

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

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**Bismarck, April 19, 2019**

The Senate convened at 8:00 a.m., with President Pro Tempore O. Larsen presiding.

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

The roll was called and all members were present.

A quorum was declared by the President Pro Tempore.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. J. LEE MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2317 as printed on SJ page 1312 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on:

**Engrossed SB 2317:** Sens. J. Lee, K. Roers, Hogan.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1521, which motion prevailed.

**THE PRESIDENT APPOINTED** as a Conference Committee on:

**Engrossed HB 1521:** Sens. Dever, Hogue, Oban

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. MEYER MOVED** that the conference committee report on Engrossed SB 2306 as printed on SJ pages 1704-1705 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2306, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2306:** A BILL for an Act to create and enact a new section to chapter 15.1-13, a new section to chapter 15.1-18, and a new section to chapter 43-51 of the North Dakota Century Code, relating to occupational licensure of military members and military spouses; to amend and reenact sections 15.1-13-13, 15.1-13-17, 43-51-01, and 43-51-11.1 of the North Dakota Century Code, relating to occupational licensure of military members and spouses; and to provide for a report.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Reengrossed SB 2306 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. OEHLKE MOVED** that the conference committee report on Engrossed SB 2017 as printed on SJ page 1704 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2017, as amended, was placed on the Eleventh order of business.

**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, the roll was called and there were 46 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Larsen, O.

Reengrossed SB 2017 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. VEDAA MOVED** that the conference committee report on SB 2033 as printed on SJ page 1704 be adopted, which motion prevailed on a voice vote.

SB 2033, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2033:** A BILL for an Act to create and enact section 16.1-01-18 of the North Dakota Century Code, relating to legislative council drafting services for initiated measures.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 13 YEAS, 34 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Dotzenrod; Elkin; Grabinger; Hogan; Luick; Marcellais; Mathern; Oban; Robinson; Rust; Vedaa

**NAYS:** Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dwyer; Erbele; Fors; Heckaman; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Lemm; Meyer; Myrdal; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Schaible; Sorvaag; Unruh; Wanzek; Wardner

Engrossed SB 2033 failed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. LUICK MOVED** that the conference committee report on Engrossed HB 1541 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1541, as amended, was placed on the Fourteenth order of business.

**MOTION**

**SEN. OBAN MOVED** that the Senate reconsider its action whereby Engrossed HB 1541, as

amended, passed, which motion prevailed on a verification vote.

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. LUICK MOVED** that the conference committee report on Engrossed HB 1541 as printed on SJ page 1714 be adopted, which motion failed on a verification vote.

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. RUST MOVED** that the conference committee report on Engrossed HB 1287 as printed on SJ pages 1707-1708 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1287, as amended, was placed on the Fourteenth order of business.

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

**HB 1287:** A BILL for an Act to amend and reenact section 15.1-13-10 of the North Dakota Century Code, relating to initial teaching licenses for individuals completing alternative teacher certification program; to provide for a legislative management report; and to provide an expiration date.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 37 YEAS, 10 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

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

Engrossed HB 1287, as amended, passed.

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#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. DOTZENROD MOVED** that the conference committee report on Engrossed HB 1268 as printed on SJ pages 1705-1707 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1268, as amended, was placed on the Fourteenth order of business.

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

**HB 1268:** A BILL for an Act to amend and reenact sections 11-28.3-09 and 23-46-04 and subsection 10 of section 57-15-06.7 of the North Dakota Century Code, relating to property tax levies for emergency medical service and ambulance service operations financial assistance; and to provide for the distribution of state financial assistance for emergency medical services.

#### **ROLL CALL**

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

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

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

Engrossed HB 1268, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. SCHAIBLE MOVED** that the conference committee report on Reengrossed HB 1383 as printed on SJ pages 1708-1711 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1383, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1383:** A BILL for an Act to create and enact a new section to chapter 4.1-01 and a new section to chapter 49-22 of the North Dakota Century Code, relating to the creation of an environmental impact mitigation fund and to mitigating direct environmental impacts; to amend and reenact subsection 1 of section 4.1-01-18, sections 49-22-05.1 and 49-22-09, and subsection 4 of section 49-22-16 of the North Dakota Century Code, relating to the federal environmental law impact review committee, exclusion and avoidance areas, the factors considered by the public service commission when evaluating and designating sites, corridors, and routes, and state agency rules; to provide for a report to the legislative management; to provide an appropriation; and to provide a continuing appropriation.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 41 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Hogan; Larsen, O.; Mathern; Oban; Piepkorn; Unruh

Reengrossed HB 1383, as amended, passed.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2317, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2317:** Sens. J. Lee; K. Roers; Hogan

**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 1521:** Sens. Dever; Hogue; Oban

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

**MR. SPEAKER:** The Senate has not adopted the conference committee report on: HB 1541.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2017, SB 2306.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1268, HB 1287, HB 1383.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently failed to pass: SB 2033.

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: SB 2018, SB 2221.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1234, HB 1517.

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

**MR. PRESIDENT:** The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1435.

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

**MR. PRESIDENT:** The House has adopted the conference committee report, subsequently passed, and the emergency clause failed to pass: SB 2020.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2018, SB 2020, SB 2221.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1001, HB 1439.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2094, SB 2114.

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

**MR. SPEAKER:** The President has signed: SB 2094, SB 2114.

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

**MR. SPEAKER:** The President has signed: HB 1001, HB 1439.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1008, HB 1045, HB 1230, HB 1283, HB 1285, HB 1356, HB 1382, HB 1519.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on April 18, 2019, I have signed the following: SB 2002, SB 2021, SB 2034, and SB 2344.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2321, as engrossed:** Your conference committee (Sens. Rust, Dwyer, Bakke and Reps. Bellew, Schatz, D. Ruby) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1273 and place SB 2321 on the Seventh order.

