

## JOURNAL OF THE SENATE

## Sixty-sixth Legislative Assembly

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Bismarck, March 20, 2019

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

The prayer was offered by Sister Anna Rose, St. Vincents Care Center, Bismarck.

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

A quorum was declared by the President.

**THE SENATE RECOGNIZED THE PRESENCE OF:**

Former Senator Bill Bowman

**MOTION**

**SEN. KLEIN MOVED** that after action taken on the Sixth order, Engrossed HB 1192 be placed on the Fourteenth order for immediate second reading and final passage, which motion prevailed.

**MOTION**

**SEN. KLEIN MOVED** that HB 1252, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

**CORRECTION AND REVISION OF THE JOURNAL**

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

Page 973, after line 22, insert:

**"MOTION**

**SEN. KLEIN MOVED** that a committee of two be appointed to escort Commander Mark Robinson, Commanding Officer of the **USS NORTH DAKOTA**, to the rostrum, which motion prevailed on a voice vote.

**THE PRESIDENT APPOINTED** Sens. G. Lee and Marcellais."

Page 974, line 38, remove **"MR. PRESIDENT:"**

Page 675, after line 20, insert:

**"MOTION**

**SEN. KLEIN MOVED** that a committee of two be appointed to escort Congressman Kelly Armstrong to the rostrum, which motion prevailed on a voice vote.

**THE PRESIDENT APPOINTED** Sens. Unruh and Oban."

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

**CONSIDERATION OF AMENDMENTS**

**HB 1532, as engrossed: SEN. D. LARSON (Judiciary Committee) MOVED** that the amendments on SJ page 985 be adopted and then be placed on the Fourteenth order with **DO NOT PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**HB 1468, as engrossed: SEN. KREUN (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 984 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**HB 1362, as engrossed: SEN. BURCKHARD (Industry, Business and Labor Committee) MOVED** that the amendments on SJ pages 983-984 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**HB 1248, as engrossed: SEN. DOTZENROD (Finance and Taxation Committee) MOVED** that the amendments on SJ page 982 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**HB 1249, as reengrossed: SEN. RUST (Education Committee) MOVED** that the amendments on SJ page 982 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**HB 1432, as engrossed: SEN. ANDERSON (Political Subdivisions Committee) MOVED** that the amendments on SJ page 984 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**HB 1192, as engrossed: SEN. UNRUH (Energy and Natural Resources Committee) MOVED** that the amendments on SJ pages 980-982 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1192:** A BILL for an Act to create and enact a new subsection to section 61-33.1-03 of the North Dakota Century Code, relating to the determination of the ordinary high water mark; to amend and reenact sections 61-33.1-04 and 61-33.1-05 of the North Dakota Century Code, relating to the ownership of mineral rights of land inundated by Pick-Sloan Missouri basin project dams; 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 39 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Dever; Dotzenrod; Erbele; Fors; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Dwyer; Elkin; Grabinger; Heckaman; Hogan; Mathern

**ABSENT AND NOT VOTING:** Davison

Engrossed HB 1192, as amended, passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1174:** A BILL for an Act to create an enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an individual income tax deduction for social security benefits; to amend and reenact subsection 5 of section 57-02-08.1 and section 57-38-01.28 of the North Dakota Century Code, relating to the homestead tax credit and the marriage penalty credit; 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 27 YEAS, 18 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bakke; Clemens; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Kreun; Larsen, O.; Larson, D.; Luick; Marcellais; Mathern; Myrdal; Oban; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Wanzek

**NAYS:** Anderson; Bekkedahl; Burckhard; Cook; Holmberg; Kannianen; Klein; Krebsbach; Lee, G.; Lee, J.; Meyer; Oehlke; Patten; Schaible; Sorvaag; Unruh; Vedaa; Wardner

**ABSENT AND NOT VOTING:** Davison

HB 1174 passed. HB 1174 was rereferred to the **Appropriations Committee**.

