

## JOURNAL OF THE SENATE

## Sixty-fifth Legislative Assembly

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Bismarck, February 20, 2017

The Senate convened at 1:00 p.m., with President Sanford presiding.

The prayer was offered by Pastor Sam Handschke, Shepherd of the Valley Lutheran Church, Bismarck.

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

A quorum was declared by the President.

## POINT OF PERSONAL PRIVILEGE

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

## REMARKS OF SENATOR BURCKHARD

**MR. PRESIDENT:** The title of this floor speech is Armstrong, Will and Beeter. Mr. President, Armstrong, Will and Beeter is not a prestigious law firm in Los Angeles. No, Mr. President, these individuals were recently crowned state wrestling champions from Minot, the Magic City. Brody Armstrong is a 126 pound champion from MHS, Jordan Will is a 220 pound champion from Bishop Ryan, and Konner Beeter is a 152 pound champion from Bishop Ryan. The Minot High School Magicians placed first overall. It was their first wrestling championship since 1993.

Mr. President, sportsmanship is a powerful character builder and high school competition is the source of many lifelong friendships. Mr. President, let's shout a "hip hip hooray" to all the student athletes in North Dakota and a tip of the hat to Armstrong, Will and Beeter from Minot, the Magic City.

## REQUEST

**SEN. KLEIN REQUESTED** that the remarks of Sen. Burckhard be printed in the Journal, which request was granted.

## REPORT OF STANDING COMMITTEE

**SB 2344: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2344 was placed on the Sixth order on the calendar.

Page 1, line 4, after the fifth comma insert "and"

Page 1, line 4, remove ", and 19-24-42"

Page 6, line 3, replace "usable marijuana" with "dried leaves or flowers of the plant of genus cannabis in a combustible delivery form"

Page 6, line 4, replace "usable marijuana" with "dried leaves or flowers of the plant of genus cannabis in a combustible delivery form"

Page 6, line 4, remove "The allowable"

Page 6, remove line 5

Page 6, line 6 replace "marijuana, such as ingredients added to prepare a liquid delivery form" with "A registered qualifying patient may not purchase or have purchased by a registered caregiver more than ten grams of liquid, including oil, or pill delivery form of marijuana with a maximum delta-9-tetrahydrocannabinol concentration of thirty"

percent in a thirty-day period and may not possess more than fifteen grams of liquid, including oil, or pill delivery form of marijuana with a maximum delta-9-tetrahydrocannabinol concentration of thirty percent at any time"

Page 6, line 25, after the second underscored comma insert "member, manager, governor."

Page 7, line 11, after the underscored semicolon insert "and"

Page 7, line 21, remove "and"

Page 7, remove line 22

Page 7, line 23, remove "the department"

Page 8, line 17, replace "twenty-one" with "nineteen"

Page 8, line 30, after "specialist" insert "or must be a pediatrician working in consultation with one of these pediatric specialists"

Page 9, line 12, after the second "marijuana" insert "or the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form"

Page 9, line 13, replace "the dried leaves or flowers of the plant" with "marijuana infused food"

Page 9, line 21, after "of" insert "useable"

Page 9, line 22, after the underscored period insert "If the physician authorizes the use of dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form, the written certification must include an attestation in the physician's professional opinion no other form of usable marijuana would be effective in providing the patient therapeutic or palliative benefits."

Page 10, line 29, after "nonrefundable" insert "annual"

Page 10, line 29, after "fee" insert "of two hundred dollars"

Page 11, remove lines 1 and 2

Page 11, line 15, remove "and"

Page 11, line 16, after "(7)" insert "If the physician authorizes the patient to use the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form, attestation in the physician's professional opinion no other form of usable marijuana will be effective in providing the patient therapeutic or palliative benefits; and

(8)"

Page 12, after line 10, insert:

- "4. If the applicant is a minor, the department may waive the application or renewal fee if:
  - a. The parent or legal guardian of the applicant is the applicant's registered designated caregiver; and
  - b. The applicant resides with the applicant's registered designated caregiver."

Page 13, line 22, after "nonrefundable" insert "annual"

Page 13, line 22, after "fee" insert "of two hundred dollars"

Page 13, line 24, remove "The department shall establish an application fee in an amount not to"

Page 13, remove line 25

Page 15, line 1, replace "caretaker" with "caregiver"

Page 50, line 23, replace the first "cardholder" with "compassion center"

Page 50, line 23, replace the second "cardholder" with "compassion center"

Page 50, line 24, replace "cardholder" with "compassion center"

Page 50, line 26, replace "registered qualifying patient or registered designated caregiver" with "cardholder"

Page 50, line 29, replace "registered qualifying patient or registered designated caregiver" with "cardholder"

Page 50, line 31, replace "section" with "chapter"

Page 51, line 1, replace "registered qualifying patient or registered designated caregiver" with "cardholder"

Page 53, line 15, remove "**Debilitating**"

Page 53, line 16, replace "medical condition - Petition" with "Registry identification cards"

Page 54, replace lines 1 through 7 with:

- "1. Registry identification cards must contain:
  - a. The name of the cardholder;
  - b. A designation as to whether the cardholder is a qualifying patient, designated caregiver, or compassion center agent;
  - c. A designation as to whether a qualifying patient is a minor;
  - d. A designation as to whether a qualifying patient or a designated caregiver's qualifying patient is authorized to use the dried leaves or flowers of the plant of the genus cannabis;
  - e. The date of issuance and expiration date;
  - f. A random ten-digit alphanumeric identification number containing at least four numbers and at least four letters which is unique to the cardholder;
  - g. If the cardholder is a designated caregiver, the random identification number of the qualifying patient the designated caregiver is authorized to assist;
  - h. A photograph of the cardholder; and
  - i. The phone number or website address at which the card can be verified.
2. Except as otherwise provided in this section, a registry identification card expiration date must be one year after the date of issuance.
3. If a physician states in the written certification that the qualifying patient would benefit from the medical use of marijuana until a specified date, less than one year, the registry identification card expires on that date."

Page 54, line 29, remove "dispensary or a"

Page 54, line 30, replace "manufacturing facility" with "compassion center"

Page 56, line 14, after "fee" insert "of five thousand dollars"

Page 56, line 15, remove ", in the amount set by the"

Page 56, line 16, remove "department, not to exceed five thousand dollars"

Page 56, line 17, after "incorporation" insert "or articles of organization"

Page 56, line 17, after "bylaws" insert "or operating agreement"

Page 57, line 3, after "member" insert ", or of each member-manager, manager, or governor,"

Page 57, line 5, after "member" insert ", or each member-manager, manager, or governor,"

Page 57, line 8, after the first underscored comma insert "or for each of the proposed compassion center applicant's member-managers, managers, or governors,"

Page 58, line 6, after the underscored comma insert "or of the member-managers, managers, or governors,"

Page 58, line 28, remove "established by the"

Page 58, line 29, replace "department, not to exceed one hundred thousand dollars" with "of sixty thousand dollars for a dispensary and eighty thousand dollars for a manufacturing facility"

Page 59, line 4, after "incorporation" insert "or articles of organization"

Page 59, line 4, after "bylaws" insert "or operating agreement,"

Page 59, line 29, remove "in an amount established by the"

Page 59, line 30, replace "department, not to exceed one hundred thousand dollars" with "of sixty thousand dollars for a dispensary and eighty thousand dollars for a manufacturing facility"

Page 60, line 28, after "**Bylaws**" insert "**or operating agreement**"

Page 60, line 30, after "bylaws" insert "or operating agreement"

Page 60, line 31, after "bylaws" insert "or operating agreement"

Page 61, line 1, after "bylaws" insert "or operating agreement"

Page 61, line 1, after "ownership" insert "or management"

Page 61, line 2, after the second underscored comma insert "board of governors, member-managers, or managers,"

Page 62, after line 6, insert:

"c. May not dispense to a registered qualifying patient or registered caregiver the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form unless the registry identification card and verification system authorize this form of useable marijuana."

Page 63, line 20, after the second "be" insert "well"

Page 63, line 20, remove "as provided by"

Page 63, line 21, remove "rules adopted under this chapter and"

Page 69, line 11, after "member" insert ", member-manager, manager, or governor,"

Page 70, line 4, remove "established by the department in an"

Page 70, line 5, replace "amount not to exceed three" with "of two"

Page 71, line 16, replace "registration" with "registry identification"

Page 71, after line 25, insert:

"12. Notwithstanding subsection 2, the department may issue a registry identification card to an otherwise qualified compassion center agent who is a compassion center employee or volunteer and who is not a North Dakota resident."

Page 72, line 25, replace "C" with "B"

Page 73, line 2, replace "C" with "B"

Page 73, line 9, replace "C" with "B"

Page 73, line 20, remove "A compassion center must be fined up to one thousand dollars for a violation of this"

Page 73, replace lines 21 and 22 with "In addition to any other penalty applicable in law, if a compassion center violates this chapter the department may fine the compassion center up to one thousand dollars for each violation."

Page 73, line 25, replace "C" with "B"

Page 73, line 30, replace "C" with "B"

Page 74, line 4, replace "registration" with "registry identification"

Page 74, line 9, replace "B" with "A"

Page 76, line 26, replace "Vaporizing" with "Using a combustible delivery form of usable marijuana or vaporizing"

Page 76, line 26, after "the" insert "smoke or"

Page 76, line 27, remove "nonpatient"

Page 76, line 27, remove "child"

Page 77, line 27, after "vaporizing" insert "or combustion"

Page 78, replace lines 5 through 22 with:

**"19-24-35. Rules.**

1. The health council shall adopt rules as necessary for the implementation and administration of this chapter.
2. The health council may adopt rules regarding the operation and governance of additional categories of registered medical marijuana establishments.
3. The health council shall adopt rules to establish requirements for reporting incidents of individuals not authorized to possess marijuana or usable marijuana under this chapter and who are found in possession of marijuana or usable marijuana. The rules must identify professionals required to report, the information the reporter is required to report, and actions the reporter shall take to secure the marijuana or usable marijuana.

4. The health council shall adopt rules to establish requirements for law enforcement officials and health care professionals to report to the department incidents involving overdose or adverse reaction related to the use of usable marijuana."

Page 81, remove lines 1 through 16

Page 81, line 17, replace "**19-24-41**" with "**19-24-40**"

Page 81, replace lines 26 through 30 with:

**"SECTION 41.** Section 19-24-41 of the North Dakota Century Code is created and enacted as follows:

**19-24-41. Funding.**

Beginning in the 2019-21 biennium, revenue generated by the department under this chapter must be sufficient to cover all costs of the department."

Renumber accordingly

**CONSIDERATION OF AMENDMENTS**

**SB 2344: SEN. J. LEE (Human Services Committee) MOVED** that the amendments be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**.

**REQUEST**

**SEN. O. LARSEN REQUESTED** a recorded roll call vote, which request was granted.

**ROLL CALL**

The question being on the motion to adopt the amendments to SB 2344, the roll was called and there were 40 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson; Bekkedahl; Larsen, O.; Lee, G.; Marcellais; Mathern

**ABSENT AND NOT VOTING:** Davison

The proposed amendments to SB 2344 were adopted on a recorded roll call vote.

SB 2344 was rereferred to the **Appropriations Committee**.

**CONSIDERATION OF AMENDMENTS**

**SB 2001: SEN. HOLMBERG (Appropriations Committee) MOVED** that the amendments on SJ pages 498-501 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 2001:** A BILL for an Act to provide an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

Engrossed SB 2001 passed and the emergency clause was declared carried.

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#### CONSIDERATION OF AMENDMENTS

**SB 2018: SEN. OEHLKE (Appropriations Committee) MOVED** that the amendments on SJ pages 509-513 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 2018:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of commerce; to provide exemptions; to provide for transfers; 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, 1 NAYS, 0 EXCUSED, 1 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; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Larsen, O.

**ABSENT AND NOT VOTING:** Davison

Engrossed SB 2018 passed and the emergency clause was declared carried.

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#### CONSIDERATION OF AMENDMENTS

**SB 2209: SEN. UNRUH (Finance and Taxation Committee) MOVED** that the amendments on SJ pages 513-514 be adopted and then be placed on the Eleventh order **WITHOUT RECOMMENDATION**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2209:** A BILL for an Act to amend and reenact section 57-33.2-18 of the North Dakota Century Code, relating to allocation of wind generation tax revenue.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 17 YEAS, 29 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Armstrong; Bekkedahl; Bowman; Burckhard; Casper; Clemens; Cook; Hogue; Kilzer; Klein; Larson, D.; Lee, G.; Oehlke; Poolman; Schaible; Unruh; Wardner

**NAYS:** Anderson; Campbell; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Holmberg; Kannianen; Krebsbach; Kreun; Laffen; Larsen, O.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Osland; Piepkorn; Robinson; Roers; Rust; Sorvaag; Vedaa; Wanzek

**ABSENT AND NOT VOTING:** Davison

Engrossed SB 2209 failed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2149, as engrossed: SEN. ARMSTRONG (Judiciary Committee) MOVED** that the amendments on SJ page 513 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 2149:** A BILL for an Act to create and enact a new subsection to section 12.1-32-09.1 of the North Dakota Century Code, relating to the penalty for a class A misdemeanor; to amend and reenact subdivision k of subsection 3 of section 12.1-23-05, subsection 5 of section 12.1-32-01, subdivision b of subsection 1 of section 12.1-32-02.1, subsection 3 of section 19-03.1-22.2, section 19-03.1-23, subsection 2 of section 19-03.1-23.1, section 19-03.1-23.4, paragraph 3 of subdivision e of subsection 1 of section 19-03.1-36, subdivision e of subsection 5 of section 19-03.1-36, subsection 1 of section 19-03.1-45, and subsection 29 of section 40-05-02 of the North Dakota Century Code, relating to grading of theft offenses, illegal possession of prescription capsules, pills, or tablets, possession of marijuana, and misdemeanor marijuana convictions being excluded as prior offenses for purposes of determining mandatory terms of imprisonment; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

Reengrossed SB 2149 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2286: SEN. SCHAIBLE (Energy and Natural Resources Committee) MOVED** that the amendments on SJ pages 515-516 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 2286:** A BILL for an Act to amend and reenact section 49-22-14.1 and subsection 2 of section 49-22-16 of the North Dakota Century Code, relating to energy conversion and transmission facility siting.

**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, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Bowman; Dotzenrod; Kannianen; Marcellais; Mathern; Piepkorn

**ABSENT AND NOT VOTING:** Davison

Engrossed SB 2286 passed.



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**CONSIDERATION OF AMENDMENTS**

**SB 2119: SEN. MATHERN (Appropriations Committee) MOVED** that the amendments on SJ page 513 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 2119:** A BILL for an Act authorizing the state of North Dakota acting through job service North Dakota to sell certain property; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

Engrossed SB 2119 passed and the emergency clause was declared carried.

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**CONSIDERATION OF AMENDMENTS**

**SB 2243, as engrossed: SEN. OBAN (Appropriations Committee) MOVED** that the amendments on SJ pages 514-515 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 2243:** A BILL for an Act to create and enact a new section to chapter 15.1-03 of the North Dakota Century Code, relating to a teacher loan forgiveness program; and to provide an appropriation.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 42 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Kannianen; Kilzer; Laffen; Larsen, O.

**ABSENT AND NOT VOTING:** Davison

Reengrossed SB 2243 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2244, as engrossed: SEN. SCHAIBLE (Appropriations Committee) MOVED** that the amendments on SJ page 515 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 2244:** A BILL for an Act to create and enact a new section to chapter 15-10 of the North

Dakota Century Code, relating to a pilot program to create an incentive for instructors to teach dual-credit courses; and to provide an appropriation.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

Reengrossed SB 2244 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2016: SEN. OEHLKE (Appropriations Committee) MOVED** that the amendments on SJ pages 508-509 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 2016:** A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota.

#### 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

Engrossed SB 2016 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2015: SEN. WANZEK (Appropriations Committee) MOVED** that the amendments on SJ pages 501-508 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 2015:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for a legislative management study; and to provide for a report to the budget section.

#### 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, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Campbell; Laffen; Larson, D.; Roers

**ABSENT AND NOT VOTING:** Davison

Engrossed SB 2015 passed.

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

**SB 2274:** A BILL for an Act to create and enact a new section to chapter 54-23.3 of the North Dakota Century Code, relating to a community behavioral health plan as a term of parole or an alternative to incarceration; to provide for a legislative management study; and to provide an appropriation.

#### **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, 46 NAYS, 0 EXCUSED, 1 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; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

SB 2274 failed.

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

**SCR 4008:** A concurrent resolution urging the federal government to refrain from enacting regulations that threaten the reliability and affordability of electric power in North Dakota and to increase its support for research, development, and deployment for next generation carbon-based energy generation.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4008 was declared adopted on a voice vote.

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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 2002, SB 2011, SB 2013, SB 2014, SB 2025, SB 2270, SB 2298, SB 2341, SB 2343.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2005, SB 2006, SB 2007, SB 2008, SB 2009, SB 2010, SB 2017, SB 2019, SB 2020, SB 2022, SB 2023, SB 2037, SB 2142, SB 2144, SB 2146, SB 2147, SB 2157, SB 2159, SB 2188, SB 2212, SB 2213, SB 2223, SB 2258, SB 2289, SB 2301, SB 2310.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2012, SB 2036, SB 2123, SB 2148, SB 2156, SB 2168, SB 2171, SB 2190, SB 2193, SB 2197, SB 2203, SB 2204, SB 2205, SB 2221, SB 2239, SB 2247, SB 2273, SB 2278, SB 2280, SB 2296, SB 2327, SB 2340.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2031, SB 2054, SB 2101, SB 2133, SB 2134, SB 2150, SB 2160, SB 2185, SB 2186, SB 2199, SB 2200, SB 2214, SB 2222, SB 2236, SB 2245, SB 2250, SB 2259, SB 2262, SB 2269, SB 2271, SB 2282, SB 2283, SB 2288, SB 2295, SB 2304, SB 2307, SB 2308, SB 2318, SB 2321, SB 2324, SB 2330, SB 2333, SCR 4004.

**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 2035, SB 2107, SB 2135, SB 2175, SB 2178, SB 2196, SB 2198, SB 2238, SB 2242, SB 2272, SB 2284, SB 2320.

**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 2311.

**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 1165, HB 1182, HB 1190, HB 1216, HB 1299, HB 1306, HB 1337, HB 1385, HB 1398, HB 1428.

**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 1194, HB 1249, HB 1250, HB 1251, HB 1253, HB 1254, HB 1280, HB 1283, HB 1286, HB 1288, HB 1291, HB 1292, HB 1294, HB 1296, HB 1300, HB 1302, HB 1305, HB 1314, HB 1315, HB 1316, HB 1323, HB 1325, HB 1328, HB 1329, HB 1333.

**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 1196, HB 1198, HB 1200, HB 1204, HB 1206, HB 1208, HB 1210, HB 1211, HB 1212, HB 1214, HB 1215, HB 1218, HB 1220, HB 1222, HB 1231, HB 1234, HB 1235, HB 1237, HB 1239, HB 1241, HB 1245, HB 1246, HB 1247.

**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 1407.

**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 3001, HCR 3002, HCR 3003, HCR 3006, HCR 3009, HCR 3010, HCR 3021.

**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 1024, HB 1025, HB 1054, HB 1152, HB 1155, HB 1197, HB 1207, HB 1365, HB 1406.

**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 1233, HB 1395.

**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 1240.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1426.

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

**MR. SPEAKER:** The President has signed: HB 1426.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: HB 1426.

**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., Tuesday, February 21, 2017, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2003: 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 2003 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "section" with "sections 15-18.2-05 and"

Page 1, line 3, after the first "to" insert "state aid to institutions and"

Page 1, line 3, remove "and"

Page 1, line 3, replace "a" with "for the"

Page 1, line 3, after "transfer" insert "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"

Page 1, remove lines 12 through 23

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 30

Page 6, replace lines 1 through 29 with:

"Subdivision 1.

**NORTH DAKOTA UNIVERSITY SYSTEM OFFICE**

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Capital assets - bond payments	\$6,901,461	(\$296,135)	\$6,605,326
Competitive research programs	6,588,225	(560,475)	6,027,750
System governance	7,212,636	334,624	7,547,260
Title II	1,006,472	0	1,006,472
Core technology services	41,325,593	20,227,156	61,552,749
Student financial assistance grants	23,886,160	(1,968,854)	21,917,306
Professional student exchange program	3,941,754	(242,412)	3,699,342
Academic and technical education scholarship	13,134,096	(1,117,347)	12,016,749
Two-year campus marketing	747,600	(290,100)	457,500
Scholars program	2,113,584	(306,469)	1,807,115
Native American scholarship	649,267	(93,944)	555,323
Tribally controlled community college grants	967,250	(64,750)	902,500
Education incentive programs	3,349,000	(485,607)	2,863,393
Student mental health	308,100	(23,700)	284,400
Veterans' assistance grants	325,000	(47,125)	277,875
Commendation grants	4,486	(4,486)	0
Internal audit pool	280,350	(50,850)	229,500
Open education resources	0	100,000	100,000
Shared campus services	0	200,000	200,000
Total all funds	\$112,741,034	\$15,309,526	\$128,050,560

Less estimated income	2,511,216	23,709,908	26,221,124
Total general fund	\$110,229,818	(\$8,400,382)	\$101,829,436
Full-time equivalent positions	104.39	43.01	147.40

Subdivision 2.

#### BISMARCK STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$34,214,004	\$67,535,715	\$101,749,719
Capital assets	67,732	1,854,829	1,922,561
Total all funds	\$34,281,736	\$69,390,544	\$103,672,280
Less estimated income	0	73,042,557	73,042,557
Total general fund	\$34,281,736	(\$3,652,013)	\$30,629,723
Full-time equivalent positions	133.53	224.82	358.35

Subdivision 3.

#### LAKE REGION STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$14,143,353	\$22,335,288	\$36,478,641
Capital assets	0	362,667	362,667
Total all funds	\$14,143,353	\$22,697,955	\$36,841,308
Less estimated income	0	24,128,597	24,128,597
Total general fund	\$14,143,353	(\$1,430,642)	\$12,712,711
Full-time equivalent positions	50.19	79.42	129.61

Subdivision 4.

#### WILLISTON STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$9,191,151	\$17,781,678	\$26,972,829
Capital assets	197,801	1,064,167	1,261,968
Total all funds	\$9,388,952	\$18,845,845	\$28,234,797
Less estimated income	0	19,866,337	19,866,337
Total general fund	\$9,388,952	(\$1,020,492)	\$8,368,460
Full-time equivalent positions	49.96	50.79	100.75

Subdivision 5.

#### UNIVERSITY OF NORTH DAKOTA

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$146,572,961	\$712,564,782	\$859,137,743
Capital assets	4,411,566	91,000,000	95,411,566
Total all funds	\$150,984,527	\$803,564,782	\$954,549,309
Less estimated income	0	820,277,023	820,277,023
Total general fund	\$150,984,527	(\$16,712,241)	\$134,272,286
Full-time equivalent positions	630.20	1,587.87	2,218.07

Subdivision 6.

#### NORTH DAKOTA STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$144,323,680	\$589,845,616	\$734,169,296
Capital assets	2,732,244	54,571,860	57,304,104
Total all funds	\$147,055,924	\$644,417,476	\$791,473,400

Less estimated income	0	661,687,739	661,687,739
Total general fund	\$147,055,924	(\$17,270,263)	\$129,785,661
Full-time equivalent positions	537.10	1,358.56	1,895.66

Subdivision 7.

#### NORTH DAKOTA STATE COLLEGE OF SCIENCE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$40,916,239	\$50,836,625	\$91,752,864
Capital assets	0	1,012,379	1,012,379
Total all funds	\$40,916,239	\$51,849,004	\$92,765,243
Less estimated income	0	57,642,469	57,642,469
Total general fund	\$40,916,239	(\$5,793,465)	\$35,122,774
Full-time equivalent positions	168.30	176.74	345.04

Subdivision 8.

#### DICKINSON STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$24,527,233	\$24,948,506	\$49,475,739
Capital assets	0	409,078	409,078
Total all funds	\$24,527,233	\$25,357,584	\$49,884,817
Less estimated income	0	29,750,982	29,750,982
Total general fund	\$24,527,233	(\$4,393,398)	\$20,133,835
Full-time equivalent positions	120.26	48.64	168.90

Subdivision 9.

#### MAYVILLE STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$15,642,731	\$28,600,985	\$44,243,716
Capital assets	0	358,992	358,992
Total all funds	\$15,642,731	\$28,959,977	\$44,602,708
Less estimated income	0	30,339,206	30,339,206
Total general fund	\$15,642,731	(\$1,379,229)	\$14,263,502
Full-time equivalent positions	66.23	144.30	210.53

Subdivision 10.

#### MINOT STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$45,037,266	\$55,766,011	\$100,803,277
Capital assets	499,620	600,000	1,099,620
Total all funds	\$45,536,886	\$56,366,011	\$101,902,897
Less estimated income	0	62,113,151	62,113,151
Total general fund	\$45,536,886	(\$5,747,140)	\$39,789,746
Full-time equivalent positions	204.10	237.55	441.65

Subdivision 11.

#### VALLEY CITY STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$23,218,126	\$25,269,391	\$48,487,517
Capital assets	0	455,823	455,823
Total all funds	\$23,218,126	\$25,725,214	\$48,943,340

Less estimated income	0	28,493,914	28,493,914
Total general fund	\$23,218,126	(\$2,768,700)	\$20,449,426
Full-time equivalent positions	105.59	97.16	202.75

Subdivision 12.

#### DAKOTA COLLEGE AT BOTTINEAU

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$8,017,920	\$9,166,980	\$17,184,900
Capital assets	86,537	27,470	114,007
Total all funds	\$8,104,457	\$9,194,450	\$17,298,907
Less estimated income	0	9,638,678	9,638,678
Total general fund	\$8,104,457	(\$444,228)	\$7,660,229
Full-time equivalent positions	46.96	37.34	84.30

Subdivision 13.

#### UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$53,166,247	\$158,723,654	\$211,889,901
Capital assets	0	0	0
Total all funds	\$53,166,247	\$158,723,654	\$211,889,901
Less estimated income	0	154,971,764	154,971,764
Total general fund	\$53,166,247	\$3,751,890	\$56,918,137
Full-time equivalent positions	184.58	251.17	435.75

Subdivision 14.

#### NORTH DAKOTA FOREST SERVICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$6,228,620	\$8,735,426	\$14,964,046
Capital assets	101,210	17,518	118,728
Total all funds	\$6,329,830	\$8,752,944	\$15,082,774
Less estimated income	1,650,000	9,000,748	10,650,748
Total general fund	\$4,679,830	(\$247,804)	\$4,432,026
Full-time equivalent positions	28.96	(1.96)	27.00

Subdivision 15.

#### BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$681,876,059	(\$65,508,107)	\$616,367,952
Grand total special funds	4,161,216	2,004,663,073	2,008,824,289
Grand total all funds	\$686,037,275	\$1,939,154,966	\$2,625,192,241"

Page 7, after line 20, insert:

**"SECTION 3. AMENDMENT.** Section 15-18.2-05 of the North Dakota Century Code is amended and reenacted as follows:

#### **15-18.2-05. Base funding - Determination of state aid.**

In order to determine the state aid payment to which each institution under its control is entitled, the state board of higher education shall multiply the product determined under section 15-18.2-04 by a base amount of:



1. ~~\$72.63~~\$58.69 in the case of North Dakota state university and the university of North Dakota;
2. ~~\$107.33~~\$87.03 in the case of Dickinson state university, Mayville state university, Minot state university, and Valley City state university; and
3. ~~\$114.88~~\$93.12 in the case of Bismarck state college, Dakota college at Bottineau, Lake Region state college, North Dakota state college of science, and Williston state college."

Page 9, line 27, after "**FUND**" insert "- **LEGISLATIVE INTENT**"

Page 9, after line 31, insert:

"Subdivision 13 of section 1 of this Act includes the sum of \$15,200,000, or so much of the sum as may be necessary, from the student loan trust fund for residency positions at the university of North Dakota school of medicine and health sciences, for the biennium beginning July 1, 2017, and ending June 30, 2019. It is the intent of the sixty-fifth legislative assembly that funding for the residency positions becomes part of ongoing base funding in future budget requests of the school."

Page 10, line 1, after "**AUTHORITY**" insert "- **LEGISLATIVE MANAGEMENT REPORT**"

Page 10, line 1, remove "If, during the biennium beginning July 1, 2017, and"

Page 10, removes lines 2 and 3

Page 10, line 4, replace "from operations to capital assets" with "Notwithstanding section 54-16-04, the state board of higher education may transfer appropriation authority between the operations and capital assets line items within subdivisions 2 through 14 of section 1 of this Act for the biennium beginning July 1, 2017, and ending June 30, 2019"

Page 10, line 5, after "budget" insert "and the legislative management"

Page 10, after line 11, insert:

**"SECTION 10. UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES OPERATIONS.** The operations line item in subdivision 5 of section 1 of this Act includes a funding allocation from the higher education per student credit-hour funding formula attributable to inflation during the biennium beginning July 1, 2017, and ending June 30, 2019. Based on the recommendation of the commissioner of higher education, a portion of the allocation must be transferred by the state board of higher education to the university of North Dakota school of medicine and health sciences.

**SECTION 11. BOND ISSUANCE AUTHORIZATION - PURPOSES.** The state board of higher education, in accordance with chapter 15-55, may arrange for the funding of projects authorized in this section, declared to be in the public interest, through the issuance of self-liquidating, tax-exempt evidences of indebtedness under chapter 15-55, beginning with the effective date of this section and ending June 30, 2019. Evidences of indebtedness issued pursuant to this section are not a general obligation of the state of North Dakota. Any unexpended balance resulting from the proceeds of the evidences of indebtedness must be placed in a sinking fund to be used for the retirement of indebtedness. The evidences of indebtedness may be issued and the proceeds are appropriated in section 1 of this Act for the following capital projects:

North Dakota state university - New residence hall	\$39,505,000
North Dakota state university - University village replacement	<u>10,000,000</u>
Total special funds	\$49,505,000

**SECTION 12. EXEMPTION - THEODORE ROOSEVELT CENTER PROJECT.** The amounts appropriated for the Theodore Roosevelt center project in

section 3 of chapter 34 of the 2013 Session Laws and section 4 of chapter 49 of the 2013 Session Laws are not subject to section 54-44.1-11 and any unexpended funds from these sections are available during the biennium beginning July 1, 2017, and ending June 30, 2019.

#### **SECTION 13. EXEMPTION - HIGHER EDUCATION CHALLENGE**

**GRANTS.** The unexpended amount remaining for the education challenge fund line item in section 1 of chapter 34 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended funds in this line item are available during the biennium beginning July 1, 2017, and ending June 30, 2019.

#### **SECTION 14. TUITION RATE INCREASE LIMITATIONS - BUDGET SECTION APPROVAL.**

1. Except as provided in this section, notwithstanding any other provision of law, the state board of higher education may not increase tuition rates for resident students attending institutions of higher education under its control during the 2017-18 academic year by more than three percent as compared to the tuition rate in effect during the 2017 spring semester unless the board receives prior budget section approval.
2. Except as provided in this section, notwithstanding any other provision of law, the state board of higher education may not increase tuition rates for resident students attending institutions of higher education under its control during the 2018-19 academic year by more than three percent as compared to the tuition rate in effect during the 2018 spring semester unless the board receives prior budget section approval.
3. During the 2017-18 and 2018-19 academic years, the state board of higher education may increase tuition rates by up to an additional one percent in excess of the rate limitations provided for in subsections 1 and 2 of this section for resident students attending institutions of higher education under its control if the additional tuition revenue is utilized for campus extraordinary repairs and deferred maintenance needs. An institution must provide two dollars of matching funds from operations or other sources, excluding funding appropriated by the legislative assembly for extraordinary repairs or other capital needs at the institution, for each dollar of additional tuition revenue generated from an increase authorized under this subsection. The matching funds provided under this section must be used for campus extraordinary repairs and deferred maintenance needs.
4. This section does not apply to tuition rates charged for programs offered through the university of North Dakota school of medicine and health sciences, the university of North Dakota school of law, or the North Dakota state university school of pharmacy.
5. This section does not apply to tuition rates for nonresident students attending institutions of higher education under the control of the state board of higher education. For purposes of this section, the residency of students for tuition purposes must be determined under section 15-10-19.1.
6. This section does not apply to tuition rates determined under tuition reciprocity agreements entered into by the state board of higher education with other states or state education compacts.
7. For purposes of this section, an institution must calculate a resident tuition rate increase based on the tuition rate paid by an average full-time resident student. The state board of higher education may exclude adjustments to a tuition rate resulting from a change in an institution's method of charging tuition, including the consolidation of existing fees into tuition rates or charging tuition based on a per-credit rate, from tuition rate calculations under this section.

**SECTION 15. USE OF EXTRAORDINARY REPAIRS FUNDING - MATCHING FUNDS.** The capital assets line items in subdivisions 2 through 12 of section 1 of this Act include funding from the general fund for institution extraordinary repairs. An institution shall provide two dollars of matching funds from operations or other sources, excluding tuition revenue generated specifically for extraordinary repairs and deferred maintenance needs, for each one dollar of extraordinary repairs funding used for a project.

**SECTION 16. STATE BOARD OF HIGHER EDUCATION DATA AND REPORTING INCONSISTENCIES - REPORT TO LEGISLATIVE MANAGEMENT.** During the biennium beginning July 1, 2017, and ending June 30, 2019, the state board of higher education shall evaluate the following data and reporting inconsistency issues at institutions and entities under its control and develop policies and procedures to correct the inconsistencies:

1. Inconsistent employee classifications and human resources reporting;
2. Inconsistent practices for awarding tuition waivers; and
3. Inconsistent practices regarding the charging of student fees.

The state board of higher education shall provide a report to and consult with the legislative management during the 2017-18 interim regarding the status of the inconsistencies, including policies and procedures being developed to address the inconsistencies.

**SECTION 17. REDUCTION IN EMPLOYEES - LEGISLATIVE INTENT - REPORT TO LEGISLATIVE MANAGEMENT.** It is the intent of the sixty-fifth legislative assembly that if the number of full-time equivalent positions is reduced at institutions under the control of the state board of higher education, any reduction be applied among all classifications of employees with emphasis on senior administrative positions. During the 2017-18 interim, the state board of higher education shall provide reports to the legislative management regarding the total number of employee positions reduced at each institution, the number of administrative positions reduced at each institution, and whether any former administrative staff employees are still employed by the institution in a different position.

**SECTION 18. EMERGENCY.** Section 11 and the capital assets line items in section 1 of this Act are declared to be an emergency measure."

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2003 - Summary of Senate Action

	Base Budget	Senate Changes	Senate Version
University System Office			
Total all funds	\$112,741,034	\$15,309,526	\$128,050,560
Less estimated income	2,511,216	23,709,908	26,221,124
General fund	\$110,229,818	(\$8,400,382)	\$101,829,436
Bismarck State College			
Total all funds	\$34,281,736	\$69,390,544	\$103,672,280
Less estimated income	0	73,042,557	73,042,557
General fund	\$34,281,736	(\$3,652,013)	\$30,629,723
Lake Region State College			
Total all funds	\$14,143,353	\$22,697,955	\$36,841,308
Less estimated income	0	24,128,597	24,128,597
General fund	\$14,143,353	(\$1,430,642)	\$12,712,711
Williston State College			
Total all funds	\$9,388,952	\$18,845,845	\$28,234,797
Less estimated income	0	19,866,337	19,866,337
General fund	\$9,388,952	(\$1,020,492)	\$8,368,460
University of North Dakota			
Total all funds	\$150,984,527	\$803,564,782	\$954,549,309

Less estimated income	0	820,277,023	820,277,023
General fund	\$150,984,527	(\$16,712,241)	\$134,272,286
UND Medical Center			
Total all funds	\$53,166,247	\$158,723,654	\$211,889,901
Less estimated income	0	154,971,764	154,971,764
General fund	\$53,166,247	\$3,751,890	\$56,918,137
North Dakota State University			
Total all funds	\$147,055,924	\$644,417,476	\$791,473,400
Less estimated income	0	661,687,739	661,687,739
General fund	\$147,055,924	(\$17,270,263)	\$129,785,661
State College of Science			
Total all funds	\$40,916,239	\$51,849,004	\$92,765,243
Less estimated income	0	57,642,469	57,642,469
General fund	\$40,916,239	(\$5,793,465)	\$35,122,774
Dickinson State University			
Total all funds	\$24,527,233	\$25,357,584	\$49,884,817
Less estimated income	0	29,750,982	29,750,982
General fund	\$24,527,233	(\$4,393,398)	\$20,133,835
Mayville State University			
Total all funds	\$15,642,731	\$28,959,977	\$44,602,708
Less estimated income	0	30,339,206	30,339,206
General fund	\$15,642,731	(\$1,379,229)	\$14,263,502
Minot State University			
Total all funds	\$45,536,886	\$56,366,011	\$101,902,897
Less estimated income	0	62,113,151	62,113,151
General fund	\$45,536,886	(\$5,747,140)	\$39,789,746
Valley City State University			
Total all funds	\$23,218,126	\$25,725,214	\$48,943,340
Less estimated income	0	28,493,914	28,493,914
General fund	\$23,218,126	(\$2,768,700)	\$20,449,426
Dakota College at Bottineau			
Total all funds	\$8,104,457	\$9,194,450	\$17,298,907
Less estimated income	0	9,638,678	9,638,678
General fund	\$8,104,457	(\$444,228)	\$7,660,229
Forest Service			
Total all funds	\$6,329,830	\$8,752,944	\$15,082,774
Less estimated income	1,650,000	9,000,748	10,650,748
General fund	\$4,679,830	(\$247,804)	\$4,432,026
Bill total			
Total all funds	\$686,037,275	\$1,939,154,966	\$2,625,192,241
Less estimated income	4,161,216	2,004,663,073	2,008,824,289
General fund	\$681,876,059	(\$65,508,107)	\$616,367,952

### Senate Bill No. 2003 - North Dakota University System - General Fund Summary

	Base Budget	Senate Changes	Senate Version
University System Office	\$110,229,818	(\$8,400,382)	\$101,829,436
Bismarck State College	34,281,736	(3,652,013)	30,629,723
Lake Region State College	14,143,353	(1,430,642)	12,712,711
Williston State College	9,388,952	(1,020,492)	8,368,460
University of North Dakota	150,984,527	(16,712,241)	134,272,286
UND Medical Center	53,166,247	3,751,890	56,918,137
North Dakota State University	147,055,924	(17,270,263)	129,785,661
State College of Science	40,916,239	(5,793,465)	35,122,774
Dickinson State University	24,527,233	(4,393,398)	20,133,835
Mayville State University	15,642,731	(1,379,229)	14,263,502
Minot State University	45,536,886	(5,747,140)	39,789,746
Valley City State University	23,218,126	(2,768,700)	20,449,426
Dakota College at Bottineau	8,104,457	(444,228)	7,660,229
Forest Service	4,679,830	(247,804)	4,432,026
Total general fund	\$681,876,059	(\$65,508,107)	\$616,367,952

### Detail of Senate changes to the General Fund

	Adjusts Funding for University System Office <sup>1</sup>	Provides Funding Formula Adjustments <sup>2</sup>	Adjusts Special Funds and FTE Positions <sup>3</sup>	Adds Funding for Residency Positions <sup>4</sup>	Adds Funding for Capital Projects <sup>5</sup>	Adjusts Forest Service Funding <sup>6</sup>
University System Office	(\$8,400,382)					
Bismarck State College		(3,652,013)				
Lake Region State College		(1,430,642)				
Williston State College		(1,020,492)				

University of North Dakota	(16,712,241)					
UND Medical Center	3,751,890					
North Dakota State University	(17,270,263)					
State College of Science	(5,793,465)					
Dickinson State University	(4,393,398)					
Mayville State University	(1,379,229)					
Minot State University	(5,747,140)					
Valley City State University	(2,768,700)					
Dakota College at Bottineau	(444,228)					
Forest Service						(247,804)
Total general fund	(\$8,400,382)	(\$56,859,921)	\$0	\$0	\$0	(\$247,804)

	<b>Total General Fund Changes</b>
University System Office	(\$8,400,382)
Bismarck State College	(3,652,013)
Lake Region State College	(1,430,642)
Williston State College	(1,020,492)
University of North Dakota	(16,712,241)
UND Medical Center	3,751,890
North Dakota State University	(17,270,263)
State College of Science	(5,793,465)
Dickinson State University	(4,393,398)
Mayville State University	(1,379,229)
Minot State University	(5,747,140)
Valley City State University	(2,768,700)
Dakota College at Bottineau	(444,228)
Forest Service	(247,804)
Total general fund	(\$65,508,107)

### Senate Bill No. 2003 - North Dakota University System - Other Funds Summary

	Base Budget	Senate Changes	Senate Version
University System Office	\$2,511,216	\$23,709,908	\$26,221,124
Bismarck State College		73,042,557	73,042,557
Lake Region State College		24,128,597	24,128,597
Williston State College		19,866,337	19,866,337
University of North Dakota		820,277,023	820,277,023
UND Medical Center		154,971,764	154,971,764
North Dakota State University		661,687,739	661,687,739
State College of Science		57,642,469	57,642,469
Dickinson State University		29,750,982	29,750,982
Mayville State University		30,339,206	30,339,206
Minot State University		62,113,151	62,113,151
Valley City State University		28,493,914	28,493,914
Dakota College at Bottineau		9,638,678	9,638,678
Forest Service	1,650,000	9,000,748	10,650,748
Total other funds	\$4,161,216	\$2,004,663,073	\$2,008,824,289

### Detail of Senate changes to Other Funds

	Adjusts Funding for University System Office <sup>1</sup>	Provides Funding Formula Adjustments <sup>2</sup>	Adjusts Special Funds and FTE Positions <sup>3</sup>	Adds Funding for Residency Positions <sup>4</sup>	Adds Funding for Capital Projects <sup>5</sup>	Adjusts Forest Service Funding <sup>6</sup>
University System Office	\$23,709,908					
Bismarck State College			73,042,557			
Lake Region State College			24,128,597			
Williston State College			19,866,337			
University of North Dakota			729,277,023		91,000,000	
UND Medical Center			139,771,764	15,200,000		
North Dakota State University			612,182,739		49,505,000	
State College of Science			57,642,469			
Dickinson State University			29,750,982			
Mayville State University			30,339,206			
Minot State University			62,113,151			
Valley City State University			28,493,914			
Dakota College at Bottineau			9,638,678			
Forest Service						9,000,748
Total other funds	\$23,709,908	\$0	\$1,816,247,417	\$15,200,000	\$140,505,000	\$9,000,748

	<b>Total Other Funds Changes</b>
University System Office	\$23,709,908
Bismarck State College	73,042,557
Lake Region State College	24,128,597
Williston State College	19,866,337

University of North Dakota	820,277,023
UND Medical Center	154,971,764
North Dakota State University	661,687,739
State College of Science	57,642,469
Dickinson State University	29,750,982
Mayville State University	30,339,206
Minot State University	62,113,151
Valley City State University	28,493,914
Dakota College at Bottineau	9,638,678
Forest Service	9,000,748
Total other funds	\$2,004,663,073

### Senate Bill No. 2003 - North Dakota University System - All Funds Summary

	Base Budget	Senate Changes	Senate Version
University System Office	\$112,741,034	\$15,309,526	\$128,050,560
Bismarck State College	34,281,736	69,390,544	103,672,280
Lake Region State College	14,143,353	22,697,955	36,841,308
Williston State College	9,388,952	18,845,845	28,234,797
University of North Dakota	150,984,527	803,564,782	954,549,309
UND Medical Center	53,166,247	158,723,654	211,889,901
North Dakota State University	147,055,924	644,417,476	791,473,400
State College of Science	40,916,239	51,849,004	92,765,243
Dickinson State University	24,527,233	25,357,584	49,884,817
Mayville State University	15,642,731	28,959,977	44,602,708
Minot State University	45,536,886	56,366,011	101,902,897
Valley City State University	23,218,126	25,725,214	48,943,340
Dakota College at Bottineau	8,104,457	9,194,450	17,298,907
Forest Service	6,329,830	8,752,944	15,082,774
Total all funds	\$686,037,275	\$1,939,154,966	\$2,625,192,241
FTE	2430.35	4335.41	6765.76

### Detail of Senate changes to All Funds

	Adjusts Funding for University System Office <sup>1</sup>	Provides Funding Formula Adjustments <sup>2</sup>	Adjusts Special Funds and FTE Positions <sup>3</sup>	Adds Funding for Residency Positions <sup>4</sup>	Adds Funding for Capital Projects <sup>5</sup>	Adjusts Forest Service Funding <sup>6</sup>
University System Office	\$15,309,526					
Bismarck State College		(3,652,013)	73,042,557			
Lake Region State College		(1,430,642)	24,128,597			
Williston State College		(1,020,492)	19,866,337			
University of North Dakota		(16,712,241)	729,277,023		91,000,000	
UND Medical Center		3,751,890	139,771,764	15,200,000		
North Dakota State University		(17,270,263)	612,182,739		49,505,000	
State College of Science		(5,793,465)	57,642,469			
Dickinson State University		(4,393,398)	29,750,982			
Mayville State University		(1,379,229)	30,339,206			
Minot State University		(5,747,140)	62,113,151			
Valley City State University		(2,768,700)	28,493,914			
Dakota College at Bottineau		(444,228)	9,638,678			
Forest Service						8,752,944
Total all funds	\$15,309,526	(\$56,859,921)	\$1,816,247,417	\$15,200,000	\$140,505,000	\$8,752,944
FTE	43.01	0.00	4294.36	0.00	0.00	(1.96)

	Total All Funds Changes
University System Office	\$15,309,526
Bismarck State College	69,390,544
Lake Region State College	22,697,955
Williston State College	18,845,845
University of North Dakota	803,564,782
UND Medical Center	158,723,654
North Dakota State University	644,417,476
State College of Science	51,849,004
Dickinson State University	25,357,584
Mayville State University	28,959,977
Minot State University	56,366,011
Valley City State University	25,725,214
Dakota College at Bottineau	9,194,450
Forest Service	8,752,944
Total all funds	\$1,939,154,966
FTE	4335.41

<sup>1</sup> Funding for the University System office is adjusted as detailed in the schedules below.

The following schedule details funding adjustments for system governance:

**System Governance**

	FTE Positions	General Fund	Other Funds	Total
Health insurance increase		\$63,223	\$1,173	\$64,396
Underfunds salaries and wages		(149,509)		(149,509)
Operating adjustments		(256,270)		(256,270)
Special funds reporting change			676,007	676,007
FTE position adjustment	(3.50)			0
Total	(3.50)	(\$342,556)	\$677,180	\$334,624

The following schedule details funding adjustments for Core Technology Services:

**Core Technology Services**

	FTE Positions	General Fund	Other Funds	Total
Health insurance increase		\$227,308	\$123,289	\$350,597
Underfunds salaries and wages		(428,588)		(428,588)
Position adjustments	(1.00)	(199,220)	95,770	(103,450)
Operating adjustments		(2,405,072)		(2,405,072)
Special funds reporting change			22,813,669	22,813,669
FTE position adjustment	47.51			0
Total	46.51	(\$2,805,572)	\$23,032,728	\$20,227,156

The following schedule details funding adjustments in other line items in the University System office budget:

	Funding Adjustments to Other Line Items		
	Adjusted Base Level	General Fund Reduction	Senate Version
Capital bond payments	\$6,901,461	(\$296,135)	\$6,605,326
Competitive research grants	6,588,225	(560,475)	6,027,750
Student financial assistance grants	23,886,160	(1,968,854)	21,917,306
Professional student exchange program	3,941,754	(242,412)	3,699,342
Academic and CTE scholarships	13,134,096	(1,117,347)	12,016,749
Two-year campus marketing	747,600	(290,100)	457,500
Scholars program	2,113,584	(306,469)	1,807,115
Native American scholarships	649,267	(93,944)	555,323
Tribal college assistance grants	967,250	(64,750)	902,500
Education incentive programs	3,349,000	(485,607)	2,863,393
Student mental health programs	308,100	(23,700)	284,400
Veterans' assistance programs	325,000	(47,125)	277,875
Faculty commendation grants	4,486	(4,486)	0
Internal audit funding pool	280,350	(50,850)	229,500
Open educational resources	0	100,000	100,000
Shared campus services	0	200,000	200,000
Total	\$63,196,333	(\$5,252,254)	\$57,944,079

<sup>2</sup> The following adjustments are made to institution general fund appropriations through the higher education funding formula:

	Credit Hour Completion Adjustment	Decrease Formula Rates	Heath Insurance Increase	Hold Harmless Provision	Total Increase (Decrease)
Bismarck State College	\$1,084,275	(\$5,138,281)	\$401,993	\$0	(\$3,652,013)
Dakota College at Bottineau	671,607	(1,216,370)	100,535	0	(444,228)
Lake Region State College	625,641	(2,223,128)	166,845	0	(1,430,642)
State College of Science	(1,263,105)	(4,991,321)	460,961	0	(5,793,465)
Williston State College	67,745	(1,198,067)	109,830	0	(1,020,492)
Dickinson State University	(3,810,214)	(3,132,496)	239,686	2,309,626	(4,393,398)
Mayville State University	766,659	(2,337,692)	191,804	0	(1,379,229)

Minot State University	282,587	(6,564,788)	535,061	0	(5,747,140)
Valley City State University	(224,696)	(2,818,992)	274,988	0	(2,768,700)
North Dakota State University	2,886,790	(21,462,988)	1,305,935	0	(17,270,263)
University of North Dakota	6,254,992	(24,891,038)	1,923,805	0	(16,712,241)
UND School of Medicine	4,546,741	(794,851)	0	0	3,751,890
	<u>\$11,889,022</u>	<u>(\$76,770,012)</u>	<u>\$5,711,443</u>	<u>\$2,309,626</u>	<u>(\$56,859,921)</u>

<sup>3</sup> Sections 21 and 22 of 2015 House Bill No. 1003 provided statutory changes to require the budget request of the North Dakota University System to include the same detail as other agency budget requests. As a result, the University System budget request includes special funds appropriations and FTE positions which were not previously appropriated or authorized. The following adjustments are made to recognize special fund appropriation authority for costs associated with employee health insurance premium increases and other special funds appropriations resulting from the reporting change. The schedule also reflects net FTE adjustments made as a result of the reporting change and other budget adjustments.

	FTE Positions Adjustment	Health Insurance Increase	Other Adjustments	Total
Bismarck State College	224.82	\$697,813	\$72,344,744	\$73,042,557
Lake Region State College	79.42	241,610	23,886,987	24,128,597
Williston State College	50.79	148,223	19,718,114	19,866,337
University of North Dakota	1,587.87	5,611,552	723,665,471	729,277,023
North Dakota State University	1,358.56	4,160,089	608,022,650	612,182,739
State College of Science	176.74	508,692	57,133,777	57,642,469
Dickinson State University	48.64	181,565	29,569,417	29,750,982
Mayville State University	144.30	442,465	29,896,741	30,339,206
Minot State University	237.55	748,556	61,364,595	62,113,151
Valley City State University	97.16	321,001	28,172,913	28,493,914
Dakota College at Bottineau	37.34	131,194	9,507,484	9,638,678
UND School of Medicine	251.17		139,771,764	139,771,764
Total	<u>4,294.36</u>	<u>\$13,192,760</u>	<u>\$1,803,054,657</u>	<u>\$1,816,247,417</u>

<sup>4</sup> Funding from the student loan trust fund is added to continue residency positions at the University of North Dakota School of Medicine and Health Sciences. Intent language is also added that funding for the residency positions is to become part of the school's future base budget requests.

<sup>5</sup> One-time funding from special funds is added for the following capital projects:

	Other Funds
University of North Dakota - Chester Fritz Library project	\$21,000,000
University of North Dakota - Gamble Hall renovation	70,000,000
North Dakota State University - New residence hall (revenue bonds)	39,505,000
North Dakota State University - University Village replacement (revenue bonds)	10,000,000
	<u>\$140,505,000</u>

<sup>6</sup> The following funding adjustments are made for the Forest Service:

**Forest Service**

	FTE Positions	General Fund	Other Funds	Total
Base payroll changes		\$25,929	\$70,620	\$96,549
Health insurance increase		77,274		\$77,274
Salaries and wages adjustment		(258,332)		(\$258,332)
Operating adjustments		(110,193)	250,000	139,807
Extraordinary repairs adjustment		17,518		17,518



Special funds reporting change			8,680,128	8,680,128
FTE position adjustment	(1.96)			0
Total	(1.96)	(\$247,804)	\$9,000,748	\$8,752,944

### Senate Bill No. 2003 - Other Changes - Senate Action

This amendment also:

- Amends North Dakota Century Code Section 15-18.2-05 to adjust the base funding rates in the higher education funding formula.
- Authorizes the State Board of Higher Education to transfer funds between an institution's operations and capital assets line items. Any transfer made must be reported to the Legislative Management.
- Adds a section to authorize transfers of higher education funding formula operations funding from the University of North Dakota to the UND School of Medicine and Health Sciences.
- Authorizes the State Board of Higher Education to issue revenue bonds for student residence projects at North Dakota State University.
- Provides exemptions to allow prior biennium appropriations for the Theodore Roosevelt Center and challenge grants to be continued into the 2017-19 biennium.
- Adds a section to limit resident tuition rate increases to 3 percent per year during the 2017-19 biennium with exemptions for certain professional programs at research institutions. The section allows institutions to increase resident tuition rates by an additional 1 percent each year of the biennium if the additional tuition revenue is matched \$2 to \$1 by the institution and used for campus deferred maintenance needs.
- Adds a section to require institutions to match state extraordinary repairs funding on a \$2 to \$1 basis.
- Adds a section to provide for the State Board of Higher Education to address certain data and reporting inconsistencies and to provide a report to the Legislative Management.
- Adds a section of legislative intent that any employee position reductions at institutions are to be applied to all classes of employees with an emphasis on senior administrators. The section also provides for a report to the Legislative Management regarding the reduction in positions.

### REPORT OF STANDING COMMITTEE

**SB 2253: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2253 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "amend and reenact section 47-09-06 of the North Dakota Century Code,"

Page 1, line 2, replace "relating to the execution and delivery of a written transfer of land" with "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"

Page 1, replace lines 5 through 11 with:

**"SECTION 1.** A new section to chapter 47-09 of the North Dakota Century Code is created and enacted as follows:

#### **Land transfers - Filing requirements.**

A transfer of land between any federal, state, or local governmental entities does not change the acreage for real estate taxes or payments in lieu of real estate taxes until a deed with a proper legal description is filed with the county recorder."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2257: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2257 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2263: Agriculture Committee (Sen. Luick, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2263 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "drainage" with "water management system"

Page 1, line 6, overstrike "**Permit to drain subsurface waters**" and insert immediately thereafter "**Permits for subsurface water management systems**"

Page 1, line 7, after "1." insert "a."

Page 1, line 7, remove "a"

Page 1, line 7, overstrike "subsurface drainage system"

Page 1, line 7, after "comprising" insert "a subsurface water management system"

Page 1, line 8, remove "A person seeking a"

Page 1, remove lines 9 through 11

Page 1, line 12, remove "[32.37 hectares] or more."

Page 1, line 12, replace "of a drainage" with "drained by a subsurface water management"

Page 1, line 12, remove "without surface"

Page 1, line 13, remove "intakes"

Page 1, after line 14, insert:

- "b. Subsurface water management systems that use surface intakes must be permitted exclusively under this section if the system will have a drainage coefficient of three-eighths of an inch [0.95 centimeters] or less. Subsurface water management systems that use surface intakes must be permitted exclusively under section 61-32-03 if the system will have a drainage coefficient exceeding three-eighths of an inch [0.95 centimeters].
- c. A person that installs a water management system that encompasses less than eighty acres [32.37 hectares] shall notify the water resource district within which is found a majority of the land comprising the water management system of the installation before it occurs, but no permit for the installation may be required.

Page 1, line 16, replace "issued" with "required"

Page 1, line 17, overstrike "drainage" and insert immediately thereafter "water management"

Page 2, line 19, after "submission" insert "via certified mail"

Page 2, line 20, replace "drainage" with "water management"

Page 2, line 25, after the underscored period insert "The notice requirement in this section must be waived if the applicant presents signed, notarized letters of approval from all downstream landowners entitled to notice in this subsection."

Page 2, line 26, remove "At the next meeting of the water resource district board which is at least thirty days"

Page 2, remove lines 27 through 31

Page 3, remove lines 1 through 4

Page 3, line 5, remove "4."

Page 3, line 5, remove "If property owned by the state or a state governmental entity would not be"

Page 3, line 6, replace "affected by the system for which a permit application is submitted, the" with "The"

Page 3, line 7, after "application" insert "at its next meeting that is at least thirty days after receipt of the application"

Page 3, line 8, replace "one" with "five"

Page 3, line 11, replace "drainage" with "subsurface water management"

Page 3, line 13, replace "drainage" with "subsurface water management"

Page 3, line 13, remove "and signed by a licensed, professional"

Page 3, line 14, remove "engineer"

Page 3, line 14, remove "engineering"

Page 3, line 15, remove "drainage"

Page 3, line 21, replace "drainage" with "subsurface water management"

Page 3, line 23, replace "flowage easement" with "notarized letter of approval"

Page 3, line 24, remove "The applicant shall file a flowage easement in the office"

Page 3, line 25, remove "of the recorder of the county in which the easement is situated."

Page 3, line 26, replace "flowage easement" with "letter of approval"

Page 3, line 26, replace "drainage" with "a system that outlets"

Page 3, line 29, after "c." insert "A water resource district may attach reasonable conditions to an approved permit for a subsurface water management system that outlets directly into a legal assessment drain or public highway right-of-way. For purposes of this subsection, "reasonable conditions" means conditions that address the outlet location, proper erosion control, reseeding of disturbed areas, installation of riprap or other ditch stabilization, and conditions that require all work to be done in a neat and professional manner.

d. A water resource district may require a subsurface water management system granted a permit under this section to incorporate a control structure at the outlet into the design of the system and may require the control structure be closed during critical flood periods.

e."

Page 3, line 31, replace "drainage" with "water management"

Page 4, line 1, replace "flowage easement" with "notarized letter of approval"

Page 4, line 8, replace "d." with "f."

Page 4, line 11, replace "5." with "4."

Page 4, line 16, replace "6." with "5."

Page 4, after line 17, insert:

"6. A person that installs a subsurface water management system requiring a permit under this section without first securing the permit is liable for all damages sustained by a person caused by the subsurface water management system."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2291: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2291 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 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.

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

**SECTION 1.** A new section to chapter 25-03.1 of the North Dakota Century Code is created and enacted as follows:

##### Guardian consent to involuntary treatment with prescribed medication.

Notwithstanding sections 25-03.1-16, 25-03.1-18.1, and 25-03.1-24, if a patient refuses treatment with prescribed medication, a treating physician, physician assistant, psychiatrist, or advanced practice registered nurse may treat the patient with prescribed medication upon consent of the patient's guardian pursuant to section 3 of this Act.

1. The guardian's consent for involuntary treatment with prescribed medication may not be in effect for more than ninety days without receiving another recommendation and determination pursuant to section 3 of this Act.
2. The patient has the right to be free of the effects of medication at the preliminary or treatment hearing by discontinuance of medication no later than twenty-four hours before the hearing unless, in the opinion of the prescriber, the need for the medication still exists or discontinuation would hamper the patient's preparation for and participation in the proceedings.
3. The guardian may not consent to involuntary treatment with prescribed medication solely for the convenience of facility staff or for the purpose of punishment.

**SECTION 2.** A new subsection to section 30.1-28-04 of the North Dakota Century Code is created and enacted as follows:

A grant of general authority to make medical decisions includes the authority to consent to involuntary treatment with prescribed medications.

Except upon specific findings of the court, a grant of limited authority does not include authority to consent to involuntary treatment with prescribed medications.

**SECTION 3.** A new subsection to section 30.1-28-12 of the North Dakota Century Code is created and enacted as follows:

A guardian with authority to consent to involuntary treatment with prescribed medications may not provide consent without receiving a recommendation and determination from the ward's treating physician, physician assistant, psychiatrist, or advanced practice registered nurse that:

- a. The proposed prescribed medication is clinically appropriate and necessary to effectively treat the ward and that the ward requires treatment;
- b. The ward was offered that treatment and refused it or that the ward lacks the capacity to make or communicate a responsible decision about that treatment;
- c. Prescribed medication is the least restrictive form of intervention necessary to meet the treatment needs of the ward; and
- d. The benefits of the treatment outweigh the known risks to the ward.

**SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

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

**SB 2313: Energy and Natural Resources Committee (Sen. Unruh, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2313 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subdivision to subsection 1 of section 49-22-08" with "section to chapter 4-01"

Page 1, line 2, remove "application requirements for certificates of site and"

Page 1, line 3, replace "corridor compatibility for energy conversion facilities; and" with "a wind energy restoration and reclamation oversight program;"

Page 1, line 4, replace "49-02-27" with "49-02-34"

Page 1, line 5, remove "the decommissioning of commercial wind energy"

Page 1, line 6, replace "conversion facilities" with "annual reports on meeting renewable and recycled energy objectives"

Page 1, line 6, after the second "facilities" insert "; and to provide for application"

Page 1, after line 7 insert:

**"SECTION 1.** A new section to chapter 4-01 of the North Dakota Century Code is created and enacted as follows:

#### **Wind energy restoration and reclamation oversight program.**

1. The agricultural commissioner shall establish a program that provides technical assistance and support to property owners on wind property restoration and followup support to property owners on wind property reclamation.

2. The agricultural commissioner may contract for ombudsmen for purposes of being a resource for technical assistance and followup on wind property issues. The ombudsmen may not investigate or assist in any easement negotiations.
3. The program may provide technical education, support, and outreach on wind-related matters in coordination with other entities.
4. The agricultural commissioner may contract with local individuals, deemed trustworthy by property owners, to be ombudsmen. The agricultural commissioner is not subject to chapter 54-44.4 when contracting for the services of ombudsmen."

Page 1, line 14, replace "decommissioning" with "full reclamation"

Page 1, remove lines 22 and 23

Page 2, remove lines 1 through 31

Page 3, replace lines 1 through 13 with:

**"SECTION 3. AMENDMENT.** Section 49-02-34 of the North Dakota Century Code is amended and reenacted as follows:

**49-02-34. Public reporting on progress toward meeting the renewable energy and recycled energy objective.**

Commencing on June 30, 2009, retail providers shall report annually on the provider's previous calendar year's energy sales. This report must include information regarding qualifying electricity delivered and renewable energy and recycled energy certificates purchased and retired as a percentage of annual retail sales and a brief narrative report that describes steps taken to meet the objective over time and identifies any challenges or barriers encountered in meeting the objective. ~~The last annual report must be made on June 30, 2016.~~ Retail providers shall report to the public service commission, which shall make data and narrative reports publicly available and accessible electronically on the internet. Distribution cooperatives may aggregate their reporting through generation and transmission cooperatives and municipal utilities may aggregate their reporting through a municipal power agency."

Page 3, line 29, remove "The following geographical areas must be excluded in the consideration of a site for a"

Page 3, remove line 30

Page 3, line 31, remove "a."

Page 3, line 31, remove the underscored colon

Page 4, remove lines 1 through 9

Page 4, line 10, replace "(6) Two" with "one and one-tenth"

Page 4, line 11, after "landowner" insert "and three times the height of the turbine from any quarter section of property containing an occupied residence of a nonparticipating landowner, must be excluded in the consideration of a site for a wind energy conversion area"

Page 4, replace lines 18 through 25 with:

**"SECTION 5. APPLICATION.** Section 4 of this Act applies only to projects that have applied for a certificate of site compatibility after December 31, 2017."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2316: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2316 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact a new section to chapter 37-17.1 of the North Dakota"

Page 1, remove line 2

Page 1, line 3, remove "to"

Page 3, line 6, after "marshal" insert ". chief of the fire department or fire protection district with jurisdiction."

Page 3, line 8, after "marshal" insert "and the chief of the fire department or fire protection district with jurisdiction"

Page 3, line 13, after "marshal" insert "and the chief of the fire department or fire protection district"

Page 3, line 18, after "marshal" insert "and the chief of the fire department or fire protection district"

Page 4, remove lines 11 through 31

Page 5, remove lines 1 through 10

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2326, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2326 was placed on the Sixth order on the calendar.

Page 1, line 13, overstrike "subject to the limitations of this section levy and"

Page 1, overstrike line 14

Page 1, line 15, overstrike "alcoholic beverage gross receipts taxes,"

Page 1, line 16, overstrike "and special assessments for benefits conferred, for its"

Page 1, overstrike line 17

Page 1, line 18, overstrike "improvements;"

Page 1, line 20, overstrike "and mill levy"

Page 1, line 20, remove "The"

Page 1, remove line 21

Page 1, line 22, replace "specifically authorized under this section." with:

"3. To levy and collect property taxes and special assessments for benefits conferred, for its public and proprietary functions, activities, operations, undertakings, and improvements, and establish mill levy limitations."

Page 2, line 8, replace "3. Impose" with "4. To levy and collect"

Page 2, line 8, overstrike the second "and"

Page 2, line 9, after "taxes" insert ", a county lodging tax, and a county restaurant tax"

Page 2, line 27, after "57-01-02.1" insert ", with the exception of a county lodging or county restaurant tax."

Page 3, line 11, after the period insert "Ordinances enacted after August 1, 2017, may not allow for the collection and levy of any tax not otherwise specified under this section."

Page 3, line 12, replace "4." with "5."

Page 3, line 23, replace "5." with "6."

Page 3, line 25, replace "6." with "7."

Page 4, line 1, replace "7." with "8."

Page 4, line 3, replace "8." with "9."

Page 4, line 5, replace "9." with "10."

Page 4, line 6, replace "10." with "11."

Page 4, line 23, overstrike "to levy and collect taxes, excises, fees,"

Page 4, overstrike line 24

Page 4, line 25, overstrike "functions, activities, operations, undertakings, and improvements;"

Page 4, line 27, overstrike "and mill levy"

Page 4, line 28, after the period insert:

"3. To levy and collect property taxes and special assessments for benefits conferred, for its public and proprietary functions, activities, operations, undertakings, and improvements, and establish mill levy limitations."

Page 4, line 31, overstrike "The authority to levy taxes under"

Page 5, line 1, overstrike "this subsection does not include authority to impose"

Page 5, line 1, remove "any other tax"

Page 5, line 2, remove "except as specifically authorized under this section"

Page 5, line 2, overstrike the period

Page 5, line 3, overstrike "3." and insert immediately thereafter "4. To levy and collect excises, fees, charges, franchise and license taxes, sales and use taxes, farm machinery gross receipts taxes, alcoholic beverage gross receipts taxes, a city lodging tax, and a city restaurant tax. For purposes of this section, any taxes imposed under this section on farm machinery, farm irrigation equipment, and farm machinery repair parts used exclusively for agricultural purposes, or on alcoholic beverages, which were in effect on December 31, 2005, become gross receipts taxes after December 31, 2005. After December 31, 2005, any portion of a charter or any portion of an ordinance passed pursuant to a charter which does not conform to the requirements of this section is invalid to the extent it does not conform. The invalidity of a portion of a charter or ordinance because it does not conform with this subsection does not affect the validity of any other portion of the charter or ordinance of the eligibility for a refund under section 57-01-02.1. Ordinances enacted after August 1, 2017, may not allow for the collection and levy of any tax not otherwise specified under this section. Sales and use taxes and gross receipts taxes levied under this section:



- a. Must conform in all respects with regard to the taxable or exempt status of items under chapters 57-39.2, 57-39.5, 57-39.6, and 57-40.2 and may not be imposed at multiple rates with the exception of sales of manufactured homes or mobile homes.
- b. May not be newly imposed or changed except to be effective on the first day of a calendar quarterly period after a minimum of ninety days' notice to the tax commissioner or, for purchases from printed catalogs, on the first day of a calendar quarter after a minimum of one hundred twenty days' notice to the seller.
- c. May not be limited to apply to less than the full value of the transaction or item as determined for state sales and use tax purposes, except for farm machinery gross receipts tax.
- d. Must be subject to collection by the tax commissioner under an agreement under section 57-01-02.1, with the exception of a city lodging or city restaurant tax, and must be administered by the tax commissioner in accordance with the relevant provisions of chapter 57-39.2, including reporting and paying requirements, correction of errors, payment of refunds, and application of penalty and interest.

5."

Page 5, line 5, overstrike "4." and insert immediately thereafter "6."

Page 5, line 9, overstrike "5." and insert immediately thereafter "7."

Page 5, line 13, overstrike "6." and insert immediately thereafter "8."

Page 5, line 15, overstrike "7." and insert immediately thereafter "9."

Page 5, line 18, overstrike "8." and insert immediately thereafter "10."

Page 5, line 20, overstrike "9." and insert immediately thereafter "11."

Page 5, line 22, overstrike "10." and insert immediately thereafter "12."

Page 5, line 25, overstrike "11." and insert immediately thereafter "13."

Page 5, overstrike line 28

Page 5, line 29, overstrike "13." and insert immediately thereafter "14."

Page 6, line 1, overstrike "14." and insert immediately thereafter "15."

Page 6, line 4, overstrike "15." and insert immediately thereafter "16."

Page 6, line 6, overstrike "16. To impose"

Page 6, line 6, overstrike "farm machinery gross receipts taxes,"

Page 6, line 7, overstrike "alcoholic beverage gross receipts taxes, or sales and use taxes"

Page 6, line 8, remove ". Sales"

Page 6, line 8, overstrike "and use taxes and"

Page 6, overstrike lines 9 through 11

Page 6, line 12, overstrike "at multiple rates with the exception of sales of"

Page 6, line 15, overstrike "manufactured homes"

Page 6, line 15, overstrike "or mobile"

Page 6, overstrike lines 16 through 29

Page 7, overstrike lines 4 through 11

Renumber accordingly

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

**SCR 4011: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4011 was placed on the Eleventh order on the calendar.

#### **FIRST READING OF HOUSE BILLS**

**HB 1024:** A BILL for an Act to provide an appropriation for defraying the expenses of various state departments and institutions; to provide for borrowing authority; and to declare an emergency.

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

**HB 1025:** A BILL for an Act to create and enact chapter 20.1-05.1 of the North Dakota Century Code, relating to authorization for issuance of special allocation hunting licenses; to amend and reenact sections 20.1-02-04, 20.1-04-07, 20.1-08-04.1, 20.1-08-04.2, and 20.1-08-04.6 of the North Dakota Century Code, relating to authorization for issuance of special allocation hunting licenses; to repeal sections 20.1-08-04.8, 20.1-08-04.12, and 20.1-08-04.13 of the North Dakota Century Code, relating to authorization for issuance of special allocation hunting licenses; and to declare an emergency.

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

**HB 1054:** A BILL for an Act to amend and reenact section 54-44.1-11 of the North Dakota Century Code, relating to the cancellation of unexpended appropriations; and to declare an emergency.

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

**HB 1152:** A BILL for an Act to amend and reenact sections 57-51.1-07.3 and 57-51.1-07.5 of the North Dakota Century Code, relating to the state share of oil and gas tax allocations; to provide an effective date; and to declare an emergency.

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

**HB 1155:** A BILL for an Act to amend and reenact sections 54-27.2-01, 54-27.2-03, and 54-44.1-12 of the North Dakota Century Code, relating to the balance of the budget stabilization fund, transfers and expenditures from the budget stabilization fund, and the allotment of funds; and to declare an emergency.

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

**HB 1165:** A BILL for an Act to create and enact a new subsection to section 54-60.1-07 of the North Dakota Century Code, relating to transparency of state grants; and to amend and reenact section 54-60.1-01, subdivision g of subsection 3 of section 54-60.1-03, and section 54-60.1-05 of the North Dakota Century Code, relating to transparency of state grants.

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

**HB 1182:** A BILL for an Act to amend and reenact sections 40-63-02, 40-63-03, and 40-63-04, and subsections 7 and 8 of section 57-38-30.3 of the North Dakota Century Code, relating to renaissance zone tax credits and exemptions; to repeal sections 40-63-06 and 40-63-07 of the North Dakota Century Code, relating to renaissance zone income tax credits; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**HB 1190:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to carrying concealed weapons at public gatherings.

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

**HB 1194:** A BILL for an Act to create and enact a new section to chapter 12.1-34 of the North Dakota Century Code, relating to providing a victim's rights card; and to amend and reenact subsections 6 and 10 of section 12.1-34-01 and subsections 1, 2, and 6 of

section 12.1-34-02 of the North Dakota Century Code, relating to treatment standards for victims.

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

**HB 1196:** A BILL for an Act to amend and reenact section 52-04-22 of the North Dakota Century Code, relating to the unemployment insurance federal advance interest repayment fund; and to provide a continuing appropriation.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1197:** A BILL for an Act to create and enact a new chapter to title 32 of the North Dakota Century Code, relating to asbestos bankruptcy trust transparency; and to declare an emergency.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1198:** A BILL for an Act to amend and reenact section 26.1-39-23 of the North Dakota Century Code, relating to property and casualty insurance binders.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1200:** A BILL for an Act to provide for a legislative management study of the amount of state office space leased by state agencies compared to the cost of building additional office space on the capitol grounds and the capitol complex master plan.

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

**HB 1204:** A BILL for an Act to amend and reenact section 20.1-03-01.5, subdivision a of subsection 1 of section 20.1-03-11, and section 20.1-04-05 of the North Dakota Century Code, relating to youth hunting and the protection of bald eagles.

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

**HB 1206:** A BILL for an Act to amend and reenact subsection 13 of section 14-15-01 and sections 14-15.1-01 and 14-15.1-04 of the North Dakota Century Code, relating to the investigation and report by a child-placing agency and the definition of relative.

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

**HB 1207:** A BILL for an Act to create and enact section 20.1-11-14 of the North Dakota Century Code, relating to the disposition of property abandoned on certain public lands; and to declare an emergency.

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

**HB 1208:** A BILL for an Act to amend and reenact section 4.1-73-18 of the North Dakota Century Code, relating to livestock bills of sale; and to provide a penalty.

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

**HB 1210:** A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century Code, relating to a cardiac ready community grant program; and to provide a continuing appropriation.

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

**HB 1211:** A BILL for an Act to amend and reenact section 39-01-15 and subsection 1 of section 39-06.1-06 of the North Dakota Century Code, relating to parking spaces for mobility-impaired individuals.

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

**HB 1212:** A BILL for an Act to create and enact chapter 9-15.2 of the North Dakota Century Code, relating to the Revised Uniform Athlete Agents Act; to repeal chapter 9-15.1 of the North Dakota Century Code, relating to the Uniform Athlete Agents Act; and to provide a penalty.

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

**HB 1214:** A BILL for an Act to create and enact a new chapter 47-36 of the North Dakota Century Code, relating to a Uniform Fiduciary Access to Digital Assets Act.

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

**HB 1215:** A BILL for an Act to amend and reenact subsection 1 of section 23-09.3-01 of the North Dakota Century Code, relating to the definition of basic care facility.

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

**HB 1216:** A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to electronic pull tabs; and to amend and reenact section 53-06.1-01, subsection 4 of section 53-06.1-01.1, subsection 1 of section 53-06.1-06, subsection 5 of section 53-06.1-11, and section 53-06.1-14 of the North Dakota Century Code, relating to the use of electronic pull tabs and electronic pull tab devices.

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

**HB 1218:** A BILL for an Act to amend and reenact subsection 2 of section 12.1-20-07 of the North Dakota Century Code, relating to the offense level for sexual assault; and to provide a penalty.

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

**HB 1220:** A BILL for an Act to amend and reenact subsection 1 of section 47-16-07.1 of the North Dakota Century Code, relating to lessor security deposit limitations.

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

**HB 1222:** A BILL for an Act to create and enact section 12.1-31-01.2 of the North Dakota Century Code, relating to the process for seeking a sexual assault restraining order; and to provide a penalty.

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

**HB 1231:** A BILL for an Act to repeal section 15-12-12 of the North Dakota Century Code, relating to North Dakota state university newspaper publications.

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

**HB 1233:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 62.1-02-05 and a new subdivision to subsection 2 of section 62.1-04-03 of the North Dakota Century Code, relating to possessing a firearm or dangerous weapon at a public gathering and licenses to carry concealed weapons; to amend and reenact subdivision a of subsection 6 of section 62.1-02-13 of the North Dakota Century Code, relating to possessing a secured firearm; to provide a penalty; and to declare an emergency.

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

**HB 1234:** A BILL for an Act to create and enact section 16.1-8.1-03.15 of the North Dakota Century Code, relating to prohibiting campaign contributions from and expenditures by foreign nationals.

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

**HB 1235:** A BILL for an Act to create and enact subsections 4 and 5 to section 54-61-02 of the North Dakota Century Code, relating to access to confidential records by the commission on legal counsel for indigents.

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

**HB 1237:** A BILL for an Act to amend and reenact section 43-55-05 of the North Dakota Century Code, relating to professional employer organization bonding requirements.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1239:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an individual income tax deduction for a birth resulting in stillbirth; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**HB 1240:** A BILL for an Act to amend and reenact section 4-41-02 of the North Dakota Century Code, relating to industrial hemp; to provide a continuing appropriation; and to declare an emergency.

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

**HB 1241:** A BILL for an Act to amend and reenact section 39-29-10 of the North Dakota Century Code, relating to the minimum age required to operate an off-highway vehicle.

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

**HB 1245:** A BILL for an Act to amend and reenact subsection 37 of section 12.1-30-03 of the

North Dakota Century Code, relating to alcohol establishments open on Sunday; and to repeal section 5-02-05.1 of the North Dakota Century Code, relating to local Sunday alcoholic beverage permits.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1246:** A BILL for an Act to create and enact a new section to chapter 54-44.3 of the North Dakota Century Code, relating to state employee claims of employment discrimination.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1247:** A BILL for an Act to create and enact a new section to chapter 26.1-40 of the North Dakota Century Code, relating to duplicate motor vehicle insurance coverage; and to amend and reenact subsection 4 of section 26.1-39-11, section 26.1-39-20, and subsection 5 of section 26.1-40-01 of the North Dakota Century Code, relating to termination of insurance and duplicate property insurance coverage.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1249:** A BILL for an Act to amend and reenact section 39-34-06 of the North Dakota Century Code, relating to regulation of transportation network companies.

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

**HB 1250:** A BILL for an Act to amend and reenact section 11-18-02.2 and paragraph 8 of subdivision a of subsection 3 of section 47-10-27 of the North Dakota Century Code, relating to property sales price disclosures; and to provide a penalty.

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

**HB 1251:** A BILL for an Act to provide for a legislative management study of the creation of an inmate housing construction program.

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

**HB 1253:** A BILL for an Act to create and enact a new section to chapter 15.1-12 of the North Dakota Century Code, relating to voluntary property transfers between school districts.

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

**HB 1254:** A BILL for an Act to amend and reenact sections 15.1-29-05, 15.1-29-06, and 15.1-29-07 of the North Dakota Century Code, relating to a school district tuition waiver contract.

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

**HB 1280:** A BILL for an Act to amend and reenact section 46-04-05 of the North Dakota Century Code, relating to distribution of session laws and codes.

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

**HB 1283:** A BILL for an Act to amend and reenact section 15.1-21-02.6 of the North Dakota Century Code, relating to eligibility for North Dakota scholarships.

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

**HB 1286:** A BILL for an Act to amend and reenact section 26.1-29-09.1 of the North Dakota Century Code, relating to insurable interests in personal insurance.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1288:** A BILL for an Act to amend and reenact section 39-12-02 of the North Dakota Century Code, relating to an annual permit for oversized vehicles; to provide for an effective date; and to provide for an expiration date.

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

**HB 1291:** A BILL for an Act to create and enact a new section to chapter 4.1-72 of the North Dakota Century Code, relating to authority to use a uniform summons and complaint by brand inspectors who are licensed peace officers; to amend and reenact section 4.1-72-04 of the North Dakota Century Code, relating to brand inspectors as licensed peace officers; and to provide a penalty.

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

**HB 1292:** A BILL for an Act to create and enact a new section to chapter 23-02.1 of the North

Dakota Century Code, relating to issuance of a certified copy of a fetal loss; and to amend and reenact section 23-02.1-01 of the North Dakota Century Code, relating to definitions in the Heath Statistics Act.

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

**HB 1294:** A BILL for an Act to amend and reenact section 11-19.1-15, subsections 9 and 18 of section 23-02.1-01, sections 23-02.1-08, 23-02.1-21, and 23-02.1-22, subsection 2 of section 23-02.1-32, sections 23-06-02, 23-06-03, 23-06-04, 23-06-05, 23-06-06, 23-06-07, 23-06-08, 23-06-09, 23-06-10, 23-06-11, 23-06-12, 23-06-13, and 23-06-26, subsection 8 of section 23-06.6-13, section 30.1-28-06, subsection 4 of section 43-10-01, and sections 43-10-15.4, 43-10-21, and 43-10.1-02 of the North Dakota Century Code, relating to transportation and disposition upon death; and to provide a penalty.

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

**HB 1296:** A BILL for an Act to amend and reenact section 52-04-01.1 of the North Dakota Century Code, relating to electronic filing of employer unemployment contribution and wage reports; and to provide an effective date.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1299:** A BILL for an Act to amend and reenact section 39-06-19 of the North Dakota Century Code, relating to the expiration of an operator's license; and to provide for an application.

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

**HB 1300:** A BILL for an Act to amend and reenact subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to agencies exempt from the definition of administrative agency.

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

**HB 1302:** A BILL for an Act to amend and reenact subsection 1 of section 26.1-39-05 of the North Dakota Century Code, relating to property and casualty insurance covered loss.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1305:** A BILL for an Act to amend and reenact sections 2-06-01, 2-06-01.1, 2-06-01.2, 2-06-02, 2-06-03, 2-06-04, 2-06-06, 2-06-07, 2-06-08, 2-06-09, 2-06-10, 2-06-11, 2-06-12, 2-06-13, 2-06-14, 2-06-15, 2-06-16, 2-06-17, 2-06-18, 2-06-19, 2-06-20, 2-06-21, and 2-06-22 of the North Dakota Century Code, relating to the form and style of statutes governing airport authorities; and to repeal sections 2-06-05 and 2-06-23 of the North Dakota Century Code, relating to airport authorities.

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

**HB 1306:** A BILL for an Act to amend and reenact section 43-23-02 of the North Dakota Century Code, relating to the real estate commission; and to provide for application.

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

**HB 1314:** A BILL for an Act to amend and reenact section 32-03.1-02.3 of the North Dakota Century Code, relating to limited liability for use of automated external defibrillators.

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

**HB 1315:** A BILL for an Act to amend and reenact section 50-24.4-17 of the North Dakota Century Code, relating to adjustments of nursing home rates.

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

**HB 1316:** A BILL for an Act to amend and reenact subsection 5 of section 44-06.1-01, section 44-06.1-17, subsections 5 and 9 of section 44-06.1-20, subsection 2 of section 44-06.1-21, subsections 6, 7, and 8 of section 44-06.1-23, and section 44-06.1-27 of the North Dakota Century Code, relating to notarial acts, notary commissions, and notary public name and address changes.

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

**HB 1323:** A BILL for an Act to amend and reenact section 39-21-41.2 and 39-21-41.4 of the North Dakota Century Code, relating to child restraint devices and use of safety belts for children.

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

**HB 1325:** A BILL for an Act to amend and reenact section 14-05-24 of the North Dakota Century Code, relating to the valuation date of property in a divorce.

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

**HB 1328:** A BILL for an Act to amend and reenact section 39-06-37, subsection 3 of section 39-20-03.1, subsection 2 of section 39-20-03.2, and section 39-20-05 of the North Dakota Century Code, relating to surrendering driver's license, mailing of temporary operator's permit, and venue of administrative hearings.

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

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

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

**HB 1333:** A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to exempting information regarding individuals applying for certain positions under the authority of the state board of higher education.

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

**HB 1337:** A BILL for an Act to amend and reenact section 15.1-21-22 of the North Dakota Century Code, relating to required reading of historical documents.

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

**HB 1365:** A BILL for an Act to amend and reenact subsection 4 of section 30.1-28-12 of the North Dakota Century Code, relating to powers and duties of a guardian regarding medical decisions; and to declare an emergency.

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

**HB 1385:** A BILL for an Act to create and enact section 40-57-19.2 of the North Dakota Century Code, relating to municipal refunding bonds.

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

**HB 1395:** A BILL for an Act to amend and reenact subsections 1 and 7 of section 62.1-01-01, subsection 1 of section 62.1-02-04, subdivision m of subsection 2 of section 62.1-02-05, and section 62.1-04-04 of the North Dakota Century Code, relating to dangerous weapons and retired law enforcement officers; and to declare an emergency.

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

**HB 1398:** A BILL for an Act to amend and reenact section 49-02-01.1 of the North Dakota Century Code, relating to the jurisdiction of the public service commission.

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

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

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

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

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

**HB 1428:** A BILL for an Act to amend and reenact subsection 2 of section 15.1-23-09 of the North Dakota Century Code, relating to home education standards.

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

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

**HCR 3001:** A concurrent resolution declaring March 3, 2017, as "National Speech and Debate Education Day".

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

**HCR 3002:** A concurrent resolution requesting the Legislative Management to consider studying the operation, management, conditions, standards, and supervision of city, county, and regional correctional facilities and other potential means to improve the rehabilitative function of city, county, and regional correctional facilities and a possible transition of the supervision of city, county, and regional correctional facilities from the Department of Corrections and Rehabilitation to the Attorney General.

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

**HCR 3003:** A concurrent resolution requesting the Legislative Management to consider studying the impact of Marsy's Law on the statutorily provided rights of crime victims and those alleged to have committed crimes, and the criminal procedures relating to the rights of victims and criminal defendants.

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

**HCR 3006:** A concurrent resolution calling for a convention for the purpose of amending the United States Constitution to impose fiscal restraints on the federal government and limit the power and jurisdiction of the federal government.

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

**HCR 3009:** A concurrent resolution urging Congress to amend the 2014 farm bill to allow counties to use raw yield data from insurance companies to supplement the national agriculture statistics survey to calculate payments under the Agriculture Risk Coverage program when an insufficient number of surveys are returned to accurately calculate payments.

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

**HCR 3010:** A concurrent resolution recognizing the efforts undertaken and the continued need for the State of North Dakota and the entire United States to undertake responsible measures to harden our commercial electrical grid against multiple serious threats.

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

**HCR 3021:** A concurrent resolution urging Congress and the President of the United States to fulfill the federal government's promises to North Dakota, allow the utilization of the Garrison Diversion Unit facilities, including the McClusky Canal and the Snake Creek pumping plant, as a water supply for eastern and central North Dakota, irrigation, and for all other authorized project purposes, and not deauthorize or repurpose any part of the Garrison Diversion Unit.

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**