Engrossed SB 2321 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2216, as engrossed:** Your conference committee (Sens. Schaible, Rust, Marcellais and Reps. Owens, Schreiber-Beck, Guggisberg) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1163-1165, adopt amendments as follows, and place SB 2216 on the Seventh order:

That the House recede from its amendments as printed on pages 1163-1165 of the Senate Journal and pages 1327-1330 of the House Journal and that Engrossed Senate Bill No. 2216 be amended as follows:

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 15-19 of the North Dakota Century Code, relating to definitions;"

Page 1, line 1, remove "15-19-04,"

Page 1, line 2, remove the first "and"

Page 1, line 2, after "15-19-08" insert ", and 15-20.1-03"

Page 1, line 3, replace "section" with "sections"

Page 1, line 3, after "15-19-03" insert "and 15-19-04"

Page 1, line 4, after "school" insert "and advertising"

Page 1, line 8, overstrike "**Distance**" and insert immediately thereafter "**North Dakota center for distance**"

Page 1, line 18, replace "deemed" with "determined to be"

Page 1, line 19, remove "and proper"

Page 2, line 11, overstrike "director" and insert immediately thereafter "board for career and technical education"

Page 2, after line 20, insert:

**"SECTION 2.** A new section to chapter 15-19 of the North Dakota Century Code is created and enacted as follows:

**Definitions.**

In this chapter, unless the context otherwise requires:

1. "Administration" includes the leadership of the center for distance education.
2. "Board" means the state board for career and technical education.
3. "Center" means the North Dakota center for distance education.
4. "Director" means the director and executive officer of the department of career and technical education."

Page 2, line 23, overstrike "- **Director of center**" and insert immediately thereafter "**Center**"

Page 2, line 28, remove "executive"

Page 2, line 29, replace "may" with "shall"

Page 2, line 30, after "administration" insert "of the center"

Page 2, line 31, remove "administration's"

Page 2, line 31, replace "administering" with "operating"

Page 3, line 2, remove "executive"

Page 3, line 11, after "~~the~~" insert "administration of the"

Page 3, remove lines 18 through 25

Page 4, line 5, remove "executive"

Page 4, line 5, remove "for the department of career and"

Page 4, line 6, remove "technical education"

Page 4, line 27, overstrike "a" and insert immediately thereafter "an endowment and"

Page 4, line 28, after "The" insert "endowment and"

Page 5, line 2, after the first "the" insert "endowment and"

Page 5, line 3, overstrike "The"

Page 5, line 3, overstrike "center for"

Page 5, overstrike line 4

Page 5, line 5, overstrike "the award of scholarships within the limits and rules adopted by the"

Page 5, line 6, remove "state board for career and technical education"

Page 5, line 6, overstrike ". The interest earned"

Page 5, overstrike line 7 and insert immediately thereafter "The center for distance education may draw on the endowment and scholarship fund for the award of scholarships within the limits and rules adopted by the state board for career and technical education."

Page 5, line 10, overstrike "**work**" and insert immediately thereafter "**support and services**"

Page 5, line 11, overstrike "work" and insert immediately thereafter "support and services"

Page 5, line 12, after "work" insert "provided"

Page 5, after line 14, insert:

**"SECTION 7. AMENDMENT.** Section 15-20.1-03 of the North Dakota Century Code is amended and reenacted as follows:

**15-20.1-03. Powers and duties of state board relating to career and technical education.**

The state board shall have all authority necessary to cooperate with the United States department of education or other department or agency of the United States of America in the administration of acts of Congress relating to career and technical education, including the following powers and duties:

1. To administer any legislation enacted by the legislative assembly of this state pursuant to or in conformity with acts of Congress relating to career and technical education.
2. To administer the funds provided by the federal government and by this state for the promotion of career and technical education and to contract with:
  - a. Any public or private institution or agency, board of trustees of any agricultural and training school, or school district of this state; or
  - b. Any public or private institution or agency, or political subdivision, of another state.
3. To formulate plans for the promotion of career and technical education in such subjects as are an essential and integral part of the public school system of education in this state.
4. To provide for the preparation of teachers.
5. To fix the compensation of such officers and assistants as may be necessary to administer the federal acts and the provisions of this chapter relating to career and technical education and to pay the same and other necessary expenses of administration from any funds appropriated for such purpose.
6. To make studies and investigations relating to career and technical education.

7. To promote and aid in the establishment of schools, departments, or classes, and to cooperate with local communities in the maintenance of career and technical education schools, departments, or classes.
8. To prescribe the qualifications and provide for the certification of teachers, directors, and supervisors.
9. To cooperate with governing bodies of school districts and with organizations and communities in the maintenance of classes for the preparation of teachers, directors, and supervisors of career and technical education, to maintain classes for such purposes under its own direction and control, and to establish and control, by general regulations, the qualifications to be possessed by persons engaged in the training of career and technical education teachers.
10. To coordinate new and existing farm management programs offered by any state agency or entity.
11. To create and expand marketing clubs as adjuncts to new and existing farm management programs.
12. To administer and supervise the program and all activities of the center for distance education."

Page 5, line 15, replace "Section" with "Sections"

Page 5, line 15, after "15-19-03" insert "and 15-19-04"

Page 5, line 15, replace "is" with "are"

Renumber accordingly

Engrossed SB 2216 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1435, as reengrossed:** Your conference committee (Sens. Davison, K. Roers, Oban and Reps. Kasper, B. Koppelman, Brandenburg) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1420-1421, adopt amendments as follows, and place HB 1435 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1420 and 1421 of the House Journal and pages 1051 and 1052 of the Senate Journal and that Reengrossed House Bill No. 1435 be amended as follows:

Page 1, line 4, after the third semicolon insert "to provide for a transfer;"

Page 4, line 29, replace "\$120,000,000" with "\$80,000,000"

Page 5, line 1, replace "thirty" with "twenty"

Page 5, after line 4, insert:

**"SECTION 7. TRANSFER - BANK OF NORTH DAKOTA PROFITS - STATEWIDE INTEROPERABLE RADIO NETWORK FUND.** The industrial commission shall transfer the sum of \$20,000,000 from the current earnings and accumulated undivided profits of the Bank of North Dakota to the statewide interoperable radio network fund, during the period beginning with the effective date of this Act, and ending June 30, 2021."