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**SECOND READING OF HOUSE BILL**

**HB 1200:** A BILL for an Act to create and enact section 23-29-07.12 and a new section to chapter 23.1-08 of the North Dakota Century Code, relating to prohibiting a political subdivision from regulating an auxiliary container; to amend and reenact sections 23-29-03 and 23.1-08-02 of the North Dakota Century Code, relating to the definition of auxiliary container; to provide an effective date; and to provide an expiration 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 31 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Clemens; Cook; Dever; Dwyer; Elkin; Erbele; Fors; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Luick; Meyer; Myrdal; Oehlke; Patten; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek

**NAYS:** Bakke; Bekkedahl; Burckhard; Dotzenrod; Grabinger; Heckaman; Hogan; Lee, J.; Marcellais; Mathern; Oban; Piepkorn; Robinson; Wardner

**ABSENT AND NOT VOTING:** Davison

HB 1200 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1077:** A BILL for an Act to create and enact a new subsection to section 54-10-01 of the North Dakota Century Code, relating to the powers and duties of the state auditor.

**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 44 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Lee, J.

**ABSENT AND NOT VOTING:** Davison

HB 1077 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 45 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

HB 1131 passed.

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### SECOND READING OF HOUSE BILL

**HB 1271:** A BILL for an Act to amend and reenact subsection 6 of section 11-18-02.2 and section 30.1-32.1-06 of the North Dakota Century Code, relating to statements of full consideration being filed with the county recorder and transfer on death deed requirements.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

HB 1271, as amended, passed.

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### SECOND READING OF HOUSE BILL

**HB 1407:** A BILL for an Act to amend and reenact sections 39-05-17 and 39-05-20 of the North Dakota Century Code, relating to the delivery and issuance of certificates of vehicle title; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen;

Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

Engrossed HB 1407, as amended, 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 44 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Fors

**ABSENT AND NOT VOTING:** Davison

Engrossed HB 1462, as amended, passed.

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

**HB 1210:** A BILL for an Act to create and enact a new section to chapter 11-10 of the North Dakota Century Code, relating to special elections for property owners in a proposed extraterritorial zoning area.

#### **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 1 YEAS, 44 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Larsen, O.

**NAYS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

Engrossed HB 1210 failed.

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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; 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 4 YEAS, 41 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Clemens; Larsen, O.; Meyer; Wanzek

**NAYS:** Anderson; Bakke; Bekkedahl; Burckhard; Cook; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wardner

**ABSENT AND NOT VOTING:** Davison

Engrossed HB 1530 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1154:** A BILL for an Act to amend and reenact section 39-07-01 of the North Dakota Century Code, relating to a bicycle and a ridden animal being deemed a vehicle.

**MOTION**

**SEN. MYRDAL MOVED** that HB 1154 be amended as follows.

Page 1, line 6, after "**vehicle**" insert "**- Exception**"

Page 1, line 7, overstrike "For" and insert immediately thereafter:

"1. Except as provided in subsection 2, for"

Page 1, line 7, remove the overstrike over "~~the purposes of~~"

Page 1, line 7, remove "~~noncriminal traffic offenses specified in~~"

Page 1, after line 8, insert:

"2. For purposes of section 39-08-01, a bicycle or ridden animal may not be deemed a vehicle."

Renumber accordingly

**REQUEST**

**SEN. MYRDAL REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to HB 1154, which request was granted.

**ROLL CALL**

The question being on the motion to adopt the proposed amendments to HB 1154, the roll was called and there were 31 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bekkedahl; Burckhard; Cook; Dever; Elkin; Erbele; Grabinger; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Meyer; Myrdal; Oban; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Schaible; Vedaa; Wanzek; Wardner

**NAYS:** Bakke; Clemens; Dotzenrod; Dwyer; Fors; Heckaman; Hogan; Larsen, O.; Mathern; Oehlke; Robinson; Rust; Sorvaag; Unruh

**ABSENT AND NOT VOTING:** Davison

The proposed amendments to HB 1154 were adopted on a recorded roll call vote.

**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 19 YEAS, 26 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bekkedahl; Elkin; Fors; Grabinger; Hogue; Holmberg; Klein; Krebsbach; Kreun; Lee, J.; Luick; Meyer; Myrdal; Piepkorn; Roers, J.; Roers, K.; Schaible; Vedaa; Wanzek

**NAYS:** Anderson; Bakke; Burckhard; Clemens; Cook; Dever; Dotzenrod; Dwyer; Erbele; Heckaman; Hogan; Kannianen; Larsen, O.; Larson, D.; Lee, G.; Marcellais; Mathern; Oban; Oehlke; Patten; Poolman; Robinson; Rust; Sorvaag; Unruh; Wardner

**ABSENT AND NOT VOTING:** Davison

HB 1154, as amended, failed.

