

JOURNAL OF THE HOUSE

Sixty-sixth Legislative Assembly

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Bismarck, April 9, 2019

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

The prayer was offered by Pastor Daniel Haveman, Open Door Baptist Church, Bismarck.

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

A quorum was declared by the Speaker.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 8, 2019, I have signed the following: HB 1033, HB 1042, HB 1053, HB 1058, HB 1098, HB 1111, HB 1113, HB 1115, HB 1126, HB 1163, HB 1179, HB 1190, HB 1195, HB 1199, HB 1219, HB 1248, HB 1252, HB 1308, HB 1313, HB 1339, HB 1381, HB 1415, HB 1462, HB 1477, and HB 1534.

POINT OF PERSONAL PRIVILEGE

REP. DOCKTER rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE DOCKTER

MR. SPEAKER: And members of the Assembly. It is my honor to recognize the 191st Military Police Company out of Fargo. The 191st completed a 10-month mission for Operation Freedom Sentinel. There were 29 soldiers that were part of the mission. They were from 20 communities across ND, SD, and MN. The 191st performed 300 Standard Protective Team Missions, 150 were in the Red Zone and 150 in the Green Zone, working with 14 different countries. The unit also supported 40 VIP security missions consisting of the following: President of Croatia; Secretary General of NATO; Former Secretary of Defense, Honorable James Mattis; Secretary of the Army, Dr. Mark T. Esper; Chairman of the Joint Chiefs of Staff, General Joseph Dunford; NYPD Police Chief. The unit also received many awards including: Afghanistan Campaign-29; Non-Articles 5 NATO-29; Joint Service Commendation Medal W/Combat-25; Joint Service Achievement-6; Joint Defense Meritorious Service-1; Bronze Star-1. We talked about the greatest generation; I feel any generation that is willing to carry the torch of freedom is the next greatest generation. I'm honored to recognize these brave men and women. I have with me my son, Specialist Domonic Delaney and SSG Keith Pic who are members of the 191st Military Police Unit.

MOTION

REP. LOUSER MOVED that the remarks of Rep. Dockter be printed in the Journal, which motion prevailed on a voice vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LOUSER MOVED that the House do not concur in the Senate amendments to Reengrossed HB 1435 as printed on HJ pages 1420-1421 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on:

Reengrossed HB 1435: Reps. Kasper, B. Koppelman, Brandenburg.

APPOINTMENT OF CONFERENCE COMMITTEE

REP. LOUSER MOVED that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on SB 2033, Reengrossed SB 2146, Engrossed SB 2195, Engrossed SB 2221, and SB 2256, which motion prevailed on a voice vote.

THE SPEAKER APPOINTED as a Conference Committee on:

SB 2033: Reps. C. Johnson, Karls, P. Anderson
Reengrossed SB 2146: Reps. Schobinger, Meier, Holman
Engrossed SB 2195: Reps. Schauer, Karls, Johnston
Engrossed SB 2221: Reps. Steiner, Rohr, Laning
SB 2256: Reps. B. Koppelman, Vetter, Hoverson

MOTION

REP. LOUSER MOVED that SB 2006, which is on the Sixth order, be laid over one legislative day, which motion prevailed on a voice vote.

SIXTH ORDER OF BUSINESS

SPEAKER KLEMIN DEEMED approval of the amendments to Engrossed SB 2005, Engrossed SB 2017, Engrossed SB 2022, Engrossed SB 2034, SB 2139, Reengrossed SB 2265, Engrossed SB 2346, and SCR 4017.

SCR 4017, as amended, was placed on the Tenth order of business on the calendar.

Engrossed SB 2005, Engrossed SB 2017, Engrossed SB 2022, Engrossed SB 2034, SB 2139, Reengrossed SB 2265, and Engrossed SB 2346, as amended, were placed on the Fourteenth order of business on the calendar.

SIXTH ORDER OF BUSINESS

SB 2140, as engrossed: REP. ROERS JONES (Energy and Natural Resources Committee) MOVED that the amendments on HJ pages 1581-1582 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a verification vote.

MOTION

REP. LOUSER MOVED that SB 2140 be moved to the top of the Fourteenth order, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2140: A BILL for an Act to create and enact a new section to chapter 19-24.1 of the North Dakota Century Code, relating to the disclosure of registered qualifying patients to the bureau of criminal investigation; and to amend and reenact section 62.1-04-04 of the North Dakota Century Code, relating to producing a concealed weapon license upon request.

