering, and mathematics programs."

Page 5, after line 29, insert:

**"SECTION 9. EXEMPTION - ADVANCED PLACEMENT PROGRAM FUNDING.** The unexpended amount remaining from the transfer of \$1,252,627 from the 2013-15 biennium, as authorized in section 32 of chapter 137 of the 2015 Session Laws to enhance the delivery of and the participation of students and teachers in advanced placement courses during the 2015-17 biennium, is not subject to the provisions of section 54-44.1-11 at the end of the 2015-17 biennium and may be continued into the 2017-19 biennium for the purpose of program grants, including leveraging the senior year, leadership program, continuing education grants, preschool continuing education grants, curriculum alignment grants, and teacher and principal evaluation system grants."

Page 7, line 1, replace "three" with "eleven"

Page 7, line 3, replace "Forty-eight" with "Fifty-two"

Page 7, line 5, replace "Forty-eight" with "Fifty"

Page 7, line 16, replace "Forty-eight" with "Fifty"

Page 7, line 23, replace "Twenty-eight" with "Thirty"

Page 7, line 30, replace "\$1,735,000" with "\$1,530,000"

Page 8, after line 17, insert:

**"SECTION 15. REGIONAL EDUCATION ASSOCIATION MERGER GRANTS - ONE-TIME FUNDING - DISTRIBUTION.** The grants - other grants line item included in subdivision 1 of section 1 of this Act includes \$100,000 from the foundation aid stabilization fund for the purpose of providing a one-time \$25,000 grant to each regional education association that merges with another regional education association to form a single entity with a single governing board during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 16. REGIONAL EDUCATION ASSOCIATION GRANTS - DISTRIBUTION.** The integrated formula payments line item included in subdivision 1 of section 1 of this Act includes \$500,000 from the general fund for the purpose of providing annual grants to regional education associations for the biennium beginning July 1, 2017, and ending June 30, 2019. An annual grant of \$31,250 is provided to each regional education association that exists as of July 1, 2017. Regional education associations that merge during the 2017-19 biennium are entitled to the annual grants that would have been paid to each of the member associations."

Page 9, line 22, replace "\$2,378,000" with "\$2,100,000"

Page 9, line 22, after "grants" insert "for writing projects, an entrepreneur program, and a mentoring program"

Page 9, after line 29, insert:

**"SECTION 22. LEGISLATIVE INTENT - TEACHER AND ADMINISTRATOR MENTORING.** It is the intent of the sixty-fifth legislative assembly that school districts, in addition to mentoring services provided by the state, use federal title II funding for teacher and administrator mentoring."

Page 10, line 4, remove "the North Dakota leadership in educational administration the North Dakota leadership in educational administration"

Page 10, line 5, replace "development center" with "educational leadership"

Page 10, line 25, replace "7" with "8"

Page 10, line 25, replace "22" with "27"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1013 - Summary of Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Department of Public Instruction						
Total all funds	\$2,313,694,305	\$2,326,729,929	(\$80,880)	\$2,326,649,049	\$2,326,649,049	\$0
Less estimated income	624,685,766	865,741,257	25,305,808	891,047,065	865,827,065	25,220,000
General fund	\$1,689,008,539	\$1,460,988,672	(\$25,386,688)	\$1,435,601,984	\$1,460,821,984	(\$25,220,000)
State Library						
Total all funds	\$8,518,732	\$7,871,875	(\$6,014)	\$7,865,861	\$7,865,861	\$0
Less estimated income	2,438,751	2,248,349	(789)	2,247,560	2,247,560	0
General fund	\$6,079,981	\$5,623,526	(\$5,225)	\$5,618,301	\$5,618,301	\$0
School for the Deaf						
Total all funds	\$9,631,091	\$10,546,428	\$140,542	\$10,686,970	\$10,686,970	\$0
Less estimated income	1,089,210	3,198,724	(280)	3,198,444	3,198,444	0
General fund	\$8,541,881	\$7,347,704	\$140,822	\$7,488,526	\$7,488,526	\$0
Vision Services - School for the Blind						
Total all funds	\$5,317,972	\$5,585,322	\$23,571	\$5,608,893	\$5,608,893	\$0
Less estimated income	569,325	1,214,753	(6)	1,214,747	1,214,747	0
General fund	\$4,748,647	\$4,370,569	\$23,577	\$4,394,146	\$4,394,146	\$0
Bill total						
Total all funds	\$2,337,162,100	\$2,350,733,554	\$77,219	\$2,350,810,773	\$2,350,810,773	\$0
Less estimated income	628,783,052	872,403,083	25,304,733	897,707,816	872,487,816	25,220,000
General fund	\$1,708,379,048	\$1,478,330,471	(\$25,227,514)	\$1,453,102,957	\$1,478,322,957	(\$25,220,000)