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**SECOND READING OF HOUSE BILL**

**HB 1351:** A BILL for an Act to amend and reenact section 9-08-06 of the North Dakota Century Code, relating to contractual noncompete provisions.

**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 40 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Lee, G.; Lee, J.; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Sorvaag; Vedaa; Wanzek; Wardner

**NAYS:** Hogue; Larson, D.; Luick; Schaible; Unruh

**ABSENT AND NOT VOTING:** Davison

HB 1351 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1485:** A BILL for an Act to provide for a legislative management study of consumer personal data disclosures.

**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 43 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Holmberg; Larsen, O.

**ABSENT AND NOT VOTING:** Davison

Engrossed HB 1485 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1524:** A BILL for an Act to provide for a legislative management study of privacy practices in the data broker industry.

**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 1 YEAS, 44 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Mathern

**NAYS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

Engrossed HB 1524 failed.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1029, HB 1097, HB 1478.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1045, HB 1275, HB 1471.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2153.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2115.

**HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2115**

Page 1, line 23, remove "including cellular telephone number"

ReNUMBER accordingly

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

**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2213, SB 2250.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2051, SB 2192, SB 2193, SB 2231, SB 2318, SB 2325, SB 2338, SB 2355, SB 2360.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1065, HB 1129, HB 1141, HB 1143, HB 1193, HB 1209, HB 1223, HB 1224, HB 1263, HB 1470, HCR 3042.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2051, SB 2192, SB 2193, SB 2231, SB 2318, SB 2325, SB 2338, SB 2355, SB 2360.

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

**MR. SPEAKER:** The President has signed: HB 1065, HB 1129, HB 1141, HB 1143, HB 1193, HB 1209, HB 1223, HB 1224, HB 1263, HB 1470, HCR 3042.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1055, HB 1102, HB 1108, HB 1265,



HB 1298, HB 1336, HB 1392.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on March 19, 2019, I have signed the following: SB 2064, SB 2069, SB 2082, SB 2096, SB 2103, SB 2147, SB 2171, SB 2200, SB 2295, and SB 2327.

**MOTION**

**SEN. KLEIN MOVED** that the absent member be excused, which motion prevailed.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Thursday, March 21, 2019, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1060, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1060 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1111, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1111 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1144, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1144 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1158, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1158 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1159, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1159 was placed on the Sixth order on the calendar.

Page 1, line 16, after "~~that~~" insert "is required to hold a valid class B, C, or D license issued under chapter 43-07 and"

Page 1, line 21, remove the overstrike over "~~The tax imposed by this section does not apply to medical equipment purchased as~~"

Page 1, remove the overstrike over line 22

Page 2, remove the overstrike over lines 1 and 2

Page 2, line 3, remove the overstrike over "4."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1171, as engrossed: Education Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1171 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 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.

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

**SECTION 1.** A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

**Skilled workforce scholarship program - Skilled workforce scholarship fund - State board of higher education - Continuing appropriation.**

