

JOURNAL OF THE HOUSE

Sixty-sixth Legislative Assembly

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Bismarck, April 11, 2019

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

The prayer was offered by Pastor Julie Anderson, Good Shepherd Lutheran Church, Bismarck.

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

A quorum was declared by the Speaker.

REPORT OF DELAYED BILLS COMMITTEE

MR. SPEAKER: Your **Delayed Bills Committee (Rep. Pollert, Chairman)** has unanimously approved the introduction of a concurrent resolution urging Congress to pass, and President Donald Trump to sign, House Resolution 1911, also known as the SFC Brian Woods Gold Star and Military Survivors Act.

The resolution will be HCR 3059.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Eidson, Dockter, Grueneich, Kasper, Keiser, Laning, Owens, Pyle, M. Ruby and Sens. Bekkedahl, G. Lee, Marcellais introduced:

(Approved by the Delayed Bills Committee)

HCR 3059: A concurrent resolution urging Congress to pass, and President Donald Trump to sign, House Resolution 1911, also known as the SFC Brian Woods Gold Star and Military Survivors Act.

Was read the first time.

MOTION

REP. LOUSER MOVED that the rules be suspended, that HCR 3059 not be printed, not be referred to committee, but be read in title only, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed on a voice vote.

Reps. Eidson, Dockter, Grueneich, Kasper, Keiser, Laning, Owens, Pyle, M. Ruby and Sens. Bekkedahl, G. Lee, Marcellais introduced:

(Approved by the Delayed Bills Committee)

HOUSE CONCURRENT RESOLUTION NO. 3059

A concurrent resolution urging Congress to pass, and President Donald Trump to sign, House Resolution 1911, also known as the SFC Brian Woods Gold Star and Military Survivors Act.

WHEREAS, Army Sergeant 1st Class William Brian Woods, Jr. (SFC Brian Woods), a decorated special forces medical sergeant, made the ultimate sacrifice for his country and died of wounds sustained while on patrol in Afghanistan in 2009. He was survived by a wife and two young children; and

WHEREAS, service members and their families endure hardships and make sacrifices unique to the military in the service of honor, duty, freedom, and patriotism; and

WHEREAS, one way we, as a grateful nation, honor those hardships and sacrifices is by promising we will provide financially for spouses and children of service members who die in the line of duty. In the words of Representative Seth Moulton of Delaware, "[w]hen Gold Star spouses are handed a folded flag, it comes with a sacred commitment from the American people. That commitment is for life That means Gold Star families should have the peace of mind that comes with knowing child care and funeral expenses are taken care of and that they will receive the nation's lifelong financial support"; and

WHEREAS, under current law, widows and widowers of service members who die in the line of duty lose their annuities and other survivor benefits upon remarriage; and

WHEREAS, the SFC Brian Woods Gold Star and Military Survivors Act would require the United States Department of Defense to pay the costs of transporting the remains of a service member killed in combat to the service member's hometown for a memorial and to a national cemetery of the Gold Star family's choice, and allow remarried Gold Star widows and widowers to continue to receive annuities and child care service assistance and, if they have dependent children, continue to access facilities on military bases; and

WHEREAS, it is consistent with North Dakotans' strong support for service members to uphold the nation's promise to care for Gold Star spouses throughout their lifetimes, as provided by the SFC Brian Woods Gold Star and Military Survivors Act;

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

That the Sixty-sixth Legislative Assembly urges the Congress of the United States to pass the SFC Brian Woods Gold Star and Military Survivors Act and urges President Donald Trump to sign the SFC Brian Woods Gold Star Military Survivors Act; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, each member of the North Dakota Congressional Delegation, and President Donald Trump.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3059: A concurrent resolution urging Congress to pass, and President Donald Trump to sign, House Resolution 1911, also known as the SFC Brian Woods Gold Star and Military Survivors Act.

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

HCR 3059 was declared adopted on a voice vote.

CONSIDERATION OF MESSAGES FROM THE SENATE

REP. LOUSER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1011 as printed on HJ pages 1634-1636, in the Senate amendments to Engrossed HB 1020 as printed on HJ pages 1558-1563, in the Senate amendments to Engrossed HB 1025 as printed on HJ pages 1563-1565, in the Senate amendments to Engrossed HB 1286 as printed on HJ page 1419, in the Senate amendments to Engrossed HB 1333 as printed on HJ pages 1525-1527, and in the Senate amendments to Engrossed HB 1453 as printed on HJ pages 1441-1442 and that a conference committee be appointed to meet with a like committee from the Senate on each of these measures, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed HB 1011: Reps. Bellew, Brandenburg, Mock.

Engrossed HB 1020: Reps. Monson, Nathe, Boe.

Engrossed HB 1025: Reps. Schobinger, B. Anderson, Holman.

Engrossed HB 1286: Reps. K. Koppelman, Jones, Satrom.

Engrossed HB 1333: Reps. Lefor, Keiser, P. Anderson.

Engrossed HB 1453: Reps. Karls, McWilliams, Paulson.

APPOINTMENT OF CONFERENCE COMMITTEE

REP. LOUSER MOVED that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2001, Engrossed SB 2007, Engrossed SB 2014, Engrossed SB 2018, and Engrossed SB 2214, which motion prevailed on a voice vote.

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed SB 2001: Reps. Schatz, Martinson, Schmidt

Engrossed SB 2007: Reps. Howe, Beadle, Bellew

Engrossed SB 2014: Reps. B. Anderson, Meier, Holman

Engrossed SB 2018: Reps. Schatz, Nathe, Boe

Engrossed SB 2214: Reps. Monson, Sanford, Owens

SIXTH ORDER OF BUSINESS

SPEAKER KLEMIN DEEMED approval of the amendments to Reengrossed SB 2003, Engrossed SB 2009, Engrossed SB 2013, and Engrossed SB 2315.

Reengrossed SB 2003, Engrossed SB 2009, Engrossed SB 2013, and Engrossed SB 2315, as amended, were placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2022: A BILL for an Act to provide an appropriation for defraying the expenses of the retirement and investment office; and to provide for transfers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 12 NAYS, 0 EXCUSED, 1 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; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Strinden; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemmin

NAYS: Becker; Bellew; Ertelt; Hoverson; Johnston; Kading; Magrum; Nelson, M.; Ruby, D.; Simons; Skroch; Toman

ABSENT AND NOT VOTING: O'Brien

Engrossed SB 2022, as amended, passed.

SECOND READING OF SENATE BILL

SB 2017: A BILL for an Act to provide an appropriation for defraying the expenses of the game and fish department; and to amend and reenact section 20.1-02-16.1 of the North Dakota Century Code, relating to the game and fish fund.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Becker; Delzer; Ertelt; Fegley; Johnston; Magrum; Paur; Simons

ABSENT AND NOT VOTING: O'Brien

Engrossed SB 2017, as amended, passed.

SECOND READING OF SENATE BILL

SB 2005: A BILL for an Act to provide an appropriation for defraying the expenses of the state treasurer; and to amend and reenact section 54-11-13 of the North Dakota Century Code, relating to the salary of the state treasurer.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Docket; 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; Kiefert; 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: O'Brien

Engrossed SB 2005, as amended, passed.

MOTION

REP. LOUSER MOVED that SB 2034 and SB 2020 be moved to the bottom of the Fourteenth order, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2139: A BILL for an Act to amend and reenact sections 61-02-01.4, 61-02-02, 61-02-04, 61-02-07, and 61-02-14 of the North Dakota Century Code, relating to cost-sharing and duties and membership of the state water 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 91 YEAS, 2 NAYS, 0 EXCUSED, 1 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; Docket; 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; Kiefert; 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; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Ertelt; Magrum

ABSENT AND NOT VOTING: O'Brien

SB 2139, as amended, passed.

