

JOURNAL OF THE SENATE

Sixty-fifth Legislative Assembly

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Bismarck, March 31, 2017

The Senate convened at 12:30 p.m., with President Pro Tempore G. Lee presiding.

The prayer was offered by Reverend Bob Copenhaver, Healing Rooms of the Northern Plains, Bismarck.

The roll was called and all members were present except Senators Laffen, Nelson, and Unruh.

A quorum was declared by the President Pro Tempore.

MOTION

SEN. KLEIN MOVED that Engrossed HB 1023, as amended, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, Engrossed HB 1023, as amended, was rereferred.

MOTION

SEN. KLEIN MOVED that SB 2327, which is on the Twelfth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1010, as engrossed: SEN. OEHLKE (Appropriations Committee) MOVED that the amendments on SJ pages 1032-1033 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1010: A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; to provide an appropriation for the distribution of funds from the insurance tax distribution fund; to provide a transfer; and to amend and reenact section 18-04-05 of the North Dakota Century Code, relating to payments to fire departments from the insurance tax distribution fund.

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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Engrossed HB 1010, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1001, as engrossed: SEN. HOGUE (Appropriations Committee) MOVED that the amendments on SJ pages 1028-1030 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1001: A BILL for an Act to provide an appropriation for defraying the expenses of the

office of the governor; to amend and reenact section 54-07-04 of the North Dakota Century Code, relating to the salary of the governor; to provide for a legislative management report; to provide for retroactive application; to provide a contingent expiration date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Engrossed HB 1001, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1275, as engrossed: SEN. VEDAA (Education Committee) MOVED that the amendments on SJ pages 1035-1036 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1275: A BILL for an Act to amend and reenact section 15.1-19-03.1 of the North Dakota Century Code, relating to the recitation of prayer at athletic activities for public and nonpublic schools.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

NAYS: Piepkorn

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Engrossed HB 1275, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1007, as engrossed: SEN. HOGUE (Appropriations Committee) MOVED that the amendments on SJ pages 1030-1032 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1007: A BILL for an Act to provide an appropriation for defraying the expenses of the department of labor and human rights; and 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.

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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Engrossed HB 1007, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1425: SEN. MYRDAL (Judiciary Committee) MOVED that the amendments on SJ page 1036 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1425: A BILL for an Act to protect the rights and privileges granted under the United States Constitution.

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 15 YEAS, 29 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Bowman; Campbell; Clemens; Erbele; Kannianen; Kreun; Larsen, O.; Larson, D.; Luick; Myrdal; Osland; Rust; Schaible; Vedaa

NAYS: Armstrong; Bekkedahl; Burckhard; Casper; Cook; Davison; Dever; Dotzenrod; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Marcellais; Mathern; Meyer; Oban; Oehlke; Piepkorn; Poolman; Robinson; Roers; Sorvaag; Wanzek; Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

HB 1425, as amended, failed.

SECOND READING OF HOUSE BILL

HB 1329: A BILL for an Act to create and enact a new chapter to title 15 of the North Dakota Century Code, relating to freedom of speech at state institutions of higher education.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 7 YEAS, 37 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Casper; Clemens; Kannianen; Larsen, O.; Luick; Myrdal; Vedaa

NAYS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Marcellais; Mathern; Meyer; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Wanzek; Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Engrossed HB 1329 failed.

SECOND READING OF HOUSE BILL

HB 1244: A BILL for an Act to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to the authority of boards of county commissioners to approve the exercise of the power of quick take eminent domain by water resource boards; and to amend and reenact subsection 2 of section 61-16.1-09 of the North Dakota Century Code, relating to the authority of water resource boards to exercise the power of quick take eminent domain.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 2 YEAS, 42 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Luick; Schaible

NAYS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Sorvaag; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Engrossed HB 1244 failed.

SECOND READING OF HOUSE BILL

HB 1406: A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to public employee uniform group health insurance benefits; to provide for application; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 44 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

NAYS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

HB 1406 failed.

SECOND READING OF HOUSE BILL

HB 1407: A BILL for an Act to amend and reenact section 54-52.1-05 of the North Dakota Century Code, relating to the term of the public employee uniform group insurance contract for health benefits coverage; and to provide for application.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEAS, 43 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Larsen, O.

NAYS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper;

Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Engrossed HB 1407 failed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

SEN. KLEIN MOVED that the Senate do not concur in the House amendments to SB 2052, in the House amendments to SB 2090, in the House amendments to SB 2116, in the House amendments to SB 2161, in the House amendments to Engrossed SB 2166, in the House amendments to Engrossed SB 2183, in the House amendments to Engrossed SB 2216, in the House amendments to SB 2270, in the House amendments to SB 2303, and in the House amendments to Engrossed SB 2313 and that a conference committee be appointed to meet with a like committee from the House on each of these measures, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEES

THE PRESIDENT APPOINTED as a Conference Committee on:

SB 2052: Sens. J. Lee, Anderson, Heckaman.

SB 2090: Sens. D. Larson, Osland, Nelson.

SB 2116: Sens. O. Larsen, Kreun, Piepkorn.

SB 2161: Sens. Anderson, Clemens, Piepkorn.

Engrossed SB 2166: Sens. Cook, Unruh, Dotzenrod.

Engrossed SB 2183: Sens. Bekkedahl, Vedaa, Marcellais.

Engrossed SB 2216: Sens. Myrdal, Luick, D. Larson.

SB 2270: Sens. Kreun, Roers, Schaible.

SB 2303: Sens. D. Larson, Osland, Nelson.

Engrossed SB 2313: Sens. Unruh, Armstrong, Oban.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. KLEIN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Reengrossed HB 1045, Engrossed HB 1166, and HB 1194, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on:

Reengrossed HB 1045: Sens. Cook, Laffen, Dotzenrod

Engrossed HB 1166: Sens. Unruh, Bekkedahl, Dotzenrod

HB 1194: Sens. Luick, Osland, Nelson

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KLEIN MOVED that the Senate do concur in the House amendments to Engrossed SB 2301 as printed on SJ page 990, which motion prevailed on a voice vote.

Engrossed SB 2301, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2301: A BILL for an Act to create and enact a new section to chapter 19-02.1 of the North Dakota Century Code, relating to specialty pharmacy services; to provide a penalty; and to provide for application.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek;

Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Reengrossed SB 2301 passed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. POOLMAN MOVED that the Senate do concur in the House amendments to SB 2210 as printed on SJ pages 948-949, which motion prevailed on a voice vote.

SB 2210, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2210: A BILL for an Act to amend and reenact section 53-01-07 of the North Dakota Century Code, relating to the commissioner of combative sports.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

NAYS: Larsen, O.

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Engrossed SB 2210 passed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. ARMSTRONG MOVED that the Senate do concur in the House amendments to SB 2248 as printed on SJ page 953, which motion prevailed on a voice vote.

SB 2248, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2248: A BILL for an Act to create and enact a new subsection to section 14-15-19 of the North Dakota Century Code, relating to relinquishment and termination of parent and child relationship.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Engrossed SB 2248 passed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. SCHAIBLE MOVED that the Senate do concur in the House amendments to SB 2295 as printed on SJ pages 849-850, which motion prevailed on a voice vote.

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

SECOND READING OF SENATE BILL

SB 2295: A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to the exemption of state university and college title IX records from public disclosure; and to amend and reenact section 44-04-18.4 of the North Dakota Century Code, relating to the confidentiality of research information.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Engrossed SB 2295 passed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LUICK MOVED that the Senate do concur in the House amendments to Engrossed SB 2245 as printed on SJ pages 984-985, which motion prevailed on a voice vote.

Engrossed SB 2245, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2245: A BILL for an Act to provide for a legislative management study to examine the desirability and feasibility of creating a state wetlands bank.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

NAYS: Larsen, O.

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Reengrossed SB 2245 passed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LUICK MOVED that the Senate do concur in the House amendments to Engrossed SB 2028 as printed on SJ page 982, which motion prevailed on a voice vote.

Engrossed SB 2028, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2028: A BILL for an Act to create and enact chapters 4.1-25, 4.1-27, 4.1-28, 4.1-30, 4.1-31, 4.1-32, 4.1-41, and 4.1-53 of the North Dakota Century Code, relating to revisions of agriculture laws regarding dairy products regulation, livestock auction markets, satellite video livestock auction markets, the purchase of livestock by packing plants, meat inspection, rendering plants, commercial feed laws, and livestock medicine; to amend and reenact sections 23-01-25, 36-21-01, 36-21-10, 36-21-11, 36-21-12, 36-21-13, 36-21-15, 36-21-18, and 36-21-19 of the North Dakota Century Code, relating to general livestock provisions; to repeal chapters 19-13.1, 19-14, 36-05, 36-05.1, 36-06, 36-07, section 36-21-05, and chapter 36-24 of the North Dakota Century Code, relating to commercial feed laws, livestock medicine, livestock auction markets, satellite video livestock auction markets, the purchase of livestock by packing plants, rendering plants, general livestock provisions, and meat inspection; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Reengrossed SB 2028 passed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LUICK MOVED that the Senate do concur in the House amendments to Engrossed SB 2027 as printed on SJ pages 981-982, which motion prevailed on a voice vote.