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

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$18,280,006	\$17,464,178	(\$25,002)	\$17,439,176	\$17,439,176	
Operating expenses	30,517,072	30,165,005		30,165,005	30,165,005	
Integrated formula payments	1,916,640,000	1,940,295,041	(5,090,878)	1,935,204,163	1,935,204,163	
Grants - Special education contracts	17,300,000	19,300,000		19,300,000	19,300,000	
Grants - Transportation	57,000,000	51,300,000	4,100,000	55,400,000	55,400,000	
Grants - Other grants	267,807,227	254,062,705	320,000	254,382,705	254,162,705	220,000
PowerSchool	6,000,000	5,500,000		5,500,000	5,500,000	
Transportation efficiency	30,000	30,000		30,000	30,000	
National board certification	120,000	120,000		120,000	120,000	
Grants - Program grants		6,115,000	95,000	6,210,000	6,310,000	(100,000)
Grants - Passthrough grants		2,378,000	520,000	2,898,000	3,018,000	(120,000)
Total all funds	\$2,313,694,305	\$2,326,729,929	(\$80,880)	\$2,326,649,049	\$2,326,649,049	\$0
Less estimated income	624,685,766	865,741,257	25,305,808	891,047,065	865,827,065	25,220,000
General fund	\$1,689,008,539	\$1,460,988,672	(\$25,386,688)	\$1,435,601,984	\$1,460,821,984	(\$25,220,000)

FTE	99.75	91.75	0.00	91.75	91.75	0.00
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**Department No. 201 - Department of Public Instruction - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Adjusts Funding for Integrated Formula Payments <sup>2</sup>	Adjusts Funding Source for Integrated Formula Payments <sup>3</sup>	Restores Funding for Regional Education Association Grants <sup>4</sup>	Increases Funding for Transportation Grants <sup>5</sup>	Adds One-time Funding for Regional Education Association Merger Grants <sup>6</sup>
Salaries and wages	(\$25,002)					
Operating expenses						
Integrated formula payments		(5,590,878)		500,000		
Grants - Special education contracts						
Grants - Transportation					4,100,000	
Grants - Other grants						100,000
PowerSchool						
Transportation efficiency						
National board certification						
Grants - Program grants						
Grants - Passthrough grants						
Total all funds	(\$25,002)	(\$5,590,878)	\$0	\$500,000	\$4,100,000	\$100,000
Less estimated income	(14,192)	0	25,000,000	0	0	100,000
General fund	(\$10,810)	(\$5,590,878)	(\$25,000,000)	\$500,000	\$4,100,000	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adjusts Funding for the Program Grant Pool <sup>7</sup>	Increases Funding for Adult Education Matching Grants <sup>8</sup>	Increases Funding for Passthrough Grants <sup>9</sup>	Adds One-time Funding for the Governor's School Program <sup>10</sup>	Total Conference Committee Changes
Salaries and wages					(\$25,002)
Operating expenses					
Integrated formula payments					(5,090,878)
Grants - Special education contracts					
Grants - Transportation					4,100,000
Grants - Other grants				220,000	320,000
PowerSchool					
Transportation efficiency					
National board certification					
Grants - Program grants	(5,000)	100,000			95,000
Grants - Passthrough grants			520,000		520,000
Total all funds	(\$5,000)	\$100,000	\$520,000	\$220,000	(\$80,880)
Less estimated income	0	0	0	220,000	25,305,808
General fund	(\$5,000)	\$100,000	\$520,000	\$0	(\$25,386,688)
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month, the same as the Senate version. Section 2 of the bill is also adjusted to reflect this change.

<sup>2</sup> Funding for integrated formula payments is adjusted to remove funding for changes made by the House affecting local revenue calculations in the formula, the same as the Senate version.