1. There is created in the state treasury the skilled workforce scholarship fund. The fund consists of moneys transferred into the fund by the legislative assembly, matching funds received, and scholarship repayments. Moneys in the fund are appropriated to the state board of higher education on a continuing basis for the purpose of providing grants to institutions of higher education related to skilled workforce scholarships. Institutions of higher education include institutions under the control of the state board of higher education, North Dakota nonpublic accredited institutions of higher education, and tribally controlled community colleges.
2. The state board of higher education shall develop policies to administer a skilled workforce scholarship program in cooperation with the Bank of North Dakota and the workforce education advisory council. The purpose of the skilled workforce scholarship program is to attract and retain students for professional or technical skills in high demand in this state.
3. The state board of higher education and the workforce education advisory council shall compile a list of qualifying educational programs by August first of each year. Qualifying educational programs must be able to be completed within four semesters or eight quarters and pertain to the technical skills in high demand in this state.
4. Individuals enrolled in a qualifying educational program in this state may apply for a scholarship under this section. Scholarships are limited to the amount charged each quarter or semester by the educational institution for the tuition, fees, books, and supplies required for the qualifying educational program. The scholarships may supplement any other scholarship or grant financial aid received by a student to assist the student with the costs of the qualifying educational program.
5. To be eligible for a scholarship under this section, a student must maintain a 2.5 cumulative grade point average, based on a 4.0 grading system. A student may not receive scholarships under this section for more than the equivalent of four semesters of full-time enrollment or eight quarters of full-time enrollment. Upon completion of a qualifying educational program, a student who received a scholarship under this section shall remain and work in this state for a minimum of three years.
6. An individual shall repay the scholarship pursuant to the terms in the individual's scholarship award agreement if the individual fails to maintain a 2.5 cumulative grade point average while enrolled, discontinues attendance before the completion of any semester or quarter for which a scholarship has been received, or fails to remain and work in this state for at least three years following degree or certificate completion.
7. Each quarter or semester, the state board of higher education shall distribute grants to institutions of higher education to provide the amounts necessary for the scholarships awarded to the students enrolled in each institution. The state board of higher education may distribute grants only to the extent that the private sector has provided one dollar of matching funds for each dollar of funding provided by the state.

**SECTION 2. TRANSFER - BANK OF NORTH DAKOTA - SKILLED WORKFORCE SCHOLARSHIP FUND.** The Bank of North Dakota shall transfer the sum of \$10,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the skilled workforce scholarship fund during the biennium beginning July 1, 2019, and ending June 30, 2021."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1259: Judiciary Committee (Sen. D. Larson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1259 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "for which a maximum fine of one hundred dollars may"

Page 1, line 9, remove "be imposed."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1279, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1279 was placed on the Sixth order on the calendar.

Page 2, line 2, replace "five years" with "one year"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1283, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1283 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact section 19-24.1-03.1 of the North Dakota Century Code, relating to access to medical marijuana;"

Page 1, line 2, replace "and" with "subdivision a of subsection 5 of section 19-24.1-05, subsection 7 of section 19-24.1-10,"

Page 1, line 2, after "19-24.1-11" insert ", and subsection 10 of section 19-24.1-32"

Page 8, after line 17, insert:

**"SECTION 3.** Section 19-24.1-03.1 of the North Dakota Century Code is created and enacted as follows:

**19-24.1-03.1. Qualifying patients - Veterans.**

In lieu of the written certification required under section 19-24.1-03, a veteran receiving treatment from a federal veterans' affairs entity may submit to the department a copy of the veterans' affairs medical records identifying a diagnosis of a debilitating medical condition and a copy of military discharge documents. The department may use the medical records and discharge documents in place of a written certification to approve or deny the application under section 19-24.1-05. The department shall issue a registry identification card within thirty calendar days of approving an application under this section.

**SECTION 4. AMENDMENT.** Subdivision a of subsection 5 of section 19-24.1-05 of the North Dakota Century Code is amended and reenacted as follows:

- a. The department receives documentation the minor's health care provider has explained to the parent or legal guardian with

responsibility for health care decisions for the minor the potential risks and benefits of the use of pediatric medical marijuana to treat or alleviate the debilitating medical condition; and

**SECTION 5. AMENDMENT.** Subsection 7 of section 19-24.1-10 of the North Dakota Century Code is amended and reenacted as follows:

7. A registered qualifying patient's certifying health care provider shall notify the department in writing if the health care provider's registered qualifying patient no longer has a debilitating medical condition ~~or if the~~. The health care provider no longer believes the patient will receive therapeutic or palliative benefit from the medical use of marijuana may notify the department if a bona fide provider-patient relationship ceases to exist. The qualifying patient's registry identification card becomes void immediately upon the health care provider's notification of the department and the registered qualifying patient shall dispose of any usable marijuana in the cardholder's possession within fifteen calendar days, in accordance with rules adopted under this chapter."