SECOND READING OF SENATE BILL

SB 2172: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 54-12-14, a new subdivision to subsection 2 of section 62.1-02-04, and section 62.1-04-03.2 of the North Dakota Century Code, relating to a class 1 exempt firearm license and possession of a firearm or dangerous weapon in a liquor establishment; to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to possession of a firearm or dangerous weapon at a public gathering; 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 70 YEAS, 23 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Adams; Anderson, P.; Beadle; Boschee; Buffalo; Dobervich; Eidson; Fegley; Guggisberg; Hager; Hanson; Holman; Johnson, D.; Johnson, M.; Kreidt; Longmuir; Martinson; Mitskog; Mock; Sanford; Schneider; Schreiber-Beck; Westlind

ABSENT AND NOT VOTING: O'Brien

Engrossed SB 2172, as amended, passed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4001: A concurrent resolution to amend and reenact section 9 of article III of the Constitution of North Dakota, relating to the process for approving constitutional amendments.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 63 YEAS, 30 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Becker; Bellew; Blum; Brandenburg; Damschen; Delzer; Devlin; Dockter; Fisher; Grueneich; Hatlestad; Headland; Heinert; Hoverson; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; McWilliams; Meier; Monson; Nathe; Nelson, J.; Owens; Paulson; Paur; Pollert; Richter; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Strinden; Trottier; Tveit; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Adams; Anderson, P.; Beadle; Boe; Bosch; Boschee; Buffalo; Dobervich; Eidson; Ertelt; Fegley; Guggisberg; Hager; Hanson; Holman; Howe; Keiser; Martinson; Mitskog; Mock; Nelson, M.; Porter; Pyle; Roers Jones; Sanford; Schauer; Schneider; Steiner; Toman; Vetter

ABSENT AND NOT VOTING: O'Brien

Engrossed SCR 4001, as amended, was declared adopted on a recorded roll call vote.

MOTION

REP. LOUSER MOVED that the House stand in recess until 1:00 p.m., which motion prevailed on a voice vote.

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

MOTION

REP. LOUSER MOVED that pursuant to House Rule 324, the rules be suspended for the purpose of temporarily amending the deadline for Senate bills and resolutions to be reported back to the House from committees, which motion prevailed on a voice vote.

MOTION

REP. LOUSER MOVED that House Rule 509 be amended temporarily to replace sixty-fourth legislative day with sixty-sixth legislative day for all bills except SB 2148, which motion prevailed on a voice vote.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 10, 2019, I have signed the following: HB 1064, HB 1125, HB 1161, HB 1246, HB 1279, HB 1332, HB 1334, HB 1345, HB 1347, HB 1362, HB 1369, HB 1406, HB 1418, HB 1432, HB 1434, HB 1444, HB 1471, HB 1501, and HB 1546.

SECOND READING OF SENATE BILL

SB 2315: A BILL for an Act to amend and reenact sections 12.1-22-03, 20.1-01-17, 20.1-01-18, 20.1-01-19, 20.1-01-20, and 20.1-03-42 of the North Dakota Century Code, relating to criminal trespass and hunting on private land; to provide a statement of legislative intent; to provide for a study of access to land; to repeal sections 20.1-01-17 and 20.1-01-20; to provide for a report to the legislative management and interim legislative committees; to provide a penalty; to provide a contingent effective date; to provide a contingent expiration date; and to declare an emergency.

REQUEST

REP. B. KOPPELMAN REQUESTED that the House divide Engrossed SB 2315, as amended, which request was granted.

DIVISION A: Sections 1, 4, 7, 8, and 11.

DIVISION B: Sections 2, 3, 5, 6, 9, 10, and 12.

ROLL CALL

The question being on the final adoption of Division A of Engrossed SB 2315, as amended, the roll was called and there were 71 YEAS, 22 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Blum; Boe; Boschee; Brandenburg; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hatlestad; Headland; Hoverson; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Mock; Monson; Nelson, J.; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Adams; Beadle; Bosch; Buffalo; Eidson; Grueneich; Hager; Hanson; Heinert; Holman; Howe; Johnson, M.; Keiser; Meier; Mitskog; Nathe; Nelson, M.; Paur; Satrom; Schauer; Steiner; Strinden

ABSENT AND NOT VOTING: O'Brien

Division A of Engrossed SB 2315, as amended, was adopted on a recorded roll call vote.

ROLL CALL

The question being on the final adoption of Division B of Engrossed SB 2315, as amended, the roll was called and there were 37 YEAS, 56 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Bellew; Boe; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Headland; Hoverson; Johnson, C.; Johnson, D.; Jones; Kempenich; Kreidt; Laning; Longmuir; Magrum; Nelson, J.; Owens; Pollert; Richter; Schatz; Schmidt; Schreiber-Beck; Simons; Skroch; Trottier; Tveit; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Adams; Anderson, P.; Beadle; Becker; Blum; Bosch; Boschee; Buffalo; Dobervich; Eidson; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Heinert; Holman; Howe; Johnson, M.; Johnston; Kading; Karls; Kasper; Keiser; Kiefert; Koppelman, B.; Koppelman, K.; Lefor; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, M.; Paulson; Paur; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Steiner; Strinden; Toman; Vetter

ABSENT AND NOT VOTING: O'Brien

Division B of Engrossed SB 2315, as amended, failed on a recorded roll call vote.

SB 2315: A BILL for an Act to amend and reenact sections 12.1-22-03, 20.1-01-18, 20.1-01-20, and 20.1-03-42 of the North Dakota Century Code, relating to criminal trespass and hunting on private land; to provide a statement of legislative intent; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which consists of Division A only, which has been read, the roll was called and there were 55 YEAS, 38 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Becker; Brandenburg; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Hatlestad; Headland; Hoverson; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; McWilliams; Monson; Nelson, J.; Owens; Paulson; Pollert; Richter; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke

NAYS: Adams; Anderson, P.; Beadle; Bellew; Blum; Boe; Bosch; Boschee; Buffalo; Eidson; Fisher; Grueneich; Guggisberg; Hager; Hanson; Heinert; Holman; Howe; Johnson, M.; Karls; Keiser; Martinson; Meier; Mitskog; Mock; Nathe; Nelson, M.; Paur; Porter; Pyle; Roers Jones; Satrom; Schauer; Schneider; Steiner; Strinden; Toman; Speaker Klemin

ABSENT AND NOT VOTING: O'Brien

Engrossed SB 2315, as amended, passed but the emergency clause failed.

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

MR. PRESIDENT: The House has passed, and your favorable consideration is requested on: HCR 3059.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2005, SB 2017, SB 2022, SB 2139, SB 2172, SCR 4001.

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

MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause failed: SB 2315.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, unchanged: HCR 3059.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1384.

SENATE AMENDMENTS TO HOUSE BILL NO. 1384

Page 1, line 2, remove "and"

Page 1, line 3, after "date" insert "; and to provide an expiration date"

Page 1, line 15, after "~~twenty~~" insert "twenty-five"

Page 1, line 15, remove the overstrike over "~~percent of the taxpayer's~~"

Page 1, line 16, remove the overstrike over "~~total income tax under this chapter for the year,~~
~~or~~"

Page 1, line 16, remove the overstrike over the second comma

Page 1, line 17, remove the overstrike over "~~whichever is less~~"

Page 2, line 1, after "~~twenty~~" insert "twenty-five"

Page 2, line 1, remove the overstrike over "~~percent of the taxpayer's total income tax under~~
~~this chapter~~"

Page 2, line 2, remove the overstrike over "~~for the year, or~~"

Page 2, line 2, remove the overstrike over "~~, whichever is less~~"

Page 2, line 10, after "~~twenty~~" insert "twenty-five"

Page 2, line 10, remove the overstrike over "~~percent of the taxpayer's total income tax under~~
~~this chapter~~"

Page 2, line 11, remove the overstrike over "~~for the year, or~~"

Page 2, line 11, remove the overstrike over "~~, whichever is less~~"

Page 3, line 7, after "**DATE**" insert "**- EXPIRATION DATE**"

Page 3, line 7, after "for" insert "the first two"

Page 3, line 8, after "2018" insert ", after which this Act becomes ineffective"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1015.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 5 of section 12-47-36 of the North Dakota Century Code, relating to disclosure of confidential records;"

Page 1, line 3, replace "for a legislative management study; and" with "a statement of legislative intent; to provide for a study;"

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

Page 1, replace lines 13 through 18 with:

"Adult services	\$220,757,448	\$30,293,935	\$251,051,383
Youth services	<u>30,740,509</u>	<u>1,545,821</u>	<u>32,286,330</u>
Total all funds	\$251,497,957	\$31,839,756	\$283,337,713
Less estimated income	<u>37,161,253</u>	<u>8,038,937</u>	<u>45,200,190</u>
Total general fund	\$214,336,704	\$23,800,819	\$238,137,523
Full-time equivalent positions	845.29	88.30	933.59"

Page 2, replace lines 12 through 17 with:

"Rough Rider industries building	0	1,140,000
James River correctional center minimum security facilities	0	2,390,334
Missouri River correctional center renovation	0	1,854,301
Gender-responsive services and facilities study	0	100,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	<u>500,000</u>	<u>0</u>
Total all funds	\$2,102,907	\$8,482,585
Less estimated income	<u>2,102,907</u>	<u>5,076,001</u>
Total general fund	\$0	\$3,406,584"

Page 2, after line 21, insert:

"SECTION 3. APPROPRIATION - 2017-19 BIENNIUM - WORKFORCE DEVELOPMENT - EXEMPTION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$3,000,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation to enhance vocational opportunities, educational opportunities, and workforce development for individuals sentenced to the department of corrections and rehabilitation, including individuals placed in contract housing, for the period beginning with the effective date of this Act, and ending June 30, 2019. The department of corrections and rehabilitation shall consult with the southwest multi-county correction center regarding potential providers of vocational opportunities, educational opportunities, and workforce development. The appropriation in this section is not subject to section 54-44.1-11 and any unexpended funds from the appropriation may be used for enhancing vocational opportunities, educational opportunities, and workforce development for individuals sentenced to the department of corrections and rehabilitation during the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 2, line 23, replace "\$1,468,000" with "\$3,322,301"

Page 2, line 25, after the fourth comma insert "renovation of the Missouri River correctional center,"

Page 2, after line 26, insert:

"SECTION 5. AMENDMENT. Subsection 5 of section 12-47-36 of the North Dakota Century Code is amended and reenacted as follows:

5. Medical, psychological, or treatment records may be disclosed without prior application to the court to a public hospital or treatment facility, the department of human services, a community behavioral health program, a vocational rehabilitation program, a transitional living facility, or ~~to~~ a licensed private medical or treatment facility, when necessary for the evaluation, treatment, or care of a person who is or who has been in the custody of, or is or who has been under the supervision and management of, the adult services division of the department of corrections and rehabilitation.

SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION STUDY OF GENDER-RESPONSIVE SERVICES AND FACILITIES - REPORT. The appropriation in section 1 of this Act includes \$100,000 from the general fund for the department of corrections and rehabilitation to study long-term gender-responsive

correctional and rehabilitation facility and service needs during the 2019-20 interim. The department of corrections and rehabilitation, in consultation with representatives of the department of human services, judicial branch, tribal governments, and other private and public entities as determined by the department of corrections and rehabilitation, shall study gender-responsive facility and service needs of individuals sentenced to the department of corrections and rehabilitation. The study must include the preferable location of facilities, the service needs of individuals sentenced to the department of corrections and rehabilitation, and the impact on families of individuals sentenced to the department of corrections and rehabilitation. The department of corrections and rehabilitation may contract with consultants to assist in the study of gender-responsive correctional and rehabilitation facility and service needs and shall consider the results of the study in future appropriation requests. The department of corrections and rehabilitation shall report the results of its study to the legislative management by June 30, 2020.

SECTION 7. LEGISLATIVE INTENT - CONTRACT HOUSING FOR STATE INMATES. It is the intent of the sixty-sixth legislative assembly that the \$11,905,311 appropriated in section 1 of this Act to house inmates at the southwest multi-county correction center's correctional facility in New England during the 2019-21 biennium be applied to house male inmates or female inmates, as determined by the governor with the approval of the southwest multi-county correction center. The governor shall consult with the department of corrections and rehabilitation and the southwest multi-county correction center in making the determination. The governor shall also consider the potential for workforce training and work release in making the determination. If the southwest multi-county correction center does not approve the governor's determination by June 30, 2021, the department of corrections and rehabilitation may use the funding appropriated to house inmates at another facility.

SECTION 8. LEGISLATIVE INTENT - JAMES RIVER CORRECTIONAL CENTER AND STATE HOSPITAL CAMPUS INFRASTRUCTURE STUDY. It is the intent of the sixty-sixth legislative assembly that the \$175,000 appropriated in section 1 of this Act for a campus infrastructure study of the James River correctional center and the state hospital consider the potential for the placement of minimum security male inmates in current structures on the state hospital campus.

SECTION 9. LEGISLATIVE INTENT - MINIMUM SECURITY FACILITY - JAMES RIVER CORRECTIONAL CENTER. It is the intent of the sixty-sixth legislative assembly that any minimum security facilities on the campus of the James River correctional center and state hospital not be enclosed with a fence.

SECTION 10. PRETRIAL SERVICES - PILOT PROGRAM - REPORT. The appropriation in section 1 of this Act includes \$755,034 and seven full-time equivalent positions for pretrial services. The department of corrections and rehabilitation may establish a pretrial services program as a pilot project in one or more judicial districts of the state during the biennium beginning July 1, 2019, and ending June 30, 2021. The department of corrections and rehabilitation and the judicial branch shall collaborate to develop guidelines and procedures for the administration of pretrial services for the district courts. The department of corrections and rehabilitation and the judicial branch shall provide a report regarding the process and outcome measures of the pretrial services program to the sixty-seventh legislative assembly."

Page 3, line 1, after "program" insert "for individuals in custody or under the supervision of the department of corrections and rehabilitation or for the continuation of programming, when necessary, for individuals no longer in custody or under the supervision of the department,"

Page 3, line 15, remove "The provisions of chapters 48-01.1 and 54-44.7"

Page 3, remove line 16

Page 3, line 17, replace "services for construction and renovation" with "Sections 54-01-05.2 and 54-01-05.5"

Page 3, remove lines 18 through 31

Page 4, replace lines 1 through 11 with:

"SECTION 14. CONVEYANCE OF LAND AND BUILDINGS - 12 WEST AND 16 WEST - EXEMPTION. The state of North Dakota, by and through the department of human services, may convey ownership of the 12 west and 16 west buildings and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. Sections 54-01-05.2 and 54-01-05.5 do not apply to this conveyance.

SECTION 15. EMERGENCY. The appropriation of \$175,000 from the strategic investment and improvements fund for the James River correctional center and state hospital campus infrastructure study in section 1, the appropriation of \$100,000 from the general fund for a gender-responsive services and facilities study in section 1, and sections 3, 6, and 8 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehab. - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Adult services	\$220,757,448	\$236,440,488	\$14,610,895	\$251,051,383
Youth services	30,740,509	32,095,945	190,385	32,286,330
Total all funds	\$251,497,957	\$268,536,433	\$14,801,280	\$283,337,713
Less estimated income	37,161,253	42,139,308	3,060,882	45,200,190
General fund	\$214,336,704	\$226,397,125	\$11,740,398	\$238,137,523
FTE	845.29	899.79	33.80	933.59

Department 530 - Department of Corrections and Rehab. - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Adds FTE Positions and Related Operating Expenses ²	Adjusts Funding for Transitional Services ³	Adds One-Time Funding for Minimum Security Facilities ⁴	Adds One-Time Funding for a Study ⁵	Adds One-Time Funding for Female Facility Renovations ⁶
Adult services	\$1,411,771	\$6,115,122	\$1,599,367	\$2,390,334	\$100,000	\$1,854,301
Youth services	190,385					
Total all funds	\$1,602,156	\$6,115,122	\$1,599,367	\$2,390,334	\$100,000	\$1,854,301
Less estimated income	66,581	0	0	0	0	1,854,301
General fund	\$1,535,575	\$6,115,122	\$1,599,367	\$2,390,334	\$100,000	\$0
FTE	0.00	33.80	0.00	0.00	0.00	0.00

	Adds One-Time Funding for a Rough Rider Industries Building ⁷	Total Senate Changes
Adult services	\$1,140,000	\$14,610,895
Youth services		190,385
Total all funds	\$1,140,000	\$14,801,280
Less estimated income	1,140,000	3,060,882
General fund	\$0	\$11,740,398
FTE	0.00	33.80

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

² The following FTE positions and related funding are added:

	FTE	General Fund
Missouri River Correctional Center treatment positions	8.60	\$1,891,810
James River Correctional Center minimum security positions	25.20	4,223,312
Total	33.80	\$6,115,122

³ Funding is adjusted for transitional services, including the addition of \$549,626 for the Bismarck Transition Center contract and the restoration of \$1,049,741 removed by the House.

⁴ One-time funding is added for facilities for minimum security inmates at the James River Correctional Center. The funding may be used to renovate facilities transferred from the State Hospital to the Department of Corrections and Rehabilitation or for the lease or purchase of two temporary housing units for use as minimum security housing at the James River Correctional Center.

⁵ One-time funding of \$100,000 from the general fund is added for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.

⁶ One-time funding of \$1,854,301 from the strategic investment and improvements fund is added to convert the Missouri River Correctional Center into a female correctional and rehabilitation facility.

⁷ One-time funding from the Rough Rider Industries fund is added for the construction of a Rough Rider Industries building at the James River Correctional Center.

House Bill No. 1015 - Other Changes - Senate Action

This amendment also:

- Adds a section to provide a 2017-19 biennium appropriation of \$3 million from the general fund to the Department of Corrections and Rehabilitation to enhance vocational and education opportunities for inmate workforce development.
- Adjusts the section identifying the amount appropriated in Section 1 from the strategic investment and improvements fund.
- Adds a section to amend North Dakota Century Code Section 12-47-36(5) relating to disclosure of confidential records.
- Adds a section to provide for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.
- Adds a section to provide legislative intent that the Governor determine the location of male and female inmates in consultation with the Department of Corrections and Rehabilitation and the Southwest Multi-County Correction Center.
- Adds a section to provide legislative intent that the campus infrastructure study of the James River Correctional Center and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
- Adds a section to provide legislative intent that no fence be placed around facilities used for minimum security male inmates.
- Adds a section to provide for the establishment of a pretrial services pilot project.
- Adjusts the section providing carryover authority relating to the free through recovery program to allow the funding to be used for the continuation of programming for individuals no longer in the custody or under the supervision of the Department of Corrections and Rehabilitation.
- Adds a section to allow for the conveyance of the West 12 and West 16 buildings from the State Hospital to the Department of Corrections and Rehabilitation for use as a minimum security facility.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1365.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1402.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1011, HB 1020, HB 1025, HB 1286, HB 1333, and HB 1453, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1011: Reps. Bellew; Brandenburg; Mock
HB 1020: Reps. Monson; Nathe; Boe
HB 1025: Reps. Schobinger; B. Anderson; Holman
HB 1286: Reps. K. Koppelman; Jones; Satrom
HB 1333: Reps. Lefor; Keiser; P. Anderson
HB 1453: Reps. Karls; McWilliams; Paulson

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

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

HB 1002: Sens. Hogue; Dever; Grabinger
HB 1004: Sens. G. Lee; Sorvaag; Mathern
HB 1006: Sens. Sorvaag; Bekkedahl; Grabinger
HB 1007: Sens. Dever; Poolman; Mathern
HB 1008: Sens. Krebsbach; Oehlke; Robinson
HB 1009: Sens. Krebsbach; Poolman; Grabinger
HB 1010: Sens. Bekkedahl; Erbele; Grabinger
HB 1012: Sens. G. Lee; Oehlke; Grabinger
HB 1013: Sens. Wanzek; Hogue; Grabinger
HB 1019: Sens. Poolman; Erbele; Robinson
HB 1022: Sens. Hogue; Oehlke; Mathern
HB 1283: Sens. K. Roers; Anderson; Hogan
HB 1286: Sens. O. Larsen; Dwyer; Bakke
HB 1435: Sens. Davison; K. Roers; Oban
HB 1453: Sens. Myrdal; Dwyer; Bakke

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2264 and SCR 4017.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2006, SB 2023, SB 2172, SB 2265, SB 2269, and SB 2345, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2006: Sens. Wanzek; Bekkedahl; Robinson
SB 2023: Sens. Krebsbach; Poolman; Robinson
SB 2172: Sens. Luick; Lemm; Bakke
SB 2265: Sens. Schaible; Rust; Marcellais
SB 2269: Sens. Myrdal; Klein; O. Larsen
SB 2345: Sens. Luick; O. Larsen; Hogan

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

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

SB 2001: Reps. Schatz; Martinson; Schmidt
SB 2007: Reps. Howe; Beadle; Bellew
SB 2014: Reps. B. Anderson; Meier; Holman
SB 2018: Reps. Schatz; Nathe; Boe
SB 2214: Reps. Monson; Sanford; Owens

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2058, SB 2320.

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

MR. PRESIDENT: The Speaker has signed: SB 2058, SB 2320.

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

MR. SPEAKER: The President has signed: SB 2058, SB 2320.

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

MR. SPEAKER: The Senate has overridden the Governor's veto on SB 2055. The vote was 47 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING, and your favorable consideration is requested.

MOTION

REP. LOUSER MOVED that the absent member 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 8:00 a.m., Friday, April 12, 2019, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

SB 2010, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2010 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "chapter 23.1-16 and"

Page 1, line 2, after "26.1-22-03.1" insert "and a new section to chapter 26.1-36"

Page 1, line 3, remove "boiler inspections and"

Page 1, line 4, after "producers" insert "and health insurance"

Page 1, line 4, remove "sections 18-04-04, 18-04-04.1, and 18-04-05,"

Page 1, line 5, replace "subsection 1 of section 26.1-03-17, and" with "subdivision c of subsection 8 of section 26.1-04-03, subsection 2 of section 26.1-04-06,"

Page 1, line 6, after "26.1-23.1-01" insert ", and subsection 2 of section 26.1-25-16"

Page 1, line 8, after the second comma insert "insurance rebates,"

Page 1, line 9, remove "to repeal chapter 26.1-22.1 of the North Dakota Century Code, relating to"

Page 1, line 10, replace "boiler inspections; to provide a penalty;" with "to provide for a legislative management study; to provide legislative intent;"

Page 1, line 10, remove "and to provide a"

Page 1, line 11, replace "contingent effective date" with "and to declare an emergency"

Page 1, replace lines 20 through 23 with:

"Salaries and wages	\$8,549,567	(\$399,569)	\$8,149,998
Operating expenses	<u>2,179,777</u>	<u>(613,102)</u>	<u>1,566,675</u>
Total special funds	\$10,729,344	(\$1,012,671)	\$9,716,673
Full-time equivalent positions	46.00	(5.00)	41.00

SECTION 2. APPROPRIATION. There is appropriated out of any moneys in the insurance tax distribution fund in the state treasury, not otherwise appropriated, the sum of \$17,519,422, or so much of the sum as may be necessary, to the insurance commissioner for the purpose of providing payments, in accordance with provisions of section 18-04-05, to North Dakota fire departments in the amount of \$16,773,750 and payments to the North Dakota firefighter's association in the amount of \$745,672, for the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 2, remove lines 4 through 30

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 31

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 3

Page 10, line 16, replace "one hundred eleven thousand one hundred twenty-two" with "one hundred ten thousand five hundred eighty-two"

Page 10, remove lines 17 through 31

Page 11, replace lines 1 through 7 with:

"SECTION 6. AMENDMENT. Subdivision c of subsection 8 of section 26.1-04-03 of the North Dakota Century Code is amended and reenacted as follows:

- c. Notwithstanding any other provision in this subsection, if the cost does not exceed an aggregate retail value of one hundred dollars per person per year, an insurance producer may give a gift, prize, promotional article, logo merchandise, meal, or entertainment activity directly or indirectly to a person in connection with marketing, promoting, or advertising the business. As used in this subdivision, "person" means the named insured, policy owner, or prospective client or the spouse of any of these individuals, but the term does not include a certificate holder, child, or employee of the named insured, policy owner, or prospective client. Subject to the limits of this subdivision, an insurance producer may give a gift card for specific merchandise or services such as a meal, gasoline, or car wash but may not give cash, a cash card, any form of currency, or any refund or discount in premium. An insurance producer may not condition the giving of a gift, prize, promotion article, logo merchandise, meal, or entertainment activity on obtaining a quote or a contract of insurance. Notwithstanding the limitation in this subdivision, an insurance producer may make a donation to a nonprofit organization that is exempt from federal taxation under Internal Revenue Code section 501(c)(3) [26 U.S.C. 501(c)(3)] in any amount as long as the donation is not given as an inducement to obtain ~~a quote or a~~ contract of insurance.

SECTION 7. AMENDMENT. Subsection 2 of section 26.1-04-06 of the North Dakota Century Code is amended and reenacted as follows:

2. Notwithstanding any other provision in this section, if the cost does not exceed an aggregate retail value of one hundred dollars per person per year, an insurance producer may give a gift, prize, promotional article, logo merchandise, meal, or entertainment activity directly or indirectly to a person in connection with marketing, promoting, or advertising the business. As used in this subsection, "person" means the named insured, policy owner, or prospective client or the spouse of any of these individuals, but the term does not include a certificate holder, child, or employee of the named insured, policy owner, or prospective client. Subject to the limits of this subsection, an insurance producer may give a gift card for specific merchandise or services such as a meal, gasoline, or

car wash but may not give cash, a cash card, any form of currency, or any refund or discount in premium. An insurance producer may not condition the giving of a gift, prize, promotional article, logo merchandise, meal, or entertainment activity on obtaining a quote or a contract of insurance. Notwithstanding the limitation in this subsection, an insurance producer may make a donation to a nonprofit organization that is exempt from federal taxation under Internal Revenue Code section 501(c)(3) [26 U.S.C. 501(c)(3)] in any amount as long as the donation is not given as an inducement to obtain a quote or a contract of insurance."

Page 13, replace lines 22 through 28 with:

"SECTION 13. AMENDMENT. Subsection 2 of section 26.1-25-16 of the North Dakota Century Code is amended and reenacted as follows:

2. Notwithstanding any other provision in this section, if the cost does not exceed an aggregate retail value of one hundred dollars per person per year, an insurance producer may give a gift, prize, promotional article, logo merchandise, meal, or entertainment activity directly or indirectly to a person in connection with marketing, promoting, or advertising the business. As used in this subsection, "person" means the named insured, policy owner, or prospective client or the spouse of any of these individuals, but the term does not include a certificate holder, child, or employee of the named insured, policy owner, or prospective client. Subject to the limits of this subsection, an insurance producer may give a gift card for specific merchandise or services such as a meal, gasoline, or car wash but may not give cash, a cash card, any form of currency, or any refund or discount in premium. An insurance producer may not condition the giving of a gift, prize, promotional article, logo merchandise, meal, or entertainment activity on obtaining a quote or a contract of insurance. Notwithstanding the limitation in this subsection, an insurance producer may make a donation to a nonprofit organization that is exempt from federal taxation under Internal Revenue Code section 501(c)(3) [26 U.S.C. 501(c)(3)] in any amount as long as the donation is not given as an inducement to obtain a quote or a contract of insurance.

SECTION 14. A new section to chapter 26.1-36 of the North Dakota Century Code is created and enacted as follows:

Pre-existing conditions.

Notwithstanding any law to the contrary, an accident and health insurance policy issued under this chapter may not take into account any pre-existing condition of an insured or applicant, including waiting periods, refusal of coverage, and ratesetting.

SECTION 15. LEGISLATIVE INTENT - INSURANCE TAX DISTRIBUTION FUND PAYMENTS TO FIRE DEPARTMENTS. It is the intent of the sixty-sixth legislative assembly that, when feasible, fire departments utilize increased payments from the insurance tax distribution fund to improve their insurance service office rating.

SECTION 16. LEGISLATIVE MANAGEMENT STUDY - VOLUNTEER FIREFIGHTER PENSION. During the 2019-20 interim, the legislative management shall consider studying the feasibility and desirability of establishing a pension for volunteer firefighters. The study must include a review of firefighter needs of the state and benefits provided to volunteer firefighters in other states. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly.

SECTION 17. EMERGENCY. Sections 8, 9, 10, 11, and 12 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2010 - Insurance Department - House Action**

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$8,549,567	\$8,134,475	\$15,523	\$8,149,998
Operating expenses	2,179,777	1,566,675		1,566,675
Insurance tax payments	15,064,086		17,519,422	17,519,422
Total all funds	\$25,793,430	\$9,701,150	\$17,534,945	\$27,236,095
Less estimated income	25,793,430	9,701,150	17,534,945	27,236,095
General fund	\$0	\$0	\$0	\$0
FTE	46.00	41.00	0.00	41.00

Department 401 - Insurance Department - Detail of House Changes

	Adds Funding for Salary Increases ¹	Adjusts Funding for Fire District Payments ²	Total House Changes
Salaries and wages	\$15,523		\$15,523
Operating expenses			
Insurance tax payments		\$17,519,422	17,519,422
Total all funds	\$15,523	\$17,519,422	\$17,534,945
Less estimated income	15,523	17,519,422	17,534,945
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020. The Senate provided funding for a 2 percent salary increase on July 1, 2019, and a 3 percent salary increase on July 1, 2020.

² Funding from the insurance tax distribution fund for payments to fire districts and the North Dakota Firefighter's Association is restored to reflect the removal of continuing appropriation authority approved by the Senate. This amendment provides \$16,773,750 to be distributed to fire districts, an estimated reduction of \$1,009,288 from the Senate version but an increase of \$2,538,189 from the base level. The amendment also provides \$745,672 to be distributed to the North Dakota Firefighter's Association, an estimated reduction of \$289,320 from the Senate version and a reduction of \$82,853 from the base level. This results in a general fund revenue reduction of \$2,455,336 compared to the base level, and a general fund revenue increase of \$1,298,608 compared to the Senate version.

Senate Bill No. 2010 - Other Changes - House Action

This amendment also:

- Removes sections providing continuing appropriation authority to the Insurance Commissioner for fire department and North Dakota Firefighter's Association payments from the insurance tax distribution fund.
- Removes sections providing for the transfer of the boiler inspection program to the Department of Environmental Quality. The transfer of the program is provided for in the Senate version of House Bill No. 1024.
- Adjusts the section providing statutory changes necessary to increase the salary of the Insurance Commissioner.
- Adds sections to provide statutory changes relating to rebates associated with obtaining an insurance quote.
- Adds a statutory section to provide accident and health insurance policies may not take into account any pre-existing condition of an applicant.
- Adds a section to provide legislative intent that fire departments utilize increased distributions from the insurance tax distribution fund to improve their Insurance Service Office (ISO) ratings.
- Adds a section to provide for a Legislative Management study of the feasibility and desirability of establishing a pension for volunteer firefighters.
- Adds a section to declare the sections providing for the transfer of administration of

the state bonding fund and the state fire and tornado fund to be an emergency.