<sup>3</sup> One-time funding from the foundation aid stabilization fund for integrated formula payments is increased by \$25 million and funding from the general fund is decreased, to provide total funding from the foundation aid stabilization fund of \$295 million for integrated formula payments, of which \$185 million is considered one-time funding.

<sup>4</sup> Funding is restored for regional education association grants to provide a total of \$500,000, \$300,000 less than the base budget, and the same as the Senate version. The House



removed funding for the regional education association coordinator grants. The Senate restored the grants as annual state aid to be distributed equally to all regional education associations that exist as of July 1, 2017, rather than grants for coordinators.

<sup>5</sup> Funding for transportation grants is increased to provide a total of \$55.4 million, \$1.6 million less than the base budget, the same as the Senate version.

<sup>6</sup> One-time funding is added from the foundation aid stabilization fund for regional education association merger grants, the same as the Senate version. This program was not included in the executive recommendation or the House version.

<sup>7</sup> Funding for the program grant pool is adjusted to remove the free breakfast program from the grant pool (\$205,000) and provide a separate grant of \$200,000 for the free breakfast program in the program grants line item, the same as the Senate version, and \$5,000 less than the House version.

A total of \$1,530,000 from the general fund is provided for a grant pool for the following programs:

- Leveraging the senior year;
- Leadership program;
- Continuing education grants;
- Preschool continuing education grants;
- Curriculum alignment grants; and
- Teacher and principal evaluation system grants.

The Conference Committee did not include \$100,000 added to the program grant pool by the Senate to allow the Superintendent of Public Instruction to assume the operation and management of the North Dakota Leadership and Educational Administration Development Center.

In addition, the Conference Committee added a section to provide the unexpended amount remaining from the transfer of \$1,252,627 from the 2013-15 biennium, as permitted in Section 32 of Chapter 137 of the 2015 Session Laws to enhance the delivery and the participation of students and teachers in advanced placement courses during the 2015-17 biennium, is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 at the end of the 2015-17 biennium and may be continued into the 2017-19 biennium, for the purpose of increasing the program grant pool, the same as the Senate version.

<sup>8</sup> Funding for adult education matching grants is increased to provide a total of \$3,100,000 from the general fund, \$1,010,411 less than the base budget and the same as the Senate version.

<sup>9</sup> Funding for certain passthrough grants is increased as follows to provide a total of \$2,898,000 from the general fund for passthrough grants.

	Increase	Total
Teacher mentoring	\$50,000	\$2,050,000
Rural art outreach project	340,000	350,000
Global Bridges	100,000	200,000
Young entrepreneur education program	<u>30,000</u>	<u>30,000</u>
Total	\$520,000	\$2,630,000

The Senate version included \$2,100,000 for teacher mentoring and \$70,000 for the Pathfinders Parent project.

<sup>10</sup> One-time funding is provided from the student loan trust fund for the Governor's school program. Funding provided by the state for the Governor's school must be used for science, technology, engineering, and mathematics programs. Funding for this program was not included in the House or Senate version.

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This amendment also:

- Amends the section related to funding provided from the foundation aid stabilization fund to provide for a \$25.1 million increase in one-time funding from the fund for integrated formula payments (\$25 million) and regional education association merger grants (\$100,000). The increase in funding from the foundation aid stabilization fund for integrated formula payments was not included in the House or Senate version. The Senate version included \$100,000 of one-time funding from the foundation aid stabilization fund for regional education association merger grants not included in the House version.
- Adds a section identifying one-time funding provided from the student loan trust fund for the Governor's school programs. The section was not included in the House or Senate version.
- Adds a section to provide the unexpended amount remaining from the transfer of \$1,252,627 from the 2013-15 biennium, as permitted in Section 32 of Chapter 137 of the 2015 Session Laws to enhance the delivery and the participation of students and teachers in advanced placement courses during the 2015-17 biennium, is not subject to the provisions of Section 54-44.1-11 at the end of the 2015-17 biennium and may be continued into the 2017-19 biennium, for the purpose of increasing the program grant pool, the same as the Senate version.
- Amends the section related to the distribution of transportation grants to update reimbursement rates, the same as the Senate version.
- Amends the section related to the distribution of the program grant pool to adjust the total of the grant pool. The Conference Committee removed the free breakfast program from the grant pool (\$205,000) to provide a separate appropriation for the program, the same as the Senate version. The Conference Committee did not add \$100,000 to the grant pool for the operation and management of the North Dakota Leadership and Educational Administration Development Center included in the Senate version.
- Adds a section related to the distribution of one-time regional education association merger grants, the same as the Senate version.
- Adds a section related to the distribution of regional education association grants included in the integrated formula payments line item, the same as the Senate version.
- Amends the section related to the distribution of passthrough grants to provide certain grantees, as a condition of receiving the grant, are required to establish performance measures. The House and Senate versions both included the requirement to establish performance measures.
- Adds a section to provide it is the intent of the Legislative Assembly that school districts, in addition to mentoring services provided by the state, use federal Title II funding for teacher and administrator mentoring.
- Amends the section related to the Legislative Management study to adjust the service providers included in the study.

**House Bill No. 1013 - State Library - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$4,019,839	\$4,158,772	(\$6,014)	\$4,152,758	\$4,152,758	
Operating expenses	1,713,393	1,604,075		1,604,075	1,604,075	
Grants	2,785,500	2,109,028		2,109,028	2,109,028	
Total all funds	\$8,518,732	\$7,871,875	(\$6,014)	\$7,865,861	\$7,865,861	\$0
Less estimated income	2,438,751	2,248,349	(789)	2,247,560	2,247,560	0
General fund	\$6,079,981	\$5,623,526	(\$5,225)	\$5,618,301	\$5,618,301	\$0
FTE	29.75	28.75	0.00	28.75	28.75	0.00

**Department No. 250 - State Library - Detail of Conference Committee Changes**

Adjusts Funding for Health Insurance Increases <sup>1</sup>	Total Conference Committee Changes
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Salaries and wages	(\$6,014)	(\$6,014)
Operating expenses		
Grants		
Total all funds	(\$6,014)	(\$6,014)
Less estimated income	(789)	(789)
General fund	(\$5,225)	(\$5,225)
FTE	0.00	0.00

<sup>1</sup> Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month, the same as the Senate version. Section 2 of the bill is also adjusted to reflect this change.

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

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$7,291,854	\$7,498,207	\$90,542	\$7,588,749	\$7,588,749	
Operating expenses	1,925,163	1,976,543	50,000	2,026,543	2,026,543	
Capital assets	227,174	891,678		891,678	891,678	
Grants	186,900	180,000		180,000	180,000	
Total all funds	\$9,631,091	\$10,546,428	\$140,542	\$10,686,970	\$10,686,970	\$0
Less estimated income	1,089,210	3,198,724	(280)	3,198,444	3,198,444	0
General fund	\$8,541,881	\$7,347,704	\$140,822	\$7,488,526	\$7,488,526	\$0
FTE	45.61	44.61	1.00	45.61	45.61	0.00

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

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Restores 1 FTE Position <sup>2</sup>	Increases Funding for Operating Expenses <sup>3</sup>	Total Conference Committee Changes
Salaries and wages	(\$9,458)	\$100,000		\$90,542
Operating expenses			50,000	50,000
Capital assets				
Grants				
Total all funds	(\$9,458)	\$100,000	\$50,000	\$140,542
Less estimated income	(280)	0	0	(280)
General fund	(\$9,178)	\$100,000	\$50,000	\$140,822
FTE	0.00	1.00	0.00	1.00

<sup>1</sup> Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month, the same as the Senate version. Section 2 of the bill is also adjusted to reflect this change.

<sup>2</sup> One FTE position and related funding of \$100,000 is restored, the same as the Senate version. The executive recommendation and House version removed 1 FTE position and related funding of \$120,000.

<sup>3</sup> Funding for operating expenses is restored, the same as the Senate version. The executive recommendation and House version reduced funding for operating expenses by \$100,000.

### House Bill No. 1013 - Vision Services - School for the Blind - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$4,554,349	\$4,667,424	(\$6,429)	\$4,660,995	\$4,660,995	
Operating expenses	739,169	743,206	30,000	773,206	773,206	
Capital assets	24,454	174,692		174,692	174,692	
Total all funds	\$5,317,972	\$5,585,322	\$23,571	\$5,608,893	\$5,608,893	\$0

Less estimated income	569,325	1,214,753	(6)	1,214,747	1,214,747	0
General fund	\$4,748,647	\$4,370,569	\$23,577	\$4,394,146	\$4,394,146	\$0
FTE	30.00	28.50	0.00	28.50	28.50	0.00

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

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Increases Funding for Operating Expenses <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	(\$6,429)		(\$6,429)
Operating expenses		30,000	30,000
Capital assets			
Total all funds	(\$6,429)	\$30,000	\$23,571
Less estimated income	(6)	0	(6)
General fund	(\$6,423)	\$30,000	\$23,577
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month, the same as the Senate version. Section 2 of the bill is also adjusted to reflect this change.

<sup>2</sup> Funding for operating expenses is increased, the same as the Senate version. The executive recommendation and House version did not include this increase.

Engrossed HB 1013 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1392, as engrossed:** Your conference committee (Sens. Armstrong, Myrdal, Nelson and Reps. Roers Jones, Vetter, M. Nelson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1225-1226, adopt amendments as follows, and place HB 1392 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1225 and 1226 of the House Journal and page 967 of the Senate Journal and that Engrossed House Bill No. 1392 be amended as follows:

Page 1, line 2, replace "a presumption of equal" with "shared"

Page 1, line 12, remove "Equal parenting time and residential responsibility" means each parent has the child"

Page 1, remove lines 13 through 15

Page 1, line 16, remove "3."

Page 1, line 18, remove the overstrike over "~~3.~~"

Page 1, line 18, remove "4."

Page 1, line 20, remove the overstrike over "~~4.~~"

Page 1, line 20, remove "5."

Page 1, line 22, remove the overstrike over "~~5.~~"

Page 1, line 22, remove "6."

Page 1, line 23, remove the overstrike over "~~6.~~"

Page 1, line 23, remove "7."

Page 2, line 1, remove the overstrike over "7:"

Page 2, line 1, remove "8."

Page 2, after line 2, insert:

"8. "Shared parenting time and residential responsibility" means each parent has the child in that parent's care for a time that is as close to fifty percent of the time as can be arranged based on the circumstances but which is not less than thirty-five percent of the time."

Page 2, line 13, remove "In any proceeding dealing with parental rights and responsibilities, there is a"

Page 2, replace lines 14 through 18 with "In any proceeding to establish or modify a judgment for providing for parenting time and residential responsibility and subject to the requirements of section 14-09-06.6, if one party has requested shared parenting time and residential responsibility, the court shall consider awarding shared parenting time and residential responsibility and shall articulate in its decision its rationale for either awarding or denying the request for shared parenting time and responsibility."

Renumber accordingly

Engrossed HB 1392 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2012, as engrossed:** Your conference committee (Sens. G. Lee, Oehlke, Grabinger and Reps. Brandenburg, Kempenich, Delmore) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1331-1335, adopt amendments as follows, and place SB 2012 on the Seventh order:

That the House recede from its amendments as printed on pages 1208-1211 of the Senate Journal and pages 1331-1335 of the House Journal and that Senate Bill No. 2012 be amended as follows:

Page 1, line 3, replace "and" with "to provide for disposition of maintenance section sites;"

Page 1, line 4, after "exemptions" insert "; to provide for studies; and to provide for reports"

Page 1, replace line 13 with:

"Salaries and wages	\$207,778,278	(\$6,299,937)	\$201,478,341"
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Page 1, replace lines 15 through 18 with:

"Capital assets	700,081,402	71,020,449	771,101,851
Grants	<u>62,918,030</u>	<u>4,610,000</u>	<u>67,528,030</u>
Total special funds	\$1,266,540,461	\$2,949,407	\$1,269,489,868
Full-time equivalent positions	1,080.50	(33.50)	1,047.00

**SECTION 2. HEALTH INSURANCE INCREASE.** The salaries and wages line item in section 1 of this Act includes the sum of \$2,702,395 from other funds for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 2, line 16, replace "\$5,700,000" with "\$16,300,000"

Page 2, remove lines 20 through 25

Page 3, after line 6, insert:

**"SECTION 8. DISPOSITION OF MAINTENANCE SECTION SITES.**  
Notwithstanding any other provision of law, the department of transportation may

discontinue operations of department maintenance section sites in New England, Starkweather, Fessenden, Courtenay, Gackle, Litchville, Finley, and Mayville as provided in this section.

1. During the biennium beginning July 1, 2017, and ending June 30, 2019, the department may not dispose of any real property assigned to a section site where operations are being discontinued.
2. The department shall consult with representatives of the political subdivisions in which the section site is located, in the following order: first with the county, second with the city, and third with the township. If requested by any of the political subdivisions, the department shall negotiate a lease agreement with that political subdivision regarding the use of the section site and facilities. The lease agreement must address, at a minimum, the following:
  - a. The political subdivision may use the department's maintenance site and building, road oil tank, and shop equipment contained in the building. The political subdivision must be responsible for all routine maintenance and utility costs.
  - b. If requested by the political subdivision, the department may transfer ownership of an equipped snow plow to the political subdivision. The snow plow must be one that the department intends to dispose of as part of its equipment replacement schedule.
  - c. The department may charge a reasonable fee to the political subdivision under the lease.
  - d. The department shall retain the use of salt buildings located on the property, the right to park one vehicle inside the maintenance building during a major winter storm, the use of an electrical outlet to plug in various vehicles for wintertime loading of deicing materials, and the right to use a portion of the site for a salt and sand pile for winter snow and ice control operations.
  - e. If an emergency occurs in or around a section site, and the department is unable to respond, the political subdivision may agree to have an individual available to respond to the emergency. The political subdivision may establish a process that allows emergency response teams to contact the political subdivision to allow it to respond to an emergency occurring within the area currently served by the section site. The response may require the political subdivision to provide snow and ice control on the state highway system for an emergency situation.
3. If the department does not enter a lease agreement for a section site during the biennium beginning July 1, 2017, and ending June 30, 2019, the department may dispose of the section site property in accordance with state law after June 30, 2019.
4. If the department has an employee whose home residence is located within the vicinity of the maintenance section the department intends to discontinue, the department shall locate one of its snow plows at or near the maintenance section site during a major winter storm event from November 1 through March 31 of each fiscal year."

Page 4, after line 17, insert:

**"SECTION 10. DEPARTMENT OF TRANSPORTATION STUDY - SNOW AND ICE CONTROL SERVICES - REPORT TO LEGISLATIVE MANAGEMENT.** During the 2017-18 interim, the department of transportation shall study the manner in which it provides snow and ice control services on the state highway system, including the existing costs for these services and any potential savings available in providing these services. Based on its findings, the department shall determine the

most efficient and effective manner in which to provide snow and ice control services. The department shall provide a report to the legislative management before July 1, 2018, regarding the results of the study.

**SECTION 11. DEPARTMENT OF TRANSPORTATION STUDY - CONSOLIDATION OF SERVICES - REPORT TO LEGISLATIVE MANAGEMENT - REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY.** During the 2017-18 interim, the department of transportation shall study options to consolidate transportation facilities within Williams County and the Williston district headquarters. The department shall provide the final report, including the results of the study, to the legislative management before July 1, 2018. If the results of the study determine that it is beneficial to consolidate facilities, the department may proceed with consolidation efforts. Before the completion of the study and the determination of whether the consolidation of facilities is beneficial, the department may not construct any new buildings at the Williston district headquarters. The department shall provide reports to the appropriations committees of the sixty-sixth legislative assembly regarding the study and the outcomes of the study.

**SECTION 12. LEGISLATIVE MANAGEMENT STUDY - TRANSPORTATION FUNDING.** During the 2017-18 interim, the legislative management shall consider studying the funding mechanisms and options available to the department of transportation, political subdivisions, and public transportation providers, for road construction, maintenance, other transportation infrastructure needs, and transit services. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-sixth legislative assembly.

**SECTION 13. DEPARTMENT OF TRANSPORTATION FEES - REPORT TO BUDGET SECTION.** The department of transportation shall report to the legislative management's budget section by September 30, 2017, and by September 30, 2018, regarding all fees charged by the department in comparison to the actual cost of providing the services for which the fee is charged.

**SECTION 14. TELECOMMUNICATIONS INFRASTRUCTURE ON HIGHWAY RIGHTS OF WAY - LIMITATION - DEPARTMENT OF TRANSPORTATION AND INFORMATION TECHNOLOGY DEPARTMENT STUDY - REPORT.** Prior to the department of transportation permitting any nonstate owned, controlled, or leased wireless telecommunication infrastructure used for wireless transmission of voice, data, images, or other signals or information within state highway rights of way, the department of transportation and the information technology department shall study, during the 2017-18 interim, the benefits of allowing wireless telecommunication infrastructure within state highway rights of way and what, if any, requirements of allowing the installation may be in the public interest. The department of transportation and the information technology department shall report the results of the study to the legislative management by June 30, 2018."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2012 - Department of Transportation - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$207,778,278	\$202,085,692	(\$607,351)	\$201,478,341	\$201,874,602	(\$396,261)
Operating expenses	295,762,751	229,381,646		229,381,646	229,381,646	
Capital assets	700,081,402	770,705,590	396,261	771,101,851	770,705,590	396,261
Grants	62,918,030	72,528,030	(5,000,000)	67,528,030	67,528,030	
Total all funds	\$1,266,540,461	\$1,274,700,958	(\$5,211,090)	\$1,269,489,868	\$1,269,489,868	\$0
Less estimated income	1,266,540,461	1,274,700,958	(5,211,090)	1,269,489,868	1,269,489,868	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	1080.50	1049.00	(2.00)	1047.00	1044.00	3.00

### Department No. 801 - Department of Transportation - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Removes Funding for a Community Enhancement Program <sup>2</sup>	Removes the 2 FTE Administrator Positions <sup>3</sup>	Total Conference Committee Changes
Salaries and wages	(\$211,090)		(\$396,261)	(\$607,351)
Operating expenses				
Capital assets			396,261	396,261
Grants		(5,000,000)		(5,000,000)
Total all funds	(\$211,090)	(\$5,000,000)	\$0	(\$5,211,090)
Less estimated income	(211,090)	(5,000,000)	0	(5,211,090)
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	(2.00)	(2.00)

<sup>1</sup> Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month, the same as the House version.

<sup>2</sup> Funding of \$5 million for a North Dakota community enhancement program is removed, the same as the House version. The Senate included \$5 million for this program as recommended by Governor Burgum.

<sup>3</sup> Two FTE administrator positions are removed. Funding of \$396,261 for the positions is transferred from the salaries and wages line item to the capital assets line item. The House removed 5 FTE administrative positions but left the funding in the salaries and wages line item.

This amendment also:

- Adds a section identifying the cost of the health insurance premium increase, the same as the House version.
- Increases the use of enhanced state highway investment funding transferred from the general fund to the highway fund by the 2015 Legislative Assembly for matching federal highway construction funds during the 2017-19 biennium from \$5.7 million to \$16.3 million, the same as the House version. The Senate authorized the use of \$5.7 million.
- Removes a section authorizing the use of \$5 million in enhanced state highway investment funding transferred from the general fund to the highway fund by the 2015 Legislative Assembly for the North Dakota community enhancement program during the 2017-19 biennium, the same as the House version.
- Adds a section directing the department to consult with political subdivisions in the areas where highway maintenance section sites may be closed. The House included a similar section.
- The conference committee did not include a section included in the House version to amend North Dakota Century Code Section 39-01-09, relating to parking meters, and providing that 20 percent of the revenue generated from parking meters, except those on property of state higher education institutions be deposited in the public transportation fund.
- Adds a section requiring the department to study the manner in which it provides snow and ice control services and to provide a report to the Legislative Management, the same as the House version.
- Adds a section requiring the department to study options to consolidate transportation facilities within Williams County and the Williston district headquarters and to provide a report to the Legislative Management, and the 2019 Legislative Assembly, the same as the House version.



- Adds a section providing for a Legislative Management study of transportation funding, the same as the House version.
- Adds a section directing the department to report annually to the Budget Section during the 2017-18 interim, regarding all fees charged by the agency in comparison to the actual cost incurred for the resulting services provided, the same as the House version.
- The conference committee did not include a section added by the House to prohibit the department from closing a driver's license service site that processed 600 or more transactions during the prior state fiscal year.
- A section is added requiring the department and the Information Technology Department to study the benefits of allowing wireless telecommunication infrastructure within state highway rights of way before providing permits for the construction of wireless telecommunication infrastructure.

Engrossed SB 2012 was placed on the Seventh order of business on the calendar.

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

**SB 2144:** Your conference committee (Sens. Casper, Campbell, Marcellais and Reps. Keiser, D. Ruby, Boe) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1123 and place SB 2144 on the Seventh order.

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

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

**SB 2224:** Your conference committee (Sens. Bekkedahl, Vedaa, Marcellais and Reps. Pollert, Nathe, Holman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1114-1115, adopt amendments as follows, and place SB 2224 on the Seventh order:

That the House recede from its amendments as printed on pages 1114 and 1115 of the Senate Journal and page 1249 of the House Journal and that Senate Bill No. 2224 be amended as follows:

Page 1, line 6, replace "\$500,000" with "\$350,000"

Renumber accordingly

SB 2224 was placed on the Seventh order of business on the calendar.

#### **ANNOUNCEMENT**

**REP. BELLEW ANNOUNCED** that the House stand in recess until 5:00 p.m.

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

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

**REP. KEISER MOVED** that the conference committee report on SB 2144 be adopted, which motion prevailed on a voice vote.

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

**REP. OWENS MOVED** that the conference committee report on Reengrossed HB 1324 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1324, as amended, was placed on the Eleventh order of business.

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

**HB 1324:** A BILL for an Act to create and enact a new section to chapter 15.1-09.1 of the North Dakota Century Code, relating to audits of regional education associations; to amend and reenact sections 15.1-01-03, 15.1-09.1-10, and 15.1-27-04.1 of the North Dakota Century Code, relating to the powers and duties of the state board of public school education and the determination of state aid payable to school districts and regional education associations; to provide statements of legislative intent; 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 80 YEAS, 10 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; Oliver; Owens; Paur; Pollert; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Becker, Rick C.; Ertelt; Johnston; Koppelman, B.; Koppelman, K.; Olson; Ruby, M.; Schatz; Simons; Speaker Bellew

**ABSENT AND NOT VOTING:** Nathe; O'Brien; Porter; Schreiber-Beck

Reengrossed HB 1324 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. MONSON MOVED** that the conference committee report on Engrossed HB 1013 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1013, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1013:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of public instruction, the state library, the school for the deaf, and the North Dakota vision services - school for the blind; to create and enact a new section to chapter 25-06 and a new section to chapter 25-07 of the North Dakota Century Code, relating to the school for the blind fund and the school for the deaf fund; to repeal section 6-09-45 of the North Dakota Century Code and section 13 of chapter 49 of the 2015 Session Laws, relating to a required transfer from the Bank of North Dakota and a contingent appropriation; to provide exemptions; to provide for a transfer; to provide a statement of legislative intent; to provide for a legislative management study; 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 79 YEAS, 11 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; Owens; Paur; Pollert; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Becker, Rick C.; Ertelt; Johnston; Koppelman, B.; Koppelman, K.; Oliver; Olson; Schatz; Simons; Vetter; Speaker Bellew

**ABSENT AND NOT VOTING:** Nathe; O'Brien; Porter; Schreiber-Beck

Reengrossed HB 1013 passed and the emergency clause was declared carried.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. STREYLE MOVED** that the conference committee report on Engrossed HB 1019 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1019, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1019:** A BILL for an Act to provide an appropriation for defraying the expenses of the parks and recreation department; to amend and reenact sections 55-08-06 and 55-08-07.1 of the North Dakota Century Code, relating to permits for motor vehicles and parks and the recreation concession revolving fund; to provide a grant to the international peace garden; to authorize the transfer of Dakota institute inventory; to provide exemptions; to provide a statement of legislative intent; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 69 YEAS, 20 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brandenburg; Damschen; Delmore; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Kempenich; Klemin; Koppelman, K.; Kreidt; Laning; Longmuir; Louser; Maragos; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; Owens; Pollert; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Seibel; Skroch; Steiner; Streyle; Sukut; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Becker, Rick C.; Brabandt; Carlson; Delzer; Devlin; Ertelt; Headland; Johnston; Kiefert; Koppelman, B.; Lefor; Magrum; McWilliams; Oliver; Olson; Paur; Pyle; Simons; Toman; Speaker Bellew

**ABSENT AND NOT VOTING:** Keiser; Nathe; O'Brien; Porter; Schreiber-Beck

Reengrossed HB 1019 passed and the emergency clause was declared carried.

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: SB 2144.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1324.

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

**MR. PRESIDENT:** The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1013, HB 1019.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1199.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1022, HB 1269.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2134.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HB 1178, HB 1369.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2015, SB 2135, SB 2216.

**MOTION**

**REP. VIGESAA MOVED** that the absent members be excused, which motion prevailed on a voice vote.

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Wednesday, April 19, 2017, which motion prevailed on a voice vote.

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

**Buell J. Reich, Chief Clerk**