Page 8, after line 22, insert:

**"SECTION 7. AMENDMENT.** Subsection 10 of section 19-24.1-32 of the North Dakota Century Code is amended and reenacted as follows:

10. A health care provider is not subject to arrest or prosecution or the denial of any right or privilege, including a civil penalty or disciplinary action by a court or occupational or professional regulating entity, solely for providing a written certification or for ~~otherwise~~ stating in the health care provider's professional opinion a patient is likely to receive therapeutic or palliative benefit from the medical use of usable marijuana to treat or alleviate the patient's debilitating medical condition or for refusing to provide written certification or a statement. This chapter does not release a health care provider from the duty to exercise a professional standard of care for evaluating or treating a patient's medical condition."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1285, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1285 was placed on the Sixth order on the calendar.

Page 1, line 2, after "locations" insert "; to provide for the creation of a workgroup on abandoned infants; and to provide for a report to the department of human services"

Page 1, line 12, remove ", law enforcement agency, or county social"

Page 1, remove line 13

Page 1, line 14, replace "by the board of county commissioners" with "or other location as designated by rule adopted by the department"

Page 1, remove lines 16 and 17

Page 2, line 28, remove the overstrike over "if it appears that the"

Page 2, line 29, remove the overstrike over "abandoned infant was not harmed"

Page 3, line 11, after "department" insert ", in coordination with the state department of health,"

Page 3, after line 14, insert:

**"SECTION 2. WORKGROUP ON ABANDONED INFANTS - REPORT TO THE DEPARTMENT OF HUMAN SERVICES.**

1. During the 2019-20 interim, a workgroup on abandoned infants shall gather information and develop recommendations to design the optimal response to abandoned infants within existing systems and resources.
2. The workgroup consists of the following:
  - a. The director of the department of human services, or the executive director's designee;
  - b. The director of the department of emergency services, or the director's designee; and
  - c. Any person or public agency representative the workgroup determines is necessary to accomplish protocol development.
3. The department of human services shall convene the workgroup.
4. The workgroup shall:
  - a. Gather information concerning abandoned infants and protocols established by approved locations.
  - b. Receive reports and testimony from individuals, state and local agencies, community-based organizations, and other public and private organizations.
  - c. Design and implement a cross-systems protocol within existing systems and resources for an optimal response to a report of an abandoned infant at an approved location.
5. The department of human services may adopt any rules necessary to support the workgroup.
6. Before July 1, 2020, the workgroup shall submit a final report with the workgroup's recommendations to the department of human services."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1311: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1311 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1337: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1337 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1364, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1364 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1374, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1374 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to the medical assistance pharmacy management program; and to provide an effective date.

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

**SECTION 1.** A new section to chapter 50-24.1 of the North Dakota Century Code is created and enacted as follows:

**Pharmacy management program.**

The department shall establish a pharmacy management program to be used by the medical assistance program for Medicaid expansion for prescription drug coverage. The department shall process claims through the department's existing pharmacy claims system and Medicaid management information system and provide the contracted managed care plan with a daily pharmacy claims file for Medicaid expansion recipients.

**SECTION 2. EFFECTIVE DATE.** This Act becomes effective January 1, 2020."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1384: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1384 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1406, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1406 was placed on the Sixth order on the calendar.

Page 2, line 27, replace "chronically mentally ill persons" with "severe mental illness"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1417, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1417 was placed on the Sixth order on the calendar.

Page 1, line 1, after "2" insert ", 38,"

Page 1, line 1, remove the third "and"

Page 1, line 2, after "19-24.1-03" insert ", subdivision a of subsection 5 of section 19-24.1-05, subsection 7 of section 19-24.1-10, section 19-24.1-11, subsection 4 of section 19-24.1-21, and subsection 10 of section 19-24.1-32"

Page 1, line 3, after "marijuana" insert "; and to declare an emergency"

Page 2, line 12, overstrike "two" and insert immediately thereafter "four"

Page 2, after line 12, insert:

**"SECTION 2. AMENDMENT.** Subsection 38 of section 19-24.1-01 of the North Dakota Century Code is amended and reenacted as follows:

38. "Usable marijuana" means a medical marijuana product or the dried leaves or flowers of the plant of the genus cannabis in a combustible

~~delivery form. However, the term does not include the dried leaves or flowers unless authorized through a written certification and does not include a cannabinoid edible product. In the case of a registered qualifying patient who is a minor, "usable marijuana" is limited to pediatric medical marijuana."~~

Page 4, after line 4, insert:

**"SECTION 5. AMENDMENT.** Subdivision a of subsection 5 of section 19-24.1-05 of the North Dakota Century Code is amended and reenacted as follows:

- a. The department receives documentation the minor's health care provider has explained to the parent or legal guardian with responsibility for health care decisions for the minor the potential risks and benefits of the use of pediatric medical marijuana ~~to treat or alleviate the debilitating medical condition;~~ and

**SECTION 6. AMENDMENT.** Subsection 7 of section 19-24.1-10 of the North Dakota Century Code is amended and reenacted as follows:

7. A registered qualifying patient's certifying health care provider ~~shall~~may notify the department in writing if the health care provider's registered qualifying patient no longer has a debilitating medical condition ~~or if the health care provider no longer believes the patient will receive therapeutic or palliative benefit from the medical use of marijuana~~may notify the department if a bona fide provider-patient relationship ceases to exist. The qualifying patient's registry identification card becomes void immediately upon the health care provider's notification of the department and the registered qualifying patient shall dispose of any usable marijuana in the cardholder's possession within fifteen calendar days, in accordance with rules adopted under this chapter.

**SECTION 7. AMENDMENT.** Section 19-24.1-11 of the North Dakota Century Code is amended and reenacted as follows:

**19-24.1-11. Registry identification cards.**

1. The contents of a registry identification card must include:
  - a. The name of the cardholder;
  - b. A designation as to whether the cardholder is a qualifying patient, designated caregiver, or compassion center agent;
  - c. A designation as to whether a qualifying patient is a minor;
  - d. A designation as to whether a qualifying patient or a designated caregiver's qualifying patient is authorized to use ~~the~~an enhanced amount of dried leaves or flowers of the plant of the genus cannabis to treat or alleviate the patient's debilitating medical condition of cancer;
  - e. The date of issuance and expiration date;
  - f. A random ten-digit alphanumeric identification number containing at least four numbers and at least four letters which is unique to the cardholder;
  - g. If the cardholder is a designated caregiver, the random identification number of the qualifying patient the designated caregiver is authorized to assist;
  - h. A photograph of the cardholder; and

- i. The phone number or website address at which the card can be verified.
2. Except as otherwise provided in this section or rule adopted under this chapter, a registry identification card expiration date must be one year after the date of issuance.
3. If a health care provider ~~states in the written limits~~ certification that the ~~qualifying patient would benefit from the medical use of marijuana~~ until a specified date, less than one year, the registry identification card expires on that date.

**SECTION 8. AMENDMENT.** Subsection 4 of section 19-24.1-21 of the North Dakota Century Code is amended and reenacted as follows:

4. A dispensary or agent of the dispensary may not dispense usable marijuana unless the dispensary first uses the verification system to confirm the registered qualifying patient or registered designated caregiver identification card is valid. A dispensary or agent of the dispensary:
  - a. May not dispense usable marijuana to a person other than a registered qualifying patient or a registered qualifying patient's registered designated caregiver. If a registered qualifying patient is a minor:
    - (1) The dispensary or agent of the dispensary may not dispense usable marijuana to a minor; and
    - (2) The usable marijuana dispensed to the minor's designated caregiver must be in the form of pediatric medical marijuana.
  - b. May not dispense to a registered qualifying patient or registered designated caregiver more than the allowable amount of usable marijuana and may not dispense an amount if it is known that amount would cause the recipient to purchase or possess more usable marijuana than is permitted under this chapter.
  - c. ~~May not dispense to a registered qualifying patient or registered designated caregiver the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form unless the registry identification card and verification system authorize this form of usable marijuana.~~

**SECTION 9. AMENDMENT.** Subsection 10 of section 19-24.1-32 of the North Dakota Century Code is amended and reenacted as follows:

10. A health care provider is not subject to arrest or prosecution or the denial of any right or privilege, including a civil penalty or disciplinary action by a court or occupational or professional regulating entity, solely for providing a written certification or for ~~otherwise~~ stating in the health care provider's professional opinion a patient is likely to receive therapeutic or palliative benefit from the medical use of usable marijuana to treat or alleviate the patient's debilitating medical condition or for refusing to provide written certification or a statement. This chapter does not release a health care provider from the duty to exercise a professional standard of care for evaluating or treating a patient's medical condition.

**SECTION 10. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1429, as engrossed: Education Committee (Sen. Schaible, Chairman) recommends**



**AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1429 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 15.1-02 of the North Dakota Century Code, relating to a teacher shortage loan forgiveness program administered by the superintendent of public instruction; to amend and reenact section 15.1-02-04 of the North Dakota Century Code, relating to the duties of the superintendent of public instruction; to repeal section 15-10-38 of the North Dakota Century Code, relating to a teacher shortage loan forgiveness program administered by the state board of higher education; to provide for a transfer; and to provide an exemption.

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

**SECTION 1. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-02-04. Superintendent of public instruction - Duties.**

The superintendent of public instruction:

1. Shall supervise the provision of elementary and secondary education to the students of this state.
2. Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.
3. Shall supervise the development of course content standards.
4. Shall supervise the assessment of students.
5. Shall serve as an ex officio member of the board of university and school lands.
6. Shall keep a complete record of all official acts and appeals.
7. As appropriate, shall determine the outcome of appeals regarding education matters.
8. Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.
9. Shall administer a student loan forgiveness program for individuals teaching at grade levels, in content areas, and in geographical locations identified as having a teacher shortage or critical need.

**SECTION 2.** A new section to chapter 15.1-02 of the North Dakota Century Code is created and enacted as follows:

**Loans - Teacher shortages - Loan forgiveness.**

1. The superintendent of public instruction shall administer a student loan forgiveness program for individuals teaching at grade levels, in content areas, and in geographical locations identified as having a teacher shortage or critical need. The superintendent may approve loan forgiveness for no more than two teachers per year in a school district. The superintendent shall adopt rules to implement the program.
2. The superintendent annually shall identify grade levels, content areas, and geographical locations in which a teacher shortage or critical need exists.

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

**SECTION 3. REPEAL.** Section 15-10-38 of the North Dakota Century Code is repealed.

**SECTION 4. TRANSFER.** The commissioner of higher education shall transfer the funding continued into the 2019-21 biennium to the superintendent of public instruction to defray the expenses of the teacher loan forgiveness program.

**SECTION 5. EXEMPTION - TEACHER LOAN FORGIVENESS PROGRAM FUNDING.** The unexpended amount remaining from the appropriation for the teacher loan forgiveness program, as authorized in section 1 of chapter 28 of the 2017 Session Laws, is not subject to the provisions of section 54-44.1-11 at the end of the 2017-19 biennium, and may be continued into the 2019-21 biennium for the purpose of providing teacher loan forgiveness."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1448, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO NOT PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1448 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1454, as engrossed: Education Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1454 was placed on the Sixth order on the calendar.

Page 2, line 5, remove "of at least fifty thousand dollars but not exceeding one"

Page 2, line 6, remove "hundred thousand dollars."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1474, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1474 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 provide for a legislative management study relating to replacing special assessment revenue with revenue from an alternative local funding source."

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - SPECIAL ASSESSMENT REVENUE REPLACEMENT.** During the 2019-20 interim, the legislative management shall consider studying options for replacing revenue generated by special assessments with revenue from an alternative local funding source. The study must include a review of the purposes for which special assessments are imposed, the revenue generated from the imposition of special assessments, local revenue sources that could be used as an alternative to imposing special assessments, and the manner in which fees for an alternative local revenue source would be calculated and imposed as compared to the manner in which special assessments are calculated and imposed. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1475: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1475 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1519, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1519 was placed on the Sixth order on the calendar.

Page 1, line 22, remove "Anorexia nervosa:"

Page 1, remove line 23

Page 1, line 24, remove "o."

Page 2, line 1, replace "p." with "n."

Page 2, remove lines 2 through 9

Page 2, line 10, replace "y." with "o."

Page 2, after line 10, insert:

"p. A brain injury."

Page 2, line 11, replace "z." with "q."

Page 2, line 11, overstrike "and" and insert immediately thereafter "or"

Page 2, line 12, replace "aa." with "r."

Renumber accordingly

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

**HCR 3041: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3041 was placed on the Fourteenth order on the calendar.

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

**HCR 3051: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3051 was placed on the Fourteenth order on the calendar.

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

**HCR 3054: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3054 was placed on the Fourteenth order on the calendar.

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

**Shanda Morgan, Secretary**