

## JOURNAL OF THE SENATE

## Sixty-fifth Legislative Assembly

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**Bismarck, February 21, 2017**

The Senate convened at 10:00 a.m., with President Sanford presiding.

The prayer was offered by Pastor Rich Wyatt, Living Hope Church of the Nazarene, Bismarck.

The roll was called and all members were present except Senators Davison and Rust.

A quorum was declared by the President.

**CORRECTION AND REVISION OF THE JOURNAL**

**MR. PRESIDENT:** Your **Committee on Correction and Revision of the Journal (Sen. Anderson, Chairman)** has carefully examined the Journal of the Ninth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 131, after line 17 insert:

**"COMMUNICATION FROM GOVERNOR DOUG BURGUM  
JANUARY 12, 2017**

Pursuant to North Dakota Constitution Article VIII, Section 6(2)(c), Don Morton was reappointed as a member of the State Board of Higher Education in July 2016, for a term to last from July 1, 2016, to June 30, 2020.

North Dakota Constitution Article VIII, Section 6(2)(c) requires that an interim appointee be confirmed by the Senate during the next legislative session. I respectfully request that the Senate confirm Mr. Morton as a member of the State Board of Higher Education.

Thank you for your consideration.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM  
JANUARY 12, 2017**

Pursuant to North Dakota Century Code §10-04-03, I am hereby nominating Ms. Karen Tyler for reappointment as Securities Commissioner. Her term would be from July 1, 2017, to June 30, 2021.

I respectfully request that the Senate confirm Ms. Tyler as Securities Commissioner, pursuant to Article V, Section 8 of the North Dakota Constitution.

Thank you for your consideration.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM  
JANUARY 12, 2017**

Pursuant to North Dakota Century Code §6-01-08, I am hereby nominating Mr. Robert Entringer for reappointment as Commissioner of Financial Institutions. His term would be from July 1, 2017, to June 30, 2021.

I respectfully request that the Senate confirm Mr. Entringer as Commissioner of Financial Institutions, pursuant to Article V, Section 8 of the North Dakota Constitution.

Thank you for your consideration."

**SEN. ANDERSON MOVED** that the report be adopted, which motion prevailed.

**MOTION**

**SEN. KLEIN MOVED** that SB 2314 be rereferred to the **Energy and Natural Resources Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, SB 2314 was rereferred.

**CONSIDERATION OF AMENDMENTS**

**SB 2003: SEN. HOLMBERG (Appropriations Committee) MOVED** that the amendments on SJ pages 543-555 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2003:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system; and to amend and reenact sections 15-18.2-05 and 54-44.1-11 of the North Dakota Century Code, relating to state aid to institutions and the cancellation of unexpended appropriations; to provide for the transfer of funds; to authorize the state board of higher education to issue and sell bonds for capital projects; to provide exemptions; to provide for legislative management reports; to provide legislative intent; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Larson, D.

**ABSENT AND NOT VOTING:** Davison; Rust

Engrossed SB 2003 passed and the emergency clause was declared carried.

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**CONSIDERATION OF AMENDMENTS**

**SB 2313: SEN. UNRUH (Energy and Natural Resources Committee) MOVED** that the amendments on SJ pages 559-560 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2313:** A BILL for an Act to create and enact a new section to chapter 4-01 of the North Dakota Century Code, relating to a wind energy restoration and reclamation oversight program; to amend and reenact sections 17-04-03, 49-02-34, and 49-22-05.1 of the North Dakota Century Code, relating to the creation and duration of wind energy easements, annual reports on meeting renewable and recycled energy objectives, and exclusion areas for wind energy conversion facilities; and to provide for application.

**REQUEST**

**SEN. ROERS REQUESTED** that the Senate divide Engrossed SB 2313, which request was granted.

**DIVISION A:** Sections 1, 2, and 3

**DIVISION B:** Sections 4 and 5

**REQUEST**

**SEN. ROERS REQUESTED** a recorded roll call vote on Division A of Engrossed SB 2313, which request was granted.

**ROLL CALL**

The question being on the final adoption of Division A of Engrossed SB 2313, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper;

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

**ABSENT AND NOT VOTING:** Davison; Rust

Division A of Engrossed SB 2313 was adopted on a recorded roll call vote.

#### **REQUEST**

**SEN. ROERS REQUESTED** a recorded roll call vote on Division B of Engrossed SB 2313, which request was granted.

#### **ROLL CALL**

The question being on the final adoption of Division B of Engrossed SB 2313, the roll was called and there were 30 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Casper; Clemens; Cook; Dotzenrod; Erbele; Hogue; Holmberg; Kannianen; Kilzer; Klein; Laffen; Larson, D.; Lee, G.; Luick; Meyer; Myrdal; Oehlke; Osland; Piepkorn; Poolman; Schaible; Sorvaag; Unruh; Vedaa; Wardner

**NAYS:** Campbell; Dever; Grabinger; Heckaman; Krebsbach; Kreun; Larsen, O.; Lee, J.; Marcellais; Mathern; Nelson; Oban; Robinson; Roers; Wanzek

**ABSENT AND NOT VOTING:** Davison; Rust

Division B of Engrossed SB 2313 was adopted on a recorded roll call vote.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which includes Division A and Division B, which have been read, the roll was called and there were 36 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dotzenrod; Erbele; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Laffen; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oehlke; Osland; Piepkorn; Poolman; Roers; Schaible; Sorvaag; Unruh; Vedaa; Wardner

**NAYS:** Dever; Grabinger; Heckaman; Kreun; Larsen, O.; Nelson; Oban; Robinson; Wanzek

**ABSENT AND NOT VOTING:** Davison; Rust

Engrossed SB 2313 passed.

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#### **CONSIDERATION OF AMENDMENTS**

**SB 2263: SEN. LUICK (Agriculture Committee) MOVED** that the amendments on SJ pages 556-558 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### **SECOND READING OF SENATE BILL**

**SB 2263:** A BILL for an Act to amend and reenact section 61-32-03.1 of the North Dakota Century Code, relating to subsurface water management system permits.

#### **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 42 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue;

Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Poolman; Roers; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Mathern; Piepkorn; Robinson

**ABSENT AND NOT VOTING:** Davison; Rust

Engrossed SB 2263 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2253: SEN. KANNIANEN (Political Subdivisions Committee) MOVED** that the amendments on SJ pages 555-556 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2253:** A BILL for an Act to create and enact a new section to chapter 47-09 of the North Dakota Century Code, relating to transfers of land between any federal, state, or local governmental entities; and to provide for retroactive application.

