

## JOURNAL OF THE HOUSE

## Sixty-fifth Legislative Assembly

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Bismarck, April 20, 2017

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

The prayer was offered by Pastor Paul Herr, Century Baptist Church, Bismarck.

The roll was called and all members were present except Representatives Boschee, C. Johnson, McWilliams, and Simons.

A quorum was declared by the Speaker.

**CORRECTION AND REVISION OF THE JOURNAL**

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

Page 1771, remove lines 44-45

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

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. VIGESAA MOVED** that the conference committee report on Engrossed HB 1006 as printed on HJ pages 1798-1799 be adopted, which motion prevailed on a voice vote.

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

**SECOND READING OF HOUSE BILL**

**HB 1006:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the tax commissioner and for payment of state reimbursement under the homestead tax credit and disabled veterans' credit; to provide for a continuing appropriation; to provide for transfers; to provide an exemption; to create and enact a new section to chapter 57-01 of the North Dakota Century Code, relating to a multistate tax audit fund; 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 90 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; 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

**NAYS:** Speaker Bellew

**ABSENT AND NOT VOTING:** Boschee; Johnson, C.; McWilliams

Reengrossed HB 1006 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, subsequently passed, and the emergency clause carried: HB 1006.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2037.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1004, HB 1378.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1002, HB 1007, HB 1013, HB 1019, HB 1022, HB 1041, HB 1269, HB 1324, HCR 3036.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1004, HB 1378.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2012, SB 2224.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2021, SB 2025, SB 2047, SB 2203.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2134.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2012, SB 2224.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2021, SB 2025, SB 2047, SB 2203.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2134.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1010, as engrossed:** Your conference committee (Sens. Oehlke, Erbele, Grabinger and Reps. Vigasaa, Kempenich, Delmore) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1274-1275, adopt amendments as follows, and place HB 1010 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1274 and 1275 of the House Journal and pages 1032 and 1033 of the Senate Journal and that Engrossed House Bill No. 1010 be amended as follows:

Page 1, replace lines 14 through 17 with:

"Salaries and wages	\$8,943,097	(\$393,530)	\$8,549,567
Operating expenses	<u>2,512,042</u>	<u>(332,265)</u>	<u>2,179,777</u>
Total special funds	\$11,455,139	(\$725,795)	\$10,729,344
Full-time equivalent positions	49.50	(3.50)	46.00"

Page 1, line 19, replace "\$134,513" with "\$124,767"

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

Page 2, line 4, replace "\$13,837,850" with "\$15,064,086"

Page 2, line 7, replace "\$13,076,768" with "\$14,235,561"

Page 2, line 8, replace "\$761,082" with "\$828,525"

Renumber accordingly

# STATEMENT OF PURPOSE OF AMENDMENT:

## House Bill No. 1010 - Insurance Department - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$8,943,097	\$8,501,479	\$48,088	\$8,549,567	\$8,657,595	(\$108,028)
Operating expenses	2,512,042	2,179,777		2,179,777	2,179,777	
Fire department grants	16,571,207	13,837,850	1,226,236	15,064,086	16,571,207	(1,507,121)
Total all funds	\$28,026,346	\$24,519,106	\$1,274,324	\$25,793,430	\$27,408,579	(\$1,615,149)
Less estimated income	28,026,346	24,519,106	1,274,324	25,793,430	27,408,579	(1,615,149)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	49.50	46.00	0.00	46.00	47.00	(1.00)

## Department No. 401 - Insurance Department - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Adjusts Funding for FTE Position Removed by the House <sup>2</sup>	Restores Funding for the North Dakota Firefighter's Association <sup>3</sup>	Restores Funding for Fire Department Grants <sup>4</sup>	Total Conference Committee Changes
Salaries and wages	(\$9,746)	\$57,834			\$48,088
Operating expenses			67,443	1,158,793	1,226,236
Fire department grants					
Total all funds	(\$9,746)	\$57,834	\$67,443	\$1,158,793	\$1,274,324
Less estimated income	(9,746)	57,834	67,443	1,158,793	1,274,324
General fund	\$0	\$0	\$0	\$0	\$0
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. Section 2 is also adjusted to reflect the change.

<sup>2</sup> Funding is adjusted to restore \$57,834 relating to 1 FTE position removed by the House, to provide for a total reduction of \$108,028 and the removal of 1 FTE licensing specialist position. The House removed the 1 FTE position and \$165,862. The Senate did not remove the funding or the FTE position.

<sup>3</sup> Funding of \$67,443 is restored from the House version to provide a total of \$828,525 from the insurance tax distribution fund for the North Dakota Firefighter's Association. The House provided \$761,082 from the insurance tax distribution fund for the North Dakota Firefighter's Association. The Senate provided \$911,416 from the insurance tax distribution fund for the North Dakota Firefighter's Association. Section 4 is also adjusted to reflect the change. This funding adjustment results in increased estimated general fund revenue of \$82,891 for the 2017-19 biennium compared to the Senate version.

<sup>4</sup> Funding of \$1,158,793 is restored from the House version to provide a total of \$14,235,561 from the insurance tax distribution fund for payments to fire departments. The House provided \$13,076,768 from the insurance tax distribution fund for payments to fire departments. The Senate provided \$15,659,791 from the insurance tax distribution fund for payments to fire departments. Section 4 is also adjusted to reflect the change. This funding adjustment results in increased estimated general fund revenue of \$1,424,230 for the 2017-19 biennium compared to the Senate version.

Engrossed HB 1010 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1040, as reengrossed:** Your conference committee (Sens. J. Lee, Dever, Heckaman and Reps. Weisz, B. Anderson, P. Anderson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1491-1492, adopt amendments as follows, and place HB 1040 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1491 and 1492 of the House Journal and pages 1175 and 1176 of the Senate Journal and that Reengrossed House Bill No. 1040 be amended as follows:

Page 1, line 24, replace "\$200,000" with "\$150,000"

Page 2, after line 6, insert:

**"SECTION 4. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - PEER-TO-PEER SUPPORT SERVICES - ALTERNATIVE USE.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, to the department of human services for the purpose of providing funds to one or more organizations to provide peer-to-peer support services, for the biennium beginning July 1, 2017, and ending June 30, 2019. Funds provided under this section must be used for providing recovery and peer support services to individuals with behavioral health needs. If the department of human services has other funds available to provide for peer-to-peer support services for the biennium beginning July 1, 2017, and ending June 30, 2019, the department may allocate funds appropriated under this section for providing children's prevention and early intervention behavioral health services as provided for under section 3 of this Act.

**SECTION 5. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - FAMILY-TO-FAMILY SUPPORT SERVICES.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, to the department of human services for the purpose of providing funds to one or more organizations to provide family-to-family support services, for the biennium beginning July 1, 2017, and ending June 30, 2019. Funds provided under this section must be used for providing support services to families with children who have disabilities or behavioral health needs."

Renumber accordingly

Reengrossed HB 1040 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1275, as engrossed:** Your conference committee (Sens. Schaible, Kannianen, Oban and Reps. Karls, K. Koppelman, Simons) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1035-1036, adopt amendments as follows, and place HB 1275 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1275 of the House Journal and pages 1035 and 1036 of the Senate Journal and that Engrossed House Bill No. 1275 be amended as follows:

Page 1, line 2, remove "parochial or private school athletic"

Page 1, line 2, after "activities" insert "for public and nonpublic schools"

Page 1, line 10, remove "Notwithstanding any other provision of law, neither the North Dakota high school"

Page 1, remove lines 11 through 14

Page 1, line 15, replace "parochial school" with "A student of a public or nonpublic school may not be prohibited"

Page 1, line 15, replace "before" with "at"

Page 1, line 16, remove "athletic"

Page 1, line 16, replace "the public, parochial, or private" with "a public or nonpublic"

Renumber accordingly

Engrossed HB 1275 was placed on the Seventh order of business on the calendar.

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

**HB 1403, as engrossed:** Your conference committee (Sens. J. Lee, Anderson, Heckaman and Reps. D. Ruby, Kasper, Boschee) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1226-1227 and place HB 1403 on the Seventh order.

Engrossed HB 1403 was placed on the Seventh order of business on the calendar.

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

**SB 2037, as engrossed:** Your conference committee (Sens. Rust, Vedaa, Schaible and Reps. Schreiber-Beck, Pyle, Mock) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1053-1054, adopt amendments as follows, and place SB 2037 on the Seventh order:

That the House recede from its amendments as printed on pages 1053 and 1054 of the Senate Journal and pages 1198 and 1199 of the House Journal and that Engrossed Senate Bill No. 2037 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 15-10-37 and 15-10-38 of the North Dakota Century Code, relating to the technology occupations student loan and teacher shortage loan forgiveness programs; to provide a statement of legislative intent; and to provide for reports to the legislative management.

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

**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 with a salary or equivalent hourly wage of sixty thousand dollars or less per year; 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 or other participating lender 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 thousand dollars, or a lesser amount established by rule adopted by the state board of higher education.
4. If an individual is receiving loan forgiveness under any other provision, the individual may not receive loan forgiveness under this section during the same application year.

**SECTION 2. AMENDMENT.** Section 15-10-38 of the North Dakota Century Code is amended and reenacted as follows:

**15-10-38. Loans - Teacher shortages - Loan forgiveness.**

- 1. ~~The state board of higher education shall administer a student loan forgiveness program for individuals teaching at grade levels or in content areas identified as having a teacher shortage. The board shall adopt rules to implement the program.~~
  - 2. ~~The superintendent of public instruction shall annually identify the grade levels and content areas in which a teacher shortage exists.~~
  - 3. ~~To be eligible for loan forgiveness under this section, an individual:~~
    - a. ~~Must have been admitted as a full-time student in a teacher preparation program, with the declared intention to teach at a grade level or in a content area identified by the superintendent of public instruction as one in which a teacher shortage exists; and~~
    - b. ~~Must have obtained a student loan.~~
  - 4. ~~An individual may receive up to one thousand dollars per year and a maximum of five thousand dollars, or a lesser amount established by rule adopted by the state board of higher education under this section.~~
  - 5. ~~The board shall consider all applications under this section in chronological order.~~
  - 6. ~~Upon notification that the individual has completed a full year of teaching in a school district or nonpublic school in this state at a grade level or in a content area identified by the superintendent of public instruction as one in which a teacher shortage exists, the board shall distribute funds directly to the Bank of North Dakota to repay outstanding loan principal balances for eligible applicants. The state board of higher education shall administer a student loan forgiveness program for individuals teaching at grade levels, in content areas, and in geographical locations identified as having a teacher shortage or critical need. The board may approve loan forgiveness for no more than two teachers per year in a school district. The board shall adopt rules to implement the program.~~
- 2. The superintendent of public instruction annually shall identify grade levels, content areas, and geographical locations in which a teacher shortage or critical need exists.
  - 3. To be eligible for loan forgiveness under this section, an individual:

- a. Must have graduated from an accredited teacher preparation program and signed a contract to teach at a grade level or in a content area and in a geographical location identified by the superintendent of public instruction as having an existing teacher shortage or critical need; and
  - b. Must have an existing student loan.
- 4. For purposes of this section, the definitions of rural school district and remote town school district have the same meaning as the definitions under the national center for education statistics locale codes.
- 5. If an individual is receiving loan forgiveness under any other provision, the individual may not receive loan forgiveness under this section during the same application year.
- 6. An eligible individual may receive loan forgiveness under the program as follows:
  - a. If the individual accepts one of up to five positions of critical need in a nonrural school district or nonremote town school district, the individual may receive up to three thousand dollars per year for a maximum of four years.
  - b. If the individual accepts a position in a rural school district or remote town school district with an enrollment of fewer than one thousand students, the individual may receive up to four thousand five hundred dollars per year for a maximum of four years.
  - c. If the individual accepts one of up to five positions of critical need in a rural school district or remote town school district with an enrollment of fewer than one thousand students, the individual may receive up to six thousand five hundred dollars per year for a maximum of four years.
- 7. The superintendent of public instruction shall consider all applications under this section based on the number of unfilled school vacancies, prioritized by critical need and geographic location.
- 8. Upon notification the individual has completed a full year of teaching in a school district or state-supported school in this state at a grade level or in a content area and in a geographical location identified by the superintendent of public instruction as one in which a teacher shortage or critical need exists, the board shall distribute funds directly to the lending institution of the individual to repay outstanding loan principal balances on behalf of eligible applicants. The board shall terminate loan forgiveness payments to eligible individuals when the loan principal balance of the eligible individual is paid in full.

### **SECTION 3. LEGISLATIVE INTENT - EDUCATION INCENTIVE**

**PROGRAMS.** It is the intent of the sixty-fifth legislative assembly that subdivision 1 of section 1 of 2017 Senate Bill No. 2003 include the sum of \$2,863,393, or so much of the sum as may be necessary, from the general fund, for the purpose of providing funding of \$260,000 for doctorate graduate programs, \$500,000 for the technology occupations student loan program, and \$2,103,393 for the teacher shortage loan forgiveness program, with no more than one-half of that amount expended in the first year, during the biennium beginning July 1, 2017, and ending June 30, 2019.

### **SECTION 4. SUPERINTENDENT OF PUBLIC INSTRUCTION -**

**LEGISLATIVE MANAGEMENT REPORT.** During the 2017-19 biennium, the superintendent of public instruction shall provide annual reports to the legislative management regarding the use of teacher loan forgiveness funds received under this Act, including the amount distributed, the number of eligible individuals receiving funds, the recruitment and retention of individuals participating in the program, the average starting salaries of individuals participating in the program, and the

effectiveness of the program as determined under criteria developed by the superintendent of public instruction."

Renumber accordingly

Engrossed SB 2037 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2010, as engrossed:** Your conference committee (Sens. Krebsbach, Erbele, Mathern and Reps. Meier, Kading, Holman) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1207 and place SB 2010 on the Seventh order.

Engrossed SB 2010 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2042, as engrossed:** Your conference committee (Sens. J. Lee, Anderson, Heckaman and Reps. Porter, Westlind, P. Anderson) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 1079-1080, adopt further amendments as follows, and place SB 2042 on the Seventh order:

That the Senate accede to the House amendments as printed on pages 1079 and 1080 of the Senate Journal and page 1230 of the House Journal and that Engrossed Senate Bill No. 2042 be further amended as follows:

Page 1, line 5, remove "and"

Page 1, line 5, after the third comma insert "and 43-41-07,"

Page 1, line 8, after "professionals" insert "and licensure of social workers"

Page 22, after line 3, insert:

**"SECTION 26. AMENDMENT.** Section 43-41-07 of the North Dakota Century Code as amended in section 2 of Senate Bill No. 2033, as approved by the sixty-fifth legislative assembly, is amended and reenacted as follows:

**43-41-07. Qualification for licensure by an applicant licensed in another jurisdiction.**

1. An applicant may be granted a license upon ~~satisfactory~~:
  - a. Satisfactory proof to the board that the applicant is licensed in good standing under the laws of another jurisdiction that imposes substantially the same requirements as this chapter ~~and a board determination; or~~
  - b. Determination of the board that at the time of application for licensure under this section the applicant is licensed in good standing under the laws of another jurisdiction and possesses qualifications or experience in the practice of social work which are substantially similar to the minimum requirements for licensure under this chapter.
2. The applicant shall pay the licensure fees specified by the board."

Renumber accordingly

Engrossed SB 2042 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. Klemm, Chairman)** has carefully examined the Journal of the Sixty-first and Sixty-fourth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1315, line 18, replace "bill" with "amended bill"

Page 1387, line 39, replace "bill" with "amended bill"

Page 1388, lines 13 and 39, replace "bill" with "amended bill"

Page 1389, lines 7,8,32, and 33, replace "Reengrossed" with "Engrossed"

Page 1389, lines 15 and 39, replace "bill" with "amended bill"

Page 1390, lines 10, 11, 38, and 39, replace "Reengrossed" with "Engrossed"

Page 1390, line 19, replace "bill" with "amended bill"

Page 1390, line 44, replace "resolution" with "amended resolution"

Page 1391, lines 11,15, and 17, replace "Reengrossed" with "Engrossed"

Page 1391, line 25, replace "resolution" with "amended resolution"

Page 1391, lines 44 and 45, remove "Engrossed"

Page 1392, line 5, replace "resolution" with "amended resolution"

Page 1392, lines 19 and 48, replace "Reengrossed" with "Engrossed"

Page 1392, lines 23 and 24, remove "Engrossed"

Page 1392, line 33, replace "bill" with "amended bill"

Page 1393, lines 2,4,26, and 28 remove "Engrossed"

Page 1393, lines 9 and 45, replace "bill" with "amended bill"

Page 1393, line 23, replace "Reengrossed" with "Engrossed"

Page 1394, lines 11 and 38, replace "Engrossed" with "Reengrossed" and remove ", as amended"

Page 1394, lines 22 and 48, replace "bill" with "amended bill"

Page 1395, lines 15 and 39, replace "Engrossed" with "Reengrossed" and remove ", as amended"

Page 1395, line 24, replace "bill" with "amended bill"

Page 1396, lines 3 and 31, replace "bill" with "amended bill"

Page 1396, line 18, replace "Engrossed" with "Reengrossed" and remove ", as amended"

Page 1396, line 47, replace "Reengrossed" with "Engrossed"

Page 1397, line 6, replace "bill" with "amended bill"

Page 1397, line 21, replace "HB 1149" with "Engrossed HB 1149"

Page 1407, lines 24,25,27,29,30,31, and 32, reorder the conference committee members as follows:

"SB 2135: Reps. B. Koppelman, Olson, P. Anderson  
SB 2166: Reps. Olson, Howe, Grueneich  
SB 2216: Reps. Karls, Roers Jones, M. Nelson  
SB 2264: Reps. Hatlestad, M. Johnson, Guggisberg  
SB 2270: Reps. Devlin, Marschall, Bosch  
SB 2303: Reps. Jones, Roers Jones, Hanson  
SB 2313: Reps. Lefor, Seibel, Roers Jones"

Page 1517, lines 7 and 34, replace "bill" with "amended bill"

Page 1517, lines 22 and 48, replace "Engrossed" with "Reengrossed" and remove ", as amended"

Page 1518, lines 14 and 41, replace "bill" with "amended bill"

Page 1518, line 29, replace "Reengrossed" with "Engrossed" and remove ", as amended"

Page 1519, line 5, replace "HB 1096" with "Engrossed HB 1096" and remove ", as amended"

Page 1519, lines 17 and 45, replace "bill" with "amended bill"

Page 1519, lines 37 and 38, replace "Reengrossed" with "Engrossed"

Page 1520, line 27, replace "bill" with "amended bill"

Page 1531, line 53, replace "bill" with "amended bill"

Page 1532, lines 23 and 49, replace "bill" with "amended bill"

Page 1533, line 27, replace "bill" with "amended bill"

Page 1533, line 42, replace "Engrossed" with "Reengrossed" and remove "as amended"

Page 1534, lines 5 and 40, replace "bill" with "amended bill"

Page 1534, line 20, replace "Engrossed" with "Reengrossed" and remove "as amended"

Page 1535, line 2, replace "Engrossed" with "Reengrossed" and remove "as amended"

Page 1535, line 7, insert ", as amended," after "Engrossed HB 1204"

Page 1535, lines 14 and 49, replace "bill" with "amended bill"

Page 1535, line 29, replace "Engrossed" with "Reengrossed"

Page 1535, lines 32 and 35, remove "Engrossed"

Page 1535, line 38, remove "Reengrossed"

Page 1536, line 16, replace "Engrossed" with "Reengrossed"

Page 1536, line 28, replace "bill" with "amended bill"

Page 1537, line 10, replace "Brandenburg" with "Brabandt"

**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 19, 2017, I have signed the following: HB 1005.

**FIRST READING OF SENATE CONCURRENT RESOLUTION**

Sens. Holmberg, Meyer, Wardner, Heckaman and Reps. Carlson, Mock introduced:

(Approved by the Delayed Bills Committee)

**SCR 4014:** A concurrent resolution supporting the development of the unmanned aircraft systems industry in North Dakota and throughout the United States, congratulating the Federal Aviation Administration on the first Beyond Visual Line of Sight Certificate of Authorization in the United States, and encouraging further cooperation with the Federal Aviation Administration to safely integrate unmanned aircraft systems into the national airspace.

Was read the first time.

#### MOTION

**REP. VIGESAA MOVED** that the rules be suspended, that SCR 4014 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.

Sens. Holmberg, Meyer, Wardner, Heckaman and Reps. Carlson, Mock introduced:  
(Approved by the Delayed Bills Committee)

#### SENATE CONCURRENT RESOLUTION NO. 4014

A concurrent resolution supporting the development of the unmanned aircraft systems industry in North Dakota and throughout the United States, congratulating the Federal Aviation Administration on the first Beyond Visual Line of Sight Certificate of Authorization in the United States, and encouraging further cooperation with the Federal Aviation Administration to safely integrate unmanned aircraft systems into the national airspace.

**WHEREAS**, North Dakota has made significant investments in the unmanned aircraft systems industry in technology, permitting, process, and economic development, including the Northern Plains Unmanned Aircraft Systems Test Site, Grand Sky Business Park, and North Dakota University System, which have led to successes of startup unmanned aircraft systems companies and other private sector economic investment in the state; and

**WHEREAS**, the Northern Plains Unmanned Aircraft Systems Test Site was chosen as a Federal Aviation Administration unmanned aircraft systems test site in December 2013, and was the first test site to conduct unmanned aircraft systems flights in May 2014; and

**WHEREAS**, the state desires to grow the unmanned aircraft systems industry and assist traditional industries, such as agriculture and energy, to grow through the use of unmanned aircraft systems; and

**WHEREAS**, the state desires to attract unmanned aircraft systems companies to invest in and employ the hard working people of the state to take advantage of the tremendous capabilities of unmanned aircraft systems to support infrastructure, rail and highway transportation, agriculture, energy, public safety, and natural resource management; and

**WHEREAS**, the state desires to speak with one voice to the unmanned aircraft systems industry through the Legislative Assembly and the Governor to promote the unmanned aircraft systems industry across the nation and to serve as the model for all states to properly implement rules and procedures for the safe integration of unmanned aircraft systems into the national airspace; and

**WHEREAS**, the Northern Plains Unmanned Aircraft Systems Test Site and the Federal Aviation Administration have collaborated to create the first Beyond Visual Line of Sight Certificate of Authorization, and in partnership with Grand Sky and the United States Air Force seek to put that Certificate of Authorization into public use; and

**WHEREAS**, the successes in this state may serve as a model for the Federal Aviation Administration to expand the geographic reach of the recently approved Certificate of Authorization to broaden the research, development, testing, evaluation, engineering, and training opportunities necessary to support unmanned aircraft systems growth in the state and across the country;

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

That the Sixty-fifth Legislative Assembly supports the development of the unmanned aircraft systems industry in North Dakota and throughout the United States, congratulates the Federal Aviation Administration on the first Beyond Visual Line of Sight Certificate of Authorization in the United States, and encourages further cooperation with the Federal Aviation Administration to safely integrate unmanned aircraft systems into the national airspace; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the Administrator of the Federal Aviation Administration and to each member of the North Dakota Congressional Delegation.

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4014:** A concurrent resolution supporting the development of the unmanned aircraft systems industry in North Dakota and throughout the United States, congratulating the Federal Aviation Administration on the first Beyond Visual Line of Sight Certificate of Authorization in the United States, and encouraging further cooperation with the Federal Aviation Administration to safely integrate unmanned aircraft systems into the national airspace.

**ROLL CALL**

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

**YEAS:** Anderson, B.; 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, 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; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Anderson, D.; Johnson, C.

SCR 4014 was declared adopted on a recorded roll call vote.

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**FIRST READING OF SENATE CONCURRENT RESOLUTION**

Sens. Wardner, Heckaman and Reps. Carlson, Mock introduced:  
(Approved by the Delayed Bills Committee)

**SCR 4015:** A concurrent resolution designating May 15, 2017, as "Peace Officers Memorial Day".

Was read the first time.

**MOTION**

**REP. VIGESAA MOVED** that the rules be suspended, that SCR 4015 not be printed, not be referred to committee, but be read in title only, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed on a voice vote.

Sens. Wardner, Heckaman and Reps. Carlson, Mock introduced:  
(Approved by the Delayed Bills Committee)

**SENATE CONCURRENT RESOLUTION NO. 4015**

A concurrent resolution designating May 15, 2017, as "Peace Officers Memorial Day".

**WHEREAS**, peace officers make an invaluable contribution to the safety of North Dakotans and it is considered appropriate there be, in each year, a day to mark and pay tribute to the hard work, dedication, and sacrifices made by North Dakota peace officers; and

**WHEREAS**, "Peace Officers Memorial Holiday" is held annually in the United States on May 15 in honor of federal, tribal, state, and local officers killed or disabled in the line of duty; and

**WHEREAS**, it is important to strengthen the fellowship and heritage of law enforcement, family relationships, and the memory of the officers who have fallen or passed away; and

**WHEREAS**, "Peace Officers Memorial Day" promotes and recognizes high standards of ethics, integrity, honor, courtesy, and professionalism which develop and maintain citizen confidence in the law enforcement community; and

**WHEREAS**, peace officers reflect a positive image of law enforcement to assist in providing safety, security, and protection of the rights of individuals, regardless of race, creed, religion, gender, or national origin; and

**WHEREAS**, in the last two years North Dakotans have mourned the tragic loss of two peace officers who gave their lives in the line of duty, Jason Moszer, an officer with the Fargo

Police Department who died on February 11, 2016; and Colt Allery, a Deputy with the Rolette County Sheriff's Office who died on January 18, 2017; and

**WHEREAS**, the lives of those two peace officers, along with the many other North Dakota peace officers who made the ultimate sacrifice will be commemorated on the grounds of the State Capitol in Bismarck and across the state on May 15, "Peace Officers Memorial Day";

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

That the Sixty-fifth Legislative Assembly designates May 15, 2017, as "Peace Officers Memorial Day" as proclaimed by the President of the United States and the Governor; and

**BE IT FURTHER RESOLVED**, that the State of North Dakota shall honor "Peace Officers Memorial Day" annually with an appropriate blue light display on the State Capitol; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the Attorney General, the North Dakota Peace Officers Association, the North Dakota Sheriff's and Deputies Association, the Chiefs of Police Association of North Dakota, and the North Dakota Fraternal Order of Police.

#### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4015:** A concurrent resolution designating May 15, 2017, as "Peace Officers Memorial Day".

#### **ROLL CALL**

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

**YEAS:** Anderson, B.; 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, 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; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Anderson, D.; Johnson, C.

SCR 4015 was declared adopted on a recorded roll call vote.

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

**REP. VIGESAA MOVED** that the conference committee report on Engrossed HB 1010 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1010, as amended, was placed on the Eleventh order of business.

#### **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, the roll was called and there were 78 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; 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; Meier; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Anderson, P.; Boschee; Dobervich; Guggisberg; Hanson; Hogan; Holman; McWilliams; Mitskog; Mock; Nelson, M.; Schneider; Skroch; Speaker Bellew

**ABSENT AND NOT VOTING:** Anderson, D.; Johnson, C.

Reengrossed HB 1010 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. MEIER MOVED** that the conference committee report on Engrossed SB 2010 be adopted, which motion prevailed on a voice vote.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. PORTER MOVED** that the conference committee report on Engrossed SB 2042 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2042, as amended, was placed on the Fourteenth order of business.

#### SECOND READING OF SENATE BILL

**SB 2042:** A BILL for an Act to amend and reenact sections 5-01-05.1, 12.1-01-04, 12.1-04-06, 12.1-04.1-02, 12.1-04.1-03, 12.1-04.1-04, 12.1-04.1-05, 12.1-04.1-06, 12.1-04.1-07, 12.1-04.1-08, 12.1-04.1-10, 12.1-04.1-11, 12.1-04.1-12, 12.1-04.1-13, 12.1-04.1-14, 12.1-04.1-15, 12.1-04.1-22, 12.1-04.1-23, 25-01-01, 25-03.1-04, 25-03.1-08, 25-03.1-10, 25-03.1-11, 25-03.1-18.1, 32-03-48, and 43-41-07, subdivision b of subsection 1 of section 43-48-15, sections 49-10.1-05, 50-25.1-03, 50-25.2-03, and 62.1-01-01, subdivisions b and c of subsection 1 of section 62.1-02-01, and subdivision b of subsection 1 of section 62.1-02-01.2 of the North Dakota Century Code, relating to references to mental health professionals and licensure of social workers.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; 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, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; 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; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Laning; Magrum; Simons

**ABSENT AND NOT VOTING:** Anderson, D.; Johnson, C.; Nelson, M.

Engrossed SB 2042, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. D. RUBY MOVED** that the conference committee report on Engrossed HB 1403 be

adopted, which motion prevailed on a voice vote.

Engrossed HB 1403, as amended, was placed on the Eleventh order of business.

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

**HB 1403:** 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 health benefits transparency.

### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; 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, 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.; 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; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Anderson, D.; Johnson, C.; Nelson, M.

Reengrossed HB 1403 passed.

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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 and subsequently passed: SB 2042.

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

**MR. PRESIDENT:** The House has passed, unchanged: SCR 4014, SCR 4015.

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: SB 2010.

### **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 1010, HB 1403.

### **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: HB 1006.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently failed to pass: SB 2139.

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

**MR. SPEAKER:** The President has signed: HB 1002, HB 1004, HB 1007, HB 1013, HB 1019, HB 1022, HB 1041, HB 1269, HB 1324, HB 1378, HCR 3036.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1002, HB 1004, HB 1007, HB 1013, HB 1019, HB 1022, HB 1041, HB 1178, HB 1221, HB 1235, HB 1269, HB 1324, HB 1369, HB 1378, HCR 3036.

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

**MR. SPEAKER:** The President has signed: SB 2012, SB 2224.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2021, SB 2025, SB 2047, SB 2203.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2134.

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

The following bills were delivered to the Governor for approval on April 20, 2017: HB 1002, HB 1004, HB 1007, HB 1013, HB 1019, HB 1022, HB 1041, HB 1178, HB 1221, HB 1235, HB 1269, HB 1324, HB 1369, HB 1378.

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

The following resolution was delivered to the Secretary of State for filing on April 20, 2017: HCR 3036.

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

**HB 1018, as engrossed:** Your conference committee (Sens. Krebsbach, Erbele, Mathern and Reps. Schatz, Schmidt, Streyle) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1276-1277, adopt amendments as follows, and place HB 1018 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1276 and 1277 of the House Journal and pages 1059 and 1060 of the Senate Journal and that Engrossed House Bill No. 1018 be amended as follows:

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	(\$8,744)	\$13,595,892
Operating expenses	3,986,308	(100,414)	3,885,894"

Page 1, replace lines 17 through 19 with:

"Total all funds	\$20,554,692	(\$725,253)	\$19,829,439
Less estimated income	<u>3,299,901</u>	<u>(144,106)</u>	<u>3,155,795</u>
Total general fund	\$17,254,791	(\$581,147)	\$16,673,644"

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 2, after line 23, insert:

**"SECTION 6. APPROPRIATION - STATE DISASTER RELIEF FUND - DOUBLE DITCH HISTORIC SITE REPAIRS.** There is appropriated out of any moneys in the state disaster relief fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, and from other funds received from a grant from the parks and recreation department, the sum of \$500,000, or so much of the sum as may be necessary, to the state historical society for the purpose of defraying the expenses of double ditch historic site repairs, for the biennium beginning July 1, 2017, and ending June 30, 2019. For the purposes of calculating the unobligated balance of the state disaster relief fund under section 57-51.1-07.5, the moneys appropriated in this section from the state disaster relief fund may not be considered an obligation of the state disaster relief fund until after July 31, 2017. The funding appropriated in this section is considered one-time funding."

Page 3, remove lines 1 through 8

Renumber accordingly



**STATEMENT OF PURPOSE OF AMENDMENT:****House Bill No. 1018 - State Historical Society - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$13,604,636	\$13,367,315	\$228,577	\$13,595,892	\$13,839,606	(\$243,714)
Operating expenses	3,986,308	3,850,894	35,000	3,885,894	3,885,894	
Capital assets	1,770,294	1,747,653		1,747,653	1,747,653	
Grants	900,000	600,000		600,000	600,000	
Cultural heritage grants	293,454					
Double ditch historic site repairs			1,000,000	1,000,000		1,000,000
Total all funds	\$20,554,692	\$19,565,862	\$1,263,577	\$20,829,439	\$20,073,153	\$756,286
Less estimated income	3,299,901	3,157,090	998,705	4,155,795	3,155,795	1,000,000
General fund	\$17,254,791	\$16,408,772	\$264,872	\$16,673,644	\$16,917,358	(\$243,714)
FTE	78.00	75.00	0.00	75.00	75.00	0.00

**Department No. 701 - State Historical Society - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Adds Funding for Salaries and Wages <sup>2</sup>	Restores Funding for the Operation of the Welk Homestead <sup>3</sup>	Adds Funding for Double Ditch Historic Site Repairs <sup>4</sup>	Total Conference Committee Changes
Salaries and wages	(\$15,137)	\$193,714	\$50,000		\$228,577
Operating expenses			35,000		35,000
Capital assets					
Grants					
Cultural heritage grants					
Double ditch historic site repairs				1,000,000	1,000,000
Total all funds	(\$15,137)	\$193,714	\$85,000	\$1,000,000	\$1,263,577
Less estimated income	(1,295)	0	0	1,000,000	998,705
General fund	(\$13,842)	\$193,714	\$85,000	\$0	\$264,872
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. Section 2 is also adjusted to reflect the change, the same as the Senate version.

<sup>2</sup> Restores \$193,714 from the general fund for salaries and wages. The House underfunded salaries and wages by \$437,428 from the general fund. The Senate version did not underfund salaries and wages.

<sup>3</sup> Funding of \$85,000 is restored for the operation of the Welk Homestead Historic Site, of which \$50,000 was for salaries and wages and \$35,000 was for operating expenses, the same as the Senate version. The House removed funding for the operation of the Welk Homestead Historic Site.

<sup>4</sup> Adds a section appropriating \$1,000,000 of which \$500,000 is from the state disaster relief fund and \$500,000 is from other funds from a grant from the Parks and Recreation Department to the State Historical Society for Double Ditch Historic Site repairs. The section also provides that for the purposes of calculating the unobligated balance of the state disaster relief fund under North Dakota Century Code Section 57-51.1-07.5, the money appropriated shall not be considered an obligation from the state disaster relief fund until after July 31, 2017. This funding is intended to replace \$1 million of funding the Historical Society may need to obtain through a loan from the Bank of North Dakota as authorized by the 64<sup>th</sup> Legislative Assembly. Neither the House nor Senate version included this section.

This amendment also:

- Removes sections added by the House providing legislative intent regarding the

Double Ditch Historic Site repairs and an emergency measure, the same as the Senate version.

Engrossed HB 1018 was placed on the Seventh order of business on the calendar.

#### ANNOUNCEMENT

**SPEAKER BELLEW ANNOUNCED** that the House will stand in recess until 5:00 p.m., which motion prevailed.

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

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. WEISZ MOVED** that the conference committee report on Reengrossed HB 1040 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1040, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1040:** A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to an evidence-based alcohol and drug education program; to amend and reenact subsection 3 of section 5-01-08 of the North Dakota Century Code, relating to a penalty for individuals under twenty-one years of age using alcoholic beverages or entering licensed premises; to provide for a report; and to provide an appropriation to the department of human services.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 67 YEAS, 25 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Becker, Rick C.; Brabandt; Delzer; Ertelt; Headland; Johnston; Kasper; Keiser; Koppelman, B.; Louser; Magrum; Marschall; McWilliams; O'Brien; Olson; Paur; Pollert; Ruby, D.; Ruby, M.; Schatz; Simons; Skroch; Streyle; Toman; Speaker Bellew

**ABSENT AND NOT VOTING:** Anderson, D.; Johnson, C.

Reengrossed HB 1040 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. KARLS MOVED** that the conference committee report on Engrossed HB 1275 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1275, as amended, was placed on the Eleventh order of business.

#### 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 activities for public and nonpublic schools.

**ROLL CALL**

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

**YEAS:** Anderson, B.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; 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; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trotter; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Dobervich; Hogan; Schneider

**ABSENT AND NOT VOTING:** Anderson, D.; Johnson, C.

Reengrossed HB 1275 passed.

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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 and subsequently passed: HB 1040, HB 1275.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report on: HB 1403.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1010.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1201.

**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 2004.

**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., Friday, April 21, 2017, which motion prevailed on a voice vote.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1014, as engrossed:** Your conference committee (Sens. Dever, Sorvaag, Grabinger and Reps. Kading, Pollert, Holman) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1192-1193, adopt amendments as follows, and place HB 1014 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1192 and 1193 of the House Journal and pages 928 and 929 of the Senate Journal and that Engrossed House Bill No. 1014 be amended as follows:

Page 1, replace lines 12 through 16 with:

"Protection and advocacy operations	\$6,453,779	(\$6,179)	\$6,447,600
Total all funds	\$6,453,779	(\$6,179)	\$6,447,600
Less estimated income	<u>3,432,853</u>	<u>55,748</u>	<u>3,488,601</u>
Total general fund	\$3,020,926	(\$61,927)	\$2,958,999
Full-time equivalent positions	27.50	0.00	27.50"

Page 1, line 18, replace "\$80,140" with "\$74,334"

Page 1, line 18, replace "\$38,694" with "\$35,891"

Page 1, line 19, replace "\$1,249" with "\$1,241"

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1014 - Protection and Advocacy Project - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Protection and advocacy operations	\$6,453,779	\$6,235,931	\$211,669	\$6,447,600	\$6,470,065	(\$22,465)
Total all funds	\$6,453,779	\$6,235,931	\$211,669	\$6,447,600	\$6,470,065	(\$22,465)
Less estimated income	<u>3,432,853</u>	<u>3,326,925</u>	<u>161,676</u>	<u>3,488,601</u>	<u>3,461,066</u>	<u>27,535</u>
General fund	\$3,020,926	\$2,909,006	\$49,993	\$2,958,999	\$3,008,999	(\$50,000)
FTE	27.50	26.50	1.00	27.50	27.50	0.00

#### Department No. 360 - Protection and Advocacy Project - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Restores 1 FTE Position <sup>2</sup>	Adjusts Funding for Operating Expenses <sup>3</sup>	Total Conference Committee Changes
Protection and advocacy operations	(\$5,806)	\$179,940	\$37,535	\$211,669
Total all funds	(\$5,806)	\$179,940	\$37,535	\$211,669
Less estimated income	<u>(3,003)</u>	<u>102,944</u>	<u>61,735</u>	<u>161,676</u>
General fund	(\$2,803)	\$76,996	(\$24,200)	\$49,993
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 is also adjusted to reflect the change.

<sup>2</sup> Funding is restored for 1 FTE position removed by the House, the same as the Senate version.

<sup>3</sup> Funding is restored for operating expenses by \$37,535, including an increase of \$61,735 of federal funds and a reduction of \$24,200 from the general fund, resulting in a total reduction to operating expenses of \$63,243 from the general fund. The House reduced funding for operating expenses by \$100,778, of which \$39,043 is from the general fund. The Senate reduced funding for operating expenses by \$40,778, of which \$13,243 is from the general fund.

Engrossed HB 1014 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1361, as engrossed:** Your conference committee (Sens. Laffen, Unruh, Dotzenrod and Reps. Dockter, B. Koppelman, Toman) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1634-1635, adopt amendments as follows, and place HB 1361 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1634 and 1635 of the House Journal and pages 1383-1385 of the Senate Journal and that Engrossed House Bill No. 1361 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact section 57-15-02.2 of the North Dakota Century Code, relating to limitations of property tax levies by taxing districts without voter approval; to amend and reenact section 57-20-04 of the North Dakota Century Code, relating to the abstract of a county tax list and a statewide property tax increase report; to repeal section 57-20-05 of the North Dakota Century Code, relating to certification of taxes levied by taxing districts; to provide for a report to the legislative management; and to provide an effective date.

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

**SECTION 1.** Section 57-15-02.2 of the North Dakota Century Code is created and enacted as follows:

**57-15-02.2. Limitation on levies by taxing districts without voter approval.**

1. Notwithstanding that a taxing district may have unused or excess levy authority under any other provision of law, this section supersedes and limits that authority. For purposes of this section, "taxing district" means any political subdivision empowered to levy taxes, with the exception of school districts. This section may not be interpreted as authority to increase any property tax levy authority otherwise provided by law and must be applied to limit any property tax levy authority to which a taxing district may otherwise be entitled. Property taxes levied in dollars by a taxing district may not exceed the amount the taxing district levied in dollars in the preceding taxable year by more than three percent, except:
  - a. When property and improvements to property which were not taxable in the preceding taxable year are taxable in the current year, the amount levied in dollars in the preceding taxable year by the taxing district must be increased for purposes of this section to reflect the taxes that would have been imposed against the additional taxable valuation attributable to that property at the mill rate applied to all property in the preceding taxable year.
  - b. When a property tax exemption existed in the preceding taxable year which has been reduced or no longer exists for the current taxable year, the amount levied in dollars in the preceding taxable year by the taxing district must be increased for purposes of this section to reflect the taxes that would have been imposed against the portion of the taxable valuation of the property which is no longer exempt at the mill rate applied to all property in the preceding taxable year.
  - c. When property that was taxable in the preceding taxable year is not taxable for the current taxable year, the amount levied in dollars in the preceding taxable year by the taxing district must be reduced for purposes of this section by the amount of taxes that were imposed against the taxable valuation of that property in the preceding taxable year.
  - d. When a temporary mill levy increase, excluding an increase under this section, authorized by the electors of the taxing district or mill levy imposition authority under state law existed in the previous taxable year but is no longer applicable or has been reduced, the

amount levied in dollars in the previous taxable year by the taxing district must be adjusted to reflect the expired temporary mill levy increase and the eliminated or reduced mill levy under state law before the percentage increase allowable under this subsection is applied.

2. The limitation on the total amount levied by a taxing district under subsection 1 does not apply to:
  - a. New or increased property tax levy authority that was not available to the taxing district in the preceding taxable year, including property tax levy authority provided by state law or approved by the electors of the taxing district.
  - b. Any irrevocable tax to pay bonded indebtedness levied under section 16 of article X of the Constitution of North Dakota. Any tax levied for this purpose must be excluded from the mill rate applied under subdivisions a through c of subsection 1.
  - c. The one-mill levy for the state medical center authorized by section 10 of article X of the Constitution of North Dakota. Any tax levied for this purpose must be excluded from the mill rate applied under subdivisions a through c of subsection 1.
  - d. The levy, not to exceed one mill, for the Garrison Diversion Conservancy District, authorized by section 57-15-26.8.
  - e. Taxes or special assessments levied to pay the principal and interest on any obligations of any political subdivision, including taxes levied for deficiencies in special assessment and improvement district funds and revenue bond and reserve funds.
  - f. Taxes levied pursuant to law for the proportion of the cost to any taxing district for a special improvement project by general taxation.
  - g. Taxes levied under sections 40-24-10, 40-43-01, 57-15-41, and 61-21-52.
3. A levy exceeding the percentage increase limitation under subsection 1 may be imposed upon approval of a ballot measure, stating the percentage of the proposed property tax levy increase percentage compared to the percentage limitation under subsection 1, by a majority of the qualified electors of the taxing district voting on the question at a regular or special election of the taxing district. A levy exceeding the percentage increase limitation under subsection 1 may be approved by electors for not more than one taxable year at a time.
4. A city or county may not supersede or modify the application of the provisions of this section under home rule authority.

**SECTION 2. AMENDMENT.** Section 57-20-04 of the North Dakota Century Code is amended and reenacted as follows:

**57-20-04. Abstract of tax list to be sent to tax commissioner - Reports.**

1. The county auditor, on or before December thirty-first following the levy of the taxes, shall ~~make prepare~~ and transmit to the state tax commissioner, in such form as the tax commissioner may prescribe, a complete abstract of the tax list of the auditor's county.
2. In addition to the tax list required in subsection 1, the county auditor, on or before December thirty-first following the levy of the taxes, shall prepare and transmit to the tax commissioner a report providing each taxing district's property valuation and property tax levy and any other information the tax commissioner deems necessary to prepare the report

required in subsection 3. For taxing districts with property in more than one county, information must be collected and transmitted by the county auditor of the county in which the main office of that taxing district is located.

3. The tax commissioner shall compile information received from the county auditors in subsection 2 and prepare a statewide report of property tax increase. The report must include the annual increase in property taxes levied by each taxing district of the state after adjusting for property that was not taxable in the preceding year and property that is no longer taxable which was taxable in the preceding year. The report must be provided to the legislative management by April first of each year.
4. The tax commissioner shall prescribe the form and manner of providing the reports and certifications required under this section.
5. On or before December 31, 2017, the county auditor shall provide a report to the tax commissioner providing the information identified in subsection 2 for the 2015 and 2016 tax years.

**SECTION 3. REPEAL.** Section 57-20-05 of the North Dakota Century Code is repealed.

**SECTION 4. EFFECTIVE DATE.** Section 1 of this Act is effective for taxable years beginning after December 31, 2017."

Renumber accordingly

Engrossed HB 1361 was placed on the Seventh order of business on the calendar.

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

**SB 2004, as engrossed:** Your conference committee (Sens. Kilzer, G. Lee, Mathern and Reps. Kreidt, Meier, Holman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1352-1356, adopt amendments as follows, and place SB 2004 on the Seventh order:

That the House recede from its amendments as printed on pages 1352-1356 of the Senate Journal and pages 1538-1542 of the House Journal and that Engrossed Senate Bill No. 2004 be amended as follows:

Page 1, line 2, after "reenact" insert "sections 43-28.1-01 and 43-28.1-03 and"

Page 1, line 3, after the first "to" insert "the dentists loan repayment program, criteria to be used in selecting qualified dentists, and"

Page 1, line 4, after the semicolon insert "to authorize transfers; to provide statements of legislative intent; to provide for a report to the legislative management;"

Page 1, remove lines 14 through 23

Page 2, replace lines 1 and 2 with:

"Salaries and wages	\$62,805,918	\$716,060	\$63,521,978
Operating expenses	40,598,335	(2,784,050)	37,814,285
Capital assets	2,895,232	551,508	3,446,740
Grants	57,096,760	2,787,181	59,883,941
Tobacco prevention	6,910,177	6,736,527	13,646,704
Women, infants, and children food payments	20,200,000	0	20,200,000
Medical marijuana	0	1,560,770	1,560,770
Total all funds	\$190,506,422	\$9,567,996	\$200,074,418
Less estimated income	141,970,854	14,629,104	156,599,958
Total general fund	\$48,535,568	(\$5,061,108)	\$43,474,460
Full-time equivalent positions	365.00	(1.00)	364.00

**SECTION 2. HEALTH INSURANCE INCREASE.** The salaries and wages line item, tobacco prevention line item, and medical marijuana line item in section 1 of this Act include the sum of \$1,007,440, of which \$525,796 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 2, replace lines 11 through 14 with:

"Medical marijuana	0	95,066
Total all funds	\$2,536,110	\$1,834,286
Less estimated income	2,200,110	1,834,286
Total general fund	\$336,000	\$0"

Page 3, line 5, replace "\$11,078,195" with "\$12,878,195"

Page 3, after line 6, insert:

**"SECTION 9. STATEMENT OF LEGISLATIVE INTENT - MEDICAL MARIJUANA.** It is the intent of the sixty-fifth legislative assembly that chapter 19-24.1 of the North Dakota Century Code, as created in Senate Bill No. 2344, be treated as an amendment to initiated measure No. 5 as adopted at the general election in 2016, and therefore an amendment to or repeal of chapter 19-24.1 before December 8, 2023, is subject to the requirements of section 8 of article III of the Constitution of North Dakota.

**SECTION 10. STATEMENT OF LEGISLATIVE INTENT - NEWBORN SCREENING - CARDIAC SYSTEM OF CARE TASK FORCE.** It is the intent of the sixty-fifth legislative assembly that the state department of health's newborn screening program collaborate with the cardiac system of care task force to identify and provide critical congenital heart defect educational materials and algorithms for health care facilities and resources for parents and to explore options for data collection and analysis for the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 11. AMENDMENT.** Section 43-28.1-01 of the North Dakota Century Code is amended and reenacted as follows:

**43-28.1-01. Loan repayment program - Dentists - Defined need - Maximum amount of funds.**

~~Each year~~Annually, the state health council shall select, from a pool of applicants, dentists who ~~shall~~will provide dental services in cities or surrounding areas, or both, in this state which the state health council identifies as having a defined need for dental services. The dentists selected from this pool of applicants ~~may include dentists who will~~shall agree to accept medical assistance patients and assignments or provide dental services in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic. ~~The dentists are~~A selected dentist who agrees to the terms of this program is eligible to receive funds for the repayment of ~~their~~the dentist's education loans. The funds, which are payable over a five-year period, may not exceed one hundred thousand dollars per applicant. If the state health council accepts any gifts, grants, or donations under this chapter, the council may select additional dentists for participation in the loan repayment program under this chapter.

**SECTION 12. AMENDMENT.** Section 43-28.1-03 of the North Dakota Century Code is amended and reenacted as follows:

**43-28.1-03. Criteria.**

1. The health council shall establish criteria to be used in selecting qualified dentists and in identifying cities or surrounding areas, or both, that have a defined need for dental services. The criteria must include consideration of:



- a. The number of dentists already providing dental services in the city or surrounding areas, or both;
  - b. Access to dental services in the city and the surrounding areas;
  - c. How the dentist will provide dental services to individuals on medical assistance or in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic; and
  - d. The dentist's training in general dentistry or in a dental specialty and the extent to which such services are needed in the identified city or surrounding areas, or both.
2. As a term of receipt of funds under this chapter, a dentist shall accept medical assistance patients and assignments or provide dental services in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic. For purposes of a dentist selected for loan payment under this chapter who practices within fifteen miles [24.14 kilometers] of the city limits of one of the three largest cities in the state, to qualify to receive a yearly disbursement under this chapter during that year of obligated service, the dentist must have:
    - a. Received dental medical payments of at least twenty thousand dollars in the form of medical assistance reimbursement; or
    - b. Practiced at least two full workdays per week at a public health clinic or at a nonprofit dental clinic that uses a sliding fee schedule to bill the nonprofit dental clinic's patients.
  3. The health council may consult with public and private sector entities in establishing criteria and evaluating needs based on the criteria."

Page 4, after line 3, insert:

**"SECTION 15. COMPREHENSIVE TOBACCO CONTROL ADVISORY COMMITTEE RECORDS TRANSFER.** As of July 1, 2017, all business-related records belonging to the comprehensive tobacco control advisory committee must be transferred to the state department of health. The comprehensive tobacco control advisory committee shall allow the state department of health to have access to the business-related records of the committee before July 1, 2017, as necessary, for the purpose of transitioning operations to the state department of health.

**SECTION 16. STATEWIDE TOBACCO PREVENTION AND CONTROL PLAN - IMPLEMENTATION - EVALUATION - REPORT TO THE LEGISLATIVE MANAGEMENT.** By July 31, 2017, the state department of health shall develop a statewide tobacco prevention and control plan that is consistent with the five components of the centers for disease control and prevention best practices for comprehensive tobacco control programs. At least once during the 2017-19 biennium, the state department of health shall provide for an independent review of the tobacco prevention and control plan to evaluate the effectiveness of the plan and its implementation. Any costs related to the independent review are provided in the tobacco prevention line item in section 1 of this Act and may be paid from the tobacco prevention and control trust fund. The department shall report the results of the independent review to the legislative management."

Page 4, line 5, after "1" insert "and section 15"

Page 4, line 5, replace "is" with "are"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2004 - State Department of Health - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$62,805,918	\$64,416,107	(\$894,129)	\$63,521,978	\$63,249,821	\$272,157
Operating expenses	40,598,335	38,394,458	(580,173)	37,814,285	37,639,285	175,000
Capital assets	2,895,232	3,446,740		3,446,740	3,446,740	
Grants	57,096,760	56,135,670	3,748,271	59,883,941	59,883,941	
Tobacco prevention	6,910,177	12,147,741	1,498,963	13,646,704	13,646,704	
WIC food payments	20,200,000	20,200,000		20,200,000	20,200,000	
Medical marijuana		6,236,376	(4,675,606)	1,560,770	1,560,770	
Total all funds	\$190,506,422	\$200,977,092	(\$902,674)	\$200,074,418	\$199,627,261	\$447,157
Less estimated income	141,970,854	155,888,204	711,754	156,599,958	156,344,054	255,904
General fund	\$48,535,568	\$45,088,888	(\$1,614,428)	\$43,474,460	\$43,283,207	\$191,253
FTE	365.00	377.00	(13.00)	364.00	362.00	2.00

**Department No. 301 - State Department of Health - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Removes 6 FTE Positions Agencywide <sup>2</sup>	Reduces Funding for Operating Expenses Agencywide <sup>3</sup>	Removes 7 FTE Medical Marijuana Positions and Adjusts Funding <sup>4</sup>	Adds Funding for Federal Ebola Grant <sup>5</sup>	Adds Funding for Volkswagen Corporation Settlement Proceeds <sup>6</sup>
Salaries and wages	(\$93,585)	(\$800,544)				
Operating expenses			(675,000)		94,827	
Capital assets						
Grants					948,271	2,500,000
Tobacco prevention	(1,037)					
WIC food payments						
Medical marijuana	(21,278)			(4,654,328)		
Total all funds	(\$115,900)	(\$800,544)	(\$675,000)	(\$4,654,328)	\$1,043,098	\$2,500,000
Less estimated income	(58,973)	(324,808)	(540,000)	(3,707,563)	1,043,098	2,500,000
General fund	(\$56,927)	(\$475,736)	(\$135,000)	(\$946,765)	\$0	\$0
FTE	0.00	(6.00)	0.00	(7.00)	0.00	0.00

	Adds Funding for Domestic Violence Offender Treatment Grants <sup>7</sup>	Adds Funding for Tobacco Cessation <sup>8</sup>	Adds Funding for Local Public Health Unit Tobacco Prevention and Control Grants <sup>9</sup>	Total Conference Committee Changes
Salaries and wages				(\$894,129)
Operating expenses				(580,173)
Capital assets				
Grants	300,000			3,748,271
Tobacco prevention		500,000	1,000,000	1,498,963
WIC food payments				
Medical marijuana				(4,675,606)
Total all funds	\$300,000	\$500,000	\$1,000,000	(\$902,674)
Less estimated income	300,000	500,000	1,000,000	711,754
General fund	\$0	\$0	\$0	(\$1,614,428)
FTE	0.00	0.00	0.00	(13.00)

<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> Six FTE positions are removed, including related funding for salaries and wages. The House removed 8 FTE positions and related funding.

<sup>3</sup> Funding for operating expenses is reduced agencywide. The House reduced funding for operating expenses agencywide by \$850,000.

<sup>4</sup> Seven FTE medical marijuana positions are removed and funding is adjusted based on the fiscal note for Senate Bill No. 2344, as approved by the House and Senate and signed by

the Governor, to provide a total of 6 FTE positions and total funding of \$1,560,770, of which \$723,270 is from the general fund and \$837,500 is from the compassionate care fund. This level of funding is the same as the House version.

<sup>5</sup> Funding is added for a federal Ebola grant anticipated to be received by the department, the same as the House version.

<sup>6</sup> Funding is added for grants from special funds resulting from a settlement agreement between the United States Department of Justice and the Volkswagen Corporation related to emissions, the same as the House version. The State Department of Health has been designated to receive the funds by the Governor's office.

<sup>7</sup> Funding is provided from the tobacco prevention and control trust fund for domestic violence offender treatment grants, the same as the House version.

<sup>8</sup> Funding is provided from the tobacco prevention and control trust fund for tobacco cessation. The House provided the same level of funding for cessation products.

<sup>9</sup> Funding is provided from the tobacco prevention and control trust fund for grants to local public health units for tobacco prevention and control programs to provide a total of \$6.5 million for tobacco prevention grants to local public health units, the same as the House version.

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This amendment also:

- Adds a section to identify additional funding provided for health insurance increases, the same as the House version.
- Amends the section related to funding from the tobacco prevention and control trust fund to provide \$12,878,195 from the tobacco prevention and control trust fund to the State Department of Health for tobacco prevention and related health programs, the same as the House version.
- Adds a section of legislative intent that North Dakota Century Code Chapter 19-24.1 related to medical marijuana, as created by Senate Bill No. 2344, be subject to the requirements of Section 8 of Article III of the Constitution of North Dakota until December 8, 2023, the same as the House version.
- Adds a section of legislative intent that the State Department of Health's newborn screening program collaborate with the cardiac system of care taskforce to provide congenital heart defect educational materials and to explore options for data collection and analysis. This section was not included in the House or Senate version.
- Adds sections to amend Sections 43-28.1-01 and 43-28.1-03 related to the dentists loan repayment program and criteria to be used in selecting qualified dentists, the same as the House version.
- Adds a section to require, as of July 1, 2017, all business-related records belonging to the Comprehensive Tobacco Control Advisory Committee to be transferred to the State Department of Health. The State Department of Health must have access to the business-related records of the Comprehensive Tobacco Control Advisory Committee prior to July 1, 2017, for the purposes of transitioning the operations to the State Department of Health, the same as the House version.
- Adds a section to provide that by July 31, 2017, the State Department of Health develop a statewide tobacco prevention and control plan that is consistent with the five components of the Centers for Disease Control and Prevention Best Practices for Comprehensive Tobacco Control Programs. At least once during the 2017-19 biennium, the State Department of Health must provide for an independent review of the tobacco prevention and control plan to evaluate the effectiveness of the plan and its implementation. Any costs related to the independent review are included in the tobacco prevention control line item and may be paid from the tobacco prevention and control trust fund. The department must report the results of the review to the Legislative Management. This provision was included in the House version, but not

the Senate version.

- Provides the section related to the transfer of records from the Comprehensive Tobacco Control Advisory Committee to the State Department of Health is an emergency measure, the same as the House version.

Engrossed SB 2004 was placed on the Seventh order of business on the calendar.

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

**Buell J. Reich, Chief Clerk**