Engrossed SB 2027, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2027: A BILL for an Act to create and enact chapters 4.1-23, 4.1-33, 4.1-34, 4.1-35, 4.1-36, 4.1-37, 4.1-38, 4.1-39, and 4.1-40 of the North Dakota Century Code, relating to revisions of agriculture laws regarding plant pests, pesticides, chemigation regulation, pesticide container disposal, anhydrous ammonia facilities, anhydrous ammonia risk management, crop protection products, and the fertilizer and soil conditioner law; to amend and reenact subsection 19 of section 19-02.1-01 and sections 23-01-01.1 and 23-01-25 of the North Dakota Century Code, relating to the definition of a pesticide chemical and the state department of health; to repeal chapters 19-18, 19-20.1, 19-20.2, and 19-20.3 of the North Dakota Century Code, relating to pesticides, fertilizers and soil conditioners, anhydrous ammonia facilities, and anhydrous ammonia risk management; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Reengrossed SB 2027 passed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LUICK MOVED that the Senate do concur in the House amendments to SB 2026 as printed on SJ page 981, which motion prevailed on a voice vote.

SB 2026, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2026: A BILL for an Act to create and enact chapters 4.1-01, 4.1-15, 4.1-19, 4.1-54, 4.1-55, 11-38, 11-39, and 15-12.1, a new section to chapter 19-02.1, and chapter 54-60.3 of the North Dakota Century Code, relating to revisions of agriculture laws regarding the agriculture commissioner, the northern crops institute, eggs, miscellaneous agriculture laws, the state fair association, county extension agents, the county fair association, agricultural experiment stations, and the agricultural products utilization commission; to amend and reenact subsection 2 of section 57-15-06.7 of the North Dakota Century Code, relating to counties levying taxes to fund extension agents; to authorize the legislative council to make certain statutory redesignations; to repeal chapters 4-01, 4-02, 4-02.1, 4-05.1, 4-08, 4-11.1, 4-13.2, 4-14, 4-14.1, 4-14.2, 4-19, 4-21.1, 4-21.2, 4-22, 4-23, 4-24, 4-30, 4-32, 4-33, 4-35, 4-35.1, 4-35.2, 4-36, 4-37, 4-40, 4-41, 4-43, and 19-07 of the North Dakota Century Code, relating to the agriculture commissioner, agricultural fair associations, the state fair association, agricultural experiment stations, county agents, potato production contracts, the poultry division, unfair discrimination in the purchase of farm products, the agriculturally derived fuel tax fund, the northern crops institute, forestry and tree distribution, nurseries and nursery stock, the trees for North Dakota program, soil conservation districts, agricultural conservation and adjustment, miscellaneous agriculture laws, dairy products regulations, the interstate pest control compact, plant pests, the pesticide act, chemigation regulation, pesticide and pesticide container disposal, the agricultural development act, agriculture in the classroom, crop production products, industrial hemp, meatpacking plant assistance, and eggs; to provide a penalty; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Engrossed SB 2026 passed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. SCHAIBLE MOVED that the Senate do concur in the House amendments to Engrossed SB 2186 as printed on SJ pages 983-984, which motion prevailed on a voice vote.

Engrossed SB 2186, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2186: A BILL for an Act to create and enact a new section to chapter 15.1-06 of the North Dakota Century Code, relating to the creation of an innovative education program; to amend and reenact section 15.1-06-08.1 of the North Dakota Century Code, relating

to statutory waivers; and to provide for a report.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

NAYS: Klein

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Reengrossed SB 2186 passed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. POOLMAN MOVED that the Senate do concur in the House amendments to SB 2181 as printed on SJ page 810, which motion prevailed on a voice vote.

SB 2181, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2181: A BILL for an Act to amend and reenact section 53-06.1-10.1 of the North Dakota Century Code, relating to conducting a raffle using a random number generator.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Larsen, O.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

NAYS: Larson, D.

ABSENT AND NOT VOTING: Laffen; Nelson; Unruh

Engrossed SB 2181 passed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. ARMSTRONG MOVED that the Senate do concur in the House amendments to Engrossed SCR 4003 as printed on SJ page 954, which motion prevailed on a voice vote.

Engrossed SCR 4003, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4003: A concurrent resolution requesting the Legislative Management to study the current juvenile justice process, levels of collaboration among various service systems, implementation of dispositional alternatives, and methods for improving outcomes for juveniles involved in the process.

The question being on the final adoption of the amended resolution, which has been read.

Reengrossed SCR 4003 was declared adopted on a voice vote.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**MR. SPEAKER:** The Senate has passed, unchanged: HB 1427, HCR 3016.**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)****MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1004, HB 1009, HB 1016, HB 1221, HB 1269, HB 1321.**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)****MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1041.**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)****MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1170.**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)****MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2107.**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)****MR. PRESIDENT:** The House has amended and subsequently passed: SB 2037, SB 2038, SB 2149, SB 2243, SB 2273, SB 2329.**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2037**

Page 1, line 1, replace "section" with "sections 15-10-37 and"

Page 1, line 2, after "the" insert "technology occupations student loan program and the"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 15-10-37 of the North Dakota Century Code is amended and reenacted as follows:

15-10-37. Technology occupations student loan program.

1. The state board of higher education shall administer a science, technology, engineering, and mathematics occupations student loan program that encourages college students to pursue studies in these fields, to participate in internship programs, and to remain in the state after graduation. The board shall adopt rules to implement the program, including internship requirements, guidelines to determine which technology-related courses of study are eligible under the program, and standards for eligibility.
2. Graduates of board-approved colleges may apply for the technology occupations student loan program. To be eligible to receive student loan grants under the program, the applicant:
 - a. Must have graduated from a board-approved college;
 - b. Must have successfully completed the board-approved technology-related courses;
 - c. Must have maintained at least a 2.5 grade point average, based on a 4.0 grading system, at a board-approved college;
 - d. Must have a student loan with the Bank of North Dakota or other participating lender;
 - e. Following graduation must be employed in the state in a board-approved technology occupation; and

- f. Must have met and shall continue to meet any requirements established by rule.
3. The state board of higher education shall distribute student loan grants directly to the Bank of North Dakota to repay outstanding student loan principal balances for eligible applicants. The maximum student loan grant amount for which an applicant may qualify is one thousand ~~five~~ hundred dollars per year and a total of ~~six~~ five thousand dollars, or a lesser amount established by rule adopted by the state board of higher education."

Page 1, line 20, remove "five hundred"

Page 1, line 21, remove the overstrike over "five"

Page 1, line 21, remove "six"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2038

Page 1, line 3, replace "sections" with "section"

Page 1, line 4, remove "and 50-11.1-02.3"

Page 1, line 4, remove "behavioral health"

Page 1, line 5, remove "training for educators and early childhood service providers and to"

Page 5, remove lines 10 through 19

Page 5, line 21, remove the colon

Page 5, line 22, replace "1. Report" with " report"

Page 5, line 23, remove "; and"

Page 5, remove line 24

Page 5, line 25, remove "behavioral health services plan developed under subsection 7 of section 4 of this Act"

Renumber accordingly

HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2149

Page 6, line 26, after "if" insert "in good faith"

Page 6, line 26, overstrike "contacted law enforcement or emergency"

Page 6, line 27, overstrike "medical services and reported that the individual was or that" and insert immediately thereafter "seeks medical assistance for"

Page 6, line 27, overstrike the second "was"

Page 6, line 30, overstrike "emergency medical services and law enforcement personnel in"

Page 7, line 1, overstrike "need of emergency medical services. The maximum number of individuals that may be"

Page 7, line 2, overstrike "immune for any one occurrence is three individuals" and insert immediately thereafter "a condition a layperson would reasonably believe to be a drug overdose requiring immediate medical assistance. Neither the individual who experiences a drug-related overdose and is in need of emergency medical assistance nor the cooperating individual seeking medical assistance may be

charged or prosecuted for the criminal offenses listed in this section or for the sharing of controlled substances among those present"

Page 7, line 3, overstrike "is not applicable for a violation under section 19-03.1-23.1" and insert immediately thereafter "does not apply unless the evidence for the charge or prosecution was obtained as a result of the drug-related overdose and the need for emergency medical assistance. Good faith does not include seeking medical assistance during the course of the execution of an arrest warrant or search warrant or during a lawful search"

Renumber accordingly

HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2243

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of teacher loan forgiveness programs.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - TEACHER LOAN FORGIVENESS PROGRAMS. During the 2017-18 interim, the legislative management shall consider studying the use of teacher loan forgiveness programs. The study, if conducted, must include a review of all existing teacher loan forgiveness programs administered by state agencies, the effectiveness of the programs, and options to develop a single program to address severe teacher shortage needs. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2273

Page 1, line 1, after the first "to" insert "amend and reenact subsection 5 of section 57-15-56 and section 57-39.2-26.2 of the North Dakota Century Code, relating to the senior citizen services and programs fund; to"

Page 1, line 2, after "records" insert "; and to provide an effective date"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 5 of section 57-15-56 of the North Dakota Century Code is amended and reenacted as follows:

5. The state treasurer shall provide matching funds as provided in this subsection for counties for senior citizen services and programs funded as required by this section. The grants must be made on or before March first of each year to each eligible county. A county receiving a grant under this section which has not levied a tax under this section shall transfer the amount received to a city within the county which has levied a tax under this section. A grant may not be made to any county that has not filed with the state treasurer a written report verifying that grant funds received in the previous year under this subsection have been budgeted for the same purposes permitted for the expenditure of proceeds of a tax levied under this section. The written report must be received by the state treasurer on or before February first of each year following a year in which the reporting county received grant funds under this subsection. A matching fund grant must be provided from the senior citizen services and programs fund to each eligible county equal to the lesser of eighty-seven and one-half percent of the amount appropriated in dollars in the county under this section for the taxable year, but theor an eligible county's proportional share of the maximum amount of grants that may be awarded under this subsection. The matching fund grant applies only to an amount equal to a levy of up to one mill under this section. The total

amount of matching grants provided under this subsection may not exceed three million five hundred thousand dollars each year.

SECTION 2. AMENDMENT. Section 57-39.2-26.2 of the North Dakota Century Code is amended and reenacted as follows:

57-39.2-26.2. Allocation of revenues to senior citizen services and programs matching fund - Continuing appropriation.

Notwithstanding any other provision of law, a portion of sales, use, and motor vehicle excise tax collections equal to the lesser of the amount of revenue that would have been generated by a levy of eighty-seven and one-half percent of one mill on the taxable valuation of all property in the state subject to a levy under section 57-15-56 in the previous taxable year, or three million five hundred thousand dollars, must be deposited by the state treasurer in the senior citizen services and programs fund during the period from July first through December thirty-first of each year. The state tax commissioner shall certify to the state treasurer the portion of sales, use, and motor vehicle excise tax revenues which must be deposited in the fund as determined under this section. Revenues deposited in the senior citizen services and programs fund are provided as a standing and continuing appropriation for allocation as provided in subsection 5 of section 57-15-56. Any unexpended and unobligated amount in the senior citizen services and programs fund at the end of any biennium must be transferred by the state treasurer to the state general fund."

Page 1, after line 13, insert:

"SECTION 4. EFFECTIVE DATE. Section 1 of this Act is effective for taxable years beginning after December 31, 2016. Section 2 of this Act is effective for taxable events occurring after June 30, 2017."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2329

Page 1, line 2, replace "armed personnel" with "security officers; and to provide for a legislative management study"

Page 1, line 10, replace "armed security personnel" with "security officers"

Page 1, line 10, after "recognize" insert "active members of the national guard and"

Page 1, line 12, after "States" insert ", who were not dishonorably discharged."

Page 1, after line 15, insert:

"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - PRIVATE INVESTIGATIVE AND SECURITY SERVICES. During the 2017-18 interim, the legislative management shall consider studying the feasibility and desirability of updating North Dakota Century Code chapter 43-30, the law relating to the regulation of private investigative and security 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."

Renumber accordingly

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2026, SB 2027, SB 2028, SB 2181, SB 2186, SB 2210, SB 2245, SB 2248, SB 2295, SB 2301, and SCR 4003.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2052, SB 2090, SB 2116, SB 2161, SB 2166, SB 2183, SB 2216, SB 2270, SB 2303, and SB 2313, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2052: Sens. J. Lee; Anderson; Heckaman
SB 2090: Sens. D. Larson; Osland; Nelson
SB 2116: Sens. O. Larsen; Kreun; Piepkorn
SB 2161: Sens. Anderson; Clemens; Piepkorn
SB 2166: Sens. Cook; Unruh; Dotzenrod
SB 2183: Sens. Bekkedahl; Vedaa; Marcellais
SB 2216: Sens. Myrdal; Luick; D. Larson
SB 2270: Sens. Kreun; Roers; Schaible
SB 2303: Sens. D. Larson; Osland; Nelson
SB 2313: Sens. Unruh; Armstrong; Oban

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

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

SB 2188: Reprs. Olson; Steiner; Karls
SB 2200: Reprs. Steiner; Howe; Schobinger

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1159, HB 1206, HB 1210, HB 1288, HB 1291, HB 1323, HB 1338, and HB 1352.

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1037, HB 1120, HB 1204, HB 1365, HB 1389, and HCR 3019, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1037: Reprs. Zubke; Longmuir; Guggisberg
HB 1120: Reprs. Seibel; Westlind; Schneider
HB 1204: Reprs. Roers Jones; Heinert; Lefor
HB 1365: Reprs. Rohr; Skroch; P. Anderson
HB 1389: Reprs. Rich S. Becker; Oliver; Mock
HCR 3019: Reprs. Porter; Seibel; Mitskog

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

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

HB 1045: Sens. Cook; Laffen; Dotzenrod
HB 1166: Sens. Unruh; Bekkedahl; Dotzenrod
HB 1194: Sens. Luick; Osland; Nelson

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2053, SB 2136, SB 2151, SB 2193, SB 2195, SB 2201, SB 2283, SB 2300, SB 2330.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1097, HB 1110, HB 1116, HB 1134, HB 1150, HCR 3014.

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

MR. PRESIDENT: The Speaker has signed: SB 2053, SB 2136, SB 2151, SB 2193, SB 2195, SB 2201, SB 2283, SB 2300, SB 2330.

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

MR. SPEAKER: The President has signed: SB 2053, SB 2136, SB 2151, SB 2193, SB 2195, SB 2201, SB 2283, SB 2300, SB 2330.

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

MR. SPEAKER: The President has signed: HB 1097, HB 1110, HB 1116, HB 1134, HB 1150,

HCR 3014.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 31, 2017: SB 2105, SB 2197, SB 2258, SB 2278, SB 2307.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on March 30, 2017, I have signed the following: SB 2060, SB 2152, SB 2169, and SB 2170.

MOTION

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

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, April 3, 2017, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1006, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1006 was placed on the Sixth order on the calendar.

Page 1, replace lines 16 through 23 with:

| | | | |
|---------------------------|------------------|----------------|------------------|
| "Salaries and wages | \$21,528,135 | \$685,869 | \$22,214,004 |
| Operating expenses | 7,628,262 | (878,967) | 6,749,295 |
| Capital assets | 16,000 | (10,000) | 6,000 |
| Homestead tax credit | 18,690,000 | (3,890,000) | 14,800,000 |
| Disabled veterans' credit | <u>7,175,091</u> | <u>935,109</u> | <u>8,110,200</u> |
| Total all funds | \$55,037,488 | (\$3,157,989) | \$51,879,499 |
| Less estimated income | <u>125,000</u> | <u>0</u> | <u>125,000</u> |
| Total general fund | \$54,912,488 | (\$3,157,989) | \$51,754,499" |

Page 2, line 2, replace "\$380,646" with "\$353,067"

Page 2, line 3, replace "\$1,249" with "\$1,241"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1006 - State Tax Commissioner - Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|---------------------------|------------------|------------------|------------------|------------------|
| Salaries and wages | \$21,528,135 | \$21,601,583 | \$612,421 | \$22,214,004 |
| Operating expenses | 7,628,262 | 6,749,295 | | 6,749,295 |
| Capital assets | 16,000 | 6,000 | | 6,000 |
| Homestead tax credit | 18,690,000 | 16,000,000 | (1,200,000) | 14,800,000 |
| Disabled veterans' credit | <u>7,175,091</u> | <u>6,910,200</u> | <u>1,200,000</u> | <u>8,110,200</u> |
| Total all funds | \$55,037,488 | \$51,267,078 | \$612,421 | \$51,879,499 |
| Less estimated income | <u>125,000</u> | <u>125,000</u> | <u>0</u> | <u>125,000</u> |
| General fund | \$54,912,488 | \$51,142,078 | \$612,421 | \$51,754,499 |
| FTE | 136.00 | 133.00 | 0.00 | 133.00 |

Department No. 127 - State Tax Commissioner - Detail of Senate Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Adds Funding for Salaries and Wages ² | Rebalances Funding for Tax Credit Programs ³ | Total Senate Changes |
|--------------------|---|--|---|----------------------|
| Salaries and wages | (\$27,579) | \$640,000 | | \$612,421 |
| Operating expenses | | | | |
| Capital assets | | | | |

| | | | | |
|---------------------------|------------|-----------|-------------|-------------|
| Homestead tax credit | | | (1,200,000) | (1,200,000) |
| Disabled veterans' credit | | | 1,200,000 | 1,200,000 |
| Total all funds | (\$27,579) | \$640,000 | \$0 | \$612,421 |
| Less estimated income | 0 | 0 | 0 | 0 |
| General fund | (\$27,579) | \$640,000 | \$0 | \$612,421 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |

¹ 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.

² Funding of \$640,000 from the general fund is added to restore funding for 4 FTE auditor positions that had been reduced as part of the 2015-17 biennium budget reductions.

³ Funding of \$1.2 million is transferred from the homestead tax credit program to the disabled veterans' tax credit program to align the appropriations with the anticipated funding needs for the 2017-19 biennium.

REPORT OF STANDING COMMITTEE

HB 1018, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1018 was placed on the Sixth order on the calendar.

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

Page 1, line 2, remove "; to provide for legislative intent; and to declare an emergency"

Page 1, replace lines 12 and 13 with:

| | | | |
|---------------------|--------------|-----------|--------------|
| "Salaries and wages | \$13,604,636 | \$234,970 | \$13,839,606 |
| Operating expenses | 3,986,308 | (100,414) | 3,885,894" |

Page 1, replace lines 17 through 19 with:

| | | | |
|-----------------------|------------------|------------------|------------------|
| "Total all funds | \$20,554,692 | (\$481,539) | \$20,073,153 |
| Less estimated income | <u>3,299,901</u> | <u>(144,106)</u> | <u>3,155,795</u> |
| Total general fund | \$17,254,791 | (\$337,433) | \$16,917,358" |

Page 1, line 22, replace "\$208,926" with "\$193,789"

Page 1, line 22, replace "\$191,055" with "\$177,213"

Page 1, line 23, replace "\$1,249" with "\$1,241"

Page 3, remove lines 1 through 8

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1018 - State Historical Society - Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|--------------------------|--------------|---------------|----------------|----------------|
| Salaries and wages | \$13,604,636 | \$13,367,315 | \$472,291 | \$13,839,606 |
| Operating expenses | 3,986,308 | 3,850,894 | 35,000 | 3,885,894 |
| Capital assets | 1,770,294 | 1,747,653 | | 1,747,653 |
| Grants | 900,000 | 600,000 | | 600,000 |
| Cultural heritage grants | 293,454 | | | |
| Total all funds | \$20,554,692 | \$19,565,862 | \$507,291 | \$20,073,153 |

| | | | | |
|-----------------------|--------------|--------------|-----------|--------------|
| Less estimated income | 3,299,901 | 3,157,090 | (1,295) | 3,155,795 |
| General fund | \$17,254,791 | \$16,408,772 | \$508,586 | \$16,917,358 |
| FTE | 78.00 | 75.00 | 0.00 | 75.00 |

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

| | Adjusts Funding for Health Insurance Increases ¹ | Adds Funding for Salaries and Wages ² | Adds Funding for the Operation of the Welk Homestead ³ | Total Senate Changes |
|--------------------------|---|--|---|-------------------------|
| Salaries and wages | (\$15,137) | \$437,428 | \$50,000 | \$472,291 |
| Operating expenses | | | 35,000 | 35,000 |
| Capital assets | | | | |
| Grants | | | | |
| Cultural heritage grants | | | | |
| Total all funds | (\$15,137) | \$437,428 | \$85,000 | \$507,291 |
| Less estimated income | (1,295) | 0 | 0 | (1,295) |
| General fund | (\$13,842) | \$437,428 | \$85,000 | \$508,586 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |

¹ 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 change.

² Adds \$437,428 from the general fund for salaries and wages. The House underfunded salaries and wages \$437,428 from the general fund. The Senate version does not underfund salaries and wages.

³ Funding is restored for the operation of the Welk Homestead Historic Site. The House removed funding for the operation of the Welk Homestead Historic Site.

The Senate removed sections added by the House providing legislative intent regarding the Double Ditch Historic Site repairs and an emergency measure.

REPORT OF STANDING COMMITTEE

HB 1019, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1019 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "to authorize the"

Page 1, line 5, remove "transfer of Dakota institute inventory;"

Page 1, line 5, after the second semicolon insert "to provide for a legislative management study;"

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."

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 "state" 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 a grant to the state historical society for defraying the expenses of double ditch historic site repairs for the biennium beginning July 1, 2017, 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 prior to 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 6, replace lines 15 through 21 with:

"SECTION 16. LEGISLATIVE MANAGEMENT STUDY - TRANSFER OF DAKOTA INSTITUTE INVENTORY. During the 2017-18 interim, the legislative

management shall consider studying the feasibility and desirability of transferring the name Dakota institute and all rights, title, interests, and copyrights and up to eighty percent of any remaining inventory of any Dakota institute publication, book, or other document or production, regardless of format to Bismarck state college. The study must consider allowing Bismarck state college to transfer any rights, title, interests, copyrights, inventory of any of the Dakota institute's publications, books, or other documents or productions, regardless of format, to the author or producer of the document or production. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-sixth legislative assembly."

Page 6, line 22, remove "The sum of \$1,000,000 for developing recreation"

Page 6, remove line 23

Page 6, line 24, replace "section 1" with "Section 9"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1019 - Parks and Recreation Department - Senate Action

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

Department No. 750 - Parks and Recreation Department - Detail of Senate Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Total Senate 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 |

¹ 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.

This amendment also:

- Adjusts a section to direct the department to provide a \$1 million grant to the State Historical Society for the Double Ditch Historic Site repairs using funds received by the Parks and Recreation Department from the State Water Commission during the 2015-17 biennium.

- 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 to 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.
- Adjusts a section to allow carryover of one-time funding of \$950,000 for the Lewis and Clark Interpretive Center.
- Adjusts a section relating to the use of \$116,000 of carryover funding relating to the Pembina Gorge area.
- Changes the section relating to the Dakota Institute inventory to a study of the inventory.

REPORT OF STANDING COMMITTEE

HB 1152, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1152 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1155, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1155 was placed on the Sixth order on the calendar.

Page 3, after line 2, insert:

"f. For purposes of this subsection, the calculation of total percentage general fund allotments made under section 54-44.1-12 must be based on total general fund allotments after any allotment exemption granted by the director of the budget compared to total general fund appropriations."

Page 3, line 24, overstrike the comma

Page 3, line 24, overstrike "that appropriations to the department of public instruction for state"

Page 3, overstrike lines 25 and 26

Page 3, line 27, overstrike "fund"

Page 3, line 27, remove the overstrike over "~~as follows:~~"

Page 4, after line 2, insert:

"a. The following appropriations may be allotted only to the extent that the allotment can be offset by transfers from the foundation aid stabilization fund:

- (1) General fund appropriations to the department of public instruction for state school aid, transportation aid, and special education aid; and
- (2) General fund appropriations to the department of career and technical education for grants to school districts.

b. The director of the budget may exempt the following appropriations from up to one percent of an allotment each biennium:

- (1) General fund appropriations to the department of corrections and rehabilitation; and
- (2) General fund appropriations to the department of human services for direct care programs."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1201, as engrossed and amended: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1201, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on pages 798 and 799 of the Senate Journal and in lieu of the amendments as printed on pages 955 and 956 of the Senate Journal, Engrossed House Bill No. 1201 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of carbon monoxide alarms.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - CARBON MONOXIDE ALARMS. During the 2017-18 interim, the legislative management shall consider studying the fire code and how the existing regulations apply to carbon monoxide alarms, the need for residential rental property to be equipped with carbon monoxide alarms, and the costs associated with installing carbon monoxide alarms in residential rental property. The study must include the types of education and outreach being used by local fire departments to educate communities and school children about the dangers of carbon monoxide poisoning. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1347, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1347 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1369: Government and Veterans Affairs Committee (Sen. Poolman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1369 was placed on the Sixth order on the calendar.

Page 4, line 2, after "or" insert "in person or by electronic mail or fax"

Page 11, line 26, after "office" insert ", or provides the necessary documentation by electronic mail or fax."

Renumber accordingly

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

Shanda Morgan, Secretary