#### 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 40 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Grabinger; Heckaman; Marcellais; Mathern; Piepkorn

**ABSENT AND NOT VOTING:** Davison; Rust

Engrossed SB 2253 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2316: SEN. BURCKHARD (Political Subdivisions Committee) MOVED** that the amendments on SJ page 561 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2316:** A BILL for an Act to amend and reenact sections 18-01-06, 18-01-33, 18-04-01, 18-12-03, 18-12-05, 18-12-25, and 23-13-16 of the North Dakota Century Code, relating to powers and duties of the state fire marshal regarding explosives, participation in the fire insurance tax distribution fund, the submission plans and specifications for school buildings, and aboveground petroleum storage tanks; to repeal sections 18-01-34 and 18-10-16 of the North Dakota Century Code, relating to disclosure of information concerning toxic or hazardous substances and the duty of the state fire marshal to establish a rural routing system; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.;

Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Myrdal

**ABSENT AND NOT VOTING:** Davison; Rust

Engrossed SB 2316 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2291: SEN. J. LEE (Human Services Committee) MOVED** that the amendments on SJ pages 558-559 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2291:** A BILL for an Act to create and enact a new section to chapter 25-03.1, a new subsection to section 30.1-28-04, and a new subsection to section 30.1-28-12 of the North Dakota Century Code, relating to powers, duties, and authority of a guardian regarding medical decisions; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Davison; Rust

Engrossed SB 2291 passed and the emergency clause was declared carried.

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#### CONSIDERATION OF AMENDMENTS

**SB 2326, as engrossed: SEN. LAFFEN (Finance and Taxation Committee) MOVED** that the amendments on SJ pages 561-564 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2326:** A BILL for an Act to amend and reenact sections 11-09.1-05 and 40-05.1-06 of the North Dakota Century Code, relating to the authority of home rule counties and cities to levy certain taxes.

#### 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 28 YEAS, 17 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Erbele; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larson, D.; Lee, G.; Lee, J.; Meyer; Myrdal; Poolman; Roers; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Anderson; Armstrong; Bekkedahl; Dotzenrod; Grabinger; Heckaman; Kannianen; Larsen, O.; Luick; Marcellais; Mathern; Nelson; Oban; Oehlke; Osland; Piepkorn; Robinson

**ABSENT AND NOT VOTING:** Davison; Rust

Reengrossed SB 2326 passed.

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#### MOTION

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

**THE SENATE RECONVENED** pursuant to recess taken, with President Sanford presiding.

#### POINT OF PERSONAL PRIVILEGE

**SEN. VEDAA** rose on a point of personal privilege.

#### REMARKS OF SENATOR VEDAA

**MR. PRESIDENT:** This weekend, after a long day at the state wrestling tournament, two Velva students were enjoying their evening at a hotel pool in Fargo. Sophie Hackman and Elizabeth Massine, or as her friends and family call her Lizzie, noticed a toddler struggling in the water. Sophie and Lizzie jumped into action, pulled the toddler from the pool, noticed she was blue, and ran to get help. This story has a happy ending and had it not been for state wrestling Sophie and Lizzie wouldn't have even been there. Sophie's brother, Elijah, took 3rd in state, and what you may ask was Lizzie there for. Well, Lizzie is the first girl to ever wrestle in the North Dakota state wrestling tournament. Hard work and determination not only earned Lizzie and Sophie's brother, Elijah, their way to the state wrestling tournament, but it also saved a life. Sophie was quoted, "I'm so happy, I'm so glad I was there at the right time. And that she'll be okay and that nothing bad happened to her. You have to help, even if they're okay and not drowning. You need to make sure, because you never know." Sophie, Lizzie thank you for your act of heroism. The few moments you took to save a life, gave life back to a toddler. Without the both of you she may have had only moments left to live.

Mr. President, thank you for allowing me to recognize Sophie and Lizzie, two District 6 heroes, who will never be forgotten, especially by a toddlers very grateful family.

#### MOTION

**SEN. KLEIN MOVED** that the remarks of Sen. Vedaa be printed in the Journal, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**SB 2021: 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). SB 2021 was placed on the Sixth order on the calendar.

Page 1, remove lines 12 through 23

Page 2, replace lines 1 and 2 with:

"Salaries and wages	\$58,113,215	\$1,361,193	\$59,474,408
Operating expenses	70,927,060	(1,374,062)	69,552,998
Capital assets	8,850,000	(555,000)	8,295,000
Center for distance education	9,091,690	(6,146)	9,085,544
Statewide longitudinal data system	5,500,661	(1,188,648)	4,312,013
Educational technology council	1,655,947	(534,060)	1,121,887
Edutech	9,052,048	707,355	9,759,403
K-12 wide area network	4,880,862	(345,755)	4,535,107
Geographic information system	1,192,978	(45,055)	1,147,923
Health information technology office	5,354,633	43,516,838	48,871,471
Total all funds	\$174,619,094	\$41,536,660	\$216,155,754
Less estimated income	151,213,039	44,396,804	195,609,843
Total general fund	\$23,406,055	(\$2,860,144)	\$20,545,911
Full-time equivalent positions	350.30	(6.00)	344.30"

Page 2, line 3, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY"

Page 2, line 4, after "biennium" insert "and the 2017-19 one-time funding items included in section 1 of this Act"

Page 2, replace lines 6 through 12 with:

Educational technology council grants	\$912,060	\$0
Statewide longitudinal data system	358,280	0
Statewide radio coordination	1,401,750	0
Health data study	500,000	0
Health information network expansion	0	43,555,133
Total all funds	\$3,172,090	\$43,555,133
Less estimated income	500,000	43,555,133
Total general fund	\$2,672,090	\$0

The 2017-19 one-time funding amounts are not a part of the entity's base budget for the 2019-21 biennium. The information technology department shall report to the appropriations committees of the sixty-sixth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2017, and ending June 30, 2019."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2021 - Information Technology Department - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$58,113,215	\$1,361,193	\$59,474,408
Operating expenses	70,927,060	(1,374,062)	69,552,998
Capital assets	8,850,000	(555,000)	8,295,000
Center for Distance Education	9,091,690	(6,146)	9,085,544
Statewide longitudinal data system	5,500,661	(1,188,648)	4,312,013
Educational Technology Council	1,655,947	(534,060)	1,121,887
EduTech	9,052,048	707,355	9,759,403
K-12 wide area network	4,880,862	(345,755)	4,535,107
Geographic information system	1,192,978	(45,055)	1,147,923
Health information technology office	5,354,633	43,516,838	48,871,471
Total all funds	\$174,619,094	\$41,536,660	\$216,155,754
Less estimated income	151,213,039	44,396,804	195,609,843
General fund	\$23,406,055	(\$2,860,144)	\$20,545,911
FTE	350.30	(6.00)	344.30

#### Department No. 112 - Information Technology Department - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Health Insurance Increases <sup>2</sup>	Removes 6 FTE Positions <sup>3</sup>	Adjusts Funding for Health Information Technology Director Position <sup>4</sup>	Adjusts Base Level Funding <sup>5</sup>	Reduces Funding for Educational Technology Council <sup>6</sup>
Salaries and wages	\$1,335,786	\$781,326	(\$755,919)			
Operating expenses					(1,374,062)	
Capital assets					(555,000)	
Center for Distance Education	(443,327)	88,722			48,459	
Statewide longitudinal data system	20,018	20,034			(1,228,700)	
Educational Technology Council	5,216	5,724				(545,000)
EduTech	75,679	91,584	(300,000)		840,092	
K-12 wide area network	10,556	11,448			(367,759)	
Geographic information system	3,358	2,862			(51,275)	
Health information technology office	(34,676)	11,448			(15,067)	
Total all funds	\$972,610	\$1,013,148	(\$1,055,919)	\$0	(\$2,703,312)	(\$545,000)
Less estimated income	1,321,892	825,752	(755,919)	361,389	(911,443)	0
General fund	(\$349,282)	\$187,396	(\$300,000)	(\$361,389)	(\$1,791,869)	(\$545,000)

FTE	0.00	0.00	(6.00)	0.00	0.00	0.00
	<b>Restores Funding for Center for Distance Education<sup>7</sup></b>	<b>Adds One-Time Funding for Health Information Network Expansion<sup>8</sup></b>	<b>Total Senate Changes</b>			
Salaries and wages			\$1,361,193			
Operating expenses			(1,374,062)			
Capital assets			(555,000)			
Center for Distance Education	300,000		(6,146)			
Statewide longitudinal data system			(1,188,648)			
Educational Technology Council			(534,060)			
EduTech			707,355			
K-12 wide area network			(345,755)			
Geographic information system			(45,055)			
Health information technology office		43,555,133	43,516,838			
Total all funds	\$300,000	\$43,555,133	\$41,536,660			
Less estimated income	0	43,555,133	44,396,804			
General fund	\$300,000	\$0	(\$2,860,144)			
FTE	0.00	0.00	(6.00)			

<sup>1</sup> Funding is adjusted for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in health insurance premiums from \$1,130 to \$1,249 per month.

<sup>3</sup> Funding for the EduTech Director FTE position is removed, resulting in a general fund reduction of \$300,000. Additional funding is reduced for 5 undesignated FTE positions, resulting in a special fund reduction of \$755,919.

<sup>4</sup> Funding is adjusted for the Health Information Technology director position to change the funding source from the general fund to the electronic health information exchange fund.

<sup>5</sup> Base level funding is adjusted as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Reduces funding for operating expenses, primarily related to contractor costs	(\$1,275,949)	(\$990,543)	(\$2,266,492)
Reduces funding for capital assets	(25,575)	(520,000)	(545,575)
Reduces funding for K-12 wide area network information technology contract costs	(490,345)	0	(490,345)
Adds funding for PowerSchool	0	599,100	599,100
Total	(\$1,791,869)	(\$911,443)	(\$2,703,312)

<sup>6</sup> Funding is reduced for Educational Technology Council grants to provide a total appropriation of \$1,121,887.

<sup>7</sup> Funding is restored for the Center for Distance Education to provide a general fund appropriation of \$6,035,544 and a total appropriation of \$9,085,544.

<sup>8</sup> One-time funding from the electronic health information exchange fund is added for a health information network expansion project. Of the \$43,555,133 appropriated for the project, \$40,800,000 is federal funds provided by the Department of Human Services. The estimated project completion date is September 2021.

#### CONSIDERATION OF AMENDMENTS

**SB 2021: SEN. WANZEK (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.



**SECOND READING OF SENATE BILL**

**SB 2021:** A BILL for an Act to provide an appropriation for defraying the expenses of the information technology department; and to provide for transfers.

**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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Davison; Rust

Engrossed SB 2021 passed.

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**REPORT OF STANDING COMMITTEE**

**SB 2225: Energy and Natural Resources Committee (Sen. Unruh, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2225 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for and Act to to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to the creation of a posted land register; to provide a report to the legislative management; to provide an appropriation to the game and fish department for defraying the cost of North Dakota information technology; and to provide an expiration date.

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

**SECTION 1.** A new section to chapter 20.1-01 of the North Dakota Century Code is created and enacted as follows:

**Posted land register - Pilot program - Report.**

1. Notwithstanding section 20.1-01-17, the department, in cooperation with the information technology department, shall develop and implement an electronic register and digital application of all posted land in up to five counties selected by the governor by January 15, 2019. A county selected by the governor for participation in the electronic register may not be included in the register unless the board of county commissioners of the county approves of the county's participation within thirty days of notification by the governor of the selection.
2. The electronic register must:
  - a. Designate land open for hunting;
  - b. Designate land closed to hunting, with no trespassing; and
  - c. Allow landowners to provide contact information to prospective hunters.
3. If land located in a selected county is not designated in the electronic register as open for hunting, the land is considered closed to hunting without permission from the landowner.

4. The department shall provide a report to the legislative management during the 2019-20 interim regarding the progress of the electronic register.

**SECTION 2. APPROPRIATION.** There is appropriated from special funds derived from the heritage fund, the sum of \$250,000, or so much of the sum as may be necessary, to the game and fish department for the purpose of defraying the cost of North Dakota information technology necessary to create a posted land register pilot program, for the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 3. EXPIRATION DATE.** This Act is effective through July 31, 2021, and after that date is ineffective."

Renumber accordingly

#### CONSIDERATION OF AMENDMENTS

**SB 2225: SEN. SCHAIBLE (Energy and Natural Resources Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2225:** A BILL for and Act to to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to the creation of a posted land register; to provide a report to the legislative management; to provide an appropriation to the game and fish department for defraying the cost of North Dakota information technology; and to provide an expiration date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 17 YEAS, 28 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Armstrong; Bowman; Burckhard; Dotzenrod; Erbele; Hogue; Kannianen; Klein; Kreun; Laffen; Larsen, O.; Oehlke; Osland; Schaible; Unruh; Vedaa; Wanzek

**NAYS:** Anderson; Bekkedahl; Campbell; Casper; Clemens; Cook; Dever; Grabinger; Heckaman; Holmberg; Kilzer; Krebsbach; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Piepkorn; Poolman; Robinson; Roers; Sorvaag; Wardner

**ABSENT AND NOT VOTING:** Davison; Rust

Engrossed SB 2225 failed.

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#### REPORT OF STANDING COMMITTEE

**SB 2206: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2206 was placed on the Sixth order on the calendar.

Page 16, after line 11, insert:

#### **"50-34-11. Authority to withhold funding.**

Notwithstanding subsection 2 of section 50-01.2-06, if a service area fails to perform duties directed or assigned and supervised by the department of human services, the department of human services may withhold funding from the service area. The amount withheld may not exceed double the actual cost of the duty that was not performed, the per activity amount from the formula, the cost to the department of human services, or the amount of a federal penalty imposed as a result of the duty that was not performed."

Page 22, line 3, replace "current" with "subsequent calendar"

Page 22, line 4, after "prior" insert "taxable"

Renumber accordingly

#### CONSIDERATION OF AMENDMENTS

**SB 2206: SEN. BEKKEDAHL (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2206:** A BILL for an Act to create and enact chapter 50-34 and a new section to chapter 57-20 of the North Dakota Century Code, relating to the transition of funding responsibility for county social services from the counties to the state and a credit against payments in lieu of taxes paid by centrally assessed companies; to amend and reenact sections 11-23-01, 50-01.2-03.2, 50-06-05.8, 50-06.2-04, subsection 3 of section 57-15-01.1, sections 57-15-06 and 57-15-06.7, and subdivision c of subsection 1 of section 57-20-07.1 of the North Dakota Century Code, relating to county and multicounty social service board budgets, county general fund levy limitations, and property tax statements; to repeal chapter 50-03 and sections 50-06-20.1, 50-06.2-05, and 57-20-07.2 of the North Dakota Century Code, relating to the county human services fund, the human services grant program, county property tax levy authority for social services, and the state-paid property tax relief credit; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Bowman; Kannianen

**ABSENT AND NOT VOTING:** Davison; Rust

Engrossed SB 2206 passed.

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#### REPORT OF STANDING COMMITTEE

**SB 2246: Judiciary Committee (Sen. Armstrong, Chairman)** recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2246 was placed on the Eleventh order on the calendar.

#### SECOND READING OF SENATE BILL

**SB 2246:** A BILL for an Act to create and enact a new section to chapter 12.1-31 of the North Dakota Century Code, relating to failure to vacate; to provide a penalty; to provide for an effective date; 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 2 YEAS, 43 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Dever; Larsen, O.

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

**ABSENT AND NOT VOTING:** Davison; Rust

SB 2246 failed.

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### **SECOND READING OF SENATE BILL**

**SB 2257:** A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 40-47-01.1 of the North Dakota Century Code, relating to extraterritorial zoning.

### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 9 YEAS, 36 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Erbele; Kannianen; Klein; Larson, D.; Luick; Osland; Poolman; Unruh

**NAYS:** Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Krebsbach; Kreun; Laffen; Larsen, O.; Lee, G.; Lee, J.; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Piepkorn; Robinson; Roers; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison; Rust

SB 2257 failed.

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

**SCR 4011:** A concurrent resolution requesting the Legislative Management to consider studying the issue of food allergy safety and awareness in the food service industry, the regulatory burden of potentially implementing a mandatory food allergy awareness program, and the potential costs associated with a mandatory food allergy awareness program.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

SCR 4011 was declared lost on a voice vote.

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### **REPORT OF STANDING COMMITTEE**

**HB 1121, as engrossed:** Judiciary Committee (Sen. Armstrong, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1121 was placed on the Fourteenth order on the calendar.

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

**HB 1121:** A BILL for an Act to amend and reenact subsection 2 of section 12.1-32-09.1 and subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to sentencing violent offenders and the definition of administrative agencies.

### **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, 45 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Davison; Rust

Engrossed HB 1121 failed.

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**REPORT OF STANDING COMMITTEE**

**HB 1125: Agriculture Committee (Sen. Luick, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1125 was placed on the Fourteenth order on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1125:** A BILL for an Act to repeal chapter 60-03 of the North Dakota Century Code, relating to licensing hay buyers; 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 PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Davison; Rust

HB 1125 passed and the emergency clause was declared carried.

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**REPORT OF STANDING COMMITTEE**

**HB 1109, as engrossed: Government and Veterans Affairs Committee (Sen. Poolman, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1109 was placed on the Fourteenth order on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1109:** A BILL for an Act to amend and reenact sections 37-01-03, 37-01-43, subsection 6 of 37-28-02, and 37-28-03 of the North Dakota Century Code, relating to the operation of the North Dakota national guard.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Davison; Rust

Engrossed HB 1109 passed.

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**REPORT OF STANDING COMMITTEE**

**HB 1135: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1135 was placed on the Fourteenth order on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1135:** A BILL for an Act to amend and reenact subsections 5 and 10 of section 39-01-15, section 50-06.1-16, subsection 1 of section 54-07-01.2, and section 54-44.3-20 of the North Dakota Century Code, relating to consolidating the committee on employment of people with disabilities into the state rehabilitation council and updating the categories of positions in the state service.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Davison; Rust

HB 1135 passed.

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**REPORT OF STANDING COMMITTEE**

**HB 1132: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1132 was placed on the Fourteenth order on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1132:** A BILL for an Act to amend and reenact subdivision m of subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to completion of criminal background checks of employees and contractors of job service North Dakota; 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 PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Davison; Rust

HB 1132 passed and the emergency clause was declared carried.

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**REPORT OF STANDING COMMITTEE**

**HB 1131: Agriculture Committee (Sen. Luick, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1131 was placed on the Fourteenth order on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1131:** A BILL for an Act to create and enact section 36-24-01.1 of the North Dakota Century Code, relating to adoption of federal meat inspection regulations.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee

recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Davison; Rust

HB 1131 passed.

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#### REPORT OF STANDING COMMITTEE

**HB 1127: Agriculture Committee (Sen. Luick, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1127 was placed on the Fourteenth order on the calendar.

#### SECOND READING OF HOUSE BILL

**HB 1127:** A BILL for an Act to amend and reenact subsection 21 of section 4-30-01 and sections 4-30-36.2, 4-30-36.3, and 4-30-36.4 of the North Dakota Century Code, relating to the definition of Pasteurized Milk Ordinance and to the Pasteurized Milk Ordinance revision.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Davison; Rust

HB 1127 passed.

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#### REPORT OF STANDING COMMITTEE

**HB 1112: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1112 was placed on the Fourteenth order on the calendar.

#### SECOND READING OF HOUSE BILL

**HB 1112:** A BILL for an Act to amend and reenact sections 26.1-02.1-01, 26.1-02.1-02.1, 26.1-26-15, and 26.1-26-39 of the North Dakota Century Code, relating to licensing and insurance producers; 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 PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison; Rust

HB 1112 passed and the emergency clause was declared carried.

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

**HB 1118: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1118 was placed on the Fourteenth order on the calendar.

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

**HB 1118:** A BILL for an Act to amend and reenact subsection 7 of section 50-24.5-01 of the North Dakota Century Code, relating to the definition of eligible beneficiary for the aid to aged, blind, and disabled persons.

#### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Davison; Rust

HB 1118 passed.

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

**HB 1117: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1117 was placed on the Fourteenth order on the calendar.

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

**HB 1117:** A BILL for an Act to amend and reenact sections 14-10-17, 25-10-01.1, subdivision e of subsection 1 of section 50-06-01.4, and sections 50-06-01.7, 50-06-06.5, and 50-31-07 of the North Dakota Century Code, relating to changes in terminology with respect to substance abuse and behavioral health.

#### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Davison; Rust

HB 1117 passed.



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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2015, SB 2016, SB 2149, SB 2243, SB 2244, SB 2286, SCR 4008.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2001, SB 2018, SB 2119.

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2302.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2302**

Page 1, line 6, remove the second "and"

Page 1, line 7, after "penalty" insert "; and to declare an emergency"

Page 3, after line 17, insert:

**"SECTION 7. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1293, HB 1304.

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

**MR. SPEAKER:** The President has signed: HB 1293, HB 1304.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1038, HB 1129, HB 1257, HB 1272, HB 1311, HB 1321, HB 1339, HB 1374, HB 1402, HB 1409, HB 1427.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1367.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HCR 3014, HCR 3016, HCR 3020.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1330.

**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, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 10:00 a.m., Wednesday, February 22, 2017, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2004: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2004 was placed on the Sixth order on the calendar.

Page 1, line 2, after "health" insert "; to amend and reenact subsection 1 of section 54-27-25 of the North Dakota Century Code, relating to the tobacco settlement trust fund; to repeal chapter 23-38 of the North Dakota Century Code, relating to the community health grant program; and to declare an emergency"

Page 1, replace lines 12 through 22 with:

"Salaries and wages	\$62,805,918	\$1,610,189	\$64,416,107
Operating expenses	40,598,335	(2,203,877)	38,394,458
Capital assets	2,895,232	551,508	3,446,740
Grants	57,096,760	(961,090)	56,135,670
Tobacco prevention	6,910,177	5,237,564	12,147,741
Women, infants, and children food payments	20,200,000	0	20,200,000
Medical marijuana	0	6,236,376	6,236,376
Total all funds	\$190,506,422	\$10,470,670	\$200,977,092
Less estimated income	<u>141,970,854</u>	<u>13,917,350</u>	<u>155,888,204</u>
Total general fund	\$48,535,568	(\$3,446,680)	\$45,088,888
Full-time equivalent positions	365.00	12.00	377.00"

Page 2, line 1, after "**BUDGET**" insert "**- REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY**"

Page 2, line 3, after "biennium" insert "and the 2017-19 one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 5 through 10 with:

"Environmental equipment	\$780,000	\$0
Forensic examiner digital x-ray equipment	44,000	0
Women, infants, and children system upgrade	1,712,110	1,739,220
Medical marijuana	0	<u>1,197,903</u>
Total all funds	\$2,536,110	\$2,937,123
Less estimated income	<u>2,200,110</u>	<u>2,937,123</u>
Total general fund	\$336,000	\$0

The 2017-19 one-time funding amounts are not a part of the entity's base budget for the 2019-21 biennium. The state department of health shall report to the appropriations committees of the sixty-sixth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2017, and ending June 30, 2019."

Page 2, after line 16, insert:

**"SECTION 4. INSURANCE TAX DISTRIBUTION FUND.** The estimated income line item included in section 1 of this Act includes \$1,250,000 from the insurance tax distribution fund for rural emergency medical services grants.

**SECTION 5. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line item included in section 1 of this Act includes \$500,000 from the strategic investment and improvements fund for legal fees related to an environmental protection agency lawsuit.

**SECTION 6. STUDENT LOAN TRUST FUND.** The estimated income line item in section 1 of this Act includes \$360,000 from the student loan trust fund for dental loan repayment program grants.

**SECTION 7. TOBACCO PREVENTION AND CONTROL TRUST FUND.** The estimated income line item in section 1 of this Act includes \$11,078,195 from the tobacco prevention and control trust fund for tobacco prevention and related health programs.

**SECTION 8. AMENDMENT.** Subsection 1 of section 54-27-25 of the North Dakota Century Code is amended and reenacted as follows:

1. There is created in the state treasury a tobacco settlement trust fund. The fund consists of the tobacco settlement dollars obtained by the state under subsection IX(c)(1) of the master settlement agreement and consent agreement adopted by the east central judicial district court in its judgment entered December 28, 1998 [Civil No. 98-3778] in State of North Dakota, ex rel. Heidi Heitkamp v. Philip Morris, Inc. Except as provided in subsection 2, moneys received by the state under subsection IX(c)(1) must be deposited in the fund. Interest earned on the fund must be credited to the fund and deposited in the fund. The principal and interest of the fund may be appropriated to the attorney general for the purpose of enforcing the master settlement agreement and any disputes with the agreement. All remaining principal and interest of the fund must be allocated as follows:
  - a. Transfers to a community health trust fund to be administered by the state department of health. The state department of health may use funds as appropriated for community-based public health programs and other public health programs, including programs with emphasis on preventing or reducing tobacco usage in this state. Transfers under this subsection must equal ten percent of total annual transfers from the tobacco settlement trust fund ~~of which a minimum of eighty percent must be used for tobacco prevention and control.~~
  - b. Transfers to the common schools trust fund to become a part of the principal of that fund. Transfers under this subsection must equal forty-five percent of total annual transfers from the tobacco settlement trust fund.
  - c. Transfers to the water development trust fund to be used to address the long-term water development and management needs of the state. Transfers under this subsection must equal forty-five percent of the total annual transfers from the tobacco settlement trust fund.

**SECTION 9. REPEAL.** Chapter 23-38 of the North Dakota Century Code is repealed.

**SECTION 10. EMERGENCY.** The funding included in the medical marijuana line item in section 1 of this Act is declared to be an emergency measure."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2004 - State Department of Health - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$62,805,918	\$1,610,189	\$64,416,107
Operating expenses	40,598,335	(2,203,877)	38,394,458
Capital assets	2,895,232	551,508	3,446,740
Grants	57,096,760	(961,090)	56,135,670
Tobacco prevention	6,910,177	5,237,564	12,147,741
WIC food payments	20,200,000		20,200,000
Medical marijuana		6,236,376	6,236,376
Total all funds	\$190,506,422	\$10,470,670	\$200,977,092
Less estimated income	141,970,854	13,917,350	155,888,204
General fund	\$48,535,568	(\$3,446,680)	\$45,088,888
FTE	365.00	12.00	377.00

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

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Health Insurance Increases <sup>2</sup>	Removes 1 FTE Environmental Health Position <sup>3</sup>	Base Budget Reductions <sup>4</sup>	Restores Base Budget Funding <sup>5</sup>	Cost-to-Continue Existing Programs <sup>6</sup>
Salaries and wages	\$1,126,755	\$1,074,628	(\$139,041)	(\$643,301)	\$81,148	
Operating expenses				(3,348,403)	2,066,243	(2,415,937)

Capital assets						
Grants			(358,156)	865,000	(1,941,114)	
Tobacco prevention	48,856	14,368			(1,278,993)	
WIC food payments						
Medical marijuana		48,654				
Total all funds	\$1,175,611	\$1,137,650	(\$139,041)	(\$4,349,860)	\$3,012,391	(\$5,636,044)
Less estimated income	404,755	549,367	(27,808)	805,115	0	(5,736,641)
General fund	\$770,856	\$588,283	(\$111,233)	(\$5,154,975)	\$3,012,391	\$100,597
FTE	0.00	0.00	(1.00)	(1.00)	0.00	0.00

	<b>Reduces Funding for Bond and Capital Payments<sup>7</sup></b>	<b>Reduces Funding for Extraordinary Repairs<sup>8</sup></b>	<b>Adjusts Funding for Equipment<sup>9</sup></b>	<b>Increases Funding for Grants to Local Public Health<sup>10</sup></b>	<b>Adds 1 FTE and Increases Funding for Tobacco Prevention<sup>11</sup></b>	<b>Adjusts the Funding Source for Various Programs<sup>12</sup></b>
Salaries and wages						
Operating expenses						
Capital assets	(244,084)	(35,820)	831,412			
Grants				1,000,000		
Tobacco prevention					6,453,333	
WIC food payments						
Medical marijuana						
Total all funds	(\$244,084)	(\$35,820)	\$831,412	\$1,000,000	\$6,453,333	\$0
Less estimated income	(243,680)	(18,093)	841,412	2,000,000	6,453,333	2,224,862
General fund	(\$404)	(\$17,727)	(\$10,000)	(\$1,000,000)	\$0	(\$2,224,862)
FTE	0.00	0.00	0.00	0.00	1.00	0.00

	<b>Reduces Funding for Colorectal Screenings<sup>13</sup></b>	<b>Adjusts the Funding Source for Litigation Fees<sup>14</sup></b>	<b>Reduces Funding for Emergency Medical Services Grants<sup>15</sup></b>	<b>Adds Funding and FTE for a Medical Marijuana Division<sup>16</sup></b>	<b>Adds One-Time Funding for the Medical Marijuana Division<sup>17</sup></b>	<b>Adds One-Time Funding for a Women, Infants, and Children Program Project<sup>18</sup></b>
Salaries and wages						\$110,000
Operating expenses	(100,000)					1,594,220
Capital assets						
Grants			(561,820)			35,000
Tobacco prevention						
WIC food payments						
Medical marijuana				4,989,819	1,197,903	
Total all funds	(\$100,000)	\$0	(\$561,820)	\$4,989,819	\$1,197,903	\$1,739,220
Less estimated income	(100,000)	500,000	0	3,327,605	1,197,903	1,739,220
General fund	\$0	(\$500,000)	(\$561,820)	\$1,662,214	\$0	\$0
FTE	0.00	0.00	0.00	13.00	0.00	0.00

	<b>Total Senate Changes</b>
Salaries and wages	\$1,610,189
Operating expenses	(2,203,877)
Capital assets	551,508
Grants	(961,090)
Tobacco prevention	5,237,564
WIC food payments	
Medical marijuana	6,236,376
Total all funds	\$10,470,670
Less estimated income	13,917,350
General fund	(\$3,446,680)
FTE	12.00

<sup>1</sup> Funding is added for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in employee health insurance premiums from \$1,130 to \$1,249 per month.

<sup>3</sup> One Environmental Health Division FTE position and related funding for salaries and

wages is removed.

<sup>4</sup> Base budget reductions included in the agency's budget request are made including the removal of 1 FTE position in the Water Quality Division.

<sup>5</sup> Funding for salaries and wages, operating expenses, and grants, reduced as part of the 2015-17 budget reductions, is restored.

<sup>6</sup> Funding for salaries and wages, operating expenses, and grants, reduced as part of the 2015-17 budget reductions, is restored.

<sup>7</sup> Funding for bond and capital payments is reduced to provide a total of \$636,877, of which \$455,931 is from the general fund.

<sup>8</sup> Funding for extraordinary repairs is reduced to provide a total of \$300,350, of which \$62,516 is from the general fund.

<sup>9</sup> Funding for equipment is adjusted to provide a total of \$2,509,513 from other funds.

<sup>10</sup> Funding for grants to local public health units is increased and the funding sources adjusted to provide a total of \$5.25 million, of which \$3.25 million is from the general fund and \$2 million is from the tobacco prevention and control trust fund.

<sup>11</sup> One FTE position is added for tobacco prevention and control and funding is increased by \$6,453,333 from the tobacco prevention and control trust fund. Funding provided for tobacco prevention and control totals \$12,147,741, of which \$3,200,000 is from the community health trust fund, \$6,953,333 is from the tobacco prevention and control trust fund, and \$1,994,408 is from federal funds. Tobacco prevention and control funding includes \$5.5 million for grants to local public health units for tobacco prevention and control programs.

<sup>12</sup> Funding for the following programs is adjusted to provide \$2,224,862 from the tobacco prevention and control trust fund instead of the general fund.

Cancer programs	\$744,804
Stroke and cardiac care programs	756,418
Physician loan repayment program	480,000
Behavioral health loan repayment program	243,640
Total	\$2,224,862

<sup>13</sup> Funding from the tobacco prevention and control trust fund is reduced for colorectal screenings in the cancer programs.

<sup>14</sup> Funding for litigation fees related to the Environmental Protection Agency lawsuit is provided from the strategic investment and improvements fund instead of the general fund.

<sup>15</sup> Funding for emergency medical services grants is reduced to provide a total of \$7,721,000. Emergency medical services rural assistance grants total \$6,875,000, of which \$5,625,000 is from the general fund and \$1,250,000 is from the insurance tax distribution fund. Emergency medical services training grants total \$846,000 from the general fund.

<sup>16</sup> Funding is added for a Medical Marijuana Division, including 13 FTE positions.

<sup>17</sup> One-time funding is added for costs related to establishing the Medical Marijuana Division.

<sup>18</sup> One-time funding is added for a women, infants, and children program computer project.

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This amendment also adds sections to:

- Identify \$1.25 million from the insurance tax distribution fund for rural emergency medical services grants.
- Identify \$500,000 from the strategic investment and improvements fund for the

Environmental Protection Agency lawsuit.

- Identify \$360,000 from the student loan trust fund for the dental loan repayment program.
- Identify \$11,078,195 from the tobacco prevention and control trust fund for tobacco and related health programs.
- Repeal North Dakota Century Code Chapter 23-38 related to the community health grant program.
- Amend Section 54-27-25(1) to remove the requirement that 80 percent of the transfers from the tobacco settlement trust fund to the community health trust fund be used for tobacco prevention and control.
- Provide an emergency clause for the medical marijuana line item.

#### REPORT OF STANDING COMMITTEE

**SB 2024: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2024 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 2 of section 23-12-10.4, subsection 2 of section 54-27-25, and subsection 1 of section 54-59-22.1 of the North Dakota Century Code, relating to smoking prohibited signage, the tobacco settlement trust fund, and required use of centralized desktop support services; to repeal chapter 23-42 of the North Dakota Century Code, relating to the tobacco prevention and control program; to provide an effective date; and to declare an emergency.

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

**SECTION 1. AMENDMENT.** Subsection 2 of section 23-12-10.4 of the North Dakota Century Code is amended and reenacted as follows:

2. The owner, operator, manager, or other person in control of a public place or place of employment where smoking is prohibited by this chapter may request from the ~~executive committee of the tobacco prevention and control advisory committee~~state department of health the signs necessary to comply with the signage requirements of subsection 1.

**SECTION 2. AMENDMENT.** Subsection 2 of section 54-27-25 of the North Dakota Century Code is amended and reenacted as follows:

2. There is created in the state treasury a tobacco prevention and control trust fund. The fund consists of the tobacco settlement dollars obtained by the state under section IX(c)(2) of the agreement adopted by the east central judicial district court in its judgment entered December 28, 1998 [Civil No. 98-3778] in State of North Dakota, ex rel. Heidi Heitkamp v. Philip Morris, Inc. Interest earned on the fund must be credited to the fund and deposited in the fund. Moneys received into the fund are to be ~~administered by the executive committee for the purpose of creating and implementing the comprehensive plan. If in any biennium, the tobacco prevention and control trust fund does not have adequate dollars to fund a comprehensive plan, the treasurer shall transfer money from the water development trust fund to the tobacco prevention and control trust fund in an amount equal to the amount determined necessary by the executive committee to fund a comprehensive plan used as appropriated by the legislative assembly.~~

**SECTION 3. AMENDMENT.** Subsection 1 of section 54-59-22.1 of the North Dakota Century Code is amended and reenacted as follows:

1. The following state agencies shall obtain centralized desktop support services from the information technology department:
  - a. Office of administrative hearings.

- b. Office of the governor.
- c. Commission on legal counsel for indigents.
- d. Public employees retirement system.
- e. North Dakota university system office.
- f. Department of career and technical education.
- g. Department of financial institutions.
- h. Department of veterans' affairs.
- i. Aeronautics commission.
- ~~j. Tobacco prevention and control executive committee.~~
- ~~k. Council on the arts.~~
- ~~l.k.~~ Agriculture commissioner.
- ~~m.l.~~ Department of labor and human rights.
- ~~n.m.~~ Indian affairs commission.
- ~~o.n.~~ Protection and advocacy project.
- ~~p.o.~~ Secretary of state.
- ~~q.p.~~ State treasurer.
- ~~r.q.~~ State auditor.
- ~~s.r.~~ Securities department.

**SECTION 4. REPEAL.** Chapter 23-42 of the North Dakota Century Code is repealed.

**SECTION 5. EFFECTIVE DATE.** This Act becomes effective on July 1, 2017.

**SECTION 6. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2024 - Tobacco Prevention & Control Exec Comm - Senate Action**

	Base Budget	Senate Changes	Senate Version
Comprehensive tobacco control	\$16,548,039	(\$16,548,039)	
Total all funds	\$16,548,039	(\$16,548,039)	\$0
Less estimated income	16,548,039	(16,548,039)	0
General fund	\$0	\$0	\$0
FTE	8.00	(8.00)	0.00

**Department No. 305 - Tobacco Prevention & Control Exec Comm - Detail of Senate Changes**

	Removes Funding for Comprehensive Tobacco Control <sup>1</sup>	Total Senate Changes
Comprehensive tobacco control	(\$16,548,039)	(\$16,548,039)
Total all funds	(\$16,548,039)	(\$16,548,039)
Less estimated income	(16,548,039)	(16,548,039)
General fund	\$0	\$0
FTE	(8.00)	(8.00)

<sup>1</sup> Funding for comprehensive tobacco control, including 8 FTE positions and related salaries and wages, is removed.

This amendment also:

- Removes the appropriation section of the bill.
- Adds a section to amend North Dakota Century Code Section 23-12-10.4(2) relating to the signage responsibility of proprietors to transfer the responsibility to provide compliant signage from the Executive Committee of the Tobacco Prevention and Control Advisory Committee to the State Department of Health.
- Adds a section to amend Section 54-27-25(2) relating to the tobacco settlement trust fund to remove the transfer from the water development trust fund to the tobacco prevention and control trust fund if there is not adequate funding for the comprehensive plan and to provide the money deposited in tobacco prevention and control trust fund are to be used for purposes appropriated.
- Adds a section to amend Section 54-59-22.1(1) of the North Dakota Century Code related to required use of centralized desktop support services to remove the reference to the Tobacco Prevention and Control Executive Committee.
- Adds a section to repeal Chapter 23-42 relating to the tobacco prevention and control program.
- Adds a section to provide for an effective date.
- Declares the bill to be an emergency measure.

**REPORT OF STANDING COMMITTEE**

**SB 2044, 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 SB 2044 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 6-09 and a new section to chapter 54-03 of the North Dakota Century Code, relating to dynamic fiscal impact analysis of select economic development incentives and bills introduced by the legislative assembly and the creation of a dynamic fiscal impact bill selection committee; and to provide an expiration date.

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

**SECTION 1.** A new section to chapter 6-09 of the North Dakota Century Code is created and enacted as follows:

**Dynamic fiscal impact analysis.**

The Bank of North Dakota shall conduct dynamic revenue analysis of economic development tax incentives selected for review by the interim committee tasked with reviewing economic development tax incentives under section 54-35-26 and bills selected by the dynamic fiscal impact bill selection committee under section 2 of this Act.



**SECTION 2.** A new section to chapter 54-03 of the North Dakota Century Code is created and enacted as follows:

**Dynamic fiscal impact bill selection committee.**

1. During the 2019 legislative session, a dynamic fiscal impact bill selection committee must be formed consisting of the following members:
  - a. The majority leader and minority leader of the house of representatives;
  - b. The majority leader and minority leader of the senate;
  - c. The chairman of the legislative management, who shall serve as chairman of the committee;
  - d. The chairman of the house finance and taxation committee; and
  - e. The chairman of the senate finance and taxation committee.
2. The committee shall review bills introduced by the sixty-sixth legislative assembly which have a fiscal impact and forward bills selected for dynamic fiscal impact analysis to the Bank of North Dakota for review pursuant to section 1 of this Act.

**SECTION 3. EXPIRATION DATE.** This Act is effective through June 30, 2019, and after that date is ineffective."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2344, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2344 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1051: Education Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1051 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1086: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1086 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1087, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1087 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1088: Government and Veterans Affairs Committee (Sen. Poolman, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1088 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1089: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1089 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1092: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1092 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1093, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1093 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1094: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1094 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1095, as engrossed: Judiciary Committee (Sen. Armstrong, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1095 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1099: Judiciary Committee (Sen. Armstrong, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1099 was placed on the Fourteenth order on the calendar.

**FIRST READING OF SENATE CONCURRENT RESOLUTION**

Sens. Poolman, Armstrong, Casper, Unruh and Rep. Streyle introduced:

**SCR 4013:** A concurrent resolution requesting the Legislative Management to consider studying the process necessary to replace the Life Skills and Transition Center in Grafton with statewide services for individuals with disabilities.

Was read the first time and referred to the **Human Services Committee**.

**FIRST READING OF HOUSE BILLS**

**HB 1038:** A BILL for an Act to provide an appropriation to the department of human services; to provide for the establishment of a caregiver resource center website; and to provide for a report.

Was read the first time and referred to the **Human Services Committee**.

**HB 1129:** A BILL for an Act to amend and reenact subsections 1, 5, and 6 of section 39-06.2-10.6, section 39-06.2-10.7, subsections 1, 5, and 6 of section 39-20-05, and section 39-20-06 of the North Dakota Century Code, relating to hearing requirements for commercial vehicles and for commercial and noncommercial driver's licenses.

Was read the first time and referred to the **Transportation Committee**.

**HB 1257:** A BILL for an Act to amend and reenact subsection 7 of section 38-08-09.4 and sections 38-08-09.5 and 38-08-09.9 of the North Dakota Century Code, relating to approval requirements for unitization plans.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

**HB 1272:** A BILL for an Act to create and enact section 47-16-07.6 of the North Dakota Century Code, relating to reasonable accommodations for service animals in rental dwelling units; to amend and reenact section 47-16-07.5 of the North Dakota Century Code, relating to disability documentation for service or assistance animals in a rental dwelling; and to provide a penalty.

Was read the first time and referred to the **Political Subdivisions Committee**.

**HB 1311:** A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-06 of the North Dakota Century Code, relating to the amount of statutory fees for littering on the highway; and to provide a penalty.

Was read the first time and referred to the **Transportation Committee**.

**HB 1321:** A BILL for an Act to amend and reenact subsection 4 of 39-12-05.3 of the North Dakota Century Code, relating to weight limitations and the movement of agricultural products during harvest.

Was read the first time and referred to the **Transportation Committee**.

**HB 1330:** A BILL for an Act to amend and reenact section 54-35-01 of the North Dakota Century Code, relating to the membership of the legislative management; and to declare an emergency.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1339:** A BILL for an Act to amend and reenact sections 61-16.1-22, 61-16.1-23, and 61-16.1-26 of the North Dakota Century Code, relating to notice, appeals, and refunds of special assessments.

Was read the first time and referred to the **Political Subdivisions Committee**.

**HB 1367:** A BILL for an Act amend and reenact sections 20.1-13-07 and 20.1-13-10 of the North Dakota Century Code, relating to personal watercraft and towing an individual on water skies or similar devices; and to provide a penalty.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

**HB 1374:** A BILL for an Act to create and enact sections 61-02-14.3, 61-02-80, 61-02-81, and a new section to chapter 61-03 of the North Dakota Century Code, relating to contracts and financial assistance for water projects and duties of the state engineer; and to amend and reenact sections 61-02-01.3, 61-02-01.4, 61-02-02, 61-02-04, 61-02-07, and 61-02-08, subsection 1 of section 61-02-14, and subsection 4 of section 61-02-62 of the North Dakota Century Code, relating to definitions of types of financial assistance for water projects and the composition and operation of the state water commission.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

**HB 1402:** A BILL for an Act to amend and reenact subsection 4 of section 14-07.1-02 of the North Dakota Century Code, relating to the surrender of firearms or other dangerous weapons pursuant to domestic violence protection orders.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1409:** A BILL for an Act to amend and reenact section 38-11.2-07 of the North Dakota Century Code, relating to well water testing preceding subsurface mineral production and liability for damages to water supplies.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

**HB 1427:** A BILL for an Act to provide for a legislative management study of refugee resettlement in North Dakota.

Was read the first time and referred to the **Political Subdivisions Committee**.

#### **FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCR 3014:** A concurrent resolution requesting the Legislative Management to consider studying the various legal notice and publishing requirements of all state agencies and political subdivisions, the related costs required in state and political subdivision budgets, and potential notification alternatives.

Was read the first time and referred to the **Political Subdivisions Committee**.

**HCR 3016:** A concurrent resolution requesting the Legislative Management to consider studying the desirability of moving city and other local elections from the primary election in June in even-numbered years to the general election in November in even-numbered years.

Was read the first time and referred to the **Political Subdivisions Committee**.

**HCR 3020:** A concurrent resolution urging Congress and the President of the United States to allow the continuation of the Garrison Diversion project canal system to aid in the delivery of water to the Red River Valley.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

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

**Shanda Morgan, Secretary**