REPORT OF STANDING COMMITTEE

SB 2016, as engrossed: 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). Engrossed SB 2016 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide an appropriation to the state treasurer;"

Page 1, line 2, after "37-07.2-01" insert "and subsection 6 of section 57-51.1-07.5"

Page 1, line 3, replace "and" with a comma

Page 1, line 4, after "grants" insert ", and the state share of oil and gas taxes deposited in the state disaster relief fund"

Page 1, line 5, after the second semicolon insert "to provide an effective date;"

Page 1, remove lines 17 through 24

Page 2, replace lines 1 through 6 with:

"Salaries and wages	\$6,666,525	\$167,241	\$6,833,766
Operating expenses	3,525,934	(758,613)	2,767,321
Capital assets	224,046	0	224,046
Grants	318,553	(107,637)	210,916
Civil air patrol	299,580	5,554	305,134
Tuition, recruiting, and retention	2,617,500	2,164,572	4,782,072
Air guard contract	8,098,582	472,547	8,571,129
Army guard contract	57,717,944	(10,777,931)	46,940,013
Veterans' cemetery	881,284	95,622	976,906
Reintegration program	1,261,384	(210,216)	1,051,168
Camp Grafton expansion	0	600,000	600,000
Total all funds	\$81,611,332	(\$8,348,861)	\$73,262,471
Less estimated income	65,174,778	(10,360,121)	54,814,657
Total general fund	\$16,436,554	\$2,011,260	\$18,447,814"

Page 2, replace lines 11 through 19 with:

"Salaries and wages	\$12,551,119	(\$1,564,688)	\$10,986,431
Operating expenses	6,988,451	2,370,376	9,358,827
Capital assets	0	660,000	660,000
Grants	16,889,159	(615,734)	16,273,425
Disaster costs	51,445,841	(14,890,756)	36,555,085
Radio communications	0	785,000	785,000
Total all funds	\$87,874,570	(\$13,255,802)	\$74,618,768
Less estimated income	78,424,702	(12,754,317)	65,670,385
Total general fund	\$9,449,868	(\$501,485)	\$8,948,383"

Page 2, replace lines 24 through 27 with:

"Grand total general fund	\$25,886,422	\$1,509,775	\$27,396,197
Grand total special funds	143,599,480	(23,114,438)	120,485,042
Grand total all funds	\$169,485,902	(\$21,604,663)	\$147,881,239
Full-time equivalent positions	234.00	(12.00)	222.00"

Page 3, after line 23, insert:

"SECTION 4. APPROPRIATION - 2017-19 BIENNIUM - STATE DISASTER RELIEF FUND - STATE TREASURER - DISTRIBUTIONS TO NON-OIL-PRODUCING COUNTIES. Due to extraordinary snowfall in 2019 in the eastern part of the state and due to the excessive cost of road maintenance in the western part of the state, there is appropriated out of any moneys in the state disaster relief fund in the state treasury, not otherwise appropriated, the sum of

\$8,100,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing distributions to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county, for the period beginning with the effective date of this Act, and ending June 30, 2019. In June 2019, the state treasurer shall distribute \$8,100,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an allocation of \$5,000 to each organized and unorganized township within the county. The amount allocated to organized townships under this section must be paid by the county treasurer to each organized township. The amount allocated to unorganized townships under this section must be credited by the county treasurer to a special fund for unorganized township roads. The distributions under this section must be used for the maintenance and improvement of township paved and unpaved roads and bridges. A township is not eligible for an allocation of funds under this section if the township does not maintain any township roads. For the purposes of this section, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than \$5,000,000 for the period beginning September 1, 2017, and ending August 31, 2018."

Page 5, after line 23, insert:

"SECTION 9. AMENDMENT. Subsection 6 of section 57-51.1-07.5 of the North Dakota Century Code is amended and reenacted as follows:

6. The next ~~twentyfive~~ million dollars into the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than ~~twentyfive~~ million dollars; and"

Page 6, remove lines 23 through 31

Page 7, replace lines 1 through 3 with:

"SECTION 15. EFFECTIVE DATE. Section 9 of this Act is effective for taxable events occurring after June 30, 2019."

Page 7, line 4, replace "and 5" with ", 5, and 6"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2016 - Summary of House Action

	Base Budget	Senate Version	House Changes	House Version
Adjutant General				
Total all funds	\$81,611,332	\$73,164,270	\$98,201	\$73,262,471
Less estimated income	65,174,778	54,748,430	66,227	54,814,657
General fund	\$16,436,554	\$18,415,840	\$31,974	\$18,447,814
FTE	155.00	154.00	0.00	154.00
Department of Emergency Services				
Total all funds	\$87,874,570	\$70,864,050	\$3,754,718	\$74,618,768
Less estimated income	78,424,702	61,667,056	4,003,329	65,670,385
General fund	\$9,449,868	\$9,196,994	(\$248,611)	\$8,948,383
FTE	79.00	70.00	(2.00)	68.00
Bill total				
Total all funds	\$169,485,902	\$144,028,320	\$3,852,919	\$147,881,239
Less estimated income	143,599,480	116,415,486	4,069,556	120,485,042
General fund	\$25,886,422	\$27,612,834	(\$216,637)	\$27,396,197
FTE	234.00	224.00	(2.00)	222.00

Senate Bill No. 2016 - Adjutant General - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$6,666,525	\$6,813,608	\$20,158	\$6,833,766
Operating expenses	3,525,934	2,767,321		2,767,321
Capital assets	224,046	224,046		224,046
Grants	318,553	210,916		210,916
Civil air patrol	299,580	303,875	1,259	305,134
Tuition, recruiting, and retention	2,617,500	4,782,072		4,782,072
Air guard contract	8,098,582	8,542,126	29,003	8,571,129
Army guard contract	57,717,944	46,899,885	40,128	46,940,013
Veterans' cemetery	881,284	972,672	4,234	976,906
Reintegration program	1,261,384	1,047,749	3,419	1,051,168
Camp Grafton expansion		600,000		600,000
Total all funds	\$81,611,332	\$73,164,270	\$98,201	\$73,262,471
Less estimated income	65,174,778	54,748,430	66,227	54,814,657
General fund	\$16,436,554	\$18,415,840	\$31,974	\$18,447,814
FTE	155.00	154.00	0.00	154.00

Department 540 - Adjutant General - Detail of House Changes

	Adds Funding for Salary Increases ¹	Total House Changes
Salaries and wages	\$20,158	\$20,158
Operating expenses		
Capital assets		
Grants		
Civil air patrol	1,259	1,259
Tuition, recruiting, and retention		
Air guard contract	29,003	29,003
Army guard contract	40,128	40,128
Veterans' cemetery	4,234	4,234
Reintegration program	3,419	3,419
Camp Grafton expansion		
Total all funds	\$98,201	\$98,201
Less estimated income	66,227	66,227
General fund	\$31,974	\$31,974
FTE	0.00	0.00

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020. The Senate provided funding for a 2 percent salary increase on July 1, 2019, and a 3 percent salary increase on July 1, 2020.

Senate Bill No. 2016 - Department of Emergency Services - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$12,551,119	\$11,324,705	(\$338,274)	\$10,986,431
Operating expenses	6,988,451	9,367,600	(8,773)	9,358,827
Capital assets		660,000		660,000
Grants	16,889,159	16,273,425		16,273,425
Disaster costs	51,445,841	32,453,320	4,101,765	36,555,085
Radio communications		785,000		785,000
Total all funds	\$87,874,570	\$70,864,050	\$3,754,718	\$74,618,768
Less estimated income	78,424,702	61,667,056	4,003,329	65,670,385
General fund	\$9,449,868	\$9,196,994	(\$248,611)	\$8,948,383
FTE	79.00	70.00	(2.00)	68.00

Department 542 - Department of Emergency Services - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Adjusts Funding for IT Unification ²	Transfers FTE Positions to the Attorney General ³	Adjusts Funding for Disaster Costs ⁴	Total House Changes
Salaries and wages	\$15,017		(\$353,291)		(\$338,274)
Operating expenses		\$615	(9,388)		(8,773)
Capital assets					
Grants					
Disaster costs	1,765			\$4,100,000	4,101,765
Radio communications					
Total all funds	\$16,782	\$615	(\$362,679)	\$4,100,000	\$3,754,718
Less estimated income	9,329	(13)	(105,987)	4,100,000	4,003,329
General fund	\$7,453	\$628	(\$256,692)	\$0	(\$248,611)
FTE	0.00	0.00	(2.00)	0.00	(2.00)

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020. The Senate provided funding for a 2 percent salary increase on July 1, 2019, and a 3 percent salary increase on July 1, 2020. Funding for salary and benefit increases is also adjusted to reflect the transfer of 2 FTE positions to the Attorney General's office.

² Funding for operating expenses related to the IT unification initiative is adjusted.

³ Funding is reduced to reflect the transfer of 2 FTE positions from the Department of Emergency Services to the Attorney General's office.