Page 5, line 5, after "appropriated" insert "out of any moneys in the strategic investment and improvements fund, not otherwise appropriated, the sum of \$20,000,000, out of any moneys in the statewide interoperable radio network fund, not otherwise appropriated, the sum of \$20,000,000, and"

Page 5, line 6, replace "\$120,000,000" with "\$80,000,000"



Page 5, line 6, replace the second "sum" with "sums"

Page 5, line 8, replace "biennium beginning July 1, 2019" with "period beginning with the effective date of this Act"

Page 5, line 9, replace "Section 6" with "Sections 6, 7, and 8"

Page 5, line 9, replace "is" with "are"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the Bank of North Dakota line of credit for the statewide interoperable radio network from \$120 million to \$80 million and provides \$20 million from the strategic investment and improvements fund and \$20 million from Bank of North Dakota profits.

Reengrossed HB 1435 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1517, as engrossed:** Your conference committee (Sens. Clemens, J. Lee, Anderson and Reps. D. Anderson, Tveit, Schneider) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1377, adopt amendments as follows, and place HB 1517 on the Seventh order:

That the Senate recede from its amendments as printed on page 1377 of the House Journal and page 910 of the Senate Journal and that Engrossed House Bill No. 1517 be amended as follows:

Page 1, remove line 22

Page 1, line 23, remove "individual who resides at the life skills and transition center."

Page 2, line 5, overstrike "contract with a team of support intensity scale assessors by"

Page 2, overstrike line 6

Page 2, line 7, overstrike "pilot group identified by the consultant contracted in subsection 2."

Page 2, line 7, remove "Assessments must"

Page 2, replace lines 8 through 10 with "conduct the standardized assessment of eligible individuals residing at the life skills and transition center."

Page 2, line 17, remove "one-on-one"

Page 2, line 18, after "**MANAGEMENT**" insert "- **SYSTEM OF SERVICES FOR INDIVIDUALS WITH AN INTELLECTUAL OR DEVELOPMENTAL DISABILITY**"

Page 2, line 21, after "encountered" insert "and policy review"

Renumber accordingly

Engrossed HB 1517 was placed on the Seventh order of business on the calendar.

#### MOTION

**SEN. KLEIN MOVED** that the Senate stand in recess until 12:30 p.m., which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with President Pro Tempore O. Larsen presiding.

#### 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 Seventieth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1700, after line 55, insert:

**"APPOINTMENT OF CONFERENCE COMMITTEE**  
**THE PRESIDENT APPOINTED** as a Conference Committee on:

**Engrossed SB 2211:** Sens. Unruh, Schaible, Piepkorn"

Page 1702, remove lines 23 through 25

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

**APPOINTMENT OF CONFERENCE COMMITTEE**  
**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1202, which motion prevailed.

**THE PRESIDENT APPOINTED** as a Conference Committee on:

**HB 1202:** Sens. Unruh, Schaible, Piepkorn

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**  
**SEN. SCHAIBLE MOVED** that the conference committee report on Engrossed SB 2216 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2216, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**  
**SB 2216:** A BILL for an Act to create and enact a new section to chapter 15-19 of the North Dakota Century Code, relating to definitions; to amend and reenact sections 15-19-01, 15-19-02, 15-19-02.1, 15-19-06, 15-19-08, and 15-20.1-03 of the North Dakota Century Code, relating to distance education; and to repeal sections 15-19-03 and 15-19-04 of the North Dakota Century Code, relating to authorization of enrollments to the center for distance education by a superintendent of a school and advertising.

**ROLL CALL**  
The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Reengrossed SB 2216 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**  
**SEN. BAKKE MOVED** that the conference committee report on Engrossed SB 2321 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2321, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**  
**SB 2321:** A BILL for an Act to amend and reenact section 39-04-10.16 of the North Dakota Century Code, relating to special vehicle license plates for volunteer emergency responders and firefighters; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Reengrossed SB 2321 passed and the emergency clause was declared carried.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. MYRDAL MOVED** that the conference committee report on Engrossed HB 1453 as printed on SJ pages 1711-1713 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1453, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1453:** A BILL for an Act to amend and reenact sections 25-03.1-02, 25-03.1-07, 25-03.1-17, 25-03.1-21, and 25-03.1-30 of the North Dakota Century Code, relating to civil commitment procedures and alternative treatment orders; and to provide for a legislative management study.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1453, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. RUST MOVED** that the conference committee report on Engrossed HB 1531 as printed on SJ pages 1713-1714 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1531, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1531:** A BILL for an Act to amend and reenact section 15.1-18-10 of the North Dakota Century Code, relating to allowing individuals who do not have a teaching license to teach noncore subjects upon meeting certain criteria; to provide for a legislative management report; and to provide an expiration date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 34 YEAS, 13 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Bakke; Dotzenrod; Fors; Grabinger; Heckaman; Hogan; Holmberg; Marcellais;

Mathern; Oban; Piepkorn; Robinson; Unruh

Engrossed HB 1531, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. DAVISON MOVED** that the conference committee report on Reengrossed HB 1435 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1435, as amended, was placed on the Fourteenth order of business.

#### SECOND READING OF HOUSE BILL

**HB 1435:** A BILL for an Act to amend and reenact sections 37-17.3-02, 37-17.3-02.2, and 37-17.3-03 of the North Dakota Century Code, and section 10 of chapter 247 of the 2017 Session Laws, relating to the governance, purchase, financing, and operation of the statewide interoperable radio network; to provide for a legislative management study; to provide an appropriation; to provide for a transfer; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Reengrossed HB 1435, as amended, passed and the emergency clause was declared carried.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. CLEMENS MOVED** that the conference committee report on Engrossed HB 1517 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1517, as amended, was placed on the Fourteenth order of business.

#### SECOND READING OF HOUSE BILL

**HB 1517:** A BILL for an Act to create and enact a new section to chapter 25-04 and a new section to chapter 50-06 of the North Dakota Century Code, relating to program management for residents of the life skills and transition center and regional crisis support services for individuals with an intellectual or developmental disability; to amend and reenact section 25-04-02.1 and subsection 4 of section 50-06-37 of the North Dakota Century Code, relating to accreditation of life skills and transition center and assessment of intellectual or developmental disabilities; and to provide for a report to the legislative management.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1517, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. MYRDAL MOVED** that the conference committee report on Engrossed HB 1234 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1234, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1234:** A BILL for an Act to amend and reenact sections 29-06-05.2 and 29-06-15 of the North Dakota Century Code, relating to the authority of federal agents.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1234, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. KANNIANEN MOVED** that the conference committee report on HB 1384 as printed on SJ page 1711 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. MEYER MOVED** that the conference committee report on Engrossed HB 1474 as printed on SJ page 1713 be adopted, which motion prevailed on a voice vote.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, April 22, 2019, which motion prevailed.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2224.

**HOUSE AMENDMENTS TO SENATE BILL NO. 2224**

Page 1, line 2, after the semicolon insert "to amend and reenact sections 54-65-01, 54-65-06, and 54-65-07 of the North Dakota Century Code, relating to research North Dakota; to repeal section 10-30.5-14, chapters 15-59 and 54-65, and sections 54-65-02, 54-65-03, 54-65-04, and 54-65-05 of the North Dakota Century Code, relating to the centers of excellence, centers of research excellence, and research North Dakota;"

Page 1, line 3, remove "and"

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

Page 1, line 8, remove "agriculture"

Page 1, line 10, after the underscored period insert "The commissioner shall collaborate with the department of commerce when awarding bioscience innovation grants to coordinate the management of the commissioner's bioscience innovation grant program and the department of commerce's biotechnology grant program."

Page 2, after line 27, insert:

**"SECTION 2. AMENDMENT.** Section 54-65-01 of the North Dakota Century Code is amended and reenacted as follows:

**54-65-01. Definitions.**

In this chapter, unless the context otherwise requires:

1. ~~"Center" means a center of research excellence that has been designated under this chapter.~~
2. ~~"Commission" means the centers of excellence commission as defined under chapter 15-69.~~
3. "Department" means the department of commerce.
4. ~~"Industry cluster" means one of the following industries:~~
  - a. ~~Advanced manufacturing;~~
  - b. ~~Energy;~~
  - c. ~~Information and technology;~~
  - d. ~~Value-added agriculture; or~~
  - e. ~~An industry, including the aerospace industry, specifically identified by the department of commerce as an industry that will contribute to the gross state product.~~
5. ~~"Infrastructure" means new building construction or major building renovation. The term does not include a purchase of equipment or remodel of an existing building.~~
6. ~~2.~~ "Research university" means an institution under the control of the state board of higher education which has a full-time student enrollment in excess of nine thousand students.

**SECTION 3. AMENDMENT.** Section 54-65-06 of the North Dakota Century Code is amended and reenacted as follows:

**54-65-06. Research North Dakota grants.**

The department shall establish and administer a research North Dakota grant program to provide grants to a research university for research, development, and commercialization activities related to a private sector partner. ~~The centers of excellence commission, established under chapter 15-69,~~department shall make grant award determinations under this section. ~~The department shall work with the centers of excellence commission in establishing~~establish guidelines to qualify for a grant under this section, including the requirement that an application must be accompanied by a partnership agreement between the private sector partner and a research university. The agreement must include details regarding the scope of the work, the budget, the location of the work to be completed, the intellectual property ownership rights, and the intellectual property income distribution. ~~The commission~~department may approve changes to the scope of the work or the budget only to the extent that the changes are agreed upon by the private sector partner and the research university. ~~Before the commission directs the department to distribute~~distributes funds awarded under this section, the research university shall provide the ~~commission~~department with detailed documentation of private sector participation and the availability of one dollar of matching funds for each dollar of state funds to be distributed. Matching funds must be in the form of cash and may not include in-kind assets.

**SECTION 4. AMENDMENT.** Section 54-65-07 of the North Dakota Century Code is amended and reenacted as follows:

**54-65-07. Research North Dakota venture grants.**

The department shall establish and administer a research North Dakota venture grant program to provide grants to a research university for pursuing further commercialization of technology developed by the research university or developed jointly by the research university and a startup or spinoff business operating in North Dakota. The department shall ~~collaborate with the centers of excellence commission in establishing~~establish guidelines to qualify for a grant under this section.

**SECTION 5. REPEAL.** Section 10-30.5-14 and chapter 54-65 of the North Dakota Century Code are repealed.

**SECTION 6. REPEAL.** Chapter 15-69 and sections 54-65-02, 54-65-03, 54-65-04, and 54-65-05 of the North Dakota Century Code are repealed.

**SECTION 7. TRANSFER - CENTERS OF EXCELLENCE FUND AND CENTERS OF RESEARCH EXCELLENCE FUND TO THE RESEARCH NORTH DAKOTA FUND.** The office of management and budget shall transfer any balance in the centers of excellence fund and the centers of research excellence fund to the research North Dakota fund on July 1, 2019."

Page 2, line 28, remove "APPROPRIATION -"

Page 2, line 28, after "TRANSFER" insert "- RESEARCH NORTH DAKOTA FUND TO BIOSCIENCE INNOVATION GRANT FUND"

Page 2, line 28, remove "There is appropriated out of any moneys in"

Page 2, line 29, replace "the general fund in the state treasury, not otherwise appropriated," with "The director of the office of management and budget shall transfer"

Page 2, line 29, replace "\$1,000,000" with "\$700,000"

Page 2, line 29, remove "or so"

Page 2, remove line 30

Page 2, line 31, replace "budget shall transfer" with "from the research North Dakota fund"

Page 3, line 1, replace "provided" with "transferred"

Page 3, line 1, replace "\$400,000" with "\$200,000"

Page 3, after line 2, insert:

**"SECTION 9. TRANSFER - RESEARCH NORTH DAKOTA FUND TO THE STATE GENERAL FUND.** Notwithstanding the amount appropriated in section 8 of this Act, the office of management and budget shall transfer any balance in the research North Dakota fund to the state general fund on June 30, 2021.

**SECTION 10. EFFECTIVE DATE.** Section 5 of this Act becomes effective July 1, 2021."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment:

- Repeals the centers of excellence and centers of research excellence programs and transfers the 2017-19 biennium ending balances in the centers of excellence fund and centers of research excellence fund to the Research North Dakota fund on July 1, 2019;
- Changes the transfer to the bioscience innovation grant fund to \$700,000 from the

Research North Dakota fund rather than \$1,000,000 from the general fund during the 2019-21 biennium; and

- Transfers the remaining balance in the Research North Dakota fund on June 30, 2021, to the general fund and repeals Research North Dakota on July 1, 2021.

**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 2211:** Reps. Keiser; Martinson; Porter

**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 1202:** Sens. Unruh; Schaible; Piepkorn

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

**MR. SPEAKER:** The Senate has adopted the conference committee report on: HB 1384, HB 1474.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2216.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1234, HB 1453, HB 1517, HB 1531.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2321.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1435.

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: HB 1513.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1022.

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

**MR. PRESIDENT:** The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1171.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently failed to pass: HB 1359.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 19, 2019: SB 2094, SB 2114.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2186, as engrossed:** Your conference committee (Sens. Rust, Fors, Marcellais and Reps. Heinert, Hoverson, Hager) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1133-1134, adopt amendments as follows, and place SB 2186 on the Seventh order:



That the House recede from its amendments as printed on pages 1133 and 1134 of the Senate Journal and page 1257 of the House Journal and that Engrossed Senate Bill No. 2186 be amended as follows:

Page 1, line 1, after "15.1-19" insert "and a new section to chapter 54-12"

Page 1, line 2, after "information" insert ", programs, and resources"

Page 1, line 2, replace "school" with "student"

Page 1, line 2, after "and" insert "crisis"

Page 1, line 3, after "areas" insert "and a student safety and crisis awareness reporting program; and to provide a continuing appropriation"

Page 1, line 7, replace "**School**" with "**Student**"

Page 1, line 7, after the first "**and**" insert "**crisis**"

Page 1, line 7, after "**information**" insert ", **programs,**"

Page 1, line 9, replace the first underscored comma with "and"

Page 1, line 9, remove ", and helplines"

Page 1, line 10, replace the first underscored comma with "and"

Page 1, line 10, remove the second underscored comma

Page 1, line 11, remove "and helplines"

Page 1, after line 11, insert:

**"SECTION 2.** A new section to chapter 54-12 of the North Dakota Century Code is created and enacted as follows:

**Student safety and crisis awareness reporting programs -  
Confidentiality of records - Continuing appropriation.**

1. The attorney general shall encourage and promote the use of statewide and locally selected school safety and crisis reporting programs.
2. If funding becomes available, the attorney general may:
  - a. Expand a statewide program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse; and
  - b. Conduct outreach to promote awareness of statewide and locally selected school safety and crisis reporting programs.
3. All records or information related to the operation of programs described in subsection 1 are exempt records as defined in section 44-04-18.1.
4. The attorney general may seek and accept gifts, grants, and donations from any source for the purpose of carrying out its duties under this section. All moneys received as gifts, grants, and donations are appropriated to the attorney general on a continuing basis for the purpose of carrying out this section.
5. The attorney general may adopt rules necessary to administer the duties required to carry out this section."

Renumber accordingly

Engrossed SB 2186 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2293, as engrossed:** Your conference committee (Sens. Cook, Oehlke, Piepkorn and Reps. Howe, D. Anderson, Zubke) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1492-1496, adopt amendments as follows, and place SB 2293 on the Seventh order:

That the House recede from its amendments as printed on pages 1492-1496 of the Senate Journal and pages 1647-1651 of the House Journal and that Engrossed Senate Bill No. 2293 be amended as follows:

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

Page 1, line 2, after "20.1-03" insert ", and a new section to chapter 20.1-13"

Page 1, line 3, after "fishing" insert ", combination,"

Page 1, line 3, after "licenses" insert "and requiring aquatic nuisance species fees for motorboats"

Page 1, line 4, replace "section" with "sections"

Page 1, line 4, after "20.1-02-16.1" insert "and 20.1-03-12"

Page 1, line 5, after "fund" insert "and aquatic nuisance species fees for motorboats"

Page 1, line 5, replace the second "and" with "to provide a penalty;"

Page 1, line 5, replace "a continuing" with "an"

Page 1, line 5, after "appropriation" insert "; to provide for a transfer; to provide an exemption; and to provide an effective date"

Page 1, line 9, remove "- Continuing appropriation"

Page 1, line 11, after "transfers" insert "and deposits"

Page 1, line 11, replace "sections 2 and 3" with "section 20.1-02-16.1 and section 5"

Page 1, line 12, remove "All moneys in the fund are appropriated to the game and fish department for use in aquatic"

Page 1, remove line 13

Page 1, line 17, remove "1."

Page 2, replace lines 1 through 7 with:

**"SECTION 3. AMENDMENT.** Section 20.1-03-12 of the North Dakota Century Code is amended and reenacted as follows:

#### **20.1-03-12. Schedule of fees for licenses and permits.**

The fees collected under this section for licenses and permits must be deposited with the state treasurer and credited to the game and fish fund, except aquatic nuisance species fees must be deposited with the state treasurer and credited to the aquatic nuisance species program fund. Forty-five dollars of each nonresident big game hunting license fee must be used for the private land initiative. The various license and permit fees are as follows:

1. For a resident, age sixteen and over, small game hunting license, ten dollars.
2. For a nonresident small game hunting license, one hundred dollars.

3. For a resident big game hunting license, thirty dollars, except the fee for a licensee under age sixteen is ten dollars, except as provided in a gubernatorial proclamation issued pursuant to section 20.1-08-04.1.
4. Except for a nonresident who participates on the same basis as a resident in a lottery for deer licenses remaining after the second lottery for residents under subsection 4 of section 20.1-03-11, for a nonresident big game hunting license, two hundred fifty dollars, and for a nonresident bow license, two hundred fifty dollars, and a nonrefundable five dollar application fee must accompany any lottery license fee under this subsection, except as provided in a gubernatorial proclamation issued pursuant to section 20.1-08-04.1. For a nonresident who participates on the same basis as a resident in a lottery for deer licenses remaining after the second lottery for residents, fifty dollars.
5. For a resident fur-bearer license, fifteen dollars.
6. For a resident fishing license, sixteen dollars, except that for a resident sixty-five years or over, a resident totally or permanently disabled, or a resident disabled veteran who has a fifty percent service-connected disability as determined by the department of veterans' affairs or has an extra-schedular rating to include individual unemployability that brings the veteran's total disability ratio to fifty percent, the license fee is five dollars.
7. For a nonresident fishing license, forty-five dollars.
8. For a resident husband and wife fishing license, twenty-two dollars.
9. For a nonresident nongame hunting license, fifteen dollars.
10. For a resident wild turkey permit, fifteen dollars.
11. For an annual general game license, three dollars.
12. For a license to a nonresident buyer or shipper of green furs, or that person's agent, the amount that the nonresident buyer or shipper of green furs would pay for a nonresident buyer or shipper of green furs license or comparable license in that person's state of residence, or fifty dollars, whichever is greater.
13. For a license to a resident buyer or shipper of green furs, eight dollars for each place of business maintained by that person within this state.
14. For a license to a resident traveling agent, buyer, or shipper of green furs, twenty dollars.
15. For an annual license to practice taxidermy, twenty-five dollars.
16. For a permit to ship, by a person having a resident hunting license, during the respective open seasons, not to exceed in any one season twenty-five game birds, to points within this state other than that person's home or to points outside this state, three dollars.
17. For a permit to make collections of protected birds and animals for scientific purposes, ten dollars.
18. For a motorboat certificate of number and license: Each motorboat under sixteen feet [4.88 meters] in length, and all canoes, regardless of length, powered by a motor, eighteen dollars. Each motorboat sixteen feet [4.88 meters] in length and over but shorter than twenty feet [6.1 meters] in length, excluding canoes, thirty-six dollars. Each motorboat twenty feet [6.1 meters] in length or over excluding canoes, forty-five dollars.

19. For the taking of undesirable fish from the waters of this state pursuant to section 20.1-06-05, fifteen dollars for each hoop-net or trap, and fifteen dollars for each seine of fifty feet [15.24 meters] or any fraction thereof.
20. For a resident paddlefish tag annual license, ten dollars per tag.
21. For a nonresident paddlefish tag annual license, twenty-five dollars and fifty cents per tag.
22. For an annual resident license to sell minnows or other live bait at wholesale, fifty dollars.
23. For an annual license to sell minnows or other live bait at retail, fifteen dollars, except the fee is seventy-five dollars if white suckers are sold.
24. For an annual license to operate a private fish hatchery, seventy-five dollars.
25. For a resident commercial frog license, fifty dollars.
26. For a nonresident commercial frog license, two hundred dollars.
27. For a resident frog license, three dollars.
28. For a resident husband and wife frog license, five dollars.
29. For a shooting preserve operating permit, one hundred dollars, plus thirty cents per acre [.40 hectare] for each acre [.40 hectare].
30. For a nonresident waterfowl hunting license, one hundred dollars.
31. For a nonresident husband and wife fishing license, sixty dollars.
32. For a nonresident short-term three-day fishing license, twenty-five dollars.
33. For a nonresident fur-bearer and nongame hunting license, forty dollars.
34. For a combination license, fifty dollars.
35. For a white-tailed deer license sold to certified guides or outfitters and provided by them to nonresidents, two hundred fifty dollars.
36. For a resident swan license, ten dollars.
37. For a nonresident swan license, thirty dollars.
38. For a resident sandhill crane license, ten dollars.
39. For a nonresident sandhill crane license, thirty dollars.
40. For a resident commercial clam license, one hundred dollars.
41. For a nonresident commercial clam license, one thousand dollars.
42. For a commercial clam dealer's permit, two thousand dollars. In addition, the applicant shall submit to the director a surety bond in the sum of two thousand dollars.
43. For an annual class B nonresident license to sell minnows or other live bait at wholesale, two hundred fifty dollars.
44. For a bighorn sheep license issued to a nonresident, five hundred dollars.

45. For a nonresident reciprocal trapping license, three hundred fifty dollars.
46. For a nonresident spring white goose license, fifty dollars.
47. For a resident certificate fee, one dollar, and for a nonresident certificate fee, two dollars. An agent may not charge a service fee for issuing a resident or nonresident certificate fee.
48. For a nonresident short-term ten-day fishing license, thirty-five dollars.
49. For a nonresident wild turkey permit, eighty dollars.
50. For a statewide nonresident waterfowl hunting license, one hundred fifty dollars.
51. For an annual class A nonresident license to sell minnows or other live bait at wholesale, five hundred dollars.
52. For a resident early Canada goose season license, five dollars.
53. For a nonresident early Canada goose season license, fifty dollars.
54. For a resident disabled veteran combined general game, habitat stamp, small game, and fur-bearer license, three dollars.
55. For each motorboat licensed in this state, an aquatic nuisance species fee of fifteen dollars valid concurrent with motorboat licensure.
56. For each motorboat operated on waters of this state and not licensed in this state, an aquatic nuisance species fee of fifteen dollars for the calendar year in which it is paid."

Page 2, line 10, after "**Fishing**" insert ", **combination,**"

Page 2, line 11, replace "three" with "two"

Page 2, line 11, after "license" insert "and combination license"

Page 2, line 14, replace "six" with "three"

Page 2, after line 17, insert:

**"SECTION 5.** A new section to chapter 20.1-13 of the North Dakota Century Code is created and enacted as follows:

**Operation of motorboat without payment of aquatic nuisance species fee prohibited - Penalty.**

1. For each motorboat operated on waters of this state, an aquatic nuisance species fee must be paid.
  - a. For each motorboat licensed in this state, the fee is due at the time of motorboat licensure.
  - b. For each motorboat operated on waters of this state and exempt from licensure in this state, the owner shall pay the fee and, after payment of the fee, must be issued an aquatic nuisance species sticker from the department. The sticker must be attached to the motorboat in a manner prescribed by the department so the sticker is clearly visible.
2. Fees collected under this section must be deposited with the state treasurer and credited to the aquatic nuisance species program fund.

