

**JOURNAL OF THE HOUSE****Sixty-sixth Legislative Assembly**

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**Bismarck, February 14, 2019**

The House convened at 1:00 p.m., with Speaker Klemin presiding.

The prayer was offered by Vicar Brock Schmeling, Zion Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Kiefert and O'Brien.

A quorum was declared by the Speaker.

**MOTION**

**REP. C. JOHNSON MOVED** that the House reconsider its action whereby Engrossed HB 1321 failed to pass.

**REQUEST**

**REP. C. JOHNSON REQUESTED** a recorded roll call vote, which request was granted on a voice vote.

**ROLL CALL**

The question being on the motion to reconsider the action whereby Engrossed HB 1321 failed to pass, the roll was called and there were 46 YEAS, 46 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Becker; Bellew; Bosch; Brandenburg; Dockter; Ertelt; Fisher; Hoverson; Johnson, C.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Louser; Magrum; Marschall; McWilliams; Meier; Paulson; Paur; Porter; Pyle; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Schobinger; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter

**NAYS:** Adams; Anderson, P.; Beadle; Blum; Boe; Boschee; Buffalo; Damschen; Delzer; Devlin; Dobervich; Eidson; Fegley; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, D.; Johnson, M.; Keiser; Longmuir; Martinson; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Pollert; Richter; Roers Jones; Sanford; Schmidt; Schneider; Schreiber-Beck; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

The motion failed on a recorded roll call vote.

**SIXTH ORDER OF BUSINESS**

**SPEAKER KLEMIN DEEMED** approval of the amendments to HB 1237, HB 1253, HB 1268, HB 1283, HB 1393, HB 1417, HB 1441, HB 1461, Engrossed HB 1482, HB 1507, HB 1517, HB 1519, and HB 1531.

HB 1237, HB 1253, HB 1268, HB 1283, HB 1393, HB 1417, HB 1441, HB 1461, Engrossed HB 1482, HB 1507, HB 1517, HB 1519, and HB 1531, as amended, were placed on the Eleventh order of business on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1540:** A BILL for an Act to provide an appropriation to the department of human services for the child care assistance program.

**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 15 YEAS, 77 NAYS,

0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, P.; Boe; Boschee; Buffalo; Dobervich; Eidson; Guggisberg; Hager; Hanson; Holman; Mitskog; Mock; Nelson, M.; Schneider

**NAYS:** Anderson, B.; Anderson, D.; Beadle; Becker; Bellew; Blum; Bosch; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Grueneich; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Monson; Nathe; Nelson, J.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

HB 1540 failed.

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

**HB 1122:** A BILL for an Act to amend and reenact sections 15.1-21-02.4, 15.1-21-02.5, 15.1-21-02.6, and 15.1-21-02.8 of the North Dakota Century Code, relating to eligibility for the North Dakota career and technical education scholarship and the North Dakota academic scholarship for high school students enrolled in dual-credit courses.

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schreiber-Beck; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**NAYS:** Becker; Ertelt; Magrum; Schobinger; Simons

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

Engrossed HB 1122 passed.

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

**HB 1539:** A BILL for an Act to amend and reenact section 39-05-17 of the North Dakota Century Code, relating to delivery of a certificate of title; and to provide a penalty.

#### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich;

Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**NAYS:** Adams

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

HB 1539 passed.

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### SECOND READING OF HOUSE BILL

**HB 1506:** A BILL for an Act to amend and reenact subsection 1 of section 39-10.1-01 and section 39-10.1-03 of the North Dakota Century Code, relating to bicycle restrictions; and to provide a penalty.

### 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 9 YEAS, 83 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bosch; Boschee; Brandenburg; Guggisberg; Hanson; Kempenich; Kreidt; Schneider; Zubke

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Hager; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Speaker Klemin

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

HB 1506 failed.

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### SECOND READING OF HOUSE BILL

**HB 1447:** A BILL for an Act to amend and reenact section 39-04-10.6 of the North Dakota Century Code, relating to the display of a number plate on a motor vehicle owned by a collector.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe;

Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

**NAYS:** Guggisberg

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

HB 1447 passed.

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### SECOND READING OF HOUSE BILL

**HB 1530:** A BILL for an Act to create and enact a new section to chapter 54-11 and a new section to chapter 54-27 of the North Dakota Century Code, relating to an income tax rate reduction fund and the transfer of legacy fund earnings; to repeal chapter 57-38 of the North Dakota Century Code, relating to the income tax; to provide a continuing appropriation; to provide an exemption; to provide an effective date; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 61 YEAS, 31 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Becker; Bellew; Blum; Brandenburg; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Grueneich; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; McWilliams; Meier; Nathe; Owens; Paulson; Paur; Pollert; Porter; Pyle; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Speaker Klemin

**NAYS:** Adams; Anderson, B.; Anderson, P.; Beadle; Boe; Bosch; Boschee; Buffalo; Damschen; Dobervich; Eidson; Guggisberg; Hager; Hanson; Holman; Kasper; Keiser; Martinson; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; Richter; Roers Jones; Schauer; Schneider; Schreiber-Beck; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

HB 1530 passed but the emergency clause failed.

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### SECOND READING OF HOUSE BILL

**HB 1504:** A BILL for an Act to create and enact a new section to chapter 54-27 of the North Dakota Century Code, relating to the legacy earnings fund and transfers of legacy fund earnings; and to declare an emergency.

### ROLL CALL

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

**YEAS:** Anderson, B.; Becker; Bellew; Boe; Boschee; Brandenburg; Delzer; Dockter; Ertelt; Guggisberg; Hanson; Hoverson; Keiser; Kempenich; Koppelman, K.; Kreidt; Meier; Monson; Nelson, J.; Paulson; Ruby, D.; Schatz; Simons; Skroch; Zubke

**NAYS:** Adams; Anderson, D.; Anderson, P.; Beadle; Blum; Bosch; Buffalo; Damschen; Devlin; Dobervich; Eidson; Fegley; Fisher; Grueneich; Hager; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Koppelman, B.; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Mitskog; Mock; Nathe; Nelson, M.; Owens; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom;

Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Strinden;  
Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Speaker Klemin

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

HB 1504 failed.

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

**HB 1535:** A BILL for an Act to amend and reenact section 57-38-30.3 of the North Dakota Century Code, relating to replacement of the individual, estate, and trust income tax rate schedule with a flat-rate income tax; and to provide an effective date.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 30 YEAS, 62 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Becker; Bellew; Devlin; Ertelt; Hoverson; Johnson, C.; Johnston; Jones; Kading; Koppelman, B.; Koppelman, K.; Louser; Magrum; Marschall; McWilliams; Meier; Owens; Paulson; Paur; Richter; Rohr; Ruby, D.; Ruby, M.; Schatz; Schauer; Schmidt; Schobinger; Simons; Skroch; Toman

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kempenich; Kreidt; Laning; Lefor; Longmuir; Martinson; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Pollert; Porter; Pyle; Roers Jones; Sanford; Satrom; Schneider; Schreiber-Beck; Steiner; Strinden; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

Engrossed HB 1535 failed.

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

**HB 1319:** A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the suspension of income tax return filing requirements; to amend and reenact sections 57-38-01.28, 57-38-30, and 57-38-30.3 of the North Dakota Century Code, relating to replacing the corporate, individual, estate, and trust income tax rate schedule with a flat income tax rate of zero percent; and to provide an effective date.

#### **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 20 YEAS, 72 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Becker; Bellew; Ertelt; Hoverson; Johnston; Jones; Kading; Koppelman, B.; Louser; Magrum; Marschall; Paulson; Paur; Ruby, D.; Ruby, M.; Schatz; Schobinger; Simons; Skroch; Toman

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kempenich; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schauer; Schmidt; Schneider; Schreiber-Beck; Steiner; Strinden; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

HB 1319 failed.

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

**HB 1241:** A BILL for an Act to create and enact two new subdivisions to subsection 2 of section 57-38-30.3 and chapter 54-38.7 of the North Dakota Century Code, relating to an individual income tax deduction for contributions made to a first-time home buyer savings account; and to provide an effective date.

### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 78 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Bellew; Blum; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, D.; Jones; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemm

**NAYS:** Adams; Becker; Boe; Johnson, C.; Johnson, M.; Johnston; Kading; Koppelman, K.; Magrum; Nelson, M.; Rohr; Sanford; Schmidt; Simons

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

HB 1241 passed.

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

**HB 1527:** A BILL for an Act to create and enact two new sections to chapter 4.1-26 of the North Dakota Century Code, relating to oversight of the milk marketing board by the agriculture commissioner and milk retail prices; and to amend and reenact sections 4.1-26-10, 4.1-26-11, and 4.1-26-12 of the North Dakota Century Code, relating to milk retail prices.

### **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 21 YEAS, 71 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Becker; Bellew; Boe; Delzer; Ertelt; Hoverson; Johnson, M.; Johnston; Kading; Koppelman, B.; Magrum; Marschall; Monson; Paulson; Paur; Rohr; Ruby, D.; Ruby, M.; Simons; Toman; Vetter

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Karls; Kasper; Keiser; Kempenich; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; Owens; Pollert; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Trottier; Tveit; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemm

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

HB 1527 failed.

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### SECOND READING OF HOUSE BILL

**HB 1407:** A BILL for an Act to amend and reenact section 39-05-20 of the North Dakota Century Code, relating to the issuance of certificates of vehicle title.

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

Engrossed HB 1407 passed.

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### SECOND READING OF HOUSE BILL

**HB 1385:** A BILL for an Act to amend and reenact section 15.1-07-20 of the North Dakota Century Code, relating to mandatory safety training for school bus drivers.

### 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 84 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

**NAYS:** Bellew; Delzer; Ertelt; Hoverson; Johnston; Magrum; Ruby, M.; Simons

**ABSENT AND NOT VOTING:** Kiefert; O'Brien

Engrossed HB 1385 passed.

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### ANNOUNCEMENT

**SPEAKER KLEMIN ANNOUNCED** that the House stand in recess until 4:30 p.m.

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

**MOTION**

**REP. LOUSER MOVED** that HB 1441, which is on the Eleventh order, be laid over one legislative day, and that HB 1532, which is on the Eleventh order, be laid over one legislative day, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1369:** A BILL for an Act to amend and reenact section 15.1-07-20 of the North Dakota Century Code, relating to payments for school bus driver physical examinations.

**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 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Johnson, D.; Keiser; Kiefert; Mitskog; O'Brien; Weisz

Engrossed HB 1369 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1412:** A BILL for an Act to amend and reenact section 20.1-01-08 of the North Dakota Century Code, relating to hunting predators at night with artificial light, digital night vision, thermal vision, or infrared light.

**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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Keiser; Kiefert; Mitskog; O'Brien; Weisz

Engrossed HB 1412 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1402:** A BILL for an Act to provide an appropriation to the department of commerce for health care workforce needs in rural areas of the state.



**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 80 YEAS, 10 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Trottier; Tveit; Vetter; Vigesaa; Westlind; Zubke; Speaker Klemin

**NAYS:** Becker; Ertelt; Johnston; Koppelman, B.; Magrum; Marschall; Paulson; Ruby, D.; Simons; Toman

**ABSENT AND NOT VOTING:** Keiser; Kiefert; O'Brien; Weisz

Engrossed HB 1402 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1023:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota racing commission.

**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 73 YEAS, 17 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Strinden; Trottier; Tveit; Vetter; Vigesaa; Westlind; Zubke; Speaker Klemin

**NAYS:** Adams; Becker; Bellew; Damschen; Ertelt; Hoverson; Johnston; Kading; Karls; McWilliams; Paulson; Paur; Ruby, D.; Ruby, M.; Simons; Skroch; Toman

**ABSENT AND NOT VOTING:** Keiser; Kiefert; O'Brien; Weisz

Engrossed HB 1023 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1220:** A BILL for an Act to provide for a legislative management study of secured party notification.

**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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson;

Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Johnson, D.; Keiser; Kiefert; O'Brien; Weisz

Engrossed HB 1220 passed.

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### SECOND READING OF HOUSE BILL

**HB 1405:** A BILL for an Act to create and enact a new section to chapter 39-10 and a new subdivision to subsection 2 of section 39-06.1-06 of the North Dakota Century Code, relating to prohibiting blocking parking spaces for electric vehicles; 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 63 YEAS, 27 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Dobervich; Dockter; Eidson; Fegley; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kasper; Kempenich; Kreidt; Laning; Lefor; Longmuir; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paur; Pollert; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Strinden; Trottier; Tveit; Vigesaa; Westlind; Zubke; Speaker Klemin

**NAYS:** Becker; Bellew; Boe; Delzer; Devlin; Ertelt; Fisher; Heinert; Johnston; Kading; Karls; Koppelman, B.; Koppelman, K.; Louser; Magrum; Marschall; McWilliams; Paulson; Porter; Richter; Ruby, D.; Ruby, M.; Schauer; Simons; Skroch; Toman; Vetter

**ABSENT AND NOT VOTING:** Keiser; Kiefert; O'Brien; Weisz

Engrossed HB 1405 passed.

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### SECOND READING OF HOUSE BILL

**HB 1129:** A BILL for an Act to amend and reenact section 37-18-04 of the North Dakota Century Code, relating to duties of the commissioner of veterans' affairs.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Keiser; Kiefert; O'Brien; Weisz

HB 1129 passed.

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

**HB 1131:** A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to exempting the sale of commemorative memorial coins from sales tax; to amend and reenact section 37-18-12 and subsection 2 of section 37-18-15 of the North Dakota Century Code, relating to funding authority of the department of veterans' affairs and veteran commemorative coins; to provide a continuing appropriation; and to provide for retroactive application.

### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Keiser; Kiefert; O'Brien; Weisz

HB 1131 passed.

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

**HB 1141:** A BILL for an Act to amend and reenact section 54-44.3-20 of the North Dakota Century Code, relating to exceptions to classified service.

### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 11 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Owens; Paulson; Paur; Porter; Pyle; Richter; Roers Jones; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Trottier; Tveit; Vetter; Vigasaa; Westlind; Zubke; Speaker Klemin

**NAYS:** Becker; Bellew; Delzer; Ertelt; Holman; Magrum; Nelson, M.; Pollert; Rohr; Ruby, D.; Toman

**ABSENT AND NOT VOTING:** Keiser; Kiefert; O'Brien; Weisz

HB 1141 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1223:** A BILL for an Act to create and enact a new subsection to section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol to exercise general police powers; and to amend and reenact subsections 12 and 16 of section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 73 YEAS, 18 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Strinden; Trottier; Tveit; Vigasaa; Westlind; Zubke; Speaker Klemin

**NAYS:** Becker; Bellew; Delzer; Devlin; Ertelt; Johnston; Kading; Longmuir; Paulson; Rohr; Ruby, D.; Ruby, M.; Schatz; Simons; Steiner; Toman; Vetter; Weisz

**ABSENT AND NOT VOTING:** Keiser; Kiefert; O'Brien

HB 1223 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1409:** A BILL for an Act to amend and reenact section 37-14-18 of the North Dakota Century Code, relating to the accreditation of county veterans' service officers.

**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, 91 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Keiser; Kiefert; O'Brien

HB 1409 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1010:** A BILL for an Act to provide an appropriation for defraying the expenses of the council on the arts.

**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 67 YEAS, 24 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Kempenich; Koppelman, K.; Kreidt; Laning; Longmuir; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Strinden; Tveit; Vigasaa; Westlind; Zubke; Speaker Klemin

**NAYS:** Becker; Bellew; Delzer; Ertelt; Howe; Johnson, C.; Johnston; Kading; Koppelman, B.; Lefor; Louser; Magrum; Marschall; McWilliams; Owens; Paulson; Ruby, D.; Ruby, M.; Simons; Skroch; Toman; Trottier; Vetter; Weisz

**ABSENT AND NOT VOTING:** Keiser; Kiefert; O'Brien

Engrossed HB 1010 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1354:** A BILL for an Act to amend and reenact section 54-06-14.3 of the North Dakota Century Code, relating to leave for state employee volunteers.

**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 80 YEAS, 11 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

**NAYS:** Becker; Bellew; Ertelt; Johnston; Koppelman, B.; Magrum; Marschall; Rohr; Ruby, D.; Simons; Steiner

**ABSENT AND NOT VOTING:** Keiser; Kiefert; O'Brien

Engrossed HB 1354 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1462:** A BILL for an Act to amend and reenact section 20.1-05.1-01 of the North Dakota Century Code, relating to special allocation hunting licenses.

**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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich;

Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Keiser; Kiefert; O'Brien

Engrossed HB 1462 passed.

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## SECOND READING OF HOUSE BILL

**HB 1523:** A BILL for an Act to create and enact a new section to chapter 54-27 of the North Dakota Century Code, relating to the operating fund balances of state agencies, departments, and institutions; to amend and reenact sections 4.1-44-03, 4.1-52-11, 4.1-72-07, and 54-44-12 of the North Dakota Century Code, relating to funds and accounts of agriculture commodity groups, occupational and professional boards, associations, and commissions; and to provide an effective date.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 34 YEAS, 57 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Becker; Bellew; Devlin; Dockter; Ertelt; Fegley; Hatlestad; Johnson, C.; Johnston; Jones; Kading; Kasper; Koppelman, B.; Koppelman, K.; Lefor; Longmuir; Louser; Magrum; Marschall; McWilliams; Meier; Paur; Rohr; Ruby, D.; Ruby, M.; Schatz; Schauer; Schobinger; Simons; Skroch; Steiner; Strinden; Vetter; Speaker Klemin

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Dobervich; Eidson; Fisher; Grueneich; Guggisberg; Hager; Hanson; Headland; Heinert; Holman; Hoverson; Howe; Johnson, D.; Johnson, M.; Karls; Kempenich; Kreidt; Laning; Martinson; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schmidt; Schneider; Schreiber-Beck; Toman; Trottier; Tveit; Vigasaa; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Keiser; Kiefert; O'Brien

Engrossed HB 1523 failed.

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## SECOND READING OF HOUSE BILL

**HB 1363:** A BILL for an Act to create and enact sections 24-02-49 and 39-03-20 of the North Dakota Century Code, relating to maintaining and providing records; to provide for application; 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 58 YEAS, 33 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Adams; Becker; Bellew; Boe; Boschee; Brandenburg; Buffalo; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Hager; Hanson; Hatlestad; Johnson, C.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Louser; Magrum; Marschall; McWilliams; Meier; Mock; Nelson, J.; Nelson, M.; Paur; Pollert; Richter; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schneider; Schobinger; Simons; Skroch; Steiner; Strinden; Toman; Tveit; Vetter; Vigasaa; Speaker Klemin

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Bosch; Damschen; Fisher; Grueneich; Guggisberg; Headland; Heinert; Holman; Hoverson; Howe; Johnson, D.; Johnson, M.; Longmuir; Martinson; Mitskog; Monson; Nathe; Owens; Paulson; Porter; Pyle; Roers Jones; Satrom; Schreiber-Beck; Trotter; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Keiser; Kiefert; O'Brien

Engrossed HB 1363 passed but the emergency clause failed.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1005, HB 1006, HB 1008, HB 1009, HB 1064, HB 1099, HB 1111, HB 1158, HB 1159, HB 1256, HB 1279, HB 1280, HB 1320, HB 1334, HB 1384, HB 1424, HB 1496, HB 1520.

**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 1120.

**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 2005, SB 2006, SB 2018, SB 2149, SB 2282, SB 2284, SB 2300, SB 2317, SB 2359, SCR 4002, SCR 4010.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HCR 3043.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HCR 3043.

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

**MR. SPEAKER:** The President has signed: HCR 3043.

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

**MR. PRESIDENT:** The Speaker has signed: HCR 3043.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for filing on February 14, 2019: HCR 3043.

**MOTION**

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

**MOTION**

**REP. LOUSER MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 7:30 a.m., Friday, February 15, 2019, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**HB 1001: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1001 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to provide for a report; to provide an effective date;"

Page 1, line 8, after "fund" insert "and the capitol building fund"

Page 1, replace lines 13 through 19 with:

"	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	\$10,233,424	\$927,113	\$11,160,537
Operating expenses	3,694,591	710,647	4,405,238
Capital assets	6,000	100,000	106,000
National conference of state legislatures	<u>225,155</u>	<u>11,935</u>	<u>237,090</u>
Total all funds	\$14,159,170	\$1,749,695	\$15,908,865
Less estimated income	<u>0</u>	<u>140,000</u>	<u>140,000</u>
Total general fund	\$14,159,170	\$1,609,695	\$15,768,865"

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 6 with:

"	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	\$9,049,530	\$886,859	\$9,936,389
Operating expenses	2,911,608	171,749	3,083,357
Capital assets	<u>0</u>	<u>6,000</u>	<u>6,000</u>
Total all funds	\$11,961,138	\$1,064,608	\$13,025,746
Less estimated income	<u>70,000</u>	<u>0</u>	<u>70,000</u>
Total general fund	\$11,891,138	\$1,064,608	\$12,955,746
Full-time equivalent positions	36.00	0.00	36.00"

Page 2, replace lines 9 through 13 with:

"	Base Level	Adjustments or Enhancements	Appropriation
Grand total general fund	\$26,050,308	\$2,674,303	\$28,724,611
Grand total special funds	<u>70,000</u>	<u>140,000</u>	<u>210,000</u>
Grand total all funds	\$26,120,308	\$2,814,303	\$28,934,611

**SECTION 2. LEGISLATIVE ASSEMBLY ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.**

The following amounts reflect the 2019-21 biennium one-time funding items included in the appropriation for the legislative assembly in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Digital signage replacement	\$0	\$40,000
Voting system upgrades	0	100,000
Computer and iPad replacement	<u>0</u>	<u>517,760</u>
Total all funds	\$0	\$657,760
Less estimated income	<u>0</u>	<u>140,000</u>
Total general fund	\$0	\$517,760

The 2019-21 biennium one-time funding amounts are not part of the entity's base budget for the 2021-23 biennium. The legislative assembly shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 3. LEGISLATIVE MANAGEMENT AND LEGISLATIVE COUNCIL ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.**

The following amounts reflect the 2019-21 biennium one-time funding items included in the appropriation for the legislative management and legislative council in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Redistricting equipment	\$0	\$22,400
Computer replacement	0	124,856
Council of state governments conference	<u>0</u>	<u>7,500</u>
Total general fund	\$0	\$154,756



The 2019-21 biennium one-time funding amounts are not part of the entity's base budget for the 2021-23 biennium. The legislative council shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. ESTIMATED INCOME - CAPITOL BUILDING FUND.** The estimated income line item in subdivision 1 of section 1 of this Act includes \$140,000 from the capitol building fund for digital signage replacement and voting system upgrades for the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 3, after line 3, insert:

**"SECTION 7. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-20. Compensation and expense reimbursement of members of the legislative assembly.**

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred ~~seventy-seventy-eighty-one~~ dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
2.
  - a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times seventy percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.
  - b. Notwithstanding subdivision a:
    - (1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.
    - (2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a.
3.
  - a. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.

- b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed the maximum monthly reimbursement allowed under subdivision a of subsection 2.
4. The amount to which each legislator is entitled must be paid following the organizational session in December and each month upon submission of a voucher and appropriate documentation during a regular or special session, consistent with section 26 of article XI of the constitution of North Dakota.
5. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.
6. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.
7.
  - a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of ~~four~~five hundred ~~ninety-five~~five dollars a month, paid monthly.
  - b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
  - c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of three hundred ~~fifty-five~~sixty-two dollars per month during the biennium for their execution of public duties.
8. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].
9. Before each regular legislative session, the legislative management shall make recommendations and submit any necessary legislation to adjust legislative compensation amounts.

**SECTION 8. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-20. Compensation and expense reimbursement of members of the legislative assembly.**

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred ~~eighty-one~~eighty-five dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
2.
  - a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times seventy percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.
  - b. Notwithstanding subdivision a:
    - (1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.
    - (2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a.
3.
  - a. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.
  - b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed the maximum monthly reimbursement allowed under subdivision a of subsection 2.
4. The amount to which each legislator is entitled must be paid following the organizational session in December and each month upon submission of a voucher and appropriate documentation during a regular or special

session, consistent with section 26 of article XI of the constitution of North Dakota.

5. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.
6. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.
7.
  - a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of five hundred ~~five~~fifteen dollars a month, paid monthly.
  - b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
  - c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of three hundred ~~sixty-two~~sixty-nine dollars per month during the biennium for their execution of public duties.
8. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].
9. Before each regular legislative session, the legislative management shall make recommendations and submit any necessary legislation to adjust legislative compensation amounts.

**SECTION 9. AMENDMENT.** Section 54-35-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-35-10. Compensation of members and leadership.**

1. The members of the legislative management and the members of any committee of the legislative management are entitled to be compensated for the time spent in attendance at sessions of the legislative management and of its committees at the rate of one hundred ~~seventy-seven~~eighty-one dollars per day and must also be paid for expenses incurred in attending said meetings and in the performance of their official duties in the amounts provided by law for other state officers.
2. In addition to the compensation provided in subsection 1, the chairman of the legislative management is entitled to receive an additional five dollars for each day spent in attendance at sessions of the legislative management and of its committees, and the chairman of each of the legislative management's committees is entitled to receive five dollars for each day spent in attendance at sessions of the legislative management or of the committee which the person chairs.

**SECTION 10. AMENDMENT.** Section 54-35-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-35-10. Compensation of members and leadership.**

1. The members of the legislative management and the members of any committee of the legislative management are entitled to be compensated for the time spent in attendance at sessions of the legislative management and of its committees at the rate of one hundred ~~eighty-one~~eighty-five dollars per day and must also be paid for expenses incurred in attending said meetings and in the performance of their official duties in the amounts provided by law for other state officers.
2. In addition to the compensation provided in subsection 1, the chairman of the legislative management is entitled to receive an additional five dollars for each day spent in attendance at sessions of the legislative management and of its committees, and the chairman of each of the legislative management's committees is entitled to receive five dollars for each day spent in attendance at sessions of the legislative management or of the committee which the person chairs.

**SECTION 11. EFFECTIVE DATE.** Sections 7 and 9 of this Act become effective on July 1, 2019, and sections 8 and 10 of this Act become effective on July 1, 2020."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1001 - Summary of House Action**

	Base Budget	House Changes	House Version
Legislative Assembly			
Total all funds	\$14,159,170	\$1,749,695	\$15,908,865
Less estimated income	0	140,000	140,000
General fund	<u>\$14,159,170</u>	<u>\$1,609,695</u>	<u>\$15,768,865</u>
FTE	0.00	0.00	0.00
Legislative Council			
Total all funds	\$11,961,138	\$1,064,608	\$13,025,746
Less estimated income	70,000	0	70,000
General fund	<u>\$11,891,138</u>	<u>\$1,064,608</u>	<u>\$12,955,746</u>
FTE	36.00	0.00	36.00
Bill total			
Total all funds	\$26,120,308	\$2,814,303	\$28,934,611
Less estimated income	70,000	140,000	210,000
General fund	<u>\$26,050,308</u>	<u>\$2,674,303</u>	<u>\$28,724,611</u>
FTE	36.00	0.00	36.00

**House Bill No. 1001 - Legislative Assembly - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$10,233,424	\$927,113	\$11,160,537
Operating expenses	3,694,591	710,647	4,405,238
Capital assets	6,000	100,000	106,000
National Conf. of State Legislatures	<u>225,155</u>	<u>11,935</u>	<u>237,090</u>
Total all funds	\$14,159,170	\$1,749,695	\$15,908,865
Less estimated income	0	140,000	140,000
General fund	<u>\$14,159,170</u>	<u>\$1,609,695</u>	<u>\$15,768,865</u>
FTE	0.00	0.00	0.00

## Department 150 - Legislative Assembly - Detail of House Changes

	Adds Funding for Legislative Pay Increases <sup>1</sup>	Adjusts Funding for Health Insurance Increases <sup>2</sup>	Increases Funding for Temporary Salaries <sup>3</sup>	Restores Funding for Two Legislative Days <sup>4</sup>	Increases Funding for Monthly Lodging Reimbursement <sup>5</sup>	Adjusts Funding for Operating Expenses <sup>6</sup>
Salaries and wages	\$196,858	\$594,255	\$24,000	\$112,000		
Operating expenses				48,000	\$40,670	\$64,217
Capital assets						
National Conf. of State Legislatures						
Total all funds	\$196,858	\$594,255	\$24,000	\$160,000	\$40,670	\$64,217
Less estimated income	0	0	0	0	0	0
General fund	\$196,858	\$594,255	\$24,000	\$160,000	\$40,670	\$64,217
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Increases Funding for National Conference of State Legislatures Dues <sup>7</sup>	Adds One-Time Funding for Digital Signage Replacement <sup>8</sup>	Adds One-Time Funding for Computer and iPad Replacement <sup>9</sup>	Adds One-Time Funding for Voting System Upgrades <sup>10</sup>	Total House Changes
Salaries and wages					\$927,113
Operating expenses		\$40,000	\$517,760		710,647
Capital assets				\$100,000	100,000
National Conf. of State Legislatures	\$11,935				11,935
Total all funds	\$11,935	\$40,000	\$517,760	\$100,000	\$1,749,695
Less estimated income	0	40,000	0	100,000	140,000
General fund	\$11,935	\$0	\$517,760	\$0	\$1,609,695
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is added for legislator compensation adjustments of 2 percent per year for regular and organizational sessions, legislators' monthly compensation, and additional monthly compensation for legislative leaders.

	Current Compensation Rate	Rate Effective July 1, 2019	Rate Effective July 1, 2020
Daily session pay	\$177	\$181	\$185
Monthly compensation	\$495	\$505	\$515
Leaders' additional monthly compensation	\$355	\$362	\$369

<sup>2</sup> Funding is added for increases in health insurance premiums from \$1,241 to \$1,427 per month.

<sup>3</sup> Funding is added for compensation adjustments of 2 percent per year for temporary session staff.

<sup>4</sup> Funding is added to restore legislative compensation and travel for 2 legislative days removed in 2017 to provide funding for 77 legislative days.

<sup>5</sup> Funding is added to increase the maximum monthly lodging expense reimbursement to \$1,796 anticipated for the 2021 legislative session. The maximum monthly lodging expense reimbursement is \$1,758 for the 2019 session.

<sup>6</sup> Funding for operating expenses is increased, including increases in funding for service contracts and repairs, telecommunications, and information technology software and decreases in information technology data processing, information technology equipment over \$5,000, and other operating expenses.

<sup>7</sup> Funding is added for increases in National Conference of State Legislatures dues, to provide for 90 percent of the dues assessment, for a total of \$237,090 for the 2019-21 biennium.

<sup>8</sup> One-time funding is added from the capitol building fund for digital signage replacement.

<sup>9</sup> One-time funding is provided for information technology equipment under \$5,000 for laptop

and iPad replacement.

<sup>10</sup> One-time funding for capital assets is added from the capitol building fund for voting system upgrades.

This amendment also adds sections to:

- Adjust 2019-21 biennium compensation rates to provide 2 percent per year increases for regular and organizational session pay, legislators' monthly compensation, and additional monthly compensation for legislative leaders; and
- Provide effective dates of the legislative compensation increases.

### House Bill No. 1001 - Legislative Council - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$9,049,530	\$886,859	\$9,936,389
Operating expenses	2,911,608	171,749	3,083,357
Capital assets		6,000	6,000
Total all funds	\$11,961,138	\$1,064,608	\$13,025,746
Less estimated income	70,000	0	70,000
General fund	\$11,891,138	\$1,064,608	\$12,955,746
FTE	36.00	0.00	36.00

### Department 160 - Legislative Council - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Restores Funding for an Administrative Position <sup>3</sup>	Reduces Funding for Overtime Salaries <sup>4</sup>	Adds Funding for a Session Retention Program <sup>5</sup>	Increases Funding for Legislator Per Diem <sup>6</sup>
Salaries and wages	\$39,069	\$364,071	\$125,579	(\$5,091)	\$333,512	\$19,731
Operating expenses						
Capital assets						
Total all funds	\$39,069	\$364,071	\$125,579	(\$5,091)	\$333,512	\$19,731
Less estimated income	0	0	0	0	0	0
General fund	\$39,069	\$364,071	\$125,579	(\$5,091)	\$333,512	\$19,731
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Decreases Funding for Reduced Interim Committee Sizes <sup>7</sup>	Restores Funding for Out-of-State Travel <sup>8</sup>	Adds Funding for Increased Lodging Rates <sup>9</sup>	Decreases Funding for Operating Expenses <sup>10</sup>	Adds Funding for Capital Assets <sup>11</sup>	Adds One-Time Funding for Computer Replacement <sup>12</sup>
Salaries and wages	(\$20,200)	\$30,188				
Operating expenses	(39,257)	81,860	\$11,600	(\$37,210)		\$124,856
Capital assets					\$6,000	
Total all funds	(\$59,457)	\$112,048	\$11,600	(\$37,210)	\$6,000	\$124,856
Less estimated income	0	0	0	0	0	0
General fund	(\$59,457)	\$112,048	\$11,600	(\$37,210)	\$6,000	\$124,856
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for Redistricting Equipment <sup>13</sup>	Adds One-Time Funding for Council of State Governments Conference <sup>14</sup>	Total House Changes
Salaries and wages			\$886,859
Operating expenses	\$22,400	\$7,500	171,749
Capital assets			6,000
Total all funds	\$22,400	\$7,500	\$1,064,608
Less estimated income	0	0	0
General fund	\$22,400	\$7,500	\$1,064,608
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Salary increase	\$207,899	\$0	\$207,899
Health insurance increase	156,172	0	156,172
Total	\$364,071	\$0	\$364,071

<sup>3</sup> Funding is restored for one of two unfunded administrative positions.

<sup>4</sup> Funding for overtime salaries is reduced.

<sup>5</sup> Funding is added for a session retention program.

<sup>6</sup> Funding is added for 2019-21 biennium compensation adjustments of 2 percent per year for legislators' attendance at interim meetings. The compensation adjustments are as follows:

	<u>Current Compensation Rate</u>	<u>Rate Effective July 1, 2019</u>	<u>Rate Effective July 1, 2020</u>
Interim meeting pay	\$177	\$181	\$185

<sup>7</sup> Funding is decreased to continue reduced committee sizes during the 2019-21 biennium, including per diem (\$20,200) and travel (\$39,257).

<sup>8</sup> Funding is added for other meetings and out-of-state travel to restore 2017-19 biennium 10 percent reductions, including per diem \$30,188 and travel \$81,860.

<sup>9</sup> Funding is added for estimated increases in the lodging rate.

<sup>10</sup> Funding is reduced for operating expenses.

<sup>11</sup> Funding is added for capital assets for emergency equipment replacement.

<sup>12</sup> One-time funding is added for information technology equipment less than \$5,000 for computer replacement.

<sup>13</sup> One-time funding is added for information technology equipment less than \$5,000 for redistricting.

<sup>14</sup> One-time funding is added for a Council of State Governments conference.

Sections are also added to:

- Adjust 2019-21 biennium compensation rates to provide a 2 percent per year increase for interim meeting pay; and
- Provide effective dates of the legislative compensation increases.

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

**HB 1002: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1002 was placed on the Sixth order on the calendar.

Page 1, line 1, after the semicolon insert "to amend and reenact sections 27-02-02, 27-02.1-01, 27-02.1-02, 27-02.1-03, 27-02.1-04, 27-02.1-05, 27-02.1-06, 27-02.1-07, 27-02.1-08, 27-02.1-09, and 27-05-03 of the North Dakota Century Code, relating to salaries of justices of the supreme court, the temporary court of appeals, and salaries of district judges; to provide for a report;"

Page 1, replace lines 11 through 18 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$10,909,112	\$398,560	\$11,307,672
Operating expenses	2,731,582	(820)	2,730,762
Capital assets	0	7,500	7,500
Judges' retirement	80,764	(80,764)	0
Guardianship monitoring program	316,204	(46,652)	269,552
Total general fund	\$14,037,662	\$277,824	\$14,315,486"



Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 7 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$67,602,628	\$4,724,467	\$72,327,095
Operating expenses	20,881,207	(455,005)	20,426,202
Capital assets	0	75,000	75,000
Judges' retirement	343,290	(63,678)	279,612
University of North Dakota central legal research	<u>40,000</u>	<u>(40,000)</u>	<u>0</u>
Total all funds	\$88,867,125	\$4,240,784	\$93,107,909
Less estimated income	<u>1,339,138</u>	<u>315,033</u>	<u>1,654,171</u>
Total general fund	\$87,527,987	\$3,925,751	\$91,453,738"

Page 2, replace lines 10 through 16 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Judicial conduct commission and disciplinary board	<u>\$1,174,822</u>	<u>\$72,126</u>	<u>\$1,246,948</u>
Total all funds	\$1,174,822	\$72,126	\$1,246,948
Less estimated income	<u>482,701</u>	<u>18,724</u>	<u>501,425</u>
Total general fund	\$692,121	\$53,402	\$745,523"

Page 2, replace lines 19 through 24 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$102,257,770	\$4,256,977	\$106,514,747
Grand total special funds	<u>1,821,839</u>	<u>333,757</u>	<u>2,155,596</u>
Grand total all funds	\$104,079,609	\$4,590,734	\$108,670,343
Full-time equivalent positions	355.50	5.50	361.00"

page 2, line 25, after "FUNDING" insert "REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY"

Page 2, line 26, after "biennium" insert "and the 2019-21 biennium one-time funding items included in section 1 of this Act"

Page 2, replace lines 28 through 31 with:

"Pipeline protest trials	\$1,500,000	\$0
Copy machines	<u>0</u>	<u>82,500</u>
Total all funds	\$1,500,000	\$82,500
Less estimated income	<u>1,500,000</u>	<u>0</u>
Total general fund	\$0	\$82,500

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The supreme court shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 3. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is amended and reenacted as follows:

#### **27-02-02. Salaries of justices of supreme court.**

The annual salary of each justice of the supreme court is ~~one hundred fifty-two thousand four hundred thirty-six dollars through June 30, 2016~~ one hundred sixty thousand one hundred forty-nine dollars through June 30, 2020, and one hundred fifty-seven thousand nine hundred sixty-three thousand three hundred fifty-two dollars thereafter. The chief justice of the supreme court is entitled to receive an ~~additional four thousand three hundred seventy-seven dollars per annum through~~

~~June 30, 2016~~four thousand five hundred ninety-eight dollars per annum through June 30, 2020, and ~~four thousand five hundred eighty~~four thousand six hundred ninety dollars per annum thereafter.

**SECTION 4. AMENDMENT.** Section 27-02.1-01 of the North Dakota Century Code is amended and reenacted as follows:

**27-02.1-01. Temporary court of appeals established - Jurisdiction - Writ authority - Administration. (Effective through January 1, 20202024)**

A temporary court of appeals is established to exercise appellate and original jurisdiction as delegated by the supreme court. Panels of the temporary court of appeals may issue original and remedial writs necessary to properly exercise jurisdiction in cases assigned to them. The panels of the temporary court of appeals are subject to administration by the supreme court pursuant to sections 3 and 8 of article VI of the Constitution of North Dakota.

**SECTION 5. AMENDMENT.** Section 27-02.1-02 of the North Dakota Century Code is amended and reenacted as follows:

**27-02.1-02. Number, assignment, and compensation of judges. (Effective through January 1, 20202024)**

1. The supreme court may provide for the assignment of active or retired district court judges, retired justices of the supreme court, and lawyers, to serve on three-judge panels of the temporary court of appeals if the chief justice certifies to the governor that the supreme court has disposed of two hundred fifty cases in the twelve months preceding September first of any year. Assignments may be made for a time certain, not to exceed one year from the date of assignment, or specifically for one or more cases on the docket of the supreme court.
2. An active or retired district court judge serving on the temporary court of appeals may not be assigned to hear cases in which the judge participated while serving on the district court. An active district court judge may not be assigned to hear cases that originated in the judicial district of the judge.
3. An active district court judge serving on the temporary court of appeals is not entitled to additional compensation, but is entitled to reimbursement for expenses as provided by sections 44-08-04 and 54-06-09.
4. Retired justices of the supreme court, retired district court judges, and lawyers serving as judges on panels of the temporary court of appeals are entitled to receive as compensation for each day of service in the performance of duties pursuant to the assignment an amount equal to five percent of the gross monthly salary as provided for a regularly elected or appointed justice of the supreme court, or one-half of the daily compensation for services of one-half day or less. The compensation must be paid upon certification by the judge that the services were performed for the number of days shown on the certificate and must be paid in the same manner as the salaries of the regularly elected or appointed judges are paid.

**SECTION 6. AMENDMENT.** Section 27-02.1-03 of the North Dakota Century Code is amended and reenacted as follows:

**27-02.1-03. Assignment and reassignment of cases - Quorum for decision of cases - Authority in furtherance of jurisdiction. (Effective through January 1, 20202024)**

1. Panels of the temporary court of appeals have jurisdiction to hear and to decide all cases assigned by the supreme court.

2. The supreme court may order reassignment of any case from a panel of the temporary court of appeals to the supreme court.
3. A majority of the three judges of a panel of the temporary court of appeals hearing a case is necessary to pronounce a decision.
4. When a judgment or order is reversed, modified, or confirmed by a panel of the temporary court of appeals, the reasons must be concisely stated in writing, signed by the judges concurring, filed in the office of the clerk of the supreme court, and preserved with the record of the case. Any judge concurring or dissenting may give the reasons for the judge's concurrence or dissent in writing over the judge's signature.

**SECTION 7. AMENDMENT.** Section 27-02.1-04 of the North Dakota Century Code is amended and reenacted as follows:

**27-02.1-04. Administration - Employees and clerical assistance - Court of record - Place of sessions. (Effective through January 1, ~~2020~~2024)**

1. The clerk of the supreme court shall provide clerk services to panels of the temporary court of appeals.
2. Panels of the temporary court of appeals may hold court in any place the panel considers convenient and efficient for conducting its business.
3. All proceedings of the panels of the temporary court of appeals must be pursuant to the rules adopted by the supreme court.

**SECTION 8. AMENDMENT.** Section 27-02.1-05 of the North Dakota Century Code is amended and reenacted as follows:

**27-02.1-05. Chief judge. (Effective through January 1, ~~2020~~2024)**

The chief justice of the supreme court shall designate a chief judge of each panel of the temporary court of appeals who shall preside pursuant to rules of the supreme court.

**SECTION 9. AMENDMENT.** Section 27-02.1-06 of the North Dakota Century Code is amended and reenacted as follows:

**27-02.1-06. Review of decisions of panels. (Effective through January 1, ~~2020~~2024)**

Any party in interest who is aggrieved by a judgment or order of a panel of the temporary court of appeals may petition the supreme court for review of the judgment or order pursuant to rules of the supreme court. Upon the filing of a petition for review by the supreme court, the order or judgment and mandate of the panel of the temporary court of appeals is stayed pending action of the supreme court. The supreme court has discretion to grant or deny the petition.

**SECTION 10. AMENDMENT.** Section 27-02.1-07 of the North Dakota Century Code is amended and reenacted as follows:

**27-02.1-07. Right to appeal not created. (Effective through January 1, ~~2020~~2024)**

This chapter does not provide or create a right of appeal if that right is not otherwise provided by law. An appeal assigned to a panel of the temporary court of appeals fulfills the right of appeal provided by section 28-27-02.

**SECTION 11. AMENDMENT.** Section 27-02.1-08 of the North Dakota Century Code is amended and reenacted as follows:

**27-02.1-08. Unitary appeal - Filing of appeal - Filing fee. (Effective through January 1, 20202024)**

All appeals must be treated as one appeal process under the jurisdiction of the supreme court. In any appeal there may be only one filing and one filing fee required. The filing fee is as prescribed by section 27-03-05.

**SECTION 12. AMENDMENT.** Section 27-02.1-09 of the North Dakota Century Code is amended and reenacted as follows:

**27-02.1-09. Publication of opinions. (Effective through January 1, 20202024)**

Opinions of the panels of the temporary court of appeals may be published pursuant to rules of the supreme court.

**SECTION 13. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is amended and reenacted as follows:

**27-05-03. Salaries and expenses of district judges.**

The annual salary of each district judge is ~~one hundred thirty-nine thousand six hundred seventy-nine dollars through June 30, 2016~~one hundred forty-six thousand seven hundred forty-six dollars through June 30, 2020, and ~~one hundred forty-three thousand eight hundred sixty-nine~~one hundred forty-nine thousand six hundred eighty-one dollars thereafter. Each district judge is entitled to travel expenses, including mileage and subsistence while engaged in the discharge of official duties outside the city in which the judge's chambers are located. The salary and expenses are payable monthly in the manner provided by law. A presiding judge of a judicial district is entitled to receive an additional ~~four thousand thirty-five dollars per annum through June 30, 2016~~four thousand two hundred forty dollars per annum through June 30, 2020, and ~~four thousand one hundred fifty-six~~four thousand three hundred twenty-four dollars thereafter."

Page 3, remove lines 10 through 15

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

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

	Base Budget	House Changes	House Version
Supreme Court			
Total all funds	\$14,037,662	\$277,824	\$14,315,486
Less estimated income	0	0	0
General fund	\$14,037,662	\$277,824	\$14,315,486
FTE	43.50	0.00	43.50
District Courts			
Total all funds	\$88,867,125	\$4,240,784	\$93,107,909
Less estimated income	1,339,138	315,033	1,654,171
General fund	\$87,527,987	\$3,925,751	\$91,453,738
FTE	308.00	5.00	313.00
Judicial Conduct Commission			
Total all funds	\$1,174,822	\$72,126	\$1,246,948
Less estimated income	482,701	18,724	501,425
General fund	\$692,121	\$53,402	\$745,523
FTE	4.00	0.50	4.50
Bill total			
Total all funds	\$104,079,609	\$4,590,734	\$108,670,343
Less estimated income	1,821,839	333,757	2,155,596
General fund	\$102,257,770	\$4,256,977	\$106,514,747
FTE	355.50	5.50	361.00

**House Bill No. 1002 - Supreme Court - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$10,909,112	\$398,560	\$11,307,672
Operating expenses	2,731,582	(820)	2,730,762
Capital assets		7,500	7,500
Judges' retirement	80,764	(80,764)	
Guardianship monitoring program	316,204	(46,652)	269,552
Total all funds	\$14,037,662	\$277,824	\$14,315,486
Less estimated income	0	0	0
General fund	\$14,037,662	\$277,824	\$14,315,486
FTE	43.50	0.00	43.50

**Department 181 - Supreme Court - Detail of House Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Removes Funding for Judges' Retirement <sup>3</sup>	Reduces Funding for Miscellaneous Expenses <sup>4</sup>	Adds One-Time Funding for Copy Machines <sup>5</sup>	Total House Changes
Salaries and wages	(\$72,810)	\$471,370				\$398,560
Operating expenses				(\$820)		(820)
Capital assets					\$7,500	7,500
Judges' retirement			(\$80,764)			(80,764)
Guardianship monitoring program	7,515	10,268		(64,435)		(46,652)
Total all funds	(\$65,295)	\$481,638	(\$80,764)	(\$65,255)	\$7,500	\$277,824
Less estimated income	0	0	0	0	0	0
General fund	(\$65,295)	\$481,638	(\$80,764)	(\$65,255)	\$7,500	\$277,824
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	General Fund
Salary increase	\$287,454
Health insurance increase	194,184
Total	\$481,638

<sup>3</sup> Base funding of \$80,764 from the general fund is removed for judges' retirement.

<sup>4</sup> Funding for miscellaneous expenses, including travel and information technology expenses, is reduced by \$65,255 from the general fund.

<sup>5</sup> One-time funding of \$7,500 from the general fund is added for a new copy machine.

**House Bill No. 1002 - District Courts - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$67,602,628	\$4,724,467	\$72,327,095
Operating expenses	20,881,207	(455,005)	20,426,202
Capital assets		75,000	75,000
Judges' retirement	343,290	(63,678)	279,612
UND central legal research	40,000	(40,000)	
Total all funds	\$88,867,125	\$4,240,784	\$93,107,909
Less estimated income	1,339,138	315,033	1,654,171
General fund	\$87,527,987	\$3,925,751	\$91,453,738
FTE	308.00	5.00	313.00

## Department 182 - District Courts - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Reduces Funding for Judges' Retirement <sup>3</sup>	Adds FTE Positions <sup>4</sup>	Adds Funding for the Court Improvement Program <sup>5</sup>	Reduces Funding for Miscellaneous Expenses <sup>6</sup>
Salaries and wages	\$457,424	\$3,169,437		\$841,856	\$255,750	
Operating expenses					202,472	(\$657,477)
Capital assets						
Judges' retirement			(\$63,678)			
UND central legal research						
Total all funds	\$457,424	\$3,169,437	(\$63,678)	\$841,856	\$458,222	(\$657,477)
Less estimated income	(99,705)	48,922	0	0	404,306	(38,490)
General fund	\$557,129	\$3,120,515	(\$63,678)	\$841,856	\$53,916	(\$618,987)
FTE	0.00	0.00	0.00	5.00	0.00	0.00

	Removes Funding for UND Central Legal Research <sup>7</sup>	Adds One-Time Funding for Copy Machines <sup>8</sup>	Total House Changes
Salaries and wages			\$4,724,467
Operating expenses			(455,005)
Capital assets		\$75,000	75,000
Judges' retirement			(63,678)
UND central legal research	(\$40,000)		(40,000)
Total all funds	(\$40,000)	\$75,000	\$4,240,784
Less estimated income	0	0	315,033
General fund	(\$40,000)	\$75,000	\$3,925,751
FTE	0.00	0.00	5.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	General Fund	Other Funds	Total
Salary increase	\$1,726,546	\$26,264	\$1,752,810
Health insurance increase	1,393,969	22,658	1,416,627
Total	\$3,120,515	\$48,922	\$3,169,437

<sup>3</sup> Funding for judges' retirement is reduced by \$63,678 from the general fund.

<sup>4</sup> The following FTE positions and relating funding are added:

	FTE Positions	General Fund
Deputy clerk of court	2.00	\$309,117
Law clerk	2.00	378,067
Court recorder	1.00	154,672
Total	5.00	\$841,856

<sup>5</sup> Funding is added for the court improvement program, including \$53,916 from the general fund and \$404,306 from federal funds.

<sup>6</sup> Funding for miscellaneous expenses, including operating fees and services and information technology expenses, is reduced by \$618,987 from the general fund and \$38,490 from federal funds.

<sup>7</sup> Base funding of \$40,000 from the general fund is removed for University of North Dakota central legal research.

<sup>8</sup> One-time funding of \$75,000 from the general fund is added for 10 new copy machines.

## House Bill No. 1002 - Judicial Conduct Commission - House Action

	Base Budget	House Changes	House Version
Judicial Conduct Commission	\$1,174,822	\$72,126	\$1,246,948
Total all funds	\$1,174,822	\$72,126	\$1,246,948
Less estimated income	482,701	18,724	501,425
General fund	\$692,121	\$53,402	\$745,523
FTE	4.00	0.50	4.50

**Department 183 - Judicial Conduct Commission - Detail of House Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adds Paralegal FTE Position <sup>3</sup>	Adjusts Funding for Miscellaneous Expenses <sup>4</sup>	Total House Changes
Judicial Conduct Commission	(\$8,372)	\$46,579	\$36,826	(\$2,907)	\$72,126
Total all funds	(\$8,372)	\$46,579	\$36,826	(\$2,907)	\$72,126
Less estimated income	(9,934)	18,725	14,111	(4,178)	18,724
General fund	\$1,562	\$27,854	\$22,715	\$1,271	\$53,402
FTE	0.00	0.00	0.50	0.00	0.50

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	General Fund	Other Funds	Total
Salary increase	\$14,513	\$9,756	\$24,269
Health insurance increase	13,341	8,969	22,310
Total	\$27,854	\$18,725	\$46,579

<sup>3</sup> Funding is added to convert a part-time temporary paralegal position to a 0.50 FTE position.

<sup>4</sup> Funding is adjusted for miscellaneous expenses, including an increase in rent and decreases in postage and information technology expenses.

**House Bill No. 1002 - Other Changes - House Action**

This amendment also adds sections to:

- Provide the statutory changes needed to increase judges' and justices' salaries by 2 percent each year of the biennium
- Extend the effective date of the temporary court of appeals through January 1, 2024.

**REPORT OF STANDING COMMITTEE**

**HB 1003: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1003 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to create and enact a new chapter to title 15 and three new subsections to section 15-10-63 of the North Dakota Century Code, relating to the midwestern higher education compact and capital project authorization;"

Page 1, line 2, replace "section" with "sections 15-10-49, 15-18.2-02, 15-18.2-05, 15-62.4-03, and"

Page 1, line 3, after the first "to" insert "matching grants for institutions under the control of the state board of higher education, state aid to institutions, the student financial assistance grant program, and"

Page 1, line 3, replace "and" with "to repeal section 15-10-61 of the North Dakota Century Code, relating to the dual-credit instructor assistance program; to authorize the state board of higher education to issue and sell bonds for capital projects;"

Page 1, line 3, after "transfer" insert "; to provide for a report; and to declare an emergency"

Page 1, remove lines 14 through 24

Page 2, replace lines 1 through 14 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Capital assets - bond payments	\$6,605,326	(\$1,645,878)	\$4,959,448
Competitive research programs	6,027,750	0	6,027,750
System governance	8,163,238	280,095	8,443,333
Title II	1,006,472	(1,006,472)	0
Core technology services	61,527,347	663,122	62,190,469
Student financial assistance grants	21,917,306	2,000,000	23,917,306
Professional student exchange program	3,699,342	0	3,699,342
Academic and technical education scholarships	12,016,749	0	12,016,749
Scholars program	1,807,115	0	1,807,115
Native American scholarship	555,323	0	555,323
Tribally controlled community college grants	600,000	(100,000)	500,000
Education incentive programs	2,863,393	(2,103,393)	760,000
Student mental health	284,400	0	284,400
Veterans' assistance grants	277,875	0	277,875
Shared campus services	500,000	0	500,000
Dual-credit instructor assistance	200,000	(200,000)	0
Education challenge fund	0	2,200,000	2,200,000
Tier III capital building fund pool	0	9,000,000	9,000,000
Total all funds	\$128,051,636	\$9,087,474	\$137,139,110
Less estimated income	<u>26,412,106</u>	<u>2,550,610</u>	<u>28,962,716</u>
Total general fund	\$101,639,530	\$6,536,864	\$108,176,394
Full-time equivalent positions	149.40	(0.50)	148.90"

Page 2, replace lines 17 through 24 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$101,670,034	(\$4,447,175)	\$97,222,859
Capital assets	1,922,561	0	1,922,561
Capital building fund	0	1,679,082	1,679,082
Total all funds	\$103,592,595	(\$2,768,093)	\$100,824,502
Less estimated income	<u>72,991,998</u>	<u>(3,062,872)</u>	<u>69,929,126</u>
Total general fund	\$30,600,597	\$294,779	\$30,895,376
Full-time equivalent positions	358.35	(34.42)	323.93"

Page 2, remove lines 27 through 31

Page 3, replace lines 1 through 3 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$36,449,048	\$950,031	\$37,399,079
Capital assets	362,667	3,000,000	3,362,667
Capital building fund	0	628,276	628,276
Total all funds	\$36,811,715	\$4,578,307	\$41,390,022
Less estimated income	<u>24,111,092</u>	<u>4,405,672</u>	<u>28,516,764</u>
Total general fund	\$12,700,623	\$172,635	\$12,873,258
Full-time equivalent positions	129.61	(11.51)	118.10"

Page 3, replace lines 6 through 13 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$26,954,133	\$1,077,752	\$28,031,885
Capital assets	1,261,968	0	1,261,968
Capital building fund	0	435,812	435,812
Total all funds	\$28,216,101	\$1,513,564	\$29,729,665
Less estimated income	<u>19,855,598</u>	<u>(137,663)</u>	<u>19,717,935</u>
Total general fund	\$8,360,503	\$1,651,227	\$10,011,730
Full-time equivalent positions	100.75	(0.27)	100.48"

Page 3, replace lines 16 through 23 with:



"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$864,554,974	\$20,252,443	\$884,807,417
Capital assets	4,411,566	115,000,000	119,411,566
Capital building fund	0	15,393,458	15,393,458
Total all funds	\$868,966,540	\$150,645,901	\$1,019,612,441
Less estimated income	<u>728,870,450</u>	<u>143,918,802</u>	<u>872,789,252</u>
Total general fund	\$140,096,090	\$6,727,099	\$146,823,189
Full-time equivalent positions	2,218.07	(85.90)	2,132.17"

Page 3, remove lines 26 through 31

Page 4, replace lines 1 through 3 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$732,673,267	\$9,213,433	\$741,886,700
Capital assets	7,799,104	79,800,000	87,599,104
Capital building fund	0	12,401,812	12,401,812
Total all funds	\$740,472,371	\$101,415,245	\$841,887,616
Less estimated income	<u>611,881,329</u>	<u>97,661,956</u>	<u>709,543,285</u>
Total general fund	\$128,591,042	\$3,753,289	\$132,344,331
Full-time equivalent positions	1,895.66	(25.50)	1,870.16"

Page 4, replace lines 6 through 14 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$91,682,610	\$3,610,065	\$95,292,675
Capital assets	1,012,379	0	1,012,379
Capital building fund	0	1,537,982	1,537,982
Total all funds	\$92,694,989	\$5,148,047	\$97,843,036
Less estimated income	<u>57,605,613</u>	<u>3,898,705</u>	<u>61,504,318</u>
Total general fund	\$35,089,376	\$1,249,342	\$36,338,718
Full-time equivalent positions	345.04	(34.31)	310.73"

Page 4, replace lines 17 through 25 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$47,135,592	\$1,203,267	\$48,338,859
Capital assets	409,078	0	409,078
Capital building fund	0	957,642	957,642
Theodore Roosevelt digitization	0	250,000	250,000
Total all funds	\$47,544,670	\$2,410,909	\$49,955,579
Less estimated income	<u>29,737,827</u>	<u>1,675,772</u>	<u>31,413,599</u>
Total general fund	\$17,806,843	\$735,137	\$18,541,980
Full-time equivalent positions	168.90	44.36	213.26"

Page 4, remove lines 28 through 31

Page 5, replace lines 1 through 4 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$44,197,761	\$3,153,768	\$47,351,529
Capital assets	358,992	0	358,992
Capital building fund	0	833,832	833,832
Total all funds	\$44,556,753	\$3,987,600	\$48,544,353
Less estimated income	<u>30,307,148</u>	<u>1,906,832</u>	<u>32,213,980</u>
Total general fund	\$14,249,605	\$2,080,768	\$16,330,373
Full-time equivalent positions	210.53	(1.26)	209.27"

Page 5, replace lines 7 through 14 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$100,710,275	\$1,095,224	\$101,805,499
Capital assets	1,099,620	0	1,099,620
Capital building fund	0	2,042,828	2,042,828
Total all funds	\$101,809,895	\$3,138,052	\$104,947,947
Less estimated income	<u>62,058,916</u>	<u>3,207,692</u>	<u>65,266,608</u>
Total general fund	\$39,750,979	(\$69,640)	\$39,681,339
Full-time equivalent positions	441.65	(34.07)	407.58"

Page 5, replace lines 17 through 24 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$48,444,336	(\$2,009,370)	\$46,434,966
Capital assets	455,823	0	455,823
Capital building fund	0	1,028,686	1,028,686
Total all funds	\$48,900,159	(\$980,684)	\$47,919,475
Less estimated income	<u>28,470,657</u>	<u>(1,583,258)</u>	<u>26,887,399</u>
Total general fund	\$20,429,502	\$602,574	\$21,032,076
Full-time equivalent positions	202.75	(22.07)	180.68"

Page 5, remove lines 27 through 31

Page 6, replace lines 1 through 3 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$17,168,111	\$811,683	\$17,979,794
Capital assets	114,007	0	114,007
Capital building fund	0	357,700	357,700
Total all funds	\$17,282,118	\$1,169,383	\$18,451,501
Less estimated income	<u>9,629,173</u>	<u>1,124,568</u>	<u>10,753,741</u>
Total general fund	\$7,652,945	\$44,815	\$7,697,760
Full-time equivalent positions	84.30	(2.01)	82.29"

Page 6, replace lines 6 through 13 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$205,926,712	\$5,179,871	\$211,106,583
Health care workforce initiative	0	10,676,150	10,676,150
Total all funds	\$205,926,712	\$15,856,021	\$221,782,733
Less estimated income	<u>154,078,620</u>	<u>4,768,324</u>	<u>158,846,944</u>
Total general fund	\$51,848,092	\$11,087,697	\$62,935,789
Full-time equivalent positions	435.75	49.57	485.32"

Page 6, replace lines 16 through 23 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$14,958,447	\$230,049	\$15,188,496
Capital assets	118,728	0	118,728
Total all funds	\$15,077,175	\$230,049	\$15,307,224
Less estimated income	<u>10,650,748</u>	<u>14,652</u>	<u>10,665,400</u>
Total general fund	\$4,426,427	\$215,397	\$4,641,824
Full-time equivalent positions	27.00	0.00	27.00"

Page 6, replace lines 26 through 30 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$613,242,154	\$35,081,983	\$648,324,137
Grand total special funds	<u>1,866,661,275</u>	<u>260,349,792</u>	<u>2,127,011,067</u>
Grand total all funds	\$2,479,903,429	\$295,431,775	\$2,775,335,204"

Page 7, line 2, after "biennium" insert "and the 2019-21 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 7, replace lines 4 and 5 with:

"Capital projects - other funds	\$168,505,000	\$197,800,000
Education challenge grants	2,000,000	2,200,000
Tier II and tier III capital building funds	0	46,297,110
Theodore Roosevelt digitization	0	250,000"

Page 7, replace lines 12 through 14 with:

"Total all funds	\$205,843,626	\$246,547,110
Total other funds	193,289,000	240,097,110
Total general fund	\$12,554,626	\$6,450,000

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The institutions and entities under the control of the state board of higher education shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 9, after line 6, insert:

**"SECTION 3.** A new chapter to title 15 of the North Dakota Century Code is created and enacted as follows:

**Midwestern regional higher education compact.**

The midwestern regional higher education compact is adopted as follows:

**ARTICLE I - PURPOSE**

The purpose of the midwestern higher education compact is to provide greater higher education opportunities and services in the midwestern region, with the aim of furthering regional access to, research in, and choice of higher education for the citizens residing in the states that are parties to this compact.

**ARTICLE II - THE COMMISSION**

1. The compacting states create the midwestern higher education commission, hereinafter called the commission. The commission is a body corporate of each compacting state. The commission has all the responsibilities, powers, and duties set forth in this chapter, including the power to sue and be sued, and any additional powers conferred upon it by subsequent action of the respective legislative assemblies of the compacting states in accordance with the terms of this compact.
2. The commission consists of the following five resident members from each state: the governor or the governor's designee who serves during the tenure of office of the governor; two legislators, one from each house, except for Nebraska, which may appoint two legislators from its legislative assembly, who serve two-year terms and are appointed by the appropriate appointing authority in each house of the legislative assembly; and two other at large members, at least one of whom is to be selected from the field of higher education. The at large members are to be appointed as provided by the laws of the appointing state. One of the two at large members initially appointed in each state serves a two-year term. The other, and any regularly appointed successor to either at large member, serves a four-year term. All vacancies are to be filled in accordance with the laws of the appointing states. Any commissioner appointed to fill a vacancy serves until the end of the incomplete term.
3. The commission shall select annually, from among its members, a chairman, a vice chairman, and a treasurer.

4. The commission shall appoint an executive director who serves at its pleasure and who is secretary to the commission. The treasurer, the executive director, and other personnel as the commission determines must be bonded in the amounts required by the commission.
5. The commission shall meet at least once each calendar year. The chairman may call additional meetings and upon the request of a majority of the commission members of three or more compacting states, shall call additional meetings. The commission shall give public notice of all meetings. All meetings must be open to the public.
6. Each compacting state represented at any meeting of the commission is entitled to one vote. A majority of the compacting states constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the commission.

### **ARTICLE III - POWERS AND DUTIES OF THE COMMISSION**

1. The commission shall adopt bylaws governing its management and operations.
2. Notwithstanding the laws of any compacting state, the commission shall provide for the personnel policies and programs of the compact in its bylaws.
3. The commission shall submit a budget to the governor and legislative assembly of each compacting state at the time and for the period required by each state. The budget must contain recommendations regarding the amount to be appropriated by each compacting state.
4. The commission shall report annually to the legislative assemblies and governors of the compacting states, to the midwestern governors' conference, and to the midwestern legislative conference of the council of state governments regarding the activities of the commission during the preceding year. The reports must include any recommendations that have been adopted by the commission.
5. The commission may borrow, accept, or contract for the services of personnel from any state or from the United States, or from any subdivision or agency thereof, from any interstate agency, or from any person.
6. The commission may accept for any of its purposes and functions under the compact donations and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state or the United States or from any subdivision or agency thereof, from an interstate agency, or from any person, and may receive, use, and dispose of the same.
7. The commission may enter agreements with any other interstate education organization or agency, with institutions of higher education located in nonmember states, and with any of the various states to provide adequate programs and services in higher education for the citizens of the respective compacting states. After negotiations with interested institutions and interstate organizations or agencies, the commission shall determine the cost of providing the programs and services in higher education for use in these agreements.
8. The commission may establish and maintain offices in one or more of the compacting states.
9. The commission may establish committees and hire staff as necessary to carry out its functions.

10. The commission may provide for actual and necessary expenses for the attendance of its members at official meetings of the commission or of its designated committees.

#### **ARTICLE IV - ACTIVITIES OF THE COMMISSION**

1. The commission shall collect data on the long-range effects of the compact on higher education. By the end of the fourth year from the effective date of the compact and every two years thereafter, the commission shall review its accomplishments and make recommendations to the governors and legislative assemblies of the compacting states regarding continuance of the compact.
2. The commission shall study higher education issues that are of particular concern to the midwestern region. The commission also shall study the need for higher education programs and services in the compacting states and the resources for meeting those needs. The commission shall prepare reports, on its research, for presentation to the governors and legislative assemblies of the compacting states, as well as to other interested parties. In conducting the studies, the commission may confer with any national or regional planning body. The commission may draft and recommend to the governors and legislative assemblies of the various compacting states suggested legislation addressing issues in higher education.
3. The commission shall study the need for the provision of adequate programs and services in higher education, such as undergraduate, graduate, or professional student exchanges in the region. If a need for exchange in a field is apparent, the commission may enter agreements with any institution of higher education and with any compacting state to provide programs and services in higher education for the citizens of the respective compacting states. After negotiating with interested institutions and the compacting states, the commission shall determine the cost of providing the programs and services in higher education for use in its agreements. The contracting states shall contribute funds not otherwise provided, as determined by the commission, to carry out the agreements. The commission may also serve as the administrative and fiscal agent in carrying out agreements for higher education programs and services.
4. The commission shall serve as a clearinghouse for information regarding higher education activities among institutions and agencies.
5. The commission may provide services and research in any other area of regional concern.

#### **ARTICLE V - FINANCE**

1. The compacting states will appropriate the amount necessary to finance the general operations of the commission, not otherwise provided for, when authorized by their respective legislative assemblies. The amount must be apportioned equally among the compacting states.
2. The commission may not incur any obligations prior to the passage of appropriations adequate to meet the same; nor may the commission pledge the credit of any of the compacting states, except by and with the authority of the compacting state.
3. The commission shall keep accurate accounts of its receipts and disbursements. The receipts and disbursements of the commission are subject to the audit and accounting procedures established under its bylaws. All receipts and disbursements handled by the commission must be audited yearly by a certified or licensed public accountant and the report of the audit must be included in and become part of the annual report of the commission.

4. The accounts of the commission must be open at any reasonable time for inspection by duly authorized representatives of the compacting states and by persons authorized by the commission.

#### **ARTICLE VI - ELIGIBLE PARTIES AND ENTRY INTO FORCE**

1. The states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin are eligible to become parties to this compact. Additional states may be eligible if approved by a majority of the compacting states.
2. This compact becomes effective, as to any eligible party state, when its legislative assembly enacts the compact into law.
3. An amendment to the compact becomes effective upon its enactment by the legislative assemblies of all compacting states.

#### **ARTICLE VII - WITHDRAWAL, DEFAULT, AND TERMINATION**

1. A compacting state may withdraw from the compact by enacting a statute repealing the compact, but the withdrawal may not become effective until two years after the enactment of such statute. A withdrawing state is liable for any obligation that it incurred on account of its party status, up to the effective date of withdrawal, except that if the withdrawing state has specifically undertaken or committed itself to any performance of an obligation extending beyond the effective date of withdrawal, it remains liable to the extent of the obligation.
2. If a compacting state at any time defaults in the performance of its obligations, assumed or imposed, in accordance with this compact, all rights, privileges, and benefits conferred by this compact or by agreements made under the compact are suspended from the effective date of the default, as fixed by the commission. The commission shall stipulate the conditions and maximum time for compliance under which the defaulting state may resume its regular status. Unless the default is remedied under the stipulations and within the time period set by the commission, the compact may be terminated with respect to the defaulting state by affirmative vote of a majority of the other member states. A defaulting state may be reinstated by performing all acts and obligations required by the commission.

#### **ARTICLE VIII - SEVERABILITY AND CONSTRUCTION**

The provisions of this compact are severable, and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any compacting state or of the United States or its applicability to any person or circumstance is held invalid, the validity of the remainder of the compact and its applicability to any person or circumstance may not be affected. If the compact is found to be contrary to the constitution of any compacting state, the compact remains in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. The provisions of the compact must be liberally construed to effectuate the purpose of the compact.

#### **Midwestern higher education commission - Terms - Vacancies.**

1. The members of the midwestern higher education commission representing this state are:
  - a. The governor or the governor's designee.
  - b. One member of the senate and one member of the house of representatives, appointed by the chairman of the legislative management.

- c. Two at-large members, one of whom must be knowledgeable about the field of higher education, appointed by the governor.
2. The term of each legislative appointee is two years. One initial at-large member must be appointed for a term of two years and the other for a term of four years. Thereafter, the term of each at-large member is four years.
3. If a member vacates the position to which the member was appointed, the position must be filled for the remainder of the unexpired term in the same manner as that position was filled initially.

**SECTION 4. AMENDMENT.** Section 15-10-49 of the North Dakota Century Code is amended and reenacted as follows:

**15-10-49. Advancement of academics - Matching grants - Two-year and four-year institutions of higher education.**

1.
  - a. Subject to legislative appropriations, each biennium during the period beginning July first of each odd-numbered year and ending December thirty-first of each even-numbered year, the state board of higher education shall award one dollar in matching grants for every two dollars raised by the institutional foundations of Bismarck state college, Dakota college at Bottineau, Dickinson state university, Lake Region state college, Mayville state university, Minot state university, North Dakota state college of science, Valley City state university, and Williston state college for projects dedicated exclusively to the advancement of academics.
  - b. To be eligible for a matching grant, an institution must demonstrate that:
    - (1) Its foundation has raised at least twenty-five thousand dollars in cash or monetary pledges for a qualifying project; and
    - (2) The project has been approved by the grant review committee established in section 15-10-51.
  - c. The board may award up to two hundred thousand dollars in matching grants to each institution.
2.
  - a. If any available dollars have not been awarded by the board before January first of each odd-numbered year, in accordance with subsection 1, any institution listed in subsection 1 may apply for an additional matching grant.
  - b. An application submitted under this subsection must meet the same criteria as an original application.
  - c. The board shall consider each application submitted under this subsection in chronological order.
  - d. If the remaining dollars are insufficient to provide a matching grant in the amount of one dollar for every two dollars raised by the institutional foundation, the board shall award a lesser amount.
3. The state board of higher education shall retain up to one-quarter of one percent of any grant awarded under this section to assist with administrative expenses incurred in the grant review process.

**SECTION 5.** A new subsection to section 15-10-63 of the North Dakota Century Code is created and enacted as follows:

Notwithstanding any existing agreements, an institution under the control of the state board of higher education shall obtain approval from the

legislative assembly before the institution acquires any additional facility space to be used by the institution for any purpose, if the acquisition would result in additional operating costs to be paid from any source. This subsection does not apply to operating lease agreements that preclude the ownership of the leased facility.

**SECTION 6.** A new subsection to section 15-10-63 of the North Dakota Century Code is created and enacted as follows:

Notwithstanding any existing agreements, an institution under the control of the state board of higher education shall obtain approval from the legislative assembly before an institution purchases, rents, occupies, or otherwise utilizes a building or any portion of a building for a purpose that directly or indirectly supports or relates to the institution's educational or administrative functions if the building is located more than ten miles from the campus of the institution. This subsection does not apply to buildings utilized by an institution to offer dual-credit courses, buildings utilized by the agricultural experiment station and research extension centers, and buildings utilized by the North Dakota state university extension service. For purposes of this section, "campus" means the campus of the institution under the federal Clery Act [Pub. L. 105-244; 20 U.S.C. 1092(f)].

**SECTION 7.** A new subsection to section 15-10-63 of the North Dakota Century Code is created and enacted as follows:

An institution that obtains legislative approval to acquire any additional facility space to be used by the institution for any purpose shall establish a maintenance reserve fund of at least three percent of the total construction cost or replacement value, whichever is greater, of the acquired space. The institution's plans for funding the maintenance reserve fund must be included in the request for legislative approval. Maintenance reserve funds must be deposited in an account under the control of the state board of higher education before the acquired space may be occupied, and the funds may be used for maintenance repairs after the total deferred maintenance of the space exceeds thirty percent of its replacement value. The funds may not be used for any other purpose. This subsection does not apply to additional space acquired through the sale of revenue bonds that require by covenant the establishment of maintenance reserve funds.

**SECTION 8. AMENDMENT.** Section 15-18.2-02 of the North Dakota Century Code is amended and reenacted as follows:

**15-18.2-02. Weighted credit-hours - Determination - Instructional program classification factors - Submission to legislative management.**

1. In order to determine the weighted credit-hours for each institution under its control, the state board of higher education shall multiply each of an institution's completed credit-hours, as determined under section 15-18.2-01, by an instructional program classification factor, as set forth in this section.
  - a. The factors for credits completed in agriculture are:
    - (1) 1.9 for lower division credits;
    - (2) 3.8 for upper division credits;
    - (3) 5.7 for professional level credits; and
    - (4) 7.6 for graduate level credits.
  - b. The factors for credits completed in architecture are:



- (1) 1.8 for lower division credits;
  - (2) 3.6 for upper division credits;
  - (3) 5.4 for professional level credits; and
  - (4) 7.2 for graduate level credits.
- c. The factors for credits completed in transportation are:
- (1) 1.9 for lower division credits;
  - (2) 3.8 for upper division credits;
  - (3) 5.7 for professional level credits; and
  - (4) 7.6 for graduate level credits.
- d. The factors for credits completed in the biological and physical sciences are:
- (1) 1.9 for lower division credits;
  - (2) 3.8 for upper division credits;
  - (3) 5.7 for professional level credits; and
  - (4) 7.6 for graduate level credits.
- e. The factors for credits completed in business are:
- (1) 1.9 for lower division credits;
  - (2) 3.8 for upper division credits;
  - (3) 5.7 for professional level credits; and
  - (4) 7.6 for graduate level credits.
- f. The factors for credits completed in education are:
- (1) 1.9 for lower division credits;
  - (2) 3.8 for upper division credits;
  - (3) 5.7 for professional level credits; and
  - (4) 7.6 for graduate level credits.
- g. The factors for credits completed in engineering are:
- (1) 2.5 for lower division credits;
  - (2) 5.0 for upper division credits;
  - (3) 7.5 for professional level credits; and
  - (4) 10.0 for graduate level credits.
- h. The factors for credits completed in the health sciences are:
- (1) 3.0 for lower division credits;
  - (2) 6.0 for upper division credits;

- (3) 9.0 for professional level credits;
  - (4) 12.0 for graduate level credits; and
  - (5) ~~38.0~~34.5 for medical school credits.
- i. The factors for credits completed in legal studies are:
  - (1) 3.5 for lower division credits;
  - (2) 7.0 for upper division credits;
  - (3) 10.5 for professional level credits; and
  - (4) 14.0 for graduate level credits.
- j. The factors for credits completed in the core disciplines are:
  - (1) 1.0 for lower division credits;
  - (2) 2.0 for upper division credits;
  - (3) 3.0 for professional level credits; and
  - (4) 4.0 for graduate level credits.
- k. The factor for credits completed in career and technical education is 2.0.
- l. The factor for completed basic skills credits is 2.3.
- 2. a. The state board of higher education shall ensure that all delineations in this section reflect the requirements of a nationally recognized and standardized instructional program classification system.
- b. Before adopting any changes to the delineations implemented in accordance with this section, the state board of higher education shall present the proposed changes to and receive the approval of the legislative management.

**SECTION 9. 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.**

- 1. Except as provided under subsection 2, 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:
  - a. ~~\$58.65~~\$60.70 in the case of North Dakota state university and the university of North Dakota;
  - b. ~~\$86.95~~\$90.48 in the case of Dickinson state university, Mayville state university, Minot state university, and Valley City state university; and
  - c. ~~\$93.03~~\$96.52 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.
- 2. An institution is entitled to an amount equal to seventy-five percent of the product determined under subsection 1 for credits completed by students receiving a tuition waiver pursuant to section 54-12-35.

**SECTION 10. AMENDMENT.** Section 15-62.4-03 of the North Dakota Century Code is amended and reenacted as follows:

**15-62.4-03. Student financial assistance program - Grants.**

1. The state board of higher education shall provide to each eligible student a financial assistance grant in an amount not exceeding:
  - a. ~~Nine hundred seventy-five~~One thousand one hundred dollars per semester; or
  - b. ~~Six hundred fifty~~Seven hundred thirty-three dollars per quarter.
2. a. A student is not entitled to receive grants under this chapter for more than the equivalent of:
  - (1) Eight semesters of full-time enrollment; or
  - (2) Twelve quarters of full-time enrollment.
- b. Notwithstanding subdivision a, a student is not entitled to receive a grant under this chapter after the student obtains a baccalaureate degree.
3. The board shall forward grants payable under this chapter directly to the institution in which the student is enrolled."

Page 9, after line 6, insert:

**"SECTION 12. REPEAL.** Section 15-10-61 of the North Dakota Century Code is repealed."

Page 9, line 18, replace "biennium" with "period"

Page 9, line 18, replace "July 1, 2019" with "with the effective date of this Act"

Page 9, replace lines 23 through 31 with:

**"SECTION 15. 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, 2019, and ending June 30, 2021. Based on the recommendation of the commissioner of higher education a portion of the allocation may be transferred by the state board of higher education between the university of North Dakota school of medicine and health sciences and the university of North Dakota."

Page 10, line 3, after "assets" insert "and capital building fund"

Page 10, line 17, after the period insert "An institution may not use tier II or tier III capital building fund moneys as matching funds under this section."

**SECTION 19. 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 Act and ending June 30, 2021. 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:

University of North Dakota - memorial union	\$80,000,000
North Dakota state university - university village phase II	<u>37,600,000</u>
Total special funds	\$117,600,000

**SECTION 20. TRANSFER - BANK OF NORTH DAKOTA PROFITS - TIER II CAPITAL BUILDING FUNDS - MATCHING FUNDS.** The industrial commission shall transfer to institutions under the control of the state board of higher education a total of \$10,000,000, or so much of the sum as may be necessary, from the current earnings and accumulated undivided profits of the Bank of North Dakota during the period beginning with the effective date of this Act, and ending June 30, 2021, as requested by the commissioner of higher education. The capital building fund and estimated income line items in subdivisions 2 through 12 of section 1 of this Act include \$10,000,000 from the current earnings and accumulated undivided profits of the Bank of North Dakota and \$8,648,555 from a one percent per year increase in tuition as follows:

	<u>Bank of North Dakota</u>	<u>Estimated Tuition Commitment</u>
Bismarck state college	\$425,693	\$413,848
Lake Region state college	177,375	136,763
Williston state college	137,947	79,959
University of North Dakota	4,361,801	3,334,928
North Dakota state university	2,899,596	3,301,310
North Dakota state college of science	500,695	268,296
Dickinson state university	268,862	209,959
Mayville state university	240,029	176,887
Minot state university	572,801	448,613
Valley City state university	309,137	205,206
Dakota college at Bottineau	<u>106,064</u>	<u>72,786</u>
Total	\$10,000,000	\$8,648,555

An institution shall provide one dollar of matching funds from operations or other sources for each one dollar from Bank of North Dakota profits and for each one dollar generated from the one percent per year increase in tuition deposited in each institution's capital building fund. An institution may not use extraordinary repairs funding or tier III capital building fund moneys as matching funds under this section.

**SECTION 21. TRANSFER - BANK OF NORTH DAKOTA PROFITS - TIER III CAPITAL BUILDING FUND POOL - MATCHING FUNDS.** The industrial commission shall transfer to the North Dakota university system office a total of \$5,000,000, or so much of the sum as may be necessary, from the current earnings and accumulated undivided profits of the Bank of North Dakota during the period beginning with the effective date of this Act, and ending June 30, 2021, as requested by the commissioner of higher education. The tier III capital building fund pool and estimated income line items in subdivision 1 of section 1 of this Act include \$5,000,000 from the current earnings and accumulated undivided profits of the Bank of North Dakota. The tier III capital building fund pool in subdivision 1 of section 1 of this Act also includes \$4,000,000 from the general fund. Funding from the tier III capital building fund pool is to be allocated to each institution as follows:

	<u>Tier III Capital Building Fund</u>
Bismarck state college	\$500,000
Lake Region state college	500,000
Williston state college	500,000
University of North Dakota	2,250,000
North Dakota state university	2,250,000
North Dakota state college of science	500,000
Dickinson state university	500,000
Mayville state university	500,000
Minot state university	500,000
Valley City state university	500,000
Dakota college at Bottineau	<u>500,000</u>
Total	\$9,000,000

An institution shall provide two dollars of matching funds from operations or other sources for each one dollar from the tier III capital building fund pool. An institution may not use extraordinary repairs funding or tier II capital building fund moneys as matching funds under this section. Any funds transferred to an institution pursuant to this section from the tier III capital building fund pool must be placed in that institution's capital building fund line item.

**SECTION 22. CAPITAL BUILDING FUNDS - USES - REPORTS.** Subject to state board of higher education approval, each institution in subdivisions 2 through 12 of section 1 of this Act may use moneys from its capital building fund line item for extraordinary repairs and deferred maintenance projects which do not exceed \$700,000 and do not increase the square footage of a building. In addition, Lake Region state college is authorized to use up to \$3,000,000 from its capital building fund line item for the precision agriculture center project. The North Dakota university system shall report to the legislative management during the 2019-20 interim and to the appropriations committees of the sixty-seventh legislative assembly on the use of funding in each institutions' capital building fund line item, the source of matching funds, and each institutions' five-year plan for capital construction spending.

**SECTION 23. TUITION RATE INCREASE LIMITATION - 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 2019-20 academic year by more than three percent as compared to the tuition rate in effect during the 2019 spring semester unless the board receives prior budget section approval. Before approving or denying the request, the budget section shall consider the effect the tuition rate increase will have on current and prospective students, tuition rates at comparable institutions in neighboring states, and the institution's planned use of additional tuition revenue.
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 2020-21 academic year by more than three percent as compared to the tuition rate in effect during the 2020 spring semester unless the board receives prior budget section approval. Before approving or denying the request, the budget section shall consider the effect the tuition rate increase will have on current and prospective students, tuition rates at comparable institutions in neighboring states, and the institution's planned use of additional tuition revenue.
3. This section does not apply to tuition rates charged for graduate level programs, including 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.
4. 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.
5. 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.
6. 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.

7. The state board of higher education may increase tuition rates for all students attending institutions of higher education under its control during the 2019-20 academic year by an additional one percent as compared to the tuition rate in effect during the 2019 spring semester if the institution has provided matching funds from operations or other sources for each one dollar generated from the one percent increase in tuition, which must be deposited in each institution's capital building fund.
8. The state board of higher education may increase tuition rates for all students attending institutions of higher education under its control during the 2020-21 academic year by an additional one percent as compared to the tuition rate in effect during the 2020 spring semester if the institution has provided matching funds from operations or other sources for each one dollar generated from the one percent increase in tuition, which must be deposited in each institution's capital building fund.

**SECTION 24. EMERGENCY.** Sections 14, 16, 18, 19, 20, 21, and 22 of this Act and the tier III capital building fund pool, capital assets, and capital building fund line items in section 1 of this Act are declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1003 - Summary of House Action**

	Base Budget	House Changes	House Version
University System Office			
Total all funds	\$128,051,636	\$9,087,474	\$137,139,110
Less estimated income	26,412,106	2,550,610	28,962,716
General fund	<u>\$101,639,530</u>	<u>\$6,536,864</u>	<u>\$108,176,394</u>
FTE	149.40	(0.50)	148.90
Bismarck State College			
Total all funds	\$103,592,595	(\$2,768,093)	\$100,824,502
Less estimated income	72,991,998	(3,062,872)	69,929,126
General fund	<u>\$30,600,597</u>	<u>\$294,779</u>	<u>\$30,895,376</u>
FTE	358.35	(34.42)	323.93
Lake Region State College			
Total all funds	\$36,811,715	\$4,578,307	\$41,390,022
Less estimated income	24,111,092	4,405,672	28,516,764
General fund	<u>\$12,700,623</u>	<u>\$172,635</u>	<u>\$12,873,258</u>
FTE	129.61	(11.51)	118.10
Williston State College			
Total all funds	\$28,216,101	\$1,513,564	\$29,729,665
Less estimated income	19,855,598	(137,663)	19,717,935
General fund	<u>\$8,360,503</u>	<u>\$1,651,227</u>	<u>\$10,011,730</u>
FTE	100.75	(0.27)	100.48
University of North Dakota			
Total all funds	\$868,966,540	\$150,645,901	\$1,019,612,441
Less estimated income	728,870,450	143,918,802	872,789,252
General fund	<u>\$140,096,090</u>	<u>\$6,727,099</u>	<u>\$146,823,189</u>
FTE	2,218.07	(85.90)	2,132.17
UND Medical Center			
Total all funds	\$205,926,712	\$15,856,021	\$221,782,733
Less estimated income	154,078,620	4,768,324	158,846,944
General fund	<u>\$51,848,092</u>	<u>\$11,087,697</u>	<u>\$62,935,789</u>
FTE	435.75	49.57	485.32
North Dakota State University			
Total all funds	\$740,472,371	\$101,415,245	\$841,887,616
Less estimated income	611,881,329	97,661,956	709,543,285

General fund	\$128,591,042	\$3,753,289	\$132,344,331
FTE	1,895.66	(25.50)	1,870.16
State College of Science			
Total all funds	\$92,694,989	\$5,148,047	\$97,843,036
Less estimated income	57,605,613	3,898,705	61,504,318
General fund	\$35,089,376	\$1,249,342	\$36,338,718
FTE	345.04	(34.31)	310.73
Dickinson State University			
Total all funds	\$47,544,670	\$2,410,909	\$49,955,579
Less estimated income	29,737,827	1,675,772	31,413,599
General fund	\$17,806,843	\$735,137	\$18,541,980
FTE	168.90	44.36	213.26
Mayville State University			
Total all funds	\$44,556,753	\$3,987,600	\$48,544,353
Less estimated income	30,307,148	1,906,832	32,213,980
General fund	\$14,249,605	\$2,080,768	\$16,330,373
FTE	210.53	(1.26)	209.27
Minot State University			
Total all funds	\$101,809,895	\$3,138,052	\$104,947,947
Less estimated income	62,058,916	3,207,692	65,266,608
General fund	\$39,750,979	(\$69,640)	\$39,681,339
FTE	441.65	(34.07)	407.58
Valley City State University			
Total all funds	\$48,900,159	(\$980,684)	\$47,919,475
Less estimated income	28,470,657	(1,583,258)	26,887,399
General fund	\$20,429,502	\$602,574	\$21,032,076
FTE	202.75	(22.07)	180.68
Dakota College at Bottineau			
Total all funds	\$17,282,118	\$1,169,383	\$18,451,501
Less estimated income	9,629,173	1,124,568	10,753,741
General fund	\$7,652,945	\$44,815	\$7,697,760
FTE	84.30	(2.01)	82.29
Forest Service			
Total all funds	\$15,077,175	\$230,049	\$15,307,224
Less estimated income	10,650,748	14,652	10,665,400
General fund	\$4,426,427	\$215,397	\$4,641,824
FTE	27.00	0.00	27.00
Bill total			
Total all funds	\$2,479,903,429	\$295,431,775	\$2,775,335,204
Less estimated income	1,866,661,275	260,349,792	2,127,011,067
General fund	\$613,242,154	\$35,081,983	\$648,324,137
FTE	6,767.76	(157.89)	6,609.87

## House Bill No. 1003 - North Dakota University System - General Fund Summary

	Base Budget	House Changes	House Version
University System Office	\$101,639,530	\$6,536,864	\$108,176,394
Bismarck State College	30,600,597	294,779	30,895,376
Lake Region State College	12,700,623	172,635	12,873,258
Williston State College	8,360,503	1,651,227	10,011,730
University of North Dakota	140,096,090	6,727,099	146,823,189
UND Medical Center	51,848,092	11,087,697	62,935,789
North Dakota State University	128,591,042	3,753,289	132,344,331
State College of Science	35,089,376	1,249,342	36,338,718
Dickinson State University	17,806,843	735,137	18,541,980
Mayville State University	14,249,605	2,080,768	16,330,373
Minot State University	39,750,979	(69,640)	39,681,339
Valley City State University	20,429,502	602,574	21,032,076
Dakota College at Bottineau	7,652,945	44,815	7,697,760
Forest Service	4,426,427	215,397	4,641,824
Total general fund	\$613,242,154	\$35,081,983	\$648,324,137

## Detail of House 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 Program <sup>4</sup>	Adds One- Time Funding for Theodore Roosevelt Digitization <sup>5</sup>	Adds Funding for Capital Projects <sup>6</sup>
University System Office	\$6,536,864					
Bismarck State College		\$294,779				
Lake Region State College		172,635				
Williston State College		1,651,227				
University of North Dakota		6,727,099				
UND Medical Center		6,580,445		\$4,507,252		
North Dakota State University		3,753,289				
State College of Science		1,249,342				
Dickinson State University		485,137			\$250,000	
Mayville State University		2,080,768				
Minot State University		(69,640)				
Valley City State University		602,574				
Dakota College at Bottineau		44,815				
Forest Service						
Total general fund	\$6,536,864	\$23,572,470	\$0	\$4,507,252	\$250,000	\$0

	Adds Funding for Capital Building Funds <sup>7</sup>	Adjusts Forest Service Funding <sup>8</sup>	Total the General Fund Changes
University System Office			\$6,536,864
Bismarck State College			294,779
Lake Region State College			172,635
Williston State College			1,651,227
University of North Dakota			6,727,099
UND Medical Center			11,087,697
North Dakota State University			3,753,289
State College of Science			1,249,342
Dickinson State University			735,137
Mayville State University			2,080,768
Minot State University			(69,640)
Valley City State University			602,574
Dakota College at Bottineau			44,815
Forest Service		\$215,397	215,397
Total general fund	\$0	\$215,397	\$35,081,983

## House Bill No. 1003 - North Dakota University System - Other Funds Summary

	Base Budget	House Changes	House Version
University System Office	\$26,412,106	\$2,550,610	\$28,962,716
Bismarck State College	72,991,998	(3,062,872)	69,929,126
Lake Region State College	24,111,092	4,405,672	28,516,764
Williston State College	19,855,598	(137,663)	19,717,935
University of North Dakota	728,870,450	143,918,802	872,789,252
UND Medical Center	154,078,620	4,768,324	158,846,944
North Dakota State University	611,881,329	97,661,956	709,543,285
State College of Science	57,605,613	3,898,705	61,504,318
Dickinson State University	29,737,827	1,675,772	31,413,599
Mayville State University	30,307,148	1,906,832	32,213,980
Minot State University	62,058,916	3,207,692	65,266,608
Valley City State University	28,470,657	(1,583,258)	26,887,399
Dakota College at Bottineau	9,629,173	1,124,568	10,753,741
Forest Service	10,650,748	14,652	10,665,400
Total other funds	\$1,866,661,275	\$260,349,792	\$2,127,011,067



## Detail of House 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 Program <sup>4</sup>	Adds One- Time Funding for Theodore Roosevelt Digitization <sup>5</sup>	Adds Funding for Capital Projects <sup>6</sup>
University System Office	\$2,550,610					
Bismarck State College			(\$4,741,954)			
Lake Region State College			777,396			\$3,000,000
Williston State College			(573,475)			
University of North Dakota			13,525,344			115,000,000
UND Medical Center			4,768,324			
North Dakota State University			5,460,144			79,800,000
State College of Science			2,360,723			
Dickinson State University			718,130			
Mayville State University			1,073,000			
Minot State University			1,164,864			
Valley City State University			(2,611,944)			
Dakota College at Bottineau			766,868			
Forest Service						
Total other funds	\$2,550,610	\$0	\$22,687,420	\$0	\$0	\$197,800,000

	Adds Funding for Capital Building Funds <sup>7</sup>	Adjusts Forest Service Funding <sup>8</sup>	Total Other Funds Changes
University System Office			\$2,550,610
Bismarck State College	\$1,679,082		(3,062,872)
Lake Region State College	628,276		4,405,672
Williston State College	435,812		(137,663)
University of North Dakota	15,393,458		143,918,802
UND Medical Center			4,768,324
North Dakota State University	12,401,812		97,661,956
State College of Science	1,537,982		3,898,705
Dickinson State University	957,642		1,675,772
Mayville State University	833,832		1,906,832
Minot State University	2,042,828		3,207,692
Valley City State University	1,028,686		(1,583,258)
Dakota College at Bottineau	357,700		1,124,568
Forest Service		\$14,652	14,652
Total other funds	\$37,297,110	\$14,652	\$260,349,792

## House Bill No. 1003 - North Dakota University System - All Funds Summary

	Base Budget	House Changes	House Version
University System Office	\$128,051,636	\$9,087,474	\$137,139,110
Bismarck State College	103,592,595	(2,768,093)	100,824,502
Lake Region State College	36,811,715	4,578,307	41,390,022
Williston State College	28,216,101	1,513,564	29,729,665
University of North Dakota	868,966,540	150,645,901	1,019,612,441
UND Medical Center	205,926,712	15,856,021	221,782,733
North Dakota State University	740,472,371	101,415,245	841,887,616
State College of Science	92,694,989	5,148,047	97,843,036
Dickinson State University	47,544,670	2,410,909	49,955,579
Mayville State University	44,556,753	3,987,600	48,544,353
Minot State University	101,809,895	3,138,052	104,947,947
Valley City State University	48,900,159	(980,684)	47,919,475
Dakota College at Bottineau	17,282,118	1,169,383	18,451,501
Forest Service	15,077,175	230,049	15,307,224
Total all funds	\$2,479,903,429	\$295,431,775	\$2,775,335,204
FTE	6,767.76	(157.89)	6,609.87

## Detail of House 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 Program <sup>4</sup>	Adds One- Time Funding for Theodore Roosevelt Digitization <sup>5</sup>	Adds Funding for Capital Projects <sup>6</sup>
University System Office	\$9,087,474					
Bismarck State College		\$294,779	(\$4,741,954)			
Lake Region State College		172,635	777,396			\$3,000,000
Williston State College		1,651,227	(573,475)			
University of North Dakota		6,727,099	13,525,344			115,000,000
UND Medical Center		6,580,445	4,768,324	\$4,507,252		
North Dakota State University		3,753,289	5,460,144			79,800,000
State College of Science		1,249,342	2,360,723			
Dickinson State University		485,137	718,130		\$250,000	
Mayville State University		2,080,768	1,073,000			
Minot State University		(69,640)	1,164,864			
Valley City State University		602,574	(2,611,944)			
Dakota College at Bottineau		44,815	766,868			
Forest Service						
Total all funds	\$9,087,474	\$23,572,470	\$22,687,420	\$4,507,252	\$250,000	\$197,800,000
FTE	(0.50)	0.00	(157.39)	0.00	0.00	0.00

	Adds Funding for Capital Building Funds <sup>7</sup>	Adjusts Forest Service Funding <sup>8</sup>	Total All Funds Changes
University System Office			\$9,087,474
Bismarck State College	\$1,679,082		(2,768,093)
Lake Region State College	628,276		4,578,307
Williston State College	435,812		1,513,564
University of North Dakota	15,393,458		150,645,901
UND Medical Center			15,856,021
North Dakota State University	12,401,812		101,415,245
State College of Science	1,537,982		5,148,047
Dickinson State University	957,642		2,410,909
Mayville State University	833,832		3,987,600
Minot State University	2,042,828		3,138,052
Valley City State University	1,028,686		(980,684)
Dakota College at Bottineau	357,700		1,169,383
Forest Service		\$230,049	230,049
Total all funds	\$37,297,110	\$230,049	\$295,431,775
FTE	0.00	0.00	(157.89)

<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
Base payroll changes	(0.50)	\$760	(\$226,935)	(\$226,175)
Salary increase		174,561	6,969	181,530
Health insurance increase		90,278	4,462	94,740
Restore funding for the Midwestern Higher Education Compact		230,000		230,000
Total	(0.50)	\$495,599	(\$215,504)	\$280,095

The following schedule details funding adjustments for Core Technology Services:

## Core Technology Services

	General Fund	Other Funds	Total
Base payroll changes	\$16	\$59	\$75
Salary increase	404,597	263,475	668,072
Health insurance increase	320,616	213,796	534,412
Remove funding from the student loan trust fund		(539,437)	(539,437)
Total	\$725,229	(\$62,107)	\$663,122

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

	Funding Adjustments to Other Line Items			
	Base Level	General Fund Adjustment	Other Funds Adjustment	House Version
Capital bond payments	\$6,605,326	(\$1,645,878)		\$4,959,448
Title II	1,006,472		(\$1,006,472)	0
Student financial assistance grants	21,917,306	2,000,000		\$23,917,306
Professional student exchange program	3,699,342	465,307	(465,307)	3,699,342
Tribal college grants	600,000	400,000	(500,000)	500,000
Education incentive programs	2,863,393	(2,103,393)		760,000
Dual-credit instructor assistance	200,000		(200,000)	0
Tier III capital building fund pool		4,000,000	5,000,000	9,000,000
Challenge grants		2,200,000		2,200,000
Total	\$36,891,839	\$5,316,036	\$2,828,221	\$45,036,096

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

	Credit Hour Completion Adjustment	Salary Increase	Health Insurance Increase	Hold Harmless Provision	Total Increase
Bismarck State College	(\$822,345)	\$536,167	\$580,957		\$294,779
Dakota College at Bottineau	(233,523)	110,595	167,743		44,815
Lake Region State College	(292,840)	223,963	241,512		172,635
State College of Science	(64,604)	625,495	688,451		1,249,342
Williston State College	1,289,220	179,354	182,653		1,651,227
Dickinson State University	(228,509)	331,284	382,362		485,137
Mayville State University	1,443,653	293,670	343,445		2,080,768
Minot State University	(2,300,918)	721,208	799,191	\$710,879	(69,640)
Valley City State University	(217,974)	354,107	466,441		602,574
North Dakota State University	(716,330)	2,305,373	2,164,246		3,753,289
University of North Dakota	3,544	3,426,959	3,296,596		6,727,099
UND School of Medicine	6,580,445				6,580,445
Total	\$4,439,819	\$9,108,175	\$9,313,597	\$710,879	\$23,572,470

<sup>3</sup> The following adjustments are made to institution other funds appropriations and FTE positions:

	FTE Positions Adjustment	Salary Increase	Health Insurance Increase	Other Adjustments	Total
Bismarck State College	(34.42)	\$684,881	\$793,112	(\$6,219,947)	(\$4,741,954)
Lake Region State College	(11.51)	240,968	297,550	238,878	777,396
Williston State College	(0.27)	244,194	249,961	(1,067,630)	(573,475)
University of North Dakota	(85.90)	6,998,168	6,588,173	(60,997)	13,525,344
UND School of Medicine	49.57	1,554,668	1,318,041	1,895,615	4,768,324
North Dakota State University	(25.50)	5,703,094	6,069,593	(6,312,543)	5,460,144
State College of Science	(34.31)	557,546	742,674	1,060,503	2,360,723
Dickinson State University	44.36	339,891	408,144	(29,905)	718,130
Mayville State University	(1.26)	382,722	621,084	69,194	1,073,000
Minot State University	(34.07)	832,505	1,032,444	(700,085)	1,164,864
Valley City State University	(22.07)	257,239	340,031	(3,209,214)	(2,611,944)
Dakota College at Bottineau	(2.01)	94,244	147,723	524,901	766,868
Total	(157.39)	\$17,890,120	\$18,608,530	(\$13,811,230)	\$22,687,420

<sup>4</sup> Funding of \$4,507,252 from the general fund is added to continue funding 35 residency positions at the University of North Dakota School of Medicine and Health Sciences. Funding for the residency positions provided through the funding formula is transferred to the healthcare workforce initiative line item from the operations line item to provide total funding of \$10,676,150 for the residency program.

<sup>5</sup> One-time funding of \$250,000 from the general fund is added for the digitization of documents at the Theodore Roosevelt Center.

<sup>6</sup> One-time funding is added for the following capital building projects:

	Other Funds
LRSC precision agriculture center	\$3,000,000
UND athletics High Performance Center phase II	35,000,000
UND Memorial Union (revenue bonds)	80,000,000
NDSU Barry Hall	3,000,000
NDSU indoor practice facility	37,200,000
NDSU softball indoor facility	2,000,000
NDSU University Village phase II (revenue bonds)	37,600,000
Total	\$197,800,000

<sup>7</sup> One-time funding, including \$10 million from Bank of North Dakota profits, is added as Tier II funding to establish a capital building fund at each institution as follows:

	Bank of North Dakota	1 Percent Tuition Increase	Institution Match	Total
Bismark State College	\$425,693	\$413,848	\$839,541	\$1,679,082
Lake Region State College	177,375	136,763	314,138	628,276
Williston State College	137,947	79,959	217,906	435,812
University of North Dakota	4,361,801	3,334,928	7,696,729	15,393,458
North Dakota State University	2,899,596	3,301,310	6,200,906	12,401,812
State College of Science	500,695	268,296	768,991	1,537,982
Dickinson State University	268,862	209,959	478,821	957,642
Mayville State University	240,029	176,887	416,916	833,832
Minot State University	572,801	448,613	1,021,414	2,042,828
Valley City State University	309,137	205,206	514,343	1,028,686
Dakota College at Bottineau	106,064	72,786	178,850	357,700
Total	\$10,000,000	\$8,648,555	\$18,648,555	\$37,297,110

<sup>8</sup> The following funding adjustments are made for the Forest Service:

#### Forest Service

	FTE Positions	General Fund	Other Funds	Total
Base payroll changes			\$14,652	\$14,652
Salary increase		\$94,921		94,921
Health insurance increase		120,476		120,476
Total	0.00	\$215,397	\$14,652	\$230,049

#### House Bill No. 1003 - Other Changes - House Action

This amendment also:

- Restores language in Title 15 of the North Dakota Century Code, relating to the Midwestern Higher Education Compact.
- Amends Section 15-10-49 to include Dickinson State University as an eligible institution for the higher education challenge grant program.
- Adds 3 new subsections to section 15-10-63, relating to capital project authorization.
- Amends Section 15-18.2-02 to transition funding for residency positions and the University of North Dakota School of Medicine and Health Sciences to a separate line item outside of the formula.
- Amends Section 15-62.4-03 relating to the student financial assistance program to increase the maximum annual award from \$1,950 to \$2,200.
- Repeals Section 15-10-61 relating to the dual-credit instructor assistance pilot program.
- Adds a section to provide for a portion of the funding formula allocation attributable to inflation to be transferred between the University of North Dakota and the University of North Dakota School of Medicine and Health Sciences.
- Adds a section to authorize the State Board of Higher Education to issue and sell revenue bonds for capital projects.
- Adds sections to provide requirements relating to Tier II and Tier III capital building fund moneys.
- Adds a section to provide for tuition increase limits.

#### REPORT OF STANDING COMMITTEE

**HB 1007: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1007 was placed on the Sixth order on the calendar.

Page 1, line 1, after "home" insert "; and to provide for a report"

Page 1, replace lines 8 through 16 with:

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	\$18,684,490	\$25,629	\$18,710,119
Operating expenses	5,454,239	(370,508)	5,083,731
Capital assets	411,303	246,330	657,633
Administrator's residence	0	233,450	233,450
Total all funds	\$24,550,032	\$134,901	\$24,684,933
Less estimated income	18,598,593	482,056	19,080,649

Total general fund	\$5,951,439	(\$347,155)	\$5,604,284
Full-time equivalent positions	120.72	0.00	120.72

Page 1, line 17, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY**"

Page 1, line 18, after "biennium" insert "and the 2019-21 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 1, remove lines 19 through 23

Page 2, replace lines 1 and 2 with:

" <u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Equipment	\$44,500	\$99,400
Health information exchange software	15,000	0
Nurse call system upgrade	82,500	0
Flooring project	0	100,000
Administrator's residence demolition	0	233,450
Security system upgrades	0	52,500
Total all funds	\$142,000	\$485,350
Less estimated income	<u>142,000</u>	<u>485,350</u>
Total general fund	\$0	\$0

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The veterans' home shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 3. ESTIMATED INCOME - SOLDIERS' HOME FUND - ADMINISTRATOR HOUSING STIPEND.** The estimated income line item in section 1 of this Act includes \$48,000 from the soldiers' home fund for providing a \$2,000 monthly housing stipend to the veterans' home administrator for housing costs off the veterans' home campus, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. ESTIMATED INCOME - SOLDIERS' HOME FUND - ONE-TIME FUNDING.** The estimated income line item in section 1 of this Act includes \$485,350 of one-time funding from the soldiers' home fund, of which \$99,400 is for equipment, \$100,000 is for a flooring project, \$233,450 is for the demolition of the administrator's residence, and \$52,500 is for security system upgrades, for the biennium beginning July 1, 2019, and ending June 30, 2021."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1007 - Veterans' Home - House Action

	<u>Base Budget</u>	<u>House Changes</u>	<u>House Version</u>
Salaries and wages	\$18,684,490	\$25,629	\$18,710,119
Operating expenses	5,454,239	(370,508)	5,083,731
Capital assets	411,303	246,330	657,633
Administrator's residence		233,450	233,450
Total all funds	\$24,550,032	\$134,901	\$24,684,933
Less estimated income	18,598,593	482,056	19,080,649
General fund	\$5,951,439	(\$347,155)	\$5,604,284
FTE	120.72	0.00	120.72

## Department 313 - Veterans' Home - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Unfunds 6.00 FTE positions <sup>3</sup>	Adjusts Base Level Funding <sup>4</sup>	Adds One- Time Funding for Equipment <sup>5</sup>	Adds One- Time Funding for a Veterans' Home Flooring Project <sup>6</sup>
Salaries and wages	(\$144,333)	\$1,009,002	(\$839,040)			
Operating expenses				(\$370,508)		
Capital assets				(5,570)	\$99,400	\$100,000
Administrator's residence						
Total all funds	(\$144,333)	\$1,009,002	(\$839,040)	(\$376,078)	\$99,400	\$100,000
Less estimated income	95,100	764,508	(483,731)	(379,171)	99,400	100,000
General fund	(\$239,433)	\$244,494	(\$355,309)	\$3,093	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds Funding for the Demolition of the Administrator's Residence <sup>7</sup>	Adds One-Time Funding for Security System Upgrades <sup>8</sup>	Total House Changes
Salaries and wages			\$25,629
Operating expenses			(370,508)
Capital assets		\$52,500	246,330
Administrator's residence	\$233,450		233,450
Total all funds	\$233,450	\$52,500	\$134,901
Less estimated income	233,450	52,500	482,056
General fund	\$0	\$0	(\$347,155)
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	General Fund	Other Funds	Total
Salary increase	\$84,474	\$264,140	\$348,614
Health insurance increase	160,020	500,368	660,388
Total	\$244,494	\$764,508	\$1,009,002

<sup>3</sup> Funding is removed for 6.00 FTE positions, including 1.90 FTE licensed practical nurse II positions and 4.10 FTE residential living specialist positions.

<sup>4</sup> Base level funding is adjusted as follows:

	General Fund	Other Funds	Total
Adds funding for information technology contractual services	\$0	\$73,750	\$73,750
Reduces funding for professional services	(500)	(88,600)	(89,100)
Reduces funding for travel	0	(5,000)	(5,000)
Adds funding for information technology software supplies	0	15,450	15,450
Reduces funding for food and clothing	0	(137,000)	(137,000)
Reduces funding for equipment under \$5,000	(552)	(32,421)	(32,973)
Reduces funding for nursing professional service fees	0	(31,200)	(31,200)
Reduces funding for social services professional service fees	0	(13,800)	(13,800)
Reduces funding for other professional service fees	0	(58,240)	(58,240)
Reduces funding for medical, dental, and optical expenses	0	(100,000)	(100,000)
Reduces funding for dues and professional development	0	(11,500)	(11,500)
Reduces funding for professional supplies	0	(6,800)	(6,800)
Adds funding for Microsoft Office 365 licenses	4,145	21,760	25,905
Adjusts funding for bonds and interest	0	1,230	1,230
Reduces funding for capital assets	0	(6,800)	(6,800)
Total	\$3,093	(\$379,171)	(\$376,078)

<sup>5</sup> One-time funding is added from the soldiers' home fund for equipment, including a boilerless steamer (\$18,500), dish machines (\$21,900), a commercial refrigerator (\$9,000), a Toro broom (\$6,000), dryers (\$20,500), and a Whirlpool tub (\$23,500).

<sup>6</sup> One-time funding is added from the soldiers' home fund for a flooring project in the skilled nursing areas of the Veterans' Home.

<sup>7</sup> One-time funding is added from the soldiers' home fund for the demolition of the administrator's residence, including demolishing the house, driveway, and two underground tunnels.

<sup>8</sup> One-time funding is added from the soldiers' home fund for security system upgrades to provide additional security cameras for the Veterans' Home.

Sections are added identifying the funding appropriated from the soldiers' home fund for specific purposes.

#### REPORT OF STANDING COMMITTEE

**HB 1011: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1011 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "and" with "to create and enact section 39-03-09.1 of the North Dakota Century Code, relating to job shadowing with the highway patrol;"

Page 1, line 2, after "transfer" insert "; and to provide an exemption"

Page 1, replace lines 10 through 16 with:

	Base Level	Adjustments or Enhancements	Appropriation
Highway patrol	\$57,230,706	\$3,265,790	\$60,496,496
Total all funds	\$57,230,706	\$3,265,790	\$60,496,496
Less estimated income	14,703,278	2,359,464	17,062,742
Total general fund	\$42,527,428	\$906,326	\$43,433,754
Full-time equivalent positions	204.00	(9.00)	195.00"

Page 1, line 17, after "**FUNDING**" insert "- **EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY**"

Page 1, line 18, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace lines 22 and 23 with:

"Electronic payment processing system	44,000	0
Aircraft engine overhaul	0	81,830
Drone purchase	0	96,228
Shooting range addition	0	1,729,100
Total all funds	\$3,636,000	\$1,907,158
Total special funds	3,636,000	1,825,328
Total general fund	\$0	\$81,830

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The highway patrol shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 3.** Section 39-03-09.1 of the North Dakota Century Code is created and enacted as follows:

#### **39-03-09.1. Job shadowing.**

For purposes of education and community outreach, and to promote public trust, the superintendent may permit a nonmember of the highway patrol to participate in job shadowing activities, including:

1. Participating in a ride-along program with a member of the highway patrol while on duty;
2. Operating a highway patrol motor vehicle on a closed course under the supervision of a member of the highway patrol; and

3. Discharging a firearm owned and used by the highway patrol while at a training facility and under the supervision of a member of the highway patrol."

Page 2, line 2, replace "\$6,912,904" with "\$7,089,982"

Page 2, line 8, replace "\$1,369,165" with "\$3,349,489"

Page 2, line 10, after "activities" insert ", including the purchase of equipment and the construction of an addition to the indoor shooting range,"

Page 2, after line 11, insert:

**"SECTION 6. EXEMPTION.** The amount of \$28,171 appropriated for an aircraft engine overhaul in the special funds line item in section 2 of chapter 23 of the 2017 Session Laws is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2019, and ending June 30, 2021."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1011 - Highway Patrol - House Action

	Base Budget	House Changes	House Version
Highway patrol	\$57,230,706	\$3,265,790	\$60,496,496
Total all funds	\$57,230,706	\$3,265,790	\$60,496,496
Less estimated income	14,703,278	2,359,464	17,062,742
General fund	\$42,527,428	\$906,326	\$43,433,754
FTE	204.00	(9.00)	195.00

#### Department 504 - Highway Patrol - Detail of House Changes

	Adjusts Funding for Base Payroll and Budget Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Removes FTE Positions <sup>3</sup>	Adds Operating Funding <sup>4</sup>	Adds Funding for Equipment Replacement <sup>5</sup>	Adds One-Time Funding <sup>6</sup>
Highway patrol	(\$68,417)	\$1,862,723	(\$1,325,123)	\$700,349	\$189,100	\$1,907,158
Total all funds	(\$68,417)	\$1,862,723	(\$1,325,123)	\$700,349	\$189,100	\$1,907,158
Less estimated income	(81,149)	462,058	(213,387)	177,514	189,100	1,825,328
General fund	\$12,732	\$1,400,665	(\$1,111,736)	\$522,835	\$0	\$81,830
FTE	0.00	0.00	(9.00)	0.00	0.00	0.00

	Total House Changes
Highway patrol	\$3,265,790
Total all funds	\$3,265,790
Less estimated income	2,359,464
General fund	\$906,326
FTE	(9.00)

<sup>1</sup> Funding is adjusted for base payroll and other changes.

<sup>2</sup> The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	General Fund	Other Funds	Total
Salary increase	\$761,206	\$249,260	\$1,010,466
Health insurance increase	639,459	212,798	852,257
Total	\$1,400,665	\$462,058	\$1,862,723

<sup>3</sup> The following FTE positions and related funding are removed:



	FTE Positions	General Fund	Other Funds	Total
Cook II	(1.00)	(\$105,559)	(\$17,184)	(\$122,743)
Administrative assistant II	(4.00)	(372,697)	(87,683)	(460,380)
Vacant trooper positions	(4.00)	(633,480)	(108,520)	(742,000)
Total	(9.00)	(\$1,111,736)	(\$213,387)	(\$1,325,123)

<sup>4</sup> Funding is added for the following operating expenses:

	General Fund	Other Funds	Total
Lease rate increases	\$26,000	\$4,000	\$30,000
Mileage rate increase	313,000	51,000	364,000
Trooper cell phones	67,000	11,000	78,000
State employee ID cards	10,000	2,000	12,000
Indoor shooting range operating		70,000	70,000
Microsoft Office 365 licensing	106,835	39,514	146,349
Total	\$522,835	\$177,514	\$700,349

<sup>5</sup> Funding is added from the motor carrier electronic permit fund and highway tax distribution fund to replace the following equipment:

	Other Funds
Body armor	\$143,100
Taser cartridges	32,000
Automated external defibrillator pad replacement	14,000
Total	\$189,100

<sup>6</sup> One-time funding is added for the following:

	General Fund	Motor Carrier Electronic Permit Fund	Total
Aircraft engine overhaul	\$81,830		\$81,830
Drone purchase		\$96,228	96,228
Shooting range addition		1,729,100	1,729,100
Total	\$81,830	\$1,825,328	\$1,907,158

This amendment also:

- Adds a section to allow the Highway Patrol to continue unused 2015-17 biennium appropriations for an aircraft engine overhaul into the 2019-21 biennium.
- Amends sections 3 and 4 to adjust the amount of funding provided from the highway tax distribution fund and motor carrier electronic permit fund.
- Adds a section to authorize the Highway Patrol to offer job shadowing opportunities.

#### REPORT OF STANDING COMMITTEE

**HB 1012: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1012 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "and" with "; to amend and reenact section 24-02-45.1 of the North Dakota Century Code, relating to cooperative agreements with private entities for the construction of certain items on the state highway system;"

Page 1, line 2, after "transfers" insert "; to provide for the operation of maintenance section sites; to provide an exemption; to provide for a study; to provide for a report; and to declare an emergency"

Page 1, replace lines 9 through 16 with:

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	\$201,478,341	\$460,582	\$201,938,923
Operating expenses	229,381,646	19,871,688	249,253,334
Capital assets	771,101,851	89,924,093	861,025,944
Grants	<u>67,528,030</u>	<u>28,326,607</u>	<u>95,854,637</u>
Total special funds	\$1,269,489,868	\$138,582,970	\$1,408,072,838
Full-time equivalent positions	1,047.00	(42.00)	1,005.00"

Page 1, line 18, after "biennium" insert "and the 2019-21 one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace lines 20 through 22 with:

"Pipeline protest law enforcement support	\$709,000	\$0
Electronic payment processing system	306,000	0
Driver's license system project	0	22,500,000
Minot and Williston driver's license facility maintenance	0	1,300,000
Total special funds	\$1,015,000	\$23,800,000

The 2019-21 one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The department of transportation shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 2, after line 4, insert:

**"SECTION 4. EXEMPTION - ENHANCED STATE HIGHWAY INVESTMENT FUNDING.** Section 54-44.1-11 does not apply to funding of \$503,115,558 in the capital assets line item relating to enhanced state highway investments in section 1 of chapter 12 of the 2015 Session Laws. Any funds continued into the 2017-19 biennium but not spent by June 30, 2019, must be continued into the biennium beginning July 1, 2019, and ending June 30, 2021, and may be expended only for enhanced state highway investments.

**SECTION 5. APPROPRIATION - GENERAL FUND - SHORT LINE RAILROAD PROGRAM.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$2,500,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of enhancing the department's short line railroad program, for the biennium beginning July 1, 2019, and ending June 30, 2021. The funding provided in this section is considered a one-time funding item.

**SECTION 6. APPROPRIATION - GENERAL FUND - ENHANCED STATE HIGHWAY FUNDING - EXEMPTION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$13,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of enhanced state highway improvements, for the period beginning with the effective date of this Act and ending June 30, 2019. The funding provided in this section is considered a one-time funding item. Section 54-44.1-11 does not apply to this funding and any funds not spent by June 30, 2019, must be continued into the biennium beginning July 1, 2019, and ending June 30, 2021, and may be expended only for enhanced state highway improvements.

**SECTION 7. AMENDMENT.** Section 24-02-45.1 of the North Dakota Century Code is amended and reenacted as follows:

**24-02-45.1. Cooperative agreements with private entities for the construction of certain items on the state highway system.**

Notwithstanding any other provision of law, the director may enter a cooperative agreement with a private entity for the construction of an item on the state highway system which will benefit the private entity and the traveling public, as determined by the director. The private entity's cost-share of the items requested to be added to the state highway system must be paid for in advance of the construction by the private entity before the department can construct the project. Funds received by the department pursuant to this section must be deposited in the state highway fund as prescribed by section 24-02-41 and are appropriated to the department. If the department requires engineering or contracting services for a project under this section, it may provide the services or procure the services in accordance with section 24-02-07.3 and 24-02-17.

**SECTION 8. MAINTENANCE SECTION SITES - OPERATIONAL REQUIREMENTS.** The department of transportation shall establish the Mayville section site as a satellite site of the Hillsboro section. Seasonal winter services in the Courtenay, Gackle, New England, and Finley sections must be established if the department has an employee whose home residence is located within the vicinity of the maintenance section site or the department hires an employee whose home residence is located within the vicinity of the maintenance section site. The department shall staff these sections no later than November first of each year through at least March thirty-first of the subsequent year when seasonal winter services are established. The department shall hold public hearings when the department proposes changes to highway maintenance section sites that affect snow and ice control operations.

**SECTION 9. DEPARTMENT OF TRANSPORTATION STUDY - PUBLIC TRANSPORTATION SERVICES - REPORT TO LEGISLATIVE MANAGEMENT.** During the 2019-20 interim, the department of transportation shall study public transportation services within the state. The study must include the number of users of public transportation services, demographics of the users, other transportation options available to users of public transportation services, and the identification of areas of the state which have no public or private transportation services available.

**SECTION 10. DEPARTMENT OF TRANSPORTATION FLEET SERVICES - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.** The department of transportation shall report to the sixty-seventh legislative assembly regarding the department's state fleet expenditures compared to its 2019-21 biennium budgeted amounts.

**SECTION 11. EMERGENCY.** Sections 6 and 7 of this Act are declared to be an emergency measure."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1012 - Department of Transportation - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$201,478,341	\$460,582	\$201,938,923
Operating expenses	229,381,646	19,871,688	249,253,334
Capital assets	771,101,851	89,924,093	861,025,944
Grants	67,528,030	28,326,607	95,854,637
Short line railroad program		2,500,000	2,500,000
Total all funds	\$1,269,489,868	\$141,082,970	\$1,410,572,838
Less estimated income	1,269,489,868	138,582,970	1,408,072,838
General fund	\$0	\$2,500,000	\$2,500,000
FTE	1,047.00	(42.00)	1,005.00

#### Department 801 - Department of Transportation - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Removes 42 Unspecified FTE Positions <sup>3</sup>	Adjusts Base Level Funding <sup>4</sup>	Adds Funding for Snow and Ice Control <sup>5</sup>	Adds Funding for Microsoft Office 365 Licensing <sup>6</sup>
Salaries and wages	(\$1,019,746)	\$9,459,923	(\$7,979,595)			
Operating expenses				(\$3,336,810)		\$708,498
Capital assets				87,874,093	\$750,000	
Grants				28,326,607		
Short line railroad program						
Total all funds	(\$1,019,746)	\$9,459,923	(\$7,979,595)	\$112,863,890	\$750,000	\$708,498
Less estimated income	(1,019,746)	9,459,923	(7,979,595)	112,863,890	750,000	708,498
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	(42.00)	0.00	0.00	0.00

	Adds Funding for Driver's License System Project <sup>1</sup>	Adds Funding for Driver's License Facility Maintenance <sup>8</sup>	Adds Funding for Short Line Railroad Program <sup>9</sup>	Total House Changes
Salaries and wages				\$460,582
Operating expenses	\$22,500,000			19,871,688
Capital assets		\$1,300,000		89,924,093
Grants				28,326,607
Short line railroad program			\$2,500,000	2,500,000
Total all funds	\$22,500,000	\$1,300,000	\$2,500,000	\$141,082,970
Less estimated income	22,500,000	1,300,000	0	138,582,970
General fund	\$0	\$0	\$2,500,000	\$2,500,000
FTE	0.00	0.00	0.00	(42.00)

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	<u>Other Funds</u>
Salary increase	\$4,774,660
Health insurance increase	<u>4,685,263</u>
Total	\$9,459,923

<sup>3</sup> Forty-two unspecified FTE positions and related funding is removed.

<sup>4</sup> Base level funding is adjusted as follows:

	<u>Other Funds</u>
Increases funding for capital assets	\$87,874,093
Increases funding for grants	17,226,607
Reclassifies funding for the rail loan program	11,100,000
Reduces payments to State Fleet Services	(3,550,000)
Adjusts operating expenses	<u>213,190</u>
Total	\$112,863,890

<sup>5</sup> Funding is added for the purchase of three snow plows.

<sup>6</sup> Funding is added for Microsoft Office 365 licensing.

<sup>7</sup> One-time funding from the highway fund is added for the department's driver's license system project.

<sup>8</sup> One-time funding from the highway fund is added for driver's license facility maintenance at Minot and Williston.

<sup>9</sup> A section is added to provide one-time funding from the general fund for the Department of Transportation's short line railroad program.

This amendment also adds sections to:

- Provide that \$503,115,558 appropriated in the capital assets line item in House Bill No. 1012 (2015) relating to enhanced state highway investments is exempt from provisions of North Dakota Century Code Section 54-44.1-11 and may be continued into the 2019-21 biennium.
- Appropriate one-time funding from the general fund for enhanced state highway funding during the 2017-19 biennium, and provide an exemption from Section 54-11.1-11, authorizing the funding to be continued into the 2019-21 biennium.
- Amend Section 24-02-45.1 to require that in cooperative agreements for highway construction items, only the private entity's cost-share is to be paid in advance of the construction and declares this section an emergency.
- Direct the department to establish the Mayville section site as a satellite site of the Hillsboro section and set requirements for seasonal winter services in the Courtenay, Gackle, New England, and Finley sections.
- Require a Department of Transportation study of public transportation services within the state.
- Require the Department of Transportation to report to the 2021 Legislative Assembly regarding the department's state fleet expenditures compared to its 2019-21 biennium budgeted amounts.

**REPORT OF STANDING COMMITTEE**

**HB 1013: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1013 was placed on the Sixth order on the calendar.

Page 1, line 2, replace the second "and" with "to create and enact a new subdivision to subsection 1 of section 21-10-06 of the North Dakota Century Code, relating to the investments of the state investment board; to amend and reenact subsection 2 of section 15-01-02 of the North Dakota Century Code, relating to the investments of the board of university and school lands; to repeal section 57-51-15.1 of the North Dakota Century Code, relating to the energy impact fund; to provide for transfers;"

Page 1, line 2 after "funds" insert "; to provide an exemption; to provide a report; to provide an effective date; and to provide a contingent effective date"

Page 1, line 6, after "fund" insert "and the oil and gas impact grant fund"

Page 1, replace lines 9 through 15 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$6,005,550	(\$299,966)	\$5,705,584
Operating expenses	1,775,723	427,957	2,203,680
Grants	0	4,000,000	4,000,000
Contingencies	<u>100,000</u>	<u>0</u>	<u>100,000</u>
Total special funds	\$7,881,273	\$4,127,991	\$12,009,264
Full-time equivalent positions	31.00	(3.00)	28.00"

Page 1, line 16, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SEVENTH LEGISLATIVE ASSEMBLY**"

Page 1, line 17, after "biennium" insert "and the 2019-21 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace lines 19 through 22 with:

"Information technology replacement project	\$3,600,000	\$0
Airport grants	40,000,000	0
Mineral revenue repayments	187,000,000	0
Oil and gas impact grants	0	4,000,000
Mineral valuation study	<u>0</u>	<u>350,000</u>
Total special funds	\$230,600,000	\$4,350,000

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The commissioner of university and school lands shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 2, after line 17, insert:

**"SECTION 4. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO OIL AND GAS IMPACT GRANT FUND.** The office of management and budget shall transfer the sum of \$4,000,000 from the strategic investment and improvements fund to the oil and gas impact grant fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 5. TRANSFER - ENERGY IMPACT FUND TO OIL AND GAS IMPACT GRANT FUND.** The commissioner of university and school lands shall transfer any unexpended funds remaining in the energy impact fund when the fund is repealed on June 30, 2021, to the oil and gas impact grant fund.

**SECTION 6. AMENDMENT.** Subsection 2 of section 15-01-02 of the North Dakota Century Code is amended and reenacted as follows:

2. Full control of the investment of the permanent funds derived from the sale of any of the lands described in subsection 1, which must be made under the supervision of the state investment board pursuant to section 21-10-06 subject to the investing authority provided in law relating to state investments.

**SECTION 7.** A new subdivision to subsection 1 of section 21-10-06 of the North Dakota Century Code is created and enacted as follows:

Common schools trust fund and other investments under the control of the board of university and school lands.

**SECTION 8. REPEAL.** Section 57-51-15.1 of the North Dakota Century Code is repealed.

**SECTION 9. OIL AND GAS IMPACT GRANT FUND.** The grants line item and the total special funds line item in section 1 of this Act include the sum of \$4,000,000 from the oil and gas impact grant fund for grants to political subdivisions impacted by oil and gas development activities.

**SECTION 10. EXEMPTION - OIL AND GAS IMPACT GRANT FUND.** The amounts previously appropriated from the oil and gas impact grant fund and identified in section 10 of chapter 38 of the 2017 Session Laws related to the oil and gas impact grant fund, including grant awards returned to the fund, are not subject to section 54-44.1-11. Any unexpended funds are available for grants and administrative costs associated with the fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 11. EXEMPTION - INFORMATION TECHNOLOGY PROJECT - REPORT TO INFORMATION TECHNOLOGY COMMITTEE.** The \$3,600,000 appropriated from the state lands maintenance fund and identified in sections 1 and 12 of chapter 38 of the 2017 Session Laws is not subject to section 54-44.1-11, and any unexpended funds are available to complete the information technology project during the biennium beginning July 1, 2019, and ending June 30, 2021. During the 2019-20 interim, the commissioner of university and school lands shall provide at least one report to the interim information technology committee regarding the status of the information technology project.

**SECTION 12. EFFECTIVE DATE - CONTINGENT EFFECTIVE DATE.** Sections 6 and 7 of this Act become effective on July 1, 2021, or earlier if the commissioner of board and university and school lands notifies the legislative council that the board of university and school lands approved, by a majority vote, transferring the board of university and school lands' investments to the state investment board. Section 8 of this Act becomes effective on June 30, 2021."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1013 - Department of Trust Lands - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$6,005,550	(\$299,966)	\$5,705,584
Operating expenses	1,775,723	427,957	2,203,680
Grants		4,000,000	4,000,000
Contingencies	100,000		100,000
Total all funds	\$7,881,273	\$4,127,991	\$12,009,264
Less estimated income	7,881,273	4,127,991	12,009,264
General fund	\$0	\$0	\$0
FTE	31.00	(3.00)	28.00

**Department 226 - Department of Trust Lands - Detail of House Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Removes FTE Positions <sup>3</sup>	Reduces Funding for Operating Expenses <sup>4</sup>	Adds Funding for Legal and Audit Costs <sup>5</sup>	Adds Funding for Financial Software Contracts <sup>6</sup>
Salaries and wages	(\$293,941)	\$282,838	(\$288,863)			
Operating expenses				(\$504,949)	\$384,564	\$175,000
Grants						
Contingencies						
Total all funds	(\$293,941)	\$282,838	(\$288,863)	(\$504,949)	\$384,564	\$175,000
Less estimated income	(293,941)	282,838	(288,863)	(504,949)	384,564	175,000
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	(3.00)	0.00	0.00	0.00

	Adds Funding for Microsoft Office 365 Licensing <sup>7</sup>	Adds One-Time Funding for a Mineral Valuation Study <sup>8</sup>	Adds One-Time Funding for Oil Impact Grants <sup>9</sup>	Total House Changes
Salaries and wages				(\$299,966)
Operating expenses	\$23,342	\$350,000		427,957
Grants			\$4,000,000	4,000,000
Contingencies				
Total all funds	\$23,342	\$350,000	\$4,000,000	\$4,127,991
Less estimated income	23,342	350,000	4,000,000	4,127,991
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	(3.00)

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	Other Funds
Salary increase	\$148,976
Health insurance increase	133,862
Total	\$282,838

<sup>3</sup> Funding and authorization for 3 FTE positions, including 2 administrative assistants and an audit technician, is removed.

<sup>4</sup> Funding is reduced for operating expenses, primarily related to travel, equipment, information technology costs, professional development, and other services.

<sup>5</sup> Funding is added for legal and audit costs related to the implementation of administrative rules, compliance requirements for internal controls and fraud risks, and financial statement audits.

<sup>6</sup> Funding is added for ongoing costs associated with new financial software, including maintenance agreements and subscription fees.

<sup>7</sup> Funding is added for Microsoft Office 365 licensing expenses.

<sup>8</sup> One-time funding is added for a mineral valuation study to hire a consultant to estimate the value of the state's mineral resources.

<sup>9</sup> Funding is added for grants to political subdivisions from the oil and gas impact grant fund. The estimated funding available for oil and gas impact grant funds for the 2019-21 biennium totals \$5.5 million, including \$4 million from the strategic investment and improvements fund and \$1.5 million of unspent prior biennium appropriations.

This amendment also adds sections to:

- Transfer \$4 million from the strategic investment and improvements fund to the oil and gas impact grant fund.
- Transfer any remaining funds in the energy impact fund to the oil and gas impact grant fund, related to the repeal of the fund.

- Provide the statutory changes necessary to require the Board of University and School Lands to make investments through the State Investment Board.
- Repeal the energy impact fund.
- Identify \$4 million of funding from the oil and gas impact grant fund for grants to political subdivisions.
- Provide an exemption to continue unspent prior biennium appropriations related to undesignated oil and gas impact grants and administrative costs of the oil and gas impact grant fund into the 2019-21 biennium.
- Provide an exemption to continue unspent prior biennium appropriations related to an information technology project into the 2019-21 biennium and require the Commissioner of Board and University School Lands to report to the interim Information Technology Committee.
- Provide effective dates, including a contingent effective date, relating to the statutory changes requiring investment through the State Investment Board and the repeal of the energy impact fund.

#### REPORT OF STANDING COMMITTEE

**HB 1014: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1014 was placed on the Sixth order on the calendar.

Page 1, line 2, replace the second "and" with "to amend and reenact subdivision f of subsection 1 of section 57-51-15 of the North Dakota Century Code, relating to the fund balance of the abandoned oil and gas well plugging and site reclamation fund; to provide a contingent authorization;"

Page 1, line 3, after "transfer" insert "; and to provide an exemption"

Page 1, replace lines 13 through 23 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$22,014,084	\$1,282,736	\$23,296,820
Operating expenses	5,305,888	686,099	5,991,987
Capital assets	0	5,000,000	5,000,000
Grants - bond payments	13,210,484	(2,701,717)	10,508,767
Contingencies	<u>221,737</u>	<u>7,807</u>	<u>229,544</u>
Total all funds	\$40,752,193	\$4,274,925	\$45,027,118
Less estimated income	<u>15,343,206</u>	<u>2,644,219</u>	<u>17,987,425</u>
Total general fund	\$25,408,987	\$1,630,706	\$27,039,693
Full-time equivalent positions	110.25	2.00	112.25"

Page 2, replace lines 2 through 9 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Bank of North Dakota operations	\$58,489,204	\$4,165,031	\$62,654,235
Capital assets	<u>810,000</u>	<u>700,000</u>	<u>1,510,000</u>
Total special funds	\$59,299,204	\$4,865,031	\$64,164,235
Full-time equivalent positions	181.50	0.00	181.50"

Page 2, replace lines 12 through 19 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$7,892,056	\$569,743	\$8,461,799
Operating expenses	4,743,355	602,921	5,346,276
Grants	31,794,828	1,671,772	33,466,600
Housing finance agency contingencies	<u>100,000</u>	<u>0</u>	<u>100,000</u>
Total special funds	\$44,530,239	\$2,844,436	\$47,374,675
Full-time equivalent positions	44.00	0.00	44.00"

Page 2, replace lines 22 through 29 with:



"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$39,308,519	\$6,984,293	\$46,292,812
Operating expenses	28,195,000	1,642,000	29,837,000
Contingencies	500,000	0	500,000
Agriculture promotion	<u>210,000</u>	<u>0</u>	<u>210,000</u>
Total special funds	\$68,213,519	\$8,626,293	\$76,839,812
Full-time equivalent positions	153.00	2.00	155.00"

Page 3, replace lines 1 through 5 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$25,408,987	\$1,630,706	\$27,039,693
Grand total special funds	<u>187,386,168</u>	<u>18,979,979</u>	<u>206,366,147</u>
Grand total all funds	\$212,795,155	\$20,610,685	\$233,405,840"

Page 3, line 6, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SEVENTH LEGISLATIVE ASSEMBLY"

Page 3, line 7, after "biennium" insert "and the 2019-21 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 3, replace lines 9 through 13 with:

"Litigation	\$1,000,000	\$0
Industrial water supply asset study	150,000	0
Soil remediation studies	5,000,000	0
Survey review	800,000	0
Rare earth elements study	0	160,000
Fracturing sand study	0	110,000
Oil database software upgrade	<u>0</u>	<u>5,000,000</u>
Total special funds	\$6,950,000	\$5,270,000

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The industrial commission shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 3, line 14, replace "\$13,210,484" with "\$10,508,767"

Page 3, replace lines 17 through 29 with:

"North Dakota university system	\$4,959,448
North Dakota university system - energy conservation projects	415,664
Department of corrections and rehabilitation	689,299
Department of corrections and rehabilitation - energy conservation projects	16,180
State department of health	644,884
Job service North Dakota	434,847
Office of management and budget	567,125
Attorney general's office	647,500
State historical society	1,177,875
Parks and recreation department	66,875
Research and extension service	483,337
Veterans' home	<u>405,733</u>
Total	\$10,508,767

**SECTION 4. APPROPRIATION - HOUSING FINANCE AGENCY - ADDITIONAL INCOME.** In addition to the amount appropriated to the housing finance agency in subdivision 3 of section 1 of this Act, there is appropriated any additional income or unanticipated income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021. The housing finance agency shall notify the office of management

and budget and the legislative council of any additional income or unanticipated income that becomes available to the agency resulting in an increase in appropriation authority."

Page 3, line 31, replace "\$221,737" with "\$229,544"

Page 4, line 4, replace "eighteen thousand two hundred" with "twenty thousand eight hundred"

Page 4, line 5, replace "\$221,737" with "\$229,544"

Page 4, line 6, remove "eighteen"

Page 4, line 7, replace "thousand two hundred" with "twenty thousand eight hundred"

Page 4, line 9, replace "\$1,103,779" with "\$1,150,782"

Page 4, line 10, remove "special funds"

Page 4, line 10, remove "line item"

Page 4, line 22, after "president" insert ". For legislative council budget status reporting purposes, the transfer under this section is considered an ongoing revenue source"

Page 4, after line 22, insert:

**"SECTION 8. TRANSFER - PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$26,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the partnership in assisting community expansion fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 9. TRANSFER - AGRICULTURE PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$3,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the agriculture partnership in assisting community expansion fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 10. TRANSFER - BIOFUELS PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$1,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the biofuels partnership in assisting community expansion fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 11. TRANSFER - BEGINNING FARMER REVOLVING LOAN FUND.** The Bank of North Dakota shall transfer the sum of \$6,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the beginning farmer revolving loan fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 12. TRANSFER - NORTH DAKOTA DEVELOPMENT FUND.** The Bank of North Dakota shall transfer the sum of \$15,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the North Dakota development fund established under chapter 10-30.5 during the biennium beginning July 1, 2019, and ending June 30, 2021. Funding transferred under this section must be used to purchase existing venture capital assets held by the Bank of North Dakota.

**SECTION 13. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The operating expenses line item and the estimated income line item in subdivision 1 of section 1 of this Act include \$270,000 from the strategic investment and improvements fund for a rare earth element study and a fracturing sand study.

**SECTION 14. ESTIMATED INCOME - ABANDONED OIL AND GAS WELL PLUGGING AND SITE RECLAMATION FUND.** The capital assets line item and the estimated income line item in subdivision 1 of section 1 of this Act include \$5,000,000 from the abandoned oil and gas well plugging and site reclamation fund for a risk-based data management system information technology project.

**SECTION 15. AMENDMENT.** Subdivision f of subsection 1 of section 57-51-15 of the North Dakota Century Code is amended and reenacted as follows:

- f. (1) For the period beginning September 1, 2017, and ending August 31, 2019, the state treasurer shall allocate four percent of the amount available under this subsection to the abandoned oil and gas well plugging and site reclamation fund, but not in an amount exceeding four million dollars per fiscal year and not in an amount that would bring the balance in the fund to more than ~~one hundred~~fifty million dollars.
- (2) After August 31, 2019, the state treasurer shall allocate four percent of the amount available under this subsection to the abandoned oil and gas well plugging and site reclamation fund, but not in an amount exceeding seven million five hundred thousand dollars per fiscal year and not in an amount that would bring the balance in the fund to more than ~~one hundred~~fifty million dollars.

**SECTION 16. EXEMPTION - OIL AND GAS TAX REVENUE ALLOCATIONS - NORTH DAKOTA OUTDOOR HERITAGE FUND.** Notwithstanding the provisions of section 57-51-15 relating to the allocations to the North Dakota outdoor heritage fund, for the period beginning September 1, 2019, and ending August 31, 2021, the state treasurer shall allocate eight percent of the oil and gas gross production tax revenue available under subsection 1 of section 57-51-15 to the North Dakota outdoor heritage fund, but not in an amount exceeding \$7,500,000 per fiscal year.

**SECTION 17. EXEMPTION - OIL AND GAS TAX REVENUE ALLOCATIONS - OIL AND GAS RESEARCH FUND - PILOT PROJECT FOR UNDERGROUND GAS STORAGE.**

1. Notwithstanding the provisions of section 57-51.1-07.3 relating to the allocations to the oil and gas research fund, for the period beginning August 1, 2019, and ending July 31, 2021, the state treasurer shall deposit two percent of the oil and gas gross production tax and oil extraction tax revenues, up to \$14,000,000, into the oil and gas research fund before depositing oil and gas tax revenues under section 57-51.1-07.5.
2. Pursuant to the continuing appropriation in section 57-51.1-07.3, the industrial commission shall use \$4,000,000, or so much of the sum as may be necessary, from the oil and gas research fund to contract with the energy and environmental research center for a pilot project relating to the underground storage of produced natural gas. The pilot project may include studies and demonstration projects. During the 2019-20 interim, the energy and environmental research center shall provide quarterly reports to the industrial commission and at least one report to the legislative management regarding the results and recommendations of the pilot project.

**SECTION 18. EXEMPTION - INDUSTRIAL COMMISSION FUND.** The amount of \$1,103,779 appropriated to the industrial commission in subdivision 1 of section 1 of chapter 39 of the 2017 Session Laws and transferred pursuant to section 8 of chapter 39 of the 2017 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the industrial commission for administrative services rendered by the commission during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 19. EXEMPTION - SURVEY REVIEW - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The amount of \$800,000 appropriated from the strategic investment and improvements fund in section 2 of chapter 426 of the 2017 Session Laws is not subject to section 54-44.1-11. Any unexpended funds from this appropriation are available to the industrial commission for expert legal testimony associated with the survey review during the biennium beginning July 1, 2019, and ending June 30, 2021."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1014 - Summary of House Action**

	Base Budget	House Changes	House Version
Industrial Commission			
Total all funds	\$40,752,193	\$4,274,925	\$45,027,118
Less estimated income	15,343,206	2,644,219	17,987,425
General fund	<u>\$25,408,987</u>	<u>\$1,630,706</u>	<u>\$27,039,693</u>
FTE	110.25	2.00	112.25
Bank of North Dakota			
Total all funds	\$59,299,204	\$4,865,031	\$64,164,235
Less estimated income	59,299,204	4,865,031	64,164,235
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FTE	181.50	0.00	181.50
Housing Finance Agency			
Total all funds	\$44,530,239	\$2,844,436	\$47,374,675
Less estimated income	44,530,239	2,844,436	47,374,675
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FTE	44.00	0.00	44.00
Mill and Elevator			
Total all funds	\$68,213,519	\$8,626,293	\$76,839,812
Less estimated income	68,213,519	8,626,293	76,839,812
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FTE	153.00	2.00	155.00
Bill total			
Total all funds	\$212,795,155	\$20,610,685	\$233,405,840
Less estimated income	187,386,168	18,979,979	206,366,147
General fund	<u>\$25,408,987</u>	<u>\$1,630,706</u>	<u>\$27,039,693</u>
FTE	488.75	4.00	492.75

**House Bill No. 1014 - Industrial Commission - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$22,014,084	\$1,282,736	\$23,296,820
Operating expenses	5,305,888	686,099	5,991,987
Capital assets		5,000,000	5,000,000
Grants - Bond payments	13,210,484	(2,701,717)	10,508,767
Contingencies	<u>221,737</u>	<u>7,807</u>	<u>229,544</u>
Total all funds	\$40,752,193	\$4,274,925	\$45,027,118
Less estimated income	15,343,206	2,644,219	17,987,425
General fund	<u>\$25,408,987</u>	<u>\$1,630,706</u>	<u>\$27,039,693</u>
FTE	110.25	2.00	112.25

## Department 405 - Industrial Commission - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adjusts Funding for 2017-19 Contingent FTE Positions <sup>3</sup>	Adds Contingent FTE Positions <sup>4</sup>	Adjusts Funding for Operating Expenses <sup>5</sup>	Reduces Funding for Bond Payments <sup>6</sup>
Salaries and wages	(\$123,310)	\$1,143,845	\$262,201			
Operating expenses					\$416,099	
Capital assets						
Grants - Bond payments						(\$2,701,717)
Contingencies			(221,737)	\$229,544		
Total all funds	(\$123,310)	\$1,143,845	\$40,464	\$229,544	\$416,099	(\$2,701,717)
Less estimated income	40,140	67,711	0	0	(31,915)	(2,701,717)
General fund	(\$163,450)	\$1,076,134	\$40,464	\$229,544	\$448,014	\$0
FTE	0.00	0.00	0.00	2.00	0.00	0.00

	Adds One-Time Funding for Studies and an Information Technology Project <sup>7</sup>	Total House Changes
Salaries and wages		\$1,282,736
Operating expenses	\$270,000	686,099
Capital assets	5,000,000	5,000,000
Grants - Bond payments		(2,701,717)
Contingencies		7,807
Total all funds	\$5,270,000	\$4,274,925
Less estimated income	5,270,000	2,644,219
General fund	\$0	\$1,630,706
FTE	0.00	2.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	General Fund	Other Funds	Total
Salary increase	\$571,918	\$36,477	\$608,395
Health insurance increase	504,216	31,234	535,450
Total	\$1,076,134	\$67,711	\$1,143,845

<sup>3</sup> Funding of \$221,737 is transferred from the contingencies line item to the salaries and wages line item, and funding of \$40,464 is added related to 2 FTE positions that were partially funded as contingent positions in the 2017-19 biennium.

<sup>4</sup> Contingent funding and authorization is provided for 2 FTE positions. The FTE positions and related funding are authorized, subject to Budget Section approval, if the total number of wells capable of production and injection exceeds 20,800 as identified in Section 5 of the bill.

<sup>5</sup> Funding is adjusted for operating expenses as follows:

	General Fund	Other Funds	Total
Adjusts funding for travel and building leases	\$300,827	(\$36,324)	\$264,503
Adds funding for computer replacements	70,400	0	70,400
Adds funding for Microsoft Office 365 licensing	76,787	4,409	81,196
Total	\$448,014	(\$31,915)	\$416,099

<sup>6</sup> Funding for bond payments is reduced by \$2,701,717, from \$13,210,484 to \$10,508,767.

<sup>7</sup> Funding is added for the following one-time items:

	Total
Rare earth element study (strategic investment and improvements fund)	\$160,000
Fracturing sand study (strategic investment and improvements fund)	110,000
Information technology project (abandoned oil and gas well plugging and site reclamation fund)	5,000,000
Total	\$5,270,000

This amendment also includes the following items related to the Industrial Commission:

- Provides legislative intent for bond payments.
- Identifies 2 FTE positions included in the appropriation as contingent FTE position authorization. The positions and related funding are available if the total number of wells capable of production and injection exceeds 20,800.
- Allows the Industrial Commission to transfer up to \$1,150,782 from special funds from the entities under the control of the Industrial Commission for administrative services and provides an exemption to allow any unspent 2017-19 biennium appropriations for administrative costs to continue in the 2019-21 biennium.
- Identifies \$270,000 from the strategic investment and improvements fund for a rare earth element study and a fracturing sand study.
- Identifies \$5 million from the abandoned oil and gas well plugging and site reclamation fund for an information technology project.
- Limits the oil and gas tax revenue allocations to the abandoned oil and gas well plugging and site reclamation fund by decreasing the fund balance limit by \$50 million, from \$100 million to \$50 million.
- Decreases the oil and gas tax revenue allocations to the North Dakota outdoor heritage fund from \$20 million per fiscal year to \$7.5 million per fiscal year, but only for the 2019-21 biennium.
- Increases the oil and gas tax revenue allocations to the oil and gas research fund for the 2019-21 biennium by \$4 million, from \$10 million to \$14 million, and requires the Industrial Commission to use \$4 million from the oil and gas research fund to contract with the Energy and Environmental Research Center for a pilot project relating to the underground storage of produced natural gas.
- Provides an exemption allowing the Industrial Commission to continue unspent prior biennium appropriation authority for a survey review in the 2019-21 biennium.
- Provides intent that \$4.5 million is available from the lignite research fund for lignite marketing studies, the Lignite Vision 21 program, or possible lignite-related litigation.

#### House Bill No. 1014 - Bank of North Dakota - House Action

	Base Budget	House Changes	House Version
Capital assets	\$810,000	\$700,000	\$1,510,000
Bank of North Dakota operations	58,489,204	4,165,031	62,654,235
Total all funds	\$59,299,204	\$4,865,031	\$64,164,235
Less estimated income	59,299,204	4,865,031	64,164,235
General fund	\$0	\$0	\$0
FTE	181.50	0.00	181.50

#### Department 471 - Bank of North Dakota - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adjusts Funding for Bank Operations <sup>3</sup>	Adds Funding for Bank Contingencies <sup>4</sup>	Adds Funding for Information Technology Equipment and Software <sup>5</sup>	Total House Changes
Capital assets					\$700,000	\$700,000
Bank of North Dakota operations	\$230,000	\$1,706,921	\$1,228,110	\$1,000,000		4,165,031
Total all funds	\$230,000	\$1,706,921	\$1,228,110	\$1,000,000	\$700,000	\$4,865,031
Less estimated income	230,000	1,706,921	1,228,110	1,000,000	700,000	4,865,031
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	Other Funds
Salary increase	\$894,823
Health insurance increase	812,098
Total	\$1,706,921

<sup>3</sup> Funding is adjusted for Bank of North Dakota operations, as follows:

	<b>Total</b>
Adjusts funding for postage and temporary salaries	(\$75,550)
Increases funding for information technology costs	876,800
Adds funding for Microsoft Office 365 licensing	37,352
Increases funding for professional development and services	139,508
Increases funding for utilities, insurance, and other operating expenses	250,000
<b>Total</b>	<b>\$1,228,110</b>

<sup>4</sup> Funding of \$1 million is added for Bank of North Dakota contingencies to provide total contingency funding of \$3.5 million.

<sup>5</sup> Funding is added for information technology equipment and software.

This amendment also includes the following items related to the Bank of North Dakota:

- Transfer \$140 million of Bank profits to the general fund and identifies the transfer as an ongoing revenue source for Legislative Council budget status reporting purposes.
- Transfer \$26 million of Bank profits to the partnership in assisting community expansion (PACE) fund.
- Transfer \$3 million of Bank profits to the Ag PACE fund.
- Transfer \$1 million of Bank profits to the biofuels PACE fund.
- Transfer \$6 million of Bank profits to the beginning farmer revolving loan fund.
- Transfer \$15 million of Bank profits to the North Dakota development fund and requires the funding be used to purchase existing venture capital assets held by the Bank.

#### House Bill No. 1014 - Housing Finance Agency - House Action

	<b>Base Budget</b>	<b>House Changes</b>	<b>House Version</b>
Salaries and wages	\$7,892,056	\$569,743	\$8,461,799
Operating expenses	4,743,355	602,921	5,346,276
Grants	31,794,828	1,671,772	33,466,600
HFA contingencies	100,000		100,000
<b>Total all funds</b>	<b>\$44,530,239</b>	<b>\$2,844,436</b>	<b>\$47,374,675</b>
Less estimated income	44,530,239	2,844,436	47,374,675
General fund	\$0	\$0	\$0
<b>FTE</b>	<b>44.00</b>	<b>0.00</b>	<b>44.00</b>

#### Department 473 - Housing Finance Agency - Detail of House Changes

	<b>Adjusts Funding for Base Payroll Changes<sup>1</sup></b>	<b>Adds Funding for Salary and Benefit Increases<sup>2</sup></b>	<b>Removes Funding for Temporary Employees<sup>3</sup></b>	<b>Adds Funding for Mortgage Servicing Premium Expenses<sup>4</sup></b>	<b>Adds Funding for Grants<sup>5</sup></b>	<b>Total House Changes</b>
Salaries and wages	\$221,665	\$405,297	(\$57,219)			\$569,743
Operating expenses				\$602,921		602,921
Grants					\$1,671,772	1,671,772
HFA contingencies						
<b>Total all funds</b>	<b>\$221,665</b>	<b>\$405,297</b>	<b>(\$57,219)</b>	<b>\$602,921</b>	<b>\$1,671,772</b>	<b>\$2,844,436</b>
Less estimated income	221,665	405,297	(57,219)	602,921	1,671,772	2,844,436
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>FTE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	<b>Total</b>
Salary increase	\$208,965
Health insurance increase	196,332
<b>Total</b>	<b>\$405,297</b>

<sup>3</sup> Funding is removed for temporary employees.

<sup>4</sup> Funding is added for mortgage servicing premium expenses related to an increasing loan volume.

<sup>5</sup> Funding of \$1,671,772 is added for grants, including \$20,000 for program grants and \$1,651,772 for federal housing grants.

This amendment also adds a section related to the Housing Finance Agency to provide appropriation authority for any additional or unanticipated income from federal or other funds which may become available during the 2019-21 biennium and requires the Housing Finance Agency to notify the Office of Management and Budget and the Legislative Council of additional income received.

#### House Bill No. 1014 - Mill and Elevator - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$39,308,519	\$6,984,293	\$46,292,812
Operating expenses	28,195,000	1,642,000	29,837,000
Contingencies	500,000		500,000
Agriculture promotion	210,000		210,000
Total all funds	\$68,213,519	\$8,626,293	\$76,839,812
Less estimated income	68,213,519	8,626,293	76,839,812
General fund	\$0	\$0	\$0
FTE	153.00	2.00	155.00

#### Department 475 - Mill and Elevator - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Benefit Increases <sup>2</sup>	Increases Funding for Overtime and Temporary Employees <sup>3</sup>	Adds FTE Positions <sup>4</sup>	Adds Funding for Operating Expenses <sup>5</sup>	Total House Changes
Salaries and wages	\$3,477,828	\$682,698	\$2,538,685	\$285,082		\$6,984,293
Operating expenses					\$1,642,000	1,642,000
Contingencies						
Agriculture promotion						
Total all funds	\$3,477,828	\$682,698	\$2,538,685	\$285,082	\$1,642,000	\$8,626,293
Less estimated income	3,477,828	682,698	2,538,685	285,082	1,642,000	8,626,293
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	2.00	0.00	2.00

<sup>1</sup> Funding is adjusted for base payroll changes, including salary increases.

<sup>2</sup> Funding is added for increases in health insurance premiums from \$1,241 to \$1,427 per month.

<sup>3</sup> Funding is increased for overtime expenses (\$2,227,085) and temporary employees (\$311,600).

<sup>4</sup> Funding is added for 2 FTE positions, including 1 food safety position (\$155,012) and 1 utility worker position (\$130,070).

<sup>5</sup> Funding is added for operating expenses for increased costs related to utilities, insurance, and repairs.

No other sections were included by the House related to the Mill and Elevator Association.

#### REPORT OF STANDING COMMITTEE

**HB 1025: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1025 was placed on the Sixth order on the calendar.



Page 1, line 2, after "affairs" insert "; and to provide for a report"

Page 1, replace lines 10 through 20 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Veterans' affairs	\$1,168,015	\$154,243	\$1,322,258
State approving agency	271,998	12,503	284,501
Grants - transportation program	1,719,520	(919,520)	800,000
Transport vans	18,600	200	18,800
Service dogs	50,000	0	50,000
Total all funds	\$3,228,133	(\$752,574)	\$2,475,559
Less estimated income	2,091,571	(1,007,071)	1,084,500
Total general fund	\$1,136,562	\$254,497	\$1,391,059
Full-time equivalent positions	7.00	0.00	7.00"

Page 1, line 21, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY"

Page 1, line 22, after "biennium" insert "and the 2019-21 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 1, remove line 23

Page 2, replace lines 1 and 2 with:

" <u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Transport vans	\$18,600	\$0
Temporary loan and grant position	0	140,000
Grant database enhancements	0	7,500
Total general fund	\$18,600	\$147,500

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The department of veterans' affairs shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1025 - Department of Veterans' Affairs - House Action

	<u>Base Budget</u>	<u>House Changes</u>	<u>House Version</u>
Veterans' affairs	\$1,168,015	\$154,243	\$1,322,258
State approving agency	271,998	12,503	284,501
Grants - Transportation program	1,719,520	(919,520)	800,000
Transport vans	18,600	200	18,800
Service dogs	50,000		50,000
Total all funds	\$3,228,133	(\$752,574)	\$2,475,559
Less estimated income	2,091,571	(1,007,071)	1,084,500
General fund	\$1,136,562	\$254,497	\$1,391,059
FTE	7.00	0.00	7.00

### Department 321 - Department of Veterans' Affairs - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adjusts Base Level Funding <sup>3</sup>	Adds Funding for County and Tribal Veteran Service Officer Outreach and Training <sup>4</sup>	Reduces Funding for the Transportation Grants Program <sup>5</sup>	Adds One- Time Funding for the Loan and Grant Program <sup>6</sup>
Veterans' affairs	(\$3)	\$49,589	(\$72,843)	\$30,000		\$140,000
State approving agency	3	10,192	2,308			
Grants - Transportation program	(100,053)				(\$819,467)	
Transport vans			200			
Service dogs						
Total all funds	(\$100,053)	\$59,781	(\$70,335)	\$30,000	(\$819,467)	\$140,000
Less estimated income	(200,103)	10,191	2,308	0	(819,467)	0
General fund	\$100,050	\$49,590	(\$72,643)	\$30,000	\$0	\$140,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for Grant Database Enhancements <sup>7</sup>	Total House Changes
Veterans' affairs	\$7,500	\$154,243
State approving agency		12,503
Grants - Transportation program		(919,520)
Transport vans		200
Service dogs		
Total all funds	\$7,500	(\$752,574)
Less estimated income	0	(1,007,071)
General fund	\$7,500	\$254,497
FTE	0.00	0.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	General Fund	Other Funds	Total
Salary increase	\$23,560	\$4,985	\$28,545
Health insurance increase	26,030	5,206	31,236
Total	\$49,590	\$10,191	\$59,781

<sup>3</sup> Base level funding is adjusted as follows:

	General Fund	Other Funds	Total
Reduces funding for temporary salaries	(\$100,053)	\$0	(\$100,053)
Adds funding for travel expenses	11,775	0	11,775
Adds funding for desktop support	7,935	0	7,935
Adds funding for Microsoft Office 365 licenses	2,500	0	2,500
Adds funding for stand down events	5,000	0	5,000
Adds funding for the State Approving Agency	0	2,308	2,308
Adds funding for transport vans	200	0	200
Total	(\$72,643)	\$2,308	(\$70,335)

<sup>4</sup> Funding is provided for county veterans' service officer and tribal veterans' service officer outreach and training to provide total funding of \$30,000.

<sup>5</sup> Federal funding for the transportation grants program is reduced to provide total funding of \$800,000.

<sup>6</sup> One-time funding of \$140,000 is added from the general fund for a temporary loan and grants position.

<sup>7</sup> One-time funding of \$7,500 is added from the general fund for enhancements to the department's grant database.

### REPORT OF STANDING COMMITTEE

**HB 1030: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1030 was placed on

the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1031: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1031 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "five" with "one"

Page 1, line 10, replace "One thousand" with "Seven hundred thirty-three"

Page 1, line 21, replace "\$11,178,395" with "\$2,000,000"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment provides for an increase of the maximum grant award under the student financial assistance grant program from \$1,950 per year to \$2,200 per year rather than \$3,000 per year in the bill as introduced. The amendment provides an appropriation of \$2 million from the general fund for the increased awards. The bill as introduced included an appropriation of \$11,178,395 from the general fund.

#### REPORT OF STANDING COMMITTEE

**HB 1032, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1032 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1053: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (15 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1053 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1101, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1101 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1148: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1148 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1164: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1164 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1168: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (17 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1168 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1177: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1177 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1178: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1178 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1207: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1207 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 32-15-32 of the North Dakota Century Code, relating to costs awarded to a defendant.

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

**SECTION 1. AMENDMENT.** Section 32-15-32 of the North Dakota Century Code is amended and reenacted as follows:

**32-15-32. Costs.**

~~The court may in its discretion award~~ For any judicial proceeding in which the defendant prevails, the court's award to the defendant is limited to reasonable actual or statutory costs or both, which may include interest from the time of taking except interest on the amount of a deposit which is available for withdrawal without prejudice to right of appeal, costs on appeal, and reasonable attorney's fees for all judicial proceedings. If the defendant appeals and does not prevail, the costs on appeal may be taxed against the defendant. In all cases when a new trial has been granted upon the application of the defendant and the defendant has failed upon such trial to obtain greater compensation than was allowed the defendant upon the first trial, the costs of such the new trial shall must be taxed against the defendant."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1286: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1286 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 section 19-03.1-36.8 of the North Dakota Century Code, relating to law enforcement agencies reporting seizures and forfeitures; and to amend and reenact sections 19-03.1-36.2, 19-03.1-36.6, 19-03.1-36.7, 29-27-02.1, and subsection 1 of section 54-12-14 of the North Dakota Century Code, relating to forfeiture proceedings, contested forfeiture hearings, legal interests in forfeited property, disposition of statutory fees, fines, forfeitures, and the attorney general assets forfeiture fund.

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

**SECTION 1. AMENDMENT.** Section 19-03.1-36.2 of the North Dakota Century Code is amended and reenacted as follows:

**19-03.1-36.2. Forfeiture proceeding as civil action - Standard of proof.**

1. Forfeiture proceedings are civil actions against the property to be forfeited and the standard of proof is ~~a preponderance of the evidence~~ clear and convincing evidence.
2. Forfeiture proceedings are separate and distinct from any related criminal action, and may not be initiated until the owner of the property has been convicted of or pled guilty to a criminal offense, or the individual has died, fled the jurisdiction, been deported by the United States government, been granted immunity or a reduced sentence in exchange for testifying or assisting a law enforcement investigation or prosecution, or has abandoned the property. As used in this subsection, "abandoned the property" or "fled the jurisdiction" means for a period of more than one year, the owner has not responded to any of the reasonable efforts made

by the seizing agency to contact the owner or has not contacted the seizing agency.

3. Two or more law enforcement agencies and courts from different jurisdictions may coordinate, cooperate, and engage in interjurisdictional prosecution under this section.

**SECTION 2. AMENDMENT.** Section 19-03.1-36.6 of the North Dakota Century Code is amended and reenacted as follows:

**19-03.1-36.6. Hearing on contested forfeiture - Order releasing or forfeiting property.**

1. If an answer is filed within the time limits in this chapter, the forfeiture proceedings must be set for hearing before the court. At the hearing, the state shall establish probable cause a valid seizure of the property to be forfeited, and clear and convincing evidence for instituting the forfeiture action following which any owner or person with a legal interest in the property to be forfeited who has filed an answer to the complaint has the burden of proving that the property to be forfeited is not subject to forfeiture under this chapter. If the court finds that the property is not subject to forfeiture under this chapter, the court shall order the property released to the owner or other person with a legal interest in the property as that person's right, title, or interest appears. The court shall order the property forfeited if it determines that such property or an interest therein is subject to forfeiture.
2. A court ordering property forfeited under subsection 1 may order the proper costs and expenses of the proceedings for forfeiture and sale, including reasonable expenses of seizure, maintenance of custody, advertising, sales, and court costs with any remaining proceeds to be deposited as provided in subsection 2 of section 29-27-02.1.

**SECTION 3. AMENDMENT.** Section 19-03.1-36.7 of the North Dakota Century Code is amended and reenacted as follows:

**19-03.1-36.7. Legal interest in property.**

1. A person alleging a bona fide legal interest in property to be forfeited must establish by a preponderance of the evidence that such legal interest existed at the time of seizure or taking of custody of the property. In the case of a claimed bona fide security interest in the property, the person claiming such interest must establish by a preponderance of the evidence that the security interest in the property to be forfeited existed or was of public record at the time of seizure or taking of custody of the property.
2. Upon a determination by the court that property is subject to forfeiture, the owner of the property to be forfeited or any other person with a legal interest in the property may petition the court to determine whether the forfeiture is unconstitutionally excessive.
  - a. A vehicle valued at less than two thousand dollars may not be forfeited unless the court finds the vehicle has been modified to conceal contraband or currency.
  - b. Currency with the value of seven hundred and fifty United States dollars or less may not be forfeited.
  - c. Real property constituting a homestead may not be forfeited.
  - d. In determining whether a forfeiture is excessive, the court shall determine the fair market value of the property, the extent to which the owner or person participated in the offense, the extent to which

the property was used or received in committing the offense, and the sentence imposed for committing the offense subject to forfeiture.

- e. The court may not consider the value of the property to the state in determining whether the forfeiture is unconstitutionally excessive.

**SECTION 4.** Section 19-03.1-36.8 of the North Dakota Century Code is created and enacted as follows:

**19-03.1-36.8. Reporting.**

1. As used in this section, "law enforcement agency" means a nonfederal public agency authorized by law or by a government agency or branch to enforce the law and to conduct or engage in investigations or prosecutions for violations of law, including the authority to conduct or engage in seizure and forfeiture.
2. Annually, each law enforcement agency shall compile the following information regarding seizures and forfeitures pending or completed by the agency under this chapter:
  - a. The types of property and dollar amount of the forfeited property;
  - b. The jurisdiction that received the property;
  - c. The total number of seizures of currency; and
  - d. The amount the court has ordered to be paid toward the costs and expenses of the proceedings for forfeiture and sale under section 19-03.1-36.6.
3. The attorney general may require the reporting of additional information not specified in this section. The attorney general shall develop standard forms, processes, and deadlines for electronic data entry for annual submission of forfeiture data by law enforcement agencies.
4. Each law enforcement agency shall file with the attorney general a report of the information compiled under subsection 2 for the law enforcement agency and the corresponding prosecutor. A law enforcement agency that did not engage in seizures or forfeitures during the reporting period shall file a null report. The attorney general shall compile the submissions and issue an aggregate report of all forfeitures in the state.
5. If a law enforcement agency fails to file a report within thirty days after the report is due, the attorney general may compel compliance by any means until the report is filed.
6. The attorney general shall make available on the attorney general's website the reports submitted by law enforcement agencies and the attorney general's aggregate report. The reports must be updated annually.

**SECTION 5. AMENDMENT.** Section 29-27-02.1 of the North Dakota Century Code is amended and reenacted as follows:

**29-27-02.1. Disposition of statutory fees, fines, forfeitures, pecuniary penalties, and bond forfeitures.**

1. Except as otherwise provided by law, all statutory fees, fines, forfeitures, and pecuniary penalties prescribed for a violation of state laws, when collected, must be paid into the treasury of the proper county to be added to the state school fund. When any bail bond or other property or money deposited as bail is forfeited to the state, the proceeds collected therefrom must be paid over to the proper state official and credited to the state general fund.

2. Funds obtained through civil asset forfeiture under section 19-03.1-36 must be paid into the attorney general assets forfeiture fund.

**SECTION 6. AMENDMENT.** Subsection 1 of section 54-12-14 of the North Dakota Century Code is amended and reenacted as follows:

1. The attorney general assets forfeiture fund consists of funds appropriated by the legislative assembly and additional funds obtained from moneys, assets, and proceeds seized and forfeited pursuant to section 19-03.1-36, amounts received through court proceedings as restitution, amounts remaining from the forfeiture of property after the payment of expenses for forfeiture and sale authorized by law, and amounts received from a multijurisdictional drug task force as defined in section 54-12-26. The amount of deposits into the fund which do not come from legislative appropriation or from a multijurisdictional drug task force and are not payable to another governmental entity may not exceed ~~two~~five hundred thousand dollars within a biennium and any moneys in excess of that amount must be deposited in the general fund. The funds are appropriated, as a standing and continuing appropriation, to the attorney general for the following purposes:
  - a. For obtaining evidence for enforcement of any state criminal law or law relating to the control of drug abuse.
  - b. For repayment of rewards to qualified local programs approved under section 12.1-32-02.2, if the information that was reported to the qualified local program substantially contributed to forfeiture of the asset, and for paying, at the discretion of the attorney general, rewards for other information or assistance leading to a forfeiture under section 19-03.1-36.
  - c. For paying, at the discretion of the attorney general, any expenses necessary to seize, detain, inventory, safeguard, maintain, advertise, or sell property seized, detained, or forfeited pursuant to section 19-03.1-36, or of any other necessary expenses incident to the seizure, detention, or forfeiture of such property.
  - d. For equipping, for law enforcement functions, forfeited vessels, vehicles, and aircraft retained as provided by law for official use by the state board of pharmacy or a law enforcement agency.
  - e. For paying, at the discretion of the attorney general, overtime compensation to agents of the bureau of criminal investigation incurred as a result of investigations of violations of any state criminal law or law relating to the control of drug abuse.
  - f. For paying matching funds required to be paid as a condition for receipt of funds from a federal government program awarding monetary grants or assistance for the investigation, apprehension, or prosecution of persons violating the provisions of chapter 19-03.1."

Renumber accordingly

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

**HB 1287: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1287 was placed on the Sixth order on the calendar.

Page 1, line 20, after "degree" insert "from an accredited institution"

Page 1, line 22, replace "the American board for certification of teacher excellence" with "an"

Page 1, line 23, after "program" insert "operated by a nonprofit organization described in section 501(c)(3) of the Internal Revenue Code [26 U.S.C. 501(c)(3)], which:"

- (1) Operates in at least five states;
- (2) Has operated an alternative teacher certification program for at least ten years; and
- (3) Requires applicants to pass a subject area and pedagogy examination, known as the professional teaching knowledge examination, to receive certification"

Page 2, line 3, remove "American board for certification of teacher excellence alternative teacher"

Page 2, line 4, remove "certification"

Page 2, line 4, after "program" insert "described under subsection 5"

Page 2, line 4, after the underscored period insert:

"Z."

Page 2, line 4, replace "a" with "an initial"

Page 2, line 5, after "license" insert "if the individual:

- a. Completes the program's clinical experience program and the North Dakota teacher support system approved mentor program;
  - b. Meets the requirements of section 15.1-13-35 within two years of initial licensure; and
  - c. Meets the requirements of human resources and cultural directives required coursework within two years of initial licensure which includes Native American studies, cultural diversity, strategies for creating learning environments that contribute to positive human relationships, and strategies for teaching and assessing diverse learners.
8. An individual who obtains an initial or renewal license is authorized to teach in the subject areas of:
- a. Elementary education;
  - b. English language arts;
  - c. United States and world history;
  - d. Mathematics;
  - e. General science;
  - f. Biology;
  - g. Chemistry; and
  - h. Physics"

Renumber accordingly

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

**HB 1290: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1290 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "enter" with "search buildings or"



Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1308: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1308 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1309: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1309 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1313, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1313 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1323: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1323 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1326: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1326 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1329: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 8 NAYS, 2 ABSENT AND NOT VOTING). HB 1329 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "\$235,000" with "\$100,000"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment decreases the appropriation to the Department of Human Services related to a grant to enhance and expand telephone services associated with behavioral health services by \$135,000, from \$235,000 to \$100,000.

**REPORT OF STANDING COMMITTEE**

**HB 1347: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1347 was placed on the Sixth order on the calendar.

Page 1, line 10, remove the overstrike over "~~and meet with the individual in an~~"

Page 1, line 11, remove the overstrike over "~~executive session to discuss the reasons for the contemplated nonrenewal~~"

Page 1, line 12, remove the overstrike over "~~The individual employed as a~~"

Page 1, line 12, after "~~first year~~" insert "probationary"

Page 1, line 12, remove the overstrike over "~~teacher may be accompanied by two~~"

Page 1, remove the overstrike over lines 13 through 16

Page 1, line 17, remove the overstrike over "~~4.~~"

Page 1, line 19, remove the overstrike over "~~together with a detailed description of the board's reasons,~~"

Page 1, line 21, remove the overstrike over "5."

Page 1, line 21, remove "3."

Page 1, line 22, remove the overstrike over "4"

Page 1, line 22, remove "2"

Page 2, line 1, remove the overstrike over "6."

Page 2, line 1, remove "4."

Page 2, after line 2, insert:

"7. The board of a school district shall offer, as needed, based on the teacher's evaluation, a teacher mentoring program for probationary teachers."

Page 2, line 3, replace "5." with "8."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1364, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (12 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1364 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1394: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1394 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1395, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (11 YEAS, 8 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1395 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1396: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1396 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "sections 12.1-32-15 and" with "section"

Page 1, line 3, remove "registration requirements for a crime"

Page 1, line 4, remove "against a child,"

Page 1, line 4, remove ", and electronic monitoring"

Page 1, line 11, after "or" insert "home-based"

Page 1, line 11, after "monitoring" insert "if a minor is present in the home"

Page 1, remove lines 12 through 24

Page 2, remove lines 1 through 30

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 30

Page 9, remove lines 1 through 31

Page 10, remove lines 1 through 30

Page 11, remove lines 1 through 29

Page 12, remove lines 1 through 30

Page 13, remove lines 1 through 30

Page 14, remove lines 1 through 31

Page 15, remove lines 1 through 31

Page 16, remove lines 1 through 31

Page 17, remove lines 1 through 31

Page 18, remove lines 1 through 30

Page 19, remove lines 1 through 29

Page 20, remove lines 1 through 30

Page 21, remove lines 1 through 7

Page 21, line 27, replace "two years" with "one year"

Page 22, line 3, replace "five" with "three"

Page 22, remove lines 5 through 7

Renumber accordingly

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

**HB 1425: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1425 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "and a new"

Page 1, line 2, remove "subsection to section 12.1-34-07"

Page 1, line 3, remove "and acute forensic medical examinations"

Page 1, line 9, after the first "the" insert "child sexual abuse"

Page 1, line 9, after "victim" insert "over the age of eighteen"

Page 1, line 10, replace the first "a" with "the"

Page 1, remove lines 17 through 23

Page 2, remove lines 1 and 2

Page 2, line 6, remove the overstrike over "~~1. Except as provided in subsection 2, a- prosecution~~"

Page 2, line 6, remove "There is no limitation on the time"

Page 2, line 7, remove "within which prosecution"

Page 2, line 8, remove "must be commenced"

Page 2, line 9, remove the overstrike over "~~must be commenced in the proper court within~~"

Page 2, line 10, after "~~ten~~" insert "twenty-one"

Page 2, line 10, remove the overstrike over "~~years after the commission of the offense or, if the victim failed to report the~~"

Page 2, remove the overstrike over lines 11 through 16

Page 2, line 17, remove the overstrike over "~~deoxyribonucleic acid testing or fingerprint authentication~~"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1453: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1453 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the second "and" with a comma

Page 1, line 1, after "25-03.1-07" insert ", 25-03.1-17, 25-03.1-21, and 25-03.1-30"

Page 1, line 2, after "procedures" insert "and alternative treatment orders"

Page 3, line 5, remove "neurological."

Page 4, line 7, replace "forty-five" with "thirty"

Page 5, after line 20, insert:

**"SECTION 3. AMENDMENT.** Section 25-03.1-17 of the North Dakota Century Code is amended and reenacted as follows:

#### **25-03.1-17. Involuntary treatment - Right to preliminary hearing.**

1. A respondent who is in custody under section 25-03.1-25 and who is alleged to be a mentally ill person or to be a person who is both mentally ill and chemically dependent is entitled to a preliminary hearing.
  - a. At the preliminary hearing the ~~magistrate court~~ shall review the medical report. During the hearing the court shall allow the petitioner and the respondent must be afforded an opportunity to testify and to present and cross-examine witnesses, and the court may receive the testimony of any other interested person. The magistrate court may receive evidence that would otherwise be inadmissible at a treatment hearing.
  - b. At the conclusion of the hearing, if the court does not find probable cause to believe ~~that the individual is a person requiring treatment, the petition must be dismissed. The individual must be ordered discharged from the court shall dismiss the petition and order the respondent be discharged from the treatment facility if that individual has been~~ the respondent was detained before the hearing.

2. If the court finds probable cause to believe ~~that~~ the respondent is a person requiring treatment, ~~it~~the court shall consider less restrictive alternatives to involuntary detention and treatment.
  - a. The court may ~~then~~ order the respondent to undergo up to fourteen days' treatment under a less restrictive alternative or, if ~~it~~the court finds ~~that~~ alternative treatment is not in the best interests of the respondent or others, ~~it~~the court shall order the respondent detained for up to fourteen days for involuntary treatment in a treatment facility.
  - b. The court shall specifically state to the respondent and give written notice that if involuntary treatment beyond the fourteen-day period is to be sought, the respondent will have the right to a treatment hearing as required by this chapter.

**SECTION 4. AMENDMENT.** Section 25-03.1-21 of the North Dakota Century Code is amended and reenacted as follows:

**25-03.1-21. Involuntary treatment order - Alternatives to hospitalization - Noncompliance with alternative treatment order - Emergency detention by certain professionals - Application for continuing treatment order.**

1. ~~Before making its~~the court makes a decision in an involuntary treatment hearing, the court shall review a report assessing the availability and appropriateness for the respondent of treatment programs other than hospitalization which has been prepared and submitted by the state hospital or treatment facility. If the court finds ~~that~~ a treatment program other than hospitalization is adequate to meet the respondent's treatment needs and is sufficient to prevent ~~harm or injuries which the individual may inflict upon the individual or others~~serious risk of harm, the court shall order the respondent to receive whatever treatment, other than hospitalization, is appropriate for a period of ninety days.
2. If the respondent is not complying with the alternative treatment order or the alternative treatment has not been sufficient to prevent ~~harm or injuries that the individual may be inflicting upon the individual or others~~serious risk of harm, the department, a representative of the treatment program involved in the alternative treatment order, the petitioner's retained attorney, or the state's attorney may apply to the court or to the district court of a different judicial district in which the respondent is located to modify the alternative treatment order. The court shall hold a hearing within seven days after the application is filed. Based upon the evidence presented at hearing and other available information, the court may:
  - a. Continue the alternative treatment order;
  - b. Consider other alternatives to hospitalization, modify the court's original order, and direct the ~~individual to~~respondent undergo another program of alternative treatment for the remainder of the ninety-day period; or
  - c. Enter a new order directing ~~that the individual~~the respondent be hospitalized until discharged from the hospital under section 25-03.1-30. If the ~~individual~~respondent refuses to comply with this hospitalization order, the court may direct a peace officer to take the ~~individual~~respondent into protective custody and transport the respondent to a treatment facility.
3. If a peace officer, physician either in person or directing an emergency medical services professional, ~~psychiatrist, physician assistant, clinical psychologist, advanced practice registered nurse,~~ or any mental health professional reasonably believes ~~that~~ the respondent is not complying with an order for alternative treatment, that the alternative treatment is

not sufficient to prevent ~~serious risk of harm or injuries to the respondent or others~~, and that considerations of time and safety do not allow intervention by a court, the designated professional may cause the respondent to be taken into custody and detained at a treatment facility as provided in subsection 3 of section 25-03.1-25 and, within twenty-four hours, shall file a notice with the court stating the circumstances and factors of the case. The state hospital or public treatment facility ~~shall~~ immediately shall accept, if appropriately screened and medically stable, and a private treatment facility may accept, the respondent on a provisional basis. The superintendent or director shall require an immediate examination of the respondent and, within twenty-four hours after admission, shall either release the respondent subject to the conditions of the original order or file a notice with the court stating in detail the circumstances and factors of the case. The court ~~shall~~, within forty-eight hours of receipt of the notice of the superintendent or director, after a hearing and based on the evidence presented and other available information, shall:

- a. Release the ~~individual~~ respondent from hospitalization and continue the alternative treatment order;
  - b. Consider other alternatives to hospitalization, modify ~~its~~ the original order of the court, and direct the ~~individual to~~ respondent undergo another program of alternative treatment for the remainder of the commitment period; or
  - c. Enter a new order directing ~~that~~ the respondent remain hospitalized until discharged from the hospital under section 25-03.1-30.
4. If, at the date of expiration of an order of alternative treatment, it is believed ~~that~~ an individual continues to require treatment, a petition for a determination that the individual continues to be a person requiring treatment may be filed with the court where the individual is located.

**SECTION 5. AMENDMENT.** Section 25-03.1-30 of the North Dakota Century Code is amended and reenacted as follows:

**25-03.1-30. Discharge of hospitalized patient - Transfer to alternative treatment - Termination of alternative treatment.**

1. The superintendent or director ~~may~~ at any time may discharge a voluntarily hospitalized patient who is clinically suitable for discharge.
2. The superintendent or director shall discharge a patient hospitalized by court order ~~whenif~~ the patient's mental condition is such that the patient no longer is a person requiring treatment.
3. If a patient discharged under subsection 1 or 2 has been hospitalized by a court order, or if court proceedings are pending, the treatment facility shall notify the court ~~must be notified of the discharge by the treatment facility~~.
4. A person responsible for providing treatment, other than hospitalization, to an individual ordered to undergo a program of alternative treatment may terminate the alternative treatment if the patient is clinically suitable for termination of treatment. The person shall terminate the alternative treatment ~~whenif~~ the patient no longer is a person requiring treatment and shall notify the court upon that termination.
5. If, upon the discharge of a hospitalized patient or the termination of alternative treatment of an individual under this chapter, the individual would benefit from further treatment, the hospital or provider of alternative treatment shall offer appropriate treatment on a voluntary basis or shall aid the individual to obtain treatment from another source on a voluntary basis.

- a. With the individual's consent, the superintendent or director shall notify the appropriate community agencies or persons of the release and of the suggested release plan. Community agencies include regional mental health centers, state and local counseling services, public and private associations ~~whose~~the function of which is to assist mentally ill or chemically dependent persons, and the individual's physician.
  - b. The agencies and persons notified of the individual's release shall report to the facility that initial contact with the individual has been accomplished.
6. If, before expiration of an initial treatment order, the superintendent or director determines ~~that~~ a less restrictive form of treatment ~~would be~~is more appropriate for a patient hospitalized by court order, the superintendent or director may petition the court ~~which~~that last ordered the patient's hospitalization to modify ~~its~~the order of the court. The petition must contain statements setting forth the reasons for the determination ~~that~~ the patient continues to ~~require~~be a person requiring treatment, the reasons for the determination ~~that~~ a less restrictive form of treatment ~~would be~~is more appropriate for the patient, and describing the recommended treatment program. If the patient consents, ~~the court may,~~ without a hearing, the court may modify ~~its~~the treatment order of the court by directing the patient to undergo the agreed treatment program for the remainder of the treatment order. The patient must be given an opportunity to protest the discharge and modification of treatment order and to receive a hearing on the merits of the protest."

Page 5, line 22, remove "**EARLY**"

Page 5, line 22, after "**INTERVENTION**" insert "**BEFORE VIOLENCE**"

Page 5, line 22, after the boldfaced period, insert "1."

Page 5, line 23, after "procedures" insert "under chapters 25-03.1 and 25-03.2 and the behavioral health and civil justice systems"

Page 5, replace lines 25 through 29 with:

- "a. Steps could be taken to prevent and decrease the incidence of violence committed by persons who are mentally ill, including the temporary removal of firearms; and
- b. Our behavioral health and civil justice systems could take steps to be more effective in intervening in the early stages of an individual's mental illness to treat the illness and avoid violence and possible contact with law enforcement.

2."

Renumber accordingly

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

**HB 1493: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). HB 1493 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 12.1-31-14 of the North Dakota Century Code, relating to interference with privacy using an unmanned aerial vehicle system; and to provide a penalty.

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

**SECTION 1. AMENDMENT.** Section 12.1-31-14 of the North Dakota Century Code is amended and reenacted as follows:

**12.1-31-14. Surreptitious intrusion or interference with privacy.**

1. An individual is guilty of a class B misdemeanor if, with intent to intrude upon or interfere with the privacy of another, the individual:
  - a. Enters upon another's property and surreptitiously gazes, stares, or peeps into a house or place of dwelling of another; or
  - b. Enters upon another's property and surreptitiously installs or uses any device for observing, photographing, recording, amplifying, or broadcasting sounds or events from a house or place of dwelling of another.
2. An individual is guilty of a class B misdemeanor if, with intent to intrude upon or interfere with the privacy of an occupant, the individual:
  - a. Surreptitiously gazes, stares, or peeps into a tanning booth, a sleeping room in a hotel, or other place where a reasonable individual would have an expectation of privacy; or
  - b. Surreptitiously installs or uses any device for observing, photographing, recording, amplifying, or broadcasting sounds or events from a tanning booth, a sleeping room in a hotel, or other place where a reasonable individual would have an expectation of privacy.
3. An individual may not willfully operate an unmanned aerial vehicle system:
  - a. To capture or take photographs, images, video, or audio of another individual or the private property of another individual, without that individual's consent, in a manner that would invade the individual's reasonable expectation of privacy, including capturing or recording through a window; or
  - b. To view, follow, or contact another individual or the private property of another individual, without the individual's consent, in a manner that would invade the individual's reasonable expectation of privacy, including viewing, following, or contacting through a window.
4. An individual who violates subsection 3 is guilty of a class B misdemeanor."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1534: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1534 was placed on the Sixth order on the calendar.

Page 2, after line 6, insert:

- "f. Subdivision e does not apply to an individual unless the individual has been advised of the consequences of refusing a chemical test consistent with the Constitution of the United States and the Constitution of North Dakota."

Page 3, line 18, after "39-08-01" insert "or an equivalent offense"



Page 4, line 1, overstrike "A test administered under this section" and insert immediately thereafter "If an individual refuses to submit to testing under this section, proof of the refusal"

Page 4, line 25, after "39-08-01" insert "or an equivalent offense"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1537: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1537 was placed on the Sixth order on the calendar.

Page 6, line 28, replace "B" with "A"

Page 10, line 18, replace "B" with "A"

Page 14, line 24, after "depository" insert "or install a trigger lock on the firearm"

Page 14, line 25, replace "safe" with ":"

a. "Safe"

Page 14, after line 29, insert:

"b. "Trigger lock" means a commercially available device that is operated with a key or combination lock that prevents a firearm from being discharged while the device is attached to the firearm. The term includes devices that obstruct the barrel or cylinder of the firearm and devices that immobilize the trigger."

Renumber accordingly

#### FIRST READING OF SENATE BILLS

**SB 2001:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the governor; to amend and reenact sections 54-07-04 and 54-08-03 of the North Dakota Century Code, relating to salary of the governor and lieutenant governor; to provide an exemption; to provide for a report to the legislative assembly; and to provide for a budget section report.

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

**SB 2025:** A BILL for an Act to amend and reenact section 15.1-02-04 of the North Dakota Century Code, relating to the duty of the superintendent of public instruction to review the statewide education strategic vision; and provide reports to the legislative assembly and legislative management.

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

**SB 2027:** A BILL for an Act to amend and reenact section 50-06.4-01 of the North Dakota Century Code, relating to the definition of brain injury.

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

**SB 2033:** A BILL for an Act to create and enact section 16.1-01-18 of the North Dakota Century Code, relating to legislative council drafting services for initiated measures.

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

**SB 2034:** A BILL for an Act to create and enact a new subsection to section 62.1-02-01 and a new subsection to section 62.1-02-10 of the North Dakota Century Code, relating to the possession of firearms; to amend and reenact subsections 3 and 7 of section 62.1-01-01, subsection 1 of section 62.1-02-01.1, subsection 1 of section 62.1-02-05, subdivision I of subsection 2 of section 62.1-02-05, section 62.1-02-07, subdivision a of subsection 6 of section 62.1-02-13, and sections 62.1-03-01 and 62.1-04-02 of the North Dakota Century Code, relating to the possession of firearms; and to provide a penalty.

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

**SB 2035:** A BILL for an Act to amend and reenact subdivision b of subsection 1 of section 4.1-02-04, subdivision b of subsection 1 of section 4.1-04-04, subdivision b of subsection 1 of section 4.1-07-04, subdivision b of subsection 1 of section 4.1-09-05, subdivision b of subsection 1 of section 4.1-09-06, section 4.1-11-04, subsection 2 of section 4.1-13-05, and section 11-11-11 of the North Dakota Century Code, relating to notice and publication requirements.

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

**SB 2036:** A BILL for an Act to create and enact section 4.1-45-22.1 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; to amend and reenact subsection 7 of section 12.1-31.2-01, section 14-09-00.1, subsection 1 of section 14-09-06.2, subsection 2 of section 27-20-30.1, subsection 1 of section 27-20-45, sections 43-62-01 and 43-62-15, section 57-02-08.6, subsection 7 of section 57-38-30.3, and section 57-60-14 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to repeal sections 4.1-55-22.1, 6-09.8-04, 6-09.11-02, and 15-08.1-09 and chapter 61-21.1 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references.

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

**SB 2038:** A BILL for an Act to amend and reenact sections 49-22-03, 49-22-14.1, 49-22-16, 49-22.1-01, 49-22.1-12, and subsection 2 of section 49-22.1-13 of the North Dakota Century Code, relating to energy conversion and transmission facility siting, gas and liquid energy conversion, and gas and liquid transmission facility siting.

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

**SB 2039:** A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to the development and implementation of a skilled workforce scholarship program; to provide a continuing appropriation; and to provide for a transfer.

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

**SB 2040:** A BILL for an Act to amend and reenact section 40-22-18 of the North Dakota Century Code, relating to treatment of property owned by a political subdivision when calculating protests against the formation of a special improvement district.

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

**SB 2041:** A BILL for an Act to create and enact a new subsection to section 21-03-07 of the North Dakota Century Code, relating to the issuance of bonds by the governing body of a park district without voter approval; and to repeal subsection 6 of section 21-03-06 of the North Dakota Century Code, relating to the issuance of bonds by the governing body of a park district.

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

**SB 2042:** A BILL for an Act to amend and reenact section 57-51-15 of the North Dakota Century Code, relating to reporting requirements for schools and counties receiving oil and gas gross production tax allocations.

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

**SB 2043:** A BILL for an Act to amend and reenact subsection 1 of section 50-11.1-04, section 50-11.1-07.8, subsection 1 of section 50-11.1-17, and subsection 2 of section 50-25.1-11 of the North Dakota Century Code, relating to regulation of early childhood services and claims of child abuse and neglect.

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

**SB 2045:** A BILL for an Act to create and enact a new section to chapter 54-52.2 of the North Dakota Century Code, relating to contributions to the deferred compensation plan; and to amend and reenact subsection 7 of section 39-03.1-08.2 and sections 54-52.1-03.3 and 54-52.1-04.2 of the North Dakota Century Code, relating to the highway patrolmen's retirement system, the retiree health credit, and prescription coverage under a self-insured plan.

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

**SB 2051:** A BILL for an Act to create and enact chapter 14-09.4 of the North Dakota Century

Code, relating to the Uniform Nonparent Custody and Visitation Act; to repeal section 14-09-05.1 of the North Dakota Century Code, relating to grandparental rights of visitation; and to provide for application.

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

**SB 2052:** A BILL for an Act to create and enact a new section to chapter 15.1-09 and a new section to chapter 57-15 of the North Dakota Century Code, relating to school district safety plans and levy authority for a school safety plan; to amend and reenact section 57-15-14.2 of the North Dakota Century Code, relating to school district levies for a school safety plan; to provide an effective date; and to declare an emergency.

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

**SB 2053:** A BILL for an Act to amend and reenact section 27-20-52 of the North Dakota Century Code, relating to inspection of law enforcement and correctional facility records and files of a child by an assistant superintendent or designee of a school.

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

**SB 2056:** A BILL for an Act to amend and reenact subsection 2 of section 43-09-11 and sections 43-09-15 and 43-09-15.1 of the North Dakota Century Code, relating to electrician qualifications and license renewal; and to declare an emergency.

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

**SB 2058:** A BILL for an Act to amend and reenact sections 20.1-01-08 and 20.1-05-04 of the North Dakota Century Code, relating to use of infrared, red, green, or amber artificial light while hunting coyote and fox.

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

**SB 2059:** A BILL for an Act to create and enact section 43-17-02.4 of the North Dakota Century Code, relating to licensure exemption for certain physicians.

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

**SB 2060:** A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-06 and section 39-21-41.4 of the North Dakota Century Code, relating to the amount of statutory fees and the use of safety belts; to repeal section 39-21-41.5 of the North Dakota Century Code, relating to secondary enforcement of safety belt requirements; and to provide a penalty.

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

**SB 2061:** A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to a road use fee for electric and hybrid vehicles; and to provide for a legislative management study.

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

**SB 2063:** A BILL for an Act to create and enact chapter 32-29.4 of the North Dakota Century Code, relating to adoption of the Uniform Family Law Arbitration Act.

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

**SB 2064:** A BILL for an Act to amend and reenact subsection 1 of section 4.1-21-01 of the North Dakota Century Code, relating to the state forester appointment, qualification, and duties.

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

**SB 2065:** A BILL for an Act to amend and reenact section 4.1-21-04 of the North Dakota Century Code, relating to the state forester reserve account.

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

**SB 2066:** A BILL for an Act to amend and reenact section 27-05.2-09 of the North Dakota Century Code, relating to the court facilities improvement advisory committee.

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

**SB 2067:** A BILL for an Act to amend and reenact section 16.1-16-09 of the North Dakota Century Code, relating to appeals of election contest judgments.

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

**SB 2068:** A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-08 and section 29-26-22.1 of the North Dakota Century Code, relating to docketing of restitution judgments.

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

**SB 2069:** A BILL for an Act to amend and reenact subsection 1 of section 27-20-06 of the North Dakota Century Code, relating to powers and duties of the director of juvenile court.

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

**SB 2070:** A BILL for an Act to amend and reenact subsection 1 of section 30.1-13-03 of the North Dakota Century Code, relating to priority among persons seeking appointment as personal representative.

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

**SB 2071:** A BILL for an Act to amend and reenact subsection 6 of section 12.1-31-01.2 and subsection 5 of section 12.1-31.2-01 of the North Dakota Century Code, relating to restraining orders.

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

**SB 2072:** A BILL for an Act to amend and reenact sections 30.1-27-01, 30.1-27-02, 30.1-27-05, 30.1-27-06, 30.1-27-07, 30.1-27-08, 30.1-27-09, and 30.1-27-11 of the North Dakota Century Code, relating to guardianship of minors; and to repeal sections 30.1-27-03, 30.1-27-04, 30.1-27-10, and 30.1-27-12 of the North Dakota Century Code, relating to guardianships of minors.

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

**SB 2073:** A BILL for an Act to create and enact chapter 27-20.1 of the North Dakota Century Code, relating to guardianships of children; to amend and reenact subsection 11 of section 27-20-02, section 27-20-03, subsection 1 of section 27-20-06, sections 27-20-46, 27-20-48.1, and subsection 1 of section 27-20-49 of the North Dakota Century Code, relating to guardianships of children; and to repeal sections 27-20-48.2, 27-20-48.3, and 27-20-48.4 of the North Dakota Century Code, relating to guardianships of children.

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

**SB 2074:** A BILL for an Act to amend and reenact subsection 2 of section 27-20-54 of the North Dakota Century Code, relating to the destruction of juvenile court records.

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

**SB 2075:** A BILL for an Act to amend and reenact sections 43-23.5-07, 43-23.5-08, and 43-23.5-12 of the North Dakota Century Code, relating to appraisal management companies.

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

**SB 2197:** A BILL for an Act to amend and reenact subsection 4 of section 6-09-15.5 and subsection 1 of section 6-09.11-03 of the North Dakota Century Code, relating to loans for family farmers.

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

**SB 2210:** A BILL for an Act to amend and reenact sections 19-24.1-17 and 19-24.1-24 of the North Dakota Century Code, relating to medical marijuana manufacturing facilities; and to declare an emergency.

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

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

**Buell J. Reich, Chief Clerk**