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 53 YEAS, 38 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Bellew; Bosch; Brandenburg; Damschen; Delzer; Devlin; Dockter; Eidson; Fisher; Grueneich; Guggisberg; Hager; Headland; Heinert; Holman; Howe; Karls; Kasper; Keiser; Kiefert; Kreidt; Laning; Lefor; Longmuir; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Pollert; Porter; Richter; Roers Jones; Ruby, D.; Sanford; Satrom; Schauer; Schobinger; Schreiber-Beck; Strinden; Trottier; Tveit; Vigesaa; Zubke; Speaker Klemin

NAYS: Becker; Blum; Boe; Boschee; Buffalo; Dobervich; Ertelt; Fegley; Hanson; Hatlestad; Hoverson; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Kempenich; Koppelman, B.; Koppelman, K.; Louser; Magrum; McWilliams; Nelson, M.; Owens; Paulson; Paur; Pyle; Rohr; Ruby, M.; Schmidt; Schneider; Simons; Skroch; Steiner; Toman; Vetter; Weisz; Westlind

ABSENT AND NOT VOTING: Johnson, M.; O'Brien; Schatz

Engrossed SB 2140, as amended, passed.

SECOND READING OF HOUSE RESOLUTION ON CONSENT CALENDAR

SCR 4017: A concurrent resolution urging the Indian Affairs Commission to study the archaeological discipline, cultural resources, and the knowledge and expertise of tribal elders and tribal historic preservation officers to educate local, state, and federal agencies and the public and to facilitate effective consultation and cooperation for historic and prehistoric site identification and the betterment of North Dakota and its citizens.

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

SCR 4017 was declared adopted on a voice vote.

SECOND READING OF SENATE BILL

SB 2021: A BILL for an Act to provide an appropriation for defraying the expenses of workforce safety and insurance; and to provide for a report to the legislative assembly.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 7 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Becker; Ertelt; Johnston; Kading; Magrum; Simons; Skroch

ABSENT AND NOT VOTING: Johnson, M.; O'Brien; Schatz

Engrossed SB 2021, as amended, passed.

SECOND READING OF SENATE BILL

SB 2023: A BILL for an Act to provide an appropriation for defraying the expenses of the public employees retirement system; to provide for a report to the legislative assembly; and to provide for transfers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

Klemin

NAYS: Anderson, P.; Buffalo; Dobervich; Ertelt; Magrum

ABSENT AND NOT VOTING: Johnson, M.; O'Brien; Schatz

Engrossed SB 2023, as amended, passed.

SECOND READING OF SENATE BILL

SB 2269: A BILL for an Act to create and enact three new sections to chapter 23-09.5 of the North Dakota Century Code, relating to cottage food production and sale; and to amend and reenact sections 23-09.5-01 and 23-09.5-02 of the North Dakota Century Code, relating to the direct producer to consumer sale of cottage food products.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 70 YEAS, 21 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mock; Monson; Nelson, M.; Paulson; Paur; Porter; Pyle; Richter; Rohr; Ruby, D.; Ruby, M.; Sanford; Schneider; Schobinger; Simons; Skroch; Steiner; Toman; Tveit; Vetter; Vigesaa; Zubke

NAYS: Beadle; Delzer; Guggisberg; Holman; Johnson, D.; Keiser; Mitskog; Nathe; Nelson, J.; Owens; Pollert; Roers Jones; Satrom; Schauer; Schmidt; Schreiber-Beck; Strinden; Trotter; Weisz; Westlind; Speaker Klemin

ABSENT AND NOT VOTING: Johnson, M.; O'Brien; Schatz

Engrossed SB 2269, as amended, passed.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2021, SB 2023, SB 2269, SCR 4017.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1011.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1011

Page 1, line 2, remove "job"

Page 1, line 3, remove "shadowing with the"

Page 1, line 3, after "patrol" insert "community outreach"

Page 1, line 3, remove "and"

Page 1, line 3, after "exemption" insert "; and to provide for a report"

Page 1, replace lines 13 through 17 with:

"Highway patrol	<u>\$57,230,706</u>	<u>\$4,934,030</u>	<u>\$62,164,736</u>
Total all funds	\$57,230,706	\$4,934,030	\$62,164,736

Less estimated income	14,703,278	2,867,475	17,570,753
Total general fund	\$42,527,428	\$2,066,555	\$44,593,983
Full-time equivalent positions	204.00	(3.00)	201.00"

Page 2, line 14, replace "**Job shadowing**" with "**Community outreach**"

Page 2, line 16, after "may" insert "implement programs to provide coordination for victims, witnesses, and families following a traffic crash or traumatic event. The superintendent may also"

Page 2, line 25, replace "\$7,089,982" with "\$7,224,923"

Page 2, line 31, replace "\$3,349,489" with "\$3,356,069"

Page 3, after line 16, insert:

"SECTION 8. RELOCATION OF LAW ENFORCEMENT TRAINING ACADEMY - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. During the 2019-20 interim, the highway patrol shall develop alternatives to relocate the housing and classroom portions of the law enforcement training academy. In developing the alternatives, the highway patrol shall review locations for a new facility, evaluate the proper capacity of the facility to serve future law enforcement training needs, and obtain estimated costs of each alternative. The highway patrol shall report to the appropriations committees of the sixty-seventh legislative assembly regarding the alternatives to relocate the training academy."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Highway patrol	\$57,230,706	\$60,496,496	\$1,668,240	\$62,164,736
Total all funds	\$57,230,706	\$60,496,496	\$1,668,240	\$62,164,736
Less estimated income	14,703,278	17,062,742	508,011	17,570,753
General fund	\$42,527,428	\$43,433,754	\$1,160,229	\$44,593,983
FTE	204.00	195.00	6.00	201.00

Department 504 - Highway Patrol - Detail of Senate Changes

	Adjusts Funding for Salary Increases ¹	Adjusts Salary Funding ²	Restores Trooper Positions ³	Adds Crash Assistance Program Positions ⁴	Total Senate Changes
Highway patrol	\$176,497	\$195,110	\$742,000	\$554,633	\$1,668,240
Total all funds	\$176,497	\$195,110	\$742,000	\$554,633	\$1,668,240
Less estimated income	48,316	0	108,520	351,175	508,011
General fund	\$128,181	\$195,110	\$633,480	\$203,458	\$1,160,229
FTE	0.00	0.00	4.00	2.00	6.00

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

² Funding is adjusted for the salaries and wages of 2 FTE positions that were miscoded in the agency's budget request.

³ Four FTE trooper positions and related funding removed by the House are restored.

⁴ Two FTE positions and related operating costs are added for a crash assistance program.

This amendments also:

- Amends Section 3 of the bill relating to Highway Patrol community outreach programs.
- Amends Sections 4 and 5 of the bill to adjust the amount of funding provided from the highway tax distribution fund and motor carrier electronic permit fund.
- Adds a section to require the Highway Patrol to develop alternatives to relocate the Law Enforcement Training Academy and to report to the Appropriations Committees of the 67th Legislative Assembly regarding the alternatives.

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1435, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1435: Reps. Kasper; B. Koppelman; Brandenburg

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 1174: Sens. Kannianen; Cook; Dotzenrod

HB 1234: Sens. Myrdal; Lemm; Bakke

HB 1383: Sens. Schaible; Kreun; Piepkorn

HB 1517: Sens. Clemens; J. Lee; Anderson

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2041.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2001, SB 2007, SB 2014, SB 2018, and SB 2094, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2001: Sens. Hogue; G. Lee; Mathern

SB 2007: Sens. Poolman; Sorvaag; Robinson

SB 2014: Sens. Sorvaag; Krebsbach; Grabinger

SB 2018: Sens. Erbele; Krebsbach; Mathern

SB 2094: Sens. J. Lee; O. Larsen; Hogan

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

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

SB 2033: Reps. C. Johnson; Karls; P. Anderson

SB 2146: Reps. Schobinger; Meier; Holman

SB 2195: Reps. Schauer; Karls; Johnston

SB 2221: Reps. Steiner; Rohr; Laning

SB 2256: Reps. B. Koppelman; Vetter; Hoverson

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

MR. SPEAKER: The President has appointed Sen. Hogan to replace Sen. O. Larsen on the Conference Committee on HB 1194.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2102.

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 2258.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2011, SCR 4016.

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

MR. PRESIDENT: The Speaker has signed: HB 1005, HB 1246, HB 1256, HCR 3048.

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

MR. PRESIDENT: The Speaker has signed: SB 2011, SCR 4016.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 9, 2019: HB 1005, HB 1246, HB 1256.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for filing on April 9, 2019: HCR 3048.

MOTION

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

MOTION

REP. LOUSER MOVED that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, April 10, 2019, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

SB 2002, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2002 was placed on the Sixth order on the calendar.

Page 1, line 4, after the semicolon insert "to authorize a line item transfer during the 2017-19 biennium;"

Page 1, line 5, remove "and"

Page 1, line 5, replace "an exemption" with "exemptions; and to declare an emergency"

Page 1, replace lines 16 through 22 with:

"Salaries and wages	\$4,652,764	\$325,362	\$4,978,126
Operating expenses	2,711,018	298,535	3,009,553
Petition review	8,000	0	8,000
Election reform	<u>1,192,655</u>	<u>11,609,092</u>	<u>12,801,747</u>
Total all funds	\$8,564,437	\$12,232,989	\$20,797,426
Less estimated income	<u>3,044,155</u>	<u>12,387,486</u>	<u>15,431,641</u>
Total general fund	\$5,520,282	(\$154,497)	\$5,365,785"

Page 2, replace lines 9 through 11 with:

"Grand total general fund	\$5,808,732	(\$185,669)	\$5,623,063
Grand total special funds	<u>3,044,155</u>	<u>12,387,486</u>	<u>15,431,641</u>
Grand total all funds	\$8,852,887	\$12,201,817	\$21,054,704"

Page 2, line 26, replace "biennium" with "period"

Page 2, line 26, replace "July 1, 2019" with "with the effective date of this Act"

Page 2, after line 27, insert:

"SECTION 4. EXEMPTION - LINE ITEM TRANSFER - 2017-19 BIENNIUM.