3. A person that violates this section is guilty of a class 2 noncriminal offense.

**SECTION 6. APPROPRIATION - 2017-19 BIENNIUM - TRANSFER - EXEMPTION.** There is appropriated out of any moneys in the state game and fish fund in the state treasury, not otherwise appropriated, the sum of \$467,100, or so much of the sum as may be necessary, to the game and fish department for the purpose of administering aquatic nuisance species education, inspection, and monitoring programs, for the period beginning with the effective date of this Act, and ending June 30, 2019. The funding provided in this section is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2019, and ending June 30, 2021. The game and fish department is authorized two full-time equivalent positions for this purpose. The game and fish department shall transfer moneys deposited in the aquatic nuisance species program fund to the state game and fish fund to repay any moneys expended from the state game and fish fund under this section.

**SECTION 7. APPROPRIATION - AQUATIC NUISANCE SPECIES PROGRAM FUND.** There is appropriated out of any moneys in the aquatic nuisance species program fund in the state treasury, not otherwise appropriated, the sum of \$1,500,000, or so much of the sum as may be necessary, to the game and fish department for use in aquatic nuisance species education, inspection, and monitoring programs under chapter 20.1-17, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 8. EFFECTIVE DATE.** Section 3 of this Act becomes effective on January 1, 2020.

**SECTION 9. EFFECTIVE DATE.** Section 4 of this Act becomes effective on April 1, 2020."

Renumber accordingly

Engrossed SB 2293 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1022, as engrossed:** Your conference committee (Sens. Hogue, Oehlke, Mathern and Reps. Howe, Beadle, Mock) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1523-1524, adopt amendments as follows, and place HB 1022 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1523 and 1524 of the House Journal and pages 1286 and 1287 of the Senate Journal and that engrossed House Bill No. 1022 be amended as follows:

Page 1, replace lines 12 through 16 with:

"Commission on legal counsel for indigents	<u>\$19,903,623</u>	<u>\$471,039</u>	<u>\$20,374,662</u>
Total all funds	\$19,903,623	\$471,039	\$20,374,662
Less estimated income	<u>1,919,747</u>	<u>70,288</u>	<u>1,990,035</u>
Total general fund	\$17,983,876	\$400,751	\$18,384,627"

Page 1, after line 22, insert:

**"SECTION 3. SALARY EQUITY FUNDING.** The estimated income line item in section 1 of this Act includes \$60,000 that may be used only to provide salary equity funding for attorney positions located in Williams County."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****House Bill No. 1022 - Commission on Legal Counsel for Indigent - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Comm. on Legal Counsel for Indigents	\$19,903,623	\$20,274,076	\$100,586	\$20,374,662	\$20,374,662	
Total all funds	\$19,903,623	\$20,274,076	\$100,586	\$20,374,662	\$20,374,662	\$0
Less estimated income	1,919,747	1,929,581	60,454	1,990,035	1,930,035	60,000
General fund	\$17,983,876	\$18,344,495	\$40,132	\$18,384,627	\$18,444,627	(\$60,000)
FTE	40.00	40.00	0.00	40.00	40.00	0.00

**Department 188 - Commission on Legal Counsel for Indigent - Detail of Conference Committee Changes**

	Adds Funding for Salary and Benefit Increases <sup>1</sup>	Adds Funding for Williams County Staff Salaries <sup>2</sup>	Total Conference Committee Changes
Comm. on Legal Counsel for Indigents	\$40,586	\$60,000	\$100,586
Total all funds	\$40,586	\$60,000	\$100,586
Less estimated income	454	60,000	60,454
General fund	\$40,132	\$0	\$40,132
FTE	0.00	0.00	0.00

<sup>1</sup> Funding of \$40,586, of which \$40,132 is from the general fund and \$454 is from the indigent defense administration fund, is added for 2019-21 biennium salary increases of 2 percent with a minimum monthly increase of \$120 and a maximum monthly increase of \$200 on July 1, 2019, and 2.5 percent on July 1, 2020. A total of \$226,888 is provided for state employee salary increases, of which \$221,063 is from the general fund and \$5,825 is from the indigent defense administration fund, the same as the Senate version. The House approved 2019-21 biennium salary increases of 2 percent per year and provided a total of \$186,302 for state employee salary increases, of which \$180,931 is from the general fund and \$5,371 is from the indigent defense administration fund.

<sup>2</sup> Funding of \$60,000 from the indigent defense administration fund is added to provide salary equity funding for attorney positions located in Williams County. The Senate provided \$60,000 from the general fund for this purpose.

This amendment also adds a section identifying \$60,000 from the indigent defense administration fund included in Section 1 that may only be used to provide salary equity funding for attorney positions located in Williams County. The Senate provided \$60,000 from the general fund for this purpose.

Engrossed HB 1022 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1171, as engrossed:** Your conference committee (Sens. Schaible, Davison, Oban and Reps. Bosch, D. Ruby, P. Anderson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1393-1394, adopt amendments as follows, and place HB 1171 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1393 and 1394 of the House Journal and pages 999-1001 of the Senate Journal and that Engrossed House Bill No. 1171 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact two new sections to chapter 15-10 of the North Dakota Century Code, relating to the development and implementation of a skilled workforce student loan repayment program and a skilled workforce scholarship program; to provide

continuing appropriations; to provide for transfers; to provide for reports to the legislative management; and to declare an emergency.

**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 student loan repayment program - Skilled workforce student loan repayment program fund - Continuing appropriation - Report.**

1. There is created in the state treasury the skilled workforce student loan repayment program fund. The fund consists of moneys transferred into the fund by the legislative assembly, matching funds received, and loan repayments. Moneys in the fund are appropriated to the state board of higher education on a continuing basis for the purpose of distributing student loan repayment grants directly to the Bank of North Dakota or other participating lender to repay outstanding student loan principal balances for eligible applicants.
2. The state board of higher education shall adopt policies and procedures to develop, implement, promote, and administer a skilled workforce student loan repayment program in cooperation with the Bank of North Dakota and the North Dakota workforce development council with the intent of attracting and retaining individuals for professional or technical skills in high demand in this state.
3. The North Dakota workforce development council in cooperation with job service North Dakota shall use available labor market information to determine annually the eligible high-demand professional and technical skills and emerging occupations in this state.
4. The state board of higher education and the North Dakota workforce development council shall compile a list of qualifying educational programs annually. Qualifying education programs must pertain to the professional and technical skills and emerging occupations in high demand in this state, as determined under subsection 3. Qualifying educational programs may include degree or certificate programs.
5. Graduates of qualifying educational programs from institutions or entities in this state may apply for the skilled workforce student loan repayment program. To be eligible to receive student loan repayment grants under the program, the applicant:
  - a. Must have successfully completed a qualifying educational program from an eligible institution of higher education;
  - b. Must have a student loan with the Bank of North Dakota or other participating lender;
  - c. Following completion of a qualifying educational program, must reside and work in this state in an eligible high-demand or emerging occupation; and
  - d. Must have met and shall continue to meet any requirements established by rule.
6. The state board of higher education shall adopt rules to ensure compliance with residency and occupation requirements after completion of the qualifying educational program.
7. The state board of higher education shall distribute student loan repayment grants from the skilled workforce student loan repayment program fund directly to the Bank of North Dakota or other participating lender to repay outstanding student loan principal balances for eligible



applicants. The maximum annual student loan repayment grant amount for which an applicant may qualify is five thousand six hundred sixty-seven dollars, or one-third of the applicant's outstanding student loan principal balance upon initial application for the program, whichever is less. The maximum total student loan repayment grant amount for which any applicant may qualify is seventeen thousand dollars.

8. If an individual is receiving loan forgiveness under any other provision, the individual may not receive a student loan repayment grant under this section during the same application year. An individual who received a skilled workforce scholarship under section 2 of this Act is not eligible for loan forgiveness under this section.
9. The skilled workforce student loan repayment program must be a joint public and private effort. The state board of higher education shall provide one dollar of funding for each one dollar of funding raised from the private sector. Any matching funds received must be deposited in the skilled workforce student loan repayment program fund.
10. The state board of higher education shall provide a biennial program report to the legislative management by September first of each even-numbered year. The report must include information regarding:
  - a. The eligible high-demand professional and technical skills and emerging occupations;
  - b. The qualifying educational programs;
  - c. The number of applicants, eligible applicants, and applicants receiving awards;
  - d. The amount of private funding raised; and
  - e. The average and total amounts awarded under the program.

**SECTION 2.** 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 - Continuing appropriation - Report.**

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 adopt policies and procedures to develop, implement, promote, and administer a skilled workforce scholarship program in cooperation with the Bank of North Dakota and the North Dakota workforce development council with the intent of attracting and retaining individuals for professional or technical skills in high demand in this state.
3. The North Dakota workforce development council in cooperation with job service North Dakota shall use available labor market information to determine annually the eligible high-demand professional and technical skills and emerging occupations in this state.

4. The state board of higher education and the workforce development council shall compile a list of qualifying educational programs annually. Qualifying educational programs must be able to be completed within four semesters or six quarters and must pertain to the professional and technical skills and emerging occupations in high demand in this state, as determined under subsection 3. Qualifying educational programs may include degree or certificate programs.
5. 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, semester, or term by the educational institution for the tuition, fees, books, and supplies required for the qualifying educational program. The scholarships are intended to supplement any other scholarship or financial aid grant received by a student to assist the student with the costs of the qualifying educational program. An individual may not receive more than seventeen thousand dollars in total under this section.
6. To be eligible for a scholarship under this section, a student must be enrolled full time in an eligible program and maintain a 2.5 cumulative grade point average, based on a 4.0 grading system, or maintain academic progress in the program according to program requirements. A student may not receive scholarships under this section for more than the equivalent of four semesters of full-time enrollment or six quarters of full-time enrollment.
7. Upon completion of a qualifying educational program, a student who received a scholarship under this section must reside and work in this state in an eligible high-demand or emerging occupation for a minimum of three years.
8. 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 reside and work in this state in an eligible high-demand or emerging occupation for at least three years following degree or certificate completion.
9. Each quarter, semester, or term, 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.
10. The skilled workforce scholarship program must be a joint public and private effort. 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. Any matching funds received must be deposited in the skilled workforce scholarship fund.
11. The state board of higher education shall provide a biennial program report to the legislative management by September first of each even-numbered year. The report must include information regarding:
  - a. The eligible high-demand professional and technical skills and emerging occupations;
  - b. The qualifying educational programs;
  - c. The number of applicants, eligible applicants, and applicants receiving awards;
  - d. The amount of private funding raised; and

e. The average and total amounts awarded under the program.

**SECTION 3. TRANSFER - BANK OF NORTH DAKOTA - SKILLED WORKFORCE STUDENT LOAN REPAYMENT PROGRAM FUND.** The Bank of North Dakota shall transfer the sum of \$3,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the skilled workforce student loan repayment program fund during the period beginning with the effective date of this Act, and ending June 30, 2021.

**SECTION 4. TRANSFER - BANK OF NORTH DAKOTA - SKILLED WORKFORCE SCHOLARSHIP FUND.** The Bank of North Dakota shall transfer the sum of \$3,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the skilled workforce scholarship fund during the period beginning with the effective date of this Act, and ending June 30, 2021.

**SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

Engrossed HB 1171 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1513, as engrossed:** Your conference committee (Sens. Unruh, Meyer, Dotzenrod and Reps. Grueneich, Blum, Eidson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1343-1344 and place HB 1513 on the Seventh order.

Engrossed HB 1513 was placed on the Seventh order of business on the calendar.

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

**Shanda Morgan, Secretary**