⁴ Funding for disaster costs is increased by \$4,100,000 from the state disaster relief fund to provide a total of \$7,123,161 from the state disaster relief fund, including \$6,923,161 for unclosed state disasters. The remaining \$200,000 is for a grant to a county required to reimburse the Federal Emergency Management Agency for a grant to repair roads damaged by floodwaters in 2011 for which the Federal Emergency Management Agency later deemed to be ineligible. Any requirement to repay the state share of the grant to repair roads damaged by floodwaters in 2011 is waived.

Senate Bill No. 2016 - Other Changes - House Action

This amendment also:

- Adds a section to provide a 2017-19 biennium appropriation of \$8.1 million to the State Treasurer to provide distributions to townships in non-oil-producing counties for road and bridge maintenance and improvements.
- Adds a section to reduce the state share of oil and gas taxes deposited in the state disaster relief fund from \$20 million to \$15 million.
- Removes a section added by the Senate to provide an exemption to allow approximately \$80,000 appropriated from the state disaster relief fund for road grade raising projects to be continued into the 2019-21 biennium.
- Removes a section added by the Senate to provide an exemption to allow approximately \$3.9 million appropriated from the state disaster relief fund for unclosed state disasters to be continued into the 2019-21 biennium. The House appropriated the additional funding for the 2019-21 biennium.

REPORT OF STANDING COMMITTEE

SB 2140, as engrossed and amended: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2140, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 1581 and 1582 of the House Journal, Engrossed Senate Bill No. 2140 is amended as follows:

Page 1, line 2, after "request" insert "; and to provide a penalty"

Page 1, line 6, after "request" insert "- Penalty"

Page 1, line 9, after "state" insert "or a digital image of one's concealed firearm or dangerous weapon license on an electronic device"

Page 1, line 11, after "license" insert "or digital image of the license"

Page 1, line 23, remove "If, within thirty days of the alleged violation, an individual produces satisfactory"

Page 1, remove line 24

Page 2, replace lines 1 through 3 with "An individual who violates this section is guilty of an infraction."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2297, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2297 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "to provide an exemption;"

Page 1, line 5, replace "The" with "Subject to the provisions of this section, the"

Page 1, remove lines 17 through 24

Page 2, replace lines 1 through 11 with:

"North Dakota state university Dunbar Hall	\$40,000,000
Valley City state university communications and fine arts building project	30,000,000
University of North Dakota Gamble Hall project	6,000,000
Dickinson state university Pulver Hall	<u>4,000,000</u>
Total	\$80,000,000

1. North Dakota state university may obtain and utilize local funds obtained from fundraising or other sources for the Dunbar Hall project. There is appropriated to North Dakota state university the sum of \$11,200,000, or so much of the sum as may be necessary, from any local or other funds that may become available for this project for the period beginning with the effective date of this Act and ending June 30, 2021. North Dakota state university shall commence construction on the Dunbar Hall project before July 1, 2020. North Dakota state university shall adjust the scope of the project as necessary to match the amount of cash available for the project on the date construction commences.
2. Valley City state university may obtain and utilize local funds obtained from fundraising or other sources for the communications and fine arts building project. There is appropriated to Valley City state university the sum of \$2,275,000, or so much of the sum as may be necessary, from any local or other funds that may become available for this project for the period beginning with the effective date of this Act and ending June 30, 2021. Valley City state university must commence construction on the communications and fine arts building project before July 1, 2020. Valley City state university shall adjust the scope of the project as necessary to match the amount of cash available for the project on the date construction commences.
3. a. The university of North Dakota may obtain and utilize local funds obtained from fundraising or other sources for the Gamble Hall project. There is appropriated to the university of North Dakota the sum of \$55,000,000, or so much of the sum as may be necessary, from any local or other funds that may become available for this

project for the period beginning with the effective date of this Act and ending June 30, 2021.

- b. The industrial commission may issue evidences of indebtedness for the Gamble Hall project only if the university of North Dakota certifies to the industrial commission and the director of the office of management and budget that \$55,000,000 of local and other nonstate funds has been obtained for the project.

SECTION 2. APPROPRIATION - CAPITAL PROJECTS - EXEMPTION.

Subject to the provisions of this section, the funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the following institutions for the identified capital projects, for the period beginning with the effective date of this Act and ending June 30, 2019, as follows:

Bismarck state college nursing building	\$8,900,000
Dakota college at Bottineau dining hall and other projects	1,000,000
Lake region state college precision agriculture project	1,000,000
University of North Dakota Gamble Hall project	<u>9,000,000</u>
Total general fund	\$19,900,000

Section 54-44.1-11 does not apply to the funding in this section and any funds not spent by June 30, 2019, may be continued into the biennium beginning July 1, 2019, and ending June 30, 2021. The appropriation for the Gamble Hall project must be continued into the biennium beginning July 1, 2019, and ending June 30, 2021, and is available only if the university of North Dakota certifies to the director of the office of management and budget that \$55,000,000 of local and other nonstate funds has been obtained for the project."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2297 - Summary of House Action

	Base Budget	Senate Version	House Changes	House Version
University of North Dakota				
Total all funds	\$0	\$0	\$61,000,000	\$61,000,000
Less estimated income	0	0	61,000,000	61,000,000
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FTE	0.00	0.00	0.00	0.00
North Dakota State University				
Total all funds	\$0	\$111,200,000	(\$60,000,000)	\$51,200,000
Less estimated income	0	111,200,000	(60,000,000)	51,200,000
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FTE	0.00	0.00	0.00	0.00
Dickinson State University				
Total all funds	\$0	\$4,500,000	(\$500,000)	\$4,000,000
Less estimated income	0	4,500,000	(500,000)	4,000,000
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FTE	0.00	0.00	0.00	0.00
Valley City State University				
Total all funds	\$0	\$32,275,000	\$0	\$32,275,000
Less estimated income	0	32,275,000	0	32,275,000
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FTE	0.00	0.00	0.00	0.00
Northern Crops Institute				
Total all funds	\$0	\$18,000,000	(\$18,000,000)	\$0
Less estimated income	0	18,000,000	(18,000,000)	0
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FTE	0.00	0.00	0.00	0.00
Bill total				
Total all funds	\$0	\$165,975,000	(\$17,500,000)	\$148,475,000

Less estimated income	0	165,975,000	(17,500,000)	148,475,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Senate Bill No. 2297 - University of North Dakota - House Action

	Base Budget	Senate Version	House Changes	House Version
Capital assets			\$61,000,000	\$61,000,000
Total all funds	\$0	\$0	\$61,000,000	\$61,000,000
Less estimated income	0	0	61,000,000	61,000,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Department 230 - University of North Dakota - Detail of House Changes

	Adds Funding for Gamble Hall Project ¹	Total House Changes
Capital assets	\$61,000,000	\$61,000,000
Total all funds	\$61,000,000	\$61,000,000
Less estimated income	61,000,000	61,000,000
General fund	\$0	\$0
FTE	0.00	0.00

¹ Special fund authority of \$61,000,000 is added for the Gamble Hall project from bond proceeds (\$6,000,000) and from funds obtained from fundraising and other local sources (\$55,000,000). A 2017-19 biennium general fund appropriation of \$9,000,000 is also provided for the project for a total project cost of \$70,000,000. The bonding authority and general fund appropriation for the project are available only if the University of North Dakota certifies to the Industrial Commission and Office of Management and Budget that \$55,000,000 of local and other nonstate funds has been obtained for the project.

Senate Bill No. 2297 - North Dakota State University - House Action

	Base Budget	Senate Version	House Changes	House Version
Capital assets		\$111,200,000	(\$60,000,000)	\$51,200,000
Total all funds	\$0	\$111,200,000	(\$60,000,000)	\$51,200,000
Less estimated income	0	111,200,000	(60,000,000)	51,200,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Department 235 - North Dakota State University - Detail of House Changes

	Adjusts Funding for Capital Projects ¹	Total House Changes
Capital assets	(\$60,000,000)	(\$60,000,000)
Total all funds	(\$60,000,000)	(\$60,000,000)
Less estimated income	(60,000,000)	(60,000,000)
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding added by the Senate for the Dunbar Hall project is adjusted as follows:

	Senate	House	Difference
Bonding	\$51,200,000	\$40,000,000	(\$11,200,000)
Other funds	0	11,200,000	11,200,000
Total	\$51,200,000	\$51,200,000	\$0

This amendment also removes \$60 million of funding from bond proceeds and other funds added by the Senate for the Agriculture Products Development Center project.

Senate Bill No. 2297 - Dickinson State University - House Action

	Base Budget	Senate Version	House Changes	House Version
Capital assets		\$4,500,000	(\$500,000)	\$4,000,000
Total all funds	\$0	\$4,500,000	(\$500,000)	\$4,000,000
Less estimated income	0	4,500,000	(500,000)	4,000,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Department 239 - Dickinson State University - Detail of House Changes

	Adjusts Funding for Pulver Hall Project ¹	Total House Changes
Capital assets	(\$500,000)	(\$500,000)
Total all funds	(\$500,000)	(\$500,000)
Less estimated income	(500,000)	(500,000)
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding from bond proceeds added by the Senate for the Pulver Hall project is reduced from \$4,500,000 to \$4,000,000.

Department 242 - Valley City State University - Detail of House Changes

	Adjusts Funding for Communications and Fine Arts Building Project ¹	Total House Changes
Capital assets		
Total all funds	\$0	\$0
Less estimated income	0	0
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding added by the Senate for the Communications and Fine Arts Building project is adjusted as follows:

	Senate	House	Difference
Bonding	\$32,275,000	\$30,000,000	(\$2,275,000)
Other funds	0	2,275,000	2,275,000
Total	\$32,275,000	\$32,275,000	\$0

Senate Bill No. 2297 - Northern Crops Institute - House Action

	Base Budget	Senate Version	House Changes	House Version
Capital assets		\$18,000,000	(\$18,000,000)	
Total all funds	\$0	\$18,000,000	(\$18,000,000)	\$0
Less estimated income	0	18,000,000	(18,000,000)	0
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Department 638 - Northern Crops Institute - Detail of House Changes

	Removes Funding for Building Project ¹	Total House Changes
Capital assets	(\$18,000,000)	(\$18,000,000)
Total all funds	(\$18,000,000)	(\$18,000,000)
Less estimated income	(18,000,000)	(18,000,000)
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding added by the Senate from bond proceeds and other funds for the Northern Crops Institute building project is removed.

Senate Bill No. 2297 - Other Changes - House Action

This amendment also provides a 2017-19 biennium general fund appropriation of \$19.9 million for the following projects:

Bismarck State College nursing building	\$8,900,000
Dakota College at Bottineau dining hall and other projects	1,000,000
University of North Dakota Gamble Hall project	9,000,000
Lake Region State College precision agriculture project	1,000,000
Total general fund	\$19,900,000

Provisions are also added to allow the institutions to continue any unexpended general fund appropriations for the projects into the 2019-21 biennium.

REPORT OF CONFERENCE COMMITTEE

HB 1045, as engrossed: Your conference committee (Sens. Burckhard, Vedaa, Piepkorn and Reps. Laning, Lefor, M. Nelson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 946-947, adopt amendments as follows, and place HB 1045 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1233 and 1234 of the House Journal and pages 946 and 947 of the Senate Journal and that Engrossed House Bill No. 1045 be amended as follows:

Page 1, line 4, remove the second "and"

Page 1, line 13, after "corporation" insert "; and to provide an effective date"

Page 29, after line 21, insert:

"SECTION 19. EFFECTIVE DATE. Section 17 of this Act becomes effective on July 1, 2020."

ReNUMBER accordingly

Engrossed HB 1045 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1230, as engrossed: Your conference committee (Sens. Patten, Rust, Bakke and Reps. Paur, Becker, M. Nelson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1375, adopt amendments as follows, and place HB 1230 on the Seventh order:

That the Senate recede from its amendments as printed on page 1375 of the House Journal and pages 1093 and 1094 of the Senate Journal and that Engrossed House Bill No. 1230 be amended as follows:

Page 1, line 2, after "of" insert "a manned"

Page 1, line 2, after "aircraft" insert "in an emergency"

Page 1, line 9, remove the underscored colon

Page 1, remove lines 10 and 11

Page 1, line 12, replace "b. "Airworthy"" with ", "airworthy""

Page 1, line 15, overstrike "an" and insert immediately thereafter "a manned"

Page 1, line 19, replace the first "an" with "a manned"

ReNUMBER accordingly

Engrossed HB 1230 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1407, as engrossed: Your conference committee (Sens. Rust, Clemens, Bakke and Reps. Weisz, Grueneich, Hanson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1247-1248, adopt amendments as follows, and place HB 1407 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1247 and 1248 of the House Journal and pages 965 and 966 of the Senate Journal and that Engrossed House Bill No. 1407 be amended as follows:

Page 1, line 1, replace "section" with "sections 39-05-17 and"

Page 1, line 2, after "the" insert "delivery and"

Page 1, line 2, after "title" insert "; and to provide a penalty"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 39-05-17 of the North Dakota Century Code is amended and reenacted as follows:

39-05-17. Transfer of title of vehicle - Endorsement required - Certificate of title delivered - New certificate obtained - Penalty.

1. The owner or transferor of a motor vehicle who transfers title to a vehicle shall endorse an assignment and warranty of title upon the certificate of title for the vehicle. The owner or transferor shall include on the assignment and warranty of title the name of the transferee and the selling price of the vehicle if applicable.
2. If legal title passes to the transferee, the owner shall deliver the endorsed certificate of title to the transferee within ~~fifteen~~thirty days.
3. If legal title passes to a lienholder rather than the transferee, the transferee shall endorse a statement that the lienholder holds the lien and shall send the certificate of title to the department with an application for a new certificate of title showing the names of the new owner and lienholder. The certificate of title when issued must be sent by the department to the lienholder or the department may use an electronic lien notification procedure in lieu of sending a certificate of title to a lienholder.
4. Within thirty days, the transferee shall deliver the endorsed certificate of title to the department with a transfer fee of five dollars, and shall make an application for a new certificate of title. In addition to any other penalty, the registration to a motor vehicle may be suspended or revoked if the transferee fails to present the endorsed certificate of title to the department for transfer and make application for a new certificate of title within thirty days. The department shall deliver the new certificate of title to the lienholder with priority. If there is no lienholder, delivery must be made to the owner.
5. A violation of this section by an owner, lienholder, or transferee is a class B misdemeanor."

Page 1, line 13, overstrike "Satisfactory" and insert immediately thereafter "Except as otherwise provided by this subsection, satisfactory"

Page 1, after line 17, insert:

- "a. If the transferee is an insurer that has paid a total loss claim on a vehicle but the payment has not satisfied all liens of record on the vehicle, the transferee is not required to comply with the procedures outlined in title 35 to establish satisfactory proof of ownership and the department may cancel the old certificate of title and issue a new

certificate to the insurer free and clear of all liens and claims of ownership.

- b. If the transferee is a tax exempt organization under section 501(c)(3) of the Internal Revenue Code [26 U.S.C. 501(c)(3)] to which a vehicle has been donated, the transferee shall provide an affidavit providing proof the vehicle was donated.
- c. If the transferee is a licensed motor vehicle dealer that, at the request of an insurer, took possession of a vehicle that is the subject of an insurance claim but for which a total loss claim is not paid by the insurer and the vehicle has been in the possession of the dealer for more than thirty days, the necessary satisfactory proof of ownership includes only proof the dealer made at least two written attempts by certified mail with return receipt addressed to the owner of record and any known lienholder to have the vehicle removed from the dealer's facility, upon payment of applicable charges. If satisfactory proof of ownership is established, the department may cancel the old certificate of title and issue a new certificate to the licensed motor vehicle dealer free and clear of all liens and claims of ownership.
- d. If the transferee is an individual, satisfactory proof of ownership must include that the transferee has paid for the vehicle, and that the transferee made at least two written attempts by certified mail with return receipt addressed to the owner of record and any known lienholder to obtain the certificate of title."

Renumber accordingly

Engrossed HB 1407 was placed on the Seventh order of business on the calendar.

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

Buell J. Reich, Chief Clerk