Notwithstanding section 54-16-06, the secretary of state may transfer up to \$140,000

of special funds from the operating expenses line item to the salaries and wages line item contained in section 1 of chapter 2 of the 2017 Session Laws."

Page 3, line 3, replace "eleven" with "ten"

Page 3, line 4, replace "one" with "five"

Page 3, line 4, replace "twenty-two" with "eighty-two"

Page 4, after line 16, insert:

"SECTION 9. EMERGENCY. The election reform line in section 1, section 3, and section 4 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2002 - Summary of House Action

	Base Budget	Senate Version	House Changes	House Version
Secretary of State				
Total all funds	\$8,564,437	\$20,767,508	\$29,918	\$20,797,426
Less estimated income	3,044,155	15,429,648	1,993	15,431,641
General fund	<u>\$5,520,282</u>	<u>\$5,337,860</u>	<u>\$27,925</u>	<u>\$5,365,785</u>
FTE	32.00	32.00	0.00	32.00
Public Printing				
Total all funds	\$288,450	\$257,278	\$0	\$257,278
Less estimated income	0	0	0	0
General fund	<u>\$288,450</u>	<u>\$257,278</u>	<u>\$0</u>	<u>\$257,278</u>
FTE	0.00	0.00	0.00	0.00
Bill total				
Total all funds	\$8,852,887	\$21,024,786	\$29,918	\$21,054,704
Less estimated income	3,044,155	15,429,648	1,993	15,431,641
General fund	<u>\$5,808,732</u>	<u>\$5,595,138</u>	<u>\$27,925</u>	<u>\$5,623,063</u>
FTE	32.00	32.00	0.00	32.00

Senate Bill No. 2002 - Secretary of State - House Action

	Base Budget	Senate Version	House Changes	House Version
Operating expenses	\$2,711,018	\$3,009,553		\$3,009,553
Salaries and wages	4,652,764	4,949,335	\$28,791	4,978,126
Petition review	8,000	8,000		8,000
Election reform	<u>1,192,655</u>	<u>12,800,620</u>	<u>1,127</u>	<u>12,801,747</u>
Total all funds	\$8,564,437	\$20,767,508	\$29,918	\$20,797,426
Less estimated income	3,044,155	15,429,648	1,993	15,431,641
General fund	<u>\$5,520,282</u>	<u>\$5,337,860</u>	<u>\$27,925</u>	<u>\$5,365,785</u>
FTE	32.00	32.00	0.00	32.00

Department 108 - Secretary of State - Detail of House Changes

	Adjusts Funding for Salary Increases ¹	Total House Changes
Operating expenses		
Salaries and wages	\$28,791	\$28,791
Petition review		
Election reform	<u>1,127</u>	<u>1,127</u>
Total all funds	\$29,918	\$29,918
Less estimated income	1,993	1,993
General fund	<u>\$27,925</u>	<u>\$27,925</u>
FTE	0.00	0.00

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

2 percent on July 1, 2019, and 3 percent on July 1, 2020. Changes are made to Section 4 of the bill providing for the Secretary of State's salary increase.

This amendment also:

- Authorizes a line item transfer of \$140,000 of special funds from the operating expenses line item to the salaries and wages line item during the 2017-19 biennium. The Senate version did not include this section.
- Adds a section to provide the election reform line in Section 1, Section 3, and Section 4 of the bill are declared to be an emergency measure. The Senate version did not include this section.

REPORT OF STANDING COMMITTEE

SB 2020, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 1 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2020 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "and" with "to provide conditions on appropriations;"

Page 1, line 5, replace "a statement" with "statements"

Page 1, line 5, after "intent" insert "; and to declare an emergency"

Page 1, line 10, replace "biennium" with "period"

Page 1, line 10, replace "July 1, 2019" with "with the effective date of this Act"

Page 1, replace lines 14 through 24 with:

"Salaries and wages	\$19,659,298	\$172,688	\$19,831,986
Operating expenses	58,044,691	11,711,062	69,755,753
Capital assets	124,819,442	56,119,316	180,938,758
Project carryover	274,867,897	33,465,921	308,333,818
New projects	169,782,147	(169,782,147)	0
Water supply - grants	0	128,000,000	128,000,000
Rural water supply - grants	0	37,200,000	37,200,000
Fargo area flood control including the Fargo Moorhead diversion	0	66,500,000	66,500,000
Mouse River flood control	0	82,500,000	82,500,000
Flood control projects other than Fargo area flood control including the Fargo Moorhead diversion	0	48,000,000	48,000,000
General water - grants	0	27,093,776	27,093,776
Total special funds	\$647,173,475	\$320,980,616	\$968,154,091
Full-time equivalent positions	93.00	(3.00)	90.00

Page 2, replace lines 6 and 7 with:

"Line of credit - Bank of North Dakota	\$75,000,000	\$75,000,000
Payoff of outstanding debt	0	25,900,000
Total special funds	\$75,000,000	\$100,900,000

Page 2, line 11, replace "biennium" with "period"

Page 2, line 11, replace "July 1, 2019" with "with the effective date of this Act"

Page 2, line 14, replace "and new projects" with ", water supply - grants, rural water supply - grants, Fargo area flood control including the Fargo Moorhead diversion, Mouse River flood control, flood control projects other than Fargo area flood control including the Fargo Moorhead diversion, and general water - grants"

Page 2, after line 29, insert:

"SECTION 5. CONDITION ON FARGO AREA FLOOD CONTROL LINE ITEM. The \$66,500,000 appropriated to the state water commission for Fargo area flood control including the Fargo Moorhead diversion in section 1 of this Act for the period beginning with the effective date of this Act, and ending June 30, 2021, may be used only for Fargo area flood control projects including the Fargo Moorhead area diversion, and the appropriation of those funds is conditioned on having no other funds appropriated in section 1 being expended on Fargo area flood control including the Fargo Moorhead diversion. This condition does not prohibit the use of funds appropriated for project carryover in section 1 of this Act for Fargo area flood control projects, subject to section 7 of this Act.

SECTION 6. CONDITION ON OTHER SECTION 1 LINE ITEMS. The \$593,320,273 appropriated to the state water commission for salaries and wages, operating expenses, capital assets, water supply - grants, rural water supply - grants, Mouse River flood control, flood control projects other than Fargo area flood control including the Fargo Moorhead diversion, and general water - grants in section 1 of this Act for the period beginning with the effective date of this Act, and ending June 30, 2021, may be used only for salaries and wages, operating expenses, capital assets, water supply - grants, rural water supply - grants, Mouse River flood control, flood control projects other than Fargo area flood control including the Fargo Moorhead diversion, and general water - grants, respectively, and the appropriation of those funds is conditioned on the funds not being expended on Fargo area flood control projects including the Fargo Moorhead diversion.

SECTION 7. CONDITION ON PROJECT CARRYOVER FUNDS. The \$308,333,818 appropriated to the state water commission for project carryover in section 1 of this Act for the period beginning with the effective date of this Act, and ending June 30, 2021, may be used only for project carryover, and the appropriation of those funds is conditioned on having no more than the amount the state water commission approved for Fargo area flood control including the Fargo Moorhead diversion by April 1, 2019, expended from the project carryover funds on Fargo area flood control including the Fargo Moorhead diversion.

SECTION 8. CONDITION ON APPROPRIATIONS. The \$66,500,000 appropriated to the state water commission for Fargo area flood control including the Fargo Moorhead diversion in section 1 of this Act and the amount the state water commission approved for Fargo area flood control including the Fargo Moorhead diversion by April 1, 2019, which amount is included in project carryover funds appropriated in section 1 of this Act, may not be used for any work under Plan B for the Fargo Moorhead diversion project; except for constructing or repairing levees and dikes and purchasing land, easements, and options or rights of first refusal to purchase land, necessary for flood control; until:

1. The federal court injunction on Plan B is modified to allow construction of Plan B to continue;
2. The Congress of the United States appropriates federal funds for construction of Plan B;
3. The state engineer approves the mitigation plan for Plan B;
4. The office of state engineer issues all necessary permits the state engineer requires for Plan B; and
5. The Minnesota state legislature appropriates funds for construction of Plan B."

Page 3, replace lines 7 through 16 with:

"SECTION 10. FARGO FLOOD CONTROL PROJECT DOWNSTREAM IMPACT MITIGATION. The Fargo Moorhead metropolitan flood risk management project operations may not cause a downstream federal emergency management agency accredited flood protection system in North Dakota to lose its accreditation. The metropolitan flood diversion authority shall take reasonable measures to mitigate downstream impacts to accredited flood protection systems, existing as of

April 1, 2019, located in North Dakota bordering the Red River resulting from the operations of the Fargo Moorhead diversion. For purposes of this section, negative downstream impacts to accredited flood protection systems are caused when the water surface profile passing through such systems is raised by more than one-tenth of one foot for the one hundred year event or when the ability of the accredited flood protection system to protect against a two hundred year or five hundred year event is compromised. The metropolitan flood diversion authority shall collaborate with the state engineer and accredited flood protection systems in North Dakota to implement this requirement.

SECTION 11. LEGISLATIVE INTENT - MOUSE RIVER FLOOD CONTROL PROJECT FUNDING. Except for funding provided during bienniums prior to the 2017-19 biennium, it is the intent of the sixty-sixth legislative assembly that the state provide no more than \$193,000,000 of state funding for Mouse River flood control projects within the city limits of Minot. It is the intent of the sixty-sixth legislative assembly that the \$193,000,000 be made available during the 2017-19, 2019-21, 2021-23, and 2023-25 bienniums. It is the intent of the sixty-sixth legislative assembly that of the \$193,000,000, the state provide \$57,713,284 during the 2017-19 biennium and that the \$135,286,716 yet to be designated by the state for the Mouse River flood control projects, within the city limits of Minot, be provided during the 2019-21, 2021-23, and 2023-25 bienniums.

SECTION 12. LEGISLATIVE INTENT - RED RIVER VALLEY WATER SUPPLY PROJECT - REPORT TO LEGISLATIVE MANAGEMENT - APPLICATION. It is the intent of the sixty-sixth legislative assembly that the state water commission provide, in the form of a grant, up to \$13,000,000, to the Garrison Diversion Conservancy District for the Red River valley water supply project, to initiate construction of phase one prioritized project features identified in accordance with subsections 2 and 3 of section 14 of this Act, for the period beginning with the effective date of this Act, and ending June 30, 2021. The Garrison Diversion Conservancy District shall report on a regular basis to the legislative management's water topics overview committee during the 2019-20 interim regarding the progress of the Red River valley water supply project. The provisions of section 13 of this Act do not apply to the funding referenced in this section.

SECTION 13. LEGISLATIVE INTENT - RED RIVER VALLEY WATER SUPPLY PROJECT. It is the intent of the sixty-sixth legislative assembly that the state water commission provide no more than \$30,000,000 to the Garrison Diversion Conservancy District for the Red River valley water supply project during the 2019-21 biennium and 2021-23 biennium and that the state funding be provided at a sixty percent state cost-share."

Page 4, after line 27, insert:

"SECTION 16. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2020 - State Water Commission - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$19,659,298	\$19,833,131	(\$1,145)	\$19,831,986
Operating expenses	58,044,691	43,855,753	25,900,000	69,755,753
Capital assets	124,819,442	147,938,758	33,000,000	180,938,758
Project carryover	274,867,897	308,333,818		308,333,818
New projects	169,782,147			
Flood control - Grants		145,000,000	(145,000,000)	
General water - Grants		35,255,000	(8,161,224)	27,093,776
Rural water supply - Grants		30,000,000	7,200,000	37,200,000
Water supply - Grants		115,000,000	13,000,000	128,000,000
Fargo area flood control			66,500,000	66,500,000
Mouse River flood control			82,500,000	82,500,000
Other flood control projects			48,000,000	
Total all funds	\$647,173,475	\$845,216,460	\$122,937,631	\$968,154,091

Less estimated income	647,173,475	845,216,460	122,937,631	968,154,091
General fund	\$0	\$0	\$0	\$0
FTE	93.00	90.00	0.00	90.00

Department 770 - State Water Commission - Detail of House Changes

	Adjusts Funding for Salary Increases ¹	Adds Funding for Capital Assets ²	Adds Funding for Water Supply - Grants ³	Adds Funding for Rural Water Supply - Grants ⁴	Removes Flood Control - Grants Line Item ⁵	Adds Funding for Fargo Area Flood Control Including the Fargo Moorhead Diversion ⁶
Salaries and wages	(\$1,145)					
Operating expenses						
Capital assets		\$33,000,000				
Project carryover						
New projects						
Flood control - Grants					(\$145,000,000)	
General water - Grants						
Rural water supply - Grants				\$7,200,000		
Water supply - Grants			\$13,000,000			
Fargo area flood control						\$66,500,000
Mouse River flood control						
Other flood control projects						
Total all funds	(\$1,145)	\$33,000,000	\$13,000,000	\$7,200,000	(\$145,000,000)	\$66,500,000
Less estimated income	(1,145)	33,000,000	13,000,000	7,200,000	(145,000,000)	66,500,000
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds Funding for Mouse River Flood Control ⁷	Adds Funding for Other Flood Control Projects ⁸	Reduces Funding for General Water - Grants ⁹	Adds Funding to Payoff Outstanding Debt ¹⁰	Total House Changes
Salaries and wages					(\$1,145)
Operating expenses				\$25,900,000	25,900,000
Capital assets					33,000,000
Project carryover					
New projects					
Flood control - Grants					(145,000,000)
General water - Grants			(\$8,161,224)		(8,161,224)
Rural water supply - Grants					7,200,000
Water supply - Grants					13,000,000
Fargo area flood control					66,500,000
Mouse River flood control	\$82,500,000				82,500,000
Other flood control projects		\$48,000,000			48,000,000
Total all funds	\$82,500,000	\$48,000,000	(\$8,161,224)	\$25,900,000	\$122,937,631
Less estimated income	82,500,000	48,000,000	(8,161,224)	25,900,000	122,937,631
General fund	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00

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

² The House increased capital assets by \$33 million to provide additional funding for state-owned water projects within the capital assets line item to provide total capital assets funding of \$180,938,758. The Senate version included capital assets of \$147,938,758.

³ The House increased water supply - grants by \$13 million to provide additional funding for municipal water supply projects to provide a total of \$128 million in the water supply - grants line item. The Senate version included capital assets of \$115 million.

⁴ The House increased rural water supply - grants by \$7.2 million to provide additional funding for rural water supply projects to provide a total of \$37.2 million in the rural water supply - grants line item. The Senate version included capital assets of \$30 million.

⁵ The House removed the flood control - grants line item to specifically identify funding for flood control projects. The Senate version included \$145 million in the flood control - grants line item.

⁶ The House identified \$66.5 million in funding for the Fargo area flood control, including the Fargo Moorhead diversion. The Senate version included funding for Fargo area flood control in the flood control - grants line item.

⁷ The House identified \$82.5 million in funding for the Mouse River flood control project. The Senate version included funding for Mouse River flood control in the flood control - grants line item.

⁸ The House identified \$48 million in funding for flood control projects other than Fargo area flood control, including the Fargo Moorhead diversion. The Senate version included funding for other flood control projects in the flood control - grants line item.

⁹ The House identified \$27,093,776 in funding for general water projects. The Senate version included \$35,255,000 of funding for the general water - grants line item.

¹⁰ The House provided one-time funding of \$25,900,000 in the operating expenses line item to pay off outstanding debt of the State Water Commission. The Senate version did not include this item.

This amendment also:

- Applies conditions on the Fargo area flood control, including the Fargo Moorhead diversion line item, to identify the \$66.5 million appropriated to the State Water Commission in the Fargo area flood control including the Fargo Moorhead diversion line item of the bill, is to be used only for Fargo area flood control, including the Fargo Moorhead diversion, and the appropriation of those funds is conditioned on having no other funds appropriated in Section 1 of the bill being expended on Fargo area flood control, including the Fargo Moorhead diversion. The condition does not prohibit the use of funds appropriated for project carryover for Fargo area flood control projects. The Senate version did not include this section.
- Applies conditions on other Section 1 line items to identify \$593,320,273 appropriated to the State Water Commission for salaries and wages, operating expenses, capital assets, water supply - grants, rural water supply - grants, Mouse River flood control, flood control projects other than Fargo area flood control including the Fargo Moorhead diversion, and general water - grants, may be used only for these purposes, and the appropriation of these funds are conditioned on the funds not being expended on Fargo area flood control projects including the Fargo Moorhead diversion. The Senate version did not include this section.
- Applies conditions on project carryover funds to identify \$308,333,818 appropriated to the State Water Commission for project carryover and provides that the funds may be used only for project carryover. The appropriation of these funds is conditioned on having no more than the amount the State Water Commission approved for Fargo area flood control including the Fargo Moorhead diversion by April 1, 2019, expended from the project carryover funds on Fargo area flood control including the Fargo Moorhead diversion. The Senate version did not include this section.
- Applies conditions on the Fargo area flood control, including the Fargo Moorhead diversion line item and funds within the project carryover line item, to limit the use of funds allocated to the Fargo Moorhead flood control project until the project has received a federal appropriation, an appropriation from the state of Minnesota, necessary permits from the State Engineer's office, and federal courts have approved construction on plan B of the project.
- Provides that the Fargo flood control project must not cause a downstream Federal Emergency Management Agency certified flood protection system in North Dakota to lose certification and requires the Fargo Moorhead Diversion Authority to take reasonable measures to mitigate downstream impacts to currently certified flood protection systems in North Dakota bordering the Red River resulting from the operations of the Fargo flood control project.
- Provides legislative intent that the state provide no more than \$193 million of state funding for Mouse River flood control projects within the city limits of Minot during the 2017-19, 2019-21, 2021-23, and 2023-25 bienniums and that the state provided \$57,713,284 during the 2017-19 biennium, and the remaining to be designated over

the 2019-21, 2021-23, and 2023-25 bienniums. The Senate version did not include this section.

- Provides legislative intent that the State Water Commission provide, in the form of a grant, up to \$13 million to the Garrison Diversion Conservancy District for the Red River Valley Water Supply Project, to initiate construction of Phase I prioritized project features, to the Garrison Diversion Conservancy District for the Red River Valley Water Supply Project during the 2019-21 biennium. The Senate version did not include this section.
- Provides legislative intent that the State Water Commission provide, in the form of a grant, up to \$30 million to the Garrison Diversion Conservancy District for the Red River Valley Water Supply Project during the 2019-21 biennium and that the State Water Commission provide state funding at a 60 percent state cost-share after June 30, 2021. The Senate version provided for a grant up to \$50 million to the Garrison Diversion Conservancy District for the Red River Valley Water Supply Project during the 2019-21 biennium and that the State Water Commission provide state funding at an 80 percent state cost-share after June 30, 2021.
- Declares the bill to be an emergency measure. The Senate version did not include this section.

REPORT OF STANDING COMMITTEE

SB 2172, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (8 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING). Engrossed SB 2172 was placed on the Sixth order on the calendar.

Page 1, line 1, after "enact" insert "a new subdivision to subsection 1 of section 54-12-14,"

Page 1, line 1, after "62.1-02-04" insert ", and section 62.1-04-03.2"

Page 1, line 2, after "to" insert "a class 1 exempt firearm license and"

Page 1, line 3, remove "subdivision m of subsection 2 of"

Page 1, after line 6, insert:

"SECTION 1. A new subdivision to subsection 1 of section 54-12-14 of the North Dakota Century Code is created and enacted as follows:

For costs associated with class 1 exempt licenses under section 62.1-04-03.2."

Page 1, remove lines 18 through 24

Page 2, replace lines 1 through 4 with:

"SECTION 3. AMENDMENT. Section 62.1-02-05 of the North Dakota Century Code is amended and reenacted as follows:

62.1-02-05. Possession of a firearm or dangerous weapon at a public gathering - Penalty - Application.

1. An individual who knowingly possesses a firearm or dangerous weapon at a public gathering is guilty of a class B misdemeanor. For the purpose of this section, "public gathering" means an athletic or sporting event, a school, a church, and a publicly owned or operated building.
2. This section does not apply to:
 - a. A law enforcement officer, or a correctional officer employed by the department of corrections and rehabilitation or by a correctional facility governed by chapter 12-44.1. A correctional officer employed by the department of corrections and rehabilitation may carry a firearm only as authorized in section 12-47-34. A correctional officer

employed by a correctional facility governed by chapter 12-44.1 may carry a firearm or dangerous weapon only as authorized in section 12-44.1-30;

- b. A member of the armed forces of the United States or national guard, organized reserves, state defense forces, or state guard organizations, when on duty;
- c. A competitor participating in an organized sport shooting event;
- d. A gun or antique show;
- e. A participant using a blank cartridge firearm at a sporting or theatrical event;
- f. A firearm or dangerous weapon carried in a temporary residence or motor vehicle;
- g. A student and an instructor at a hunter safety class;
- h. Private and public security personnel while on duty;
- i. A state or federal park;
- j. An instructor, a test administrator, an official, or a participant in educational, training, cultural, or competitive events involving the authorized use of a dangerous weapon if the event occurs with permission of the person or entity with authority over the function or premises in question;
- k. An individual in a publicly owned or operated rest area or restroom;
- l. An individual possessing a valid concealed weapons license from this state or who has reciprocity under section 62.1-04-03.1 authorizing the individual to carry a dangerous weapon concealed if the individual is in a church building or other place of worship and has the approval to carry in the church building or other place of worship by a primary religious leader of the church or other place of worship or the governing body of the church or other place of worship;
- m. A state, federal, or municipal court judge, a district court magistrate judge, or judicial referee; a retired state, federal, or municipal court judge, district court magistrate judge, or judicial referee who has at least ten years of service as a judge or referee; and a staff member of the office of attorney general if the individual maintains the same level of firearms proficiency as is required by the peace officer standards and training board for law enforcement officers. A local law enforcement agency shall issue a certificate of compliance under this section to an individual who is proficient. Upon issuance of a certificate of compliance, the bureau of criminal investigation shall issue that individual an unrestricted concealed weapons license; and
- n. A North Dakota member of the Congress of the United States who maintains the same level of firearms proficiency as is required by the peace officer standards and training board for law enforcement officers. A local law enforcement agency shall issue a certificate of compliance under this subdivision to an individual who is proficient and the individual shall file the certificate with the bureau of criminal investigation;
- o. An individual who possesses a valid class 1 exempt license under section 62.1-04-03.2;

- p. An individual who is a paramedic or other emergency responder if the individual maintains the same level of firearms proficiency as is required by the peace officer standards and training board for law enforcement officers. A local law enforcement agency shall issue a certificate of compliance under this section to an individual who is proficient. Upon issuance of a certificate of compliance, the bureau of criminal investigation shall issue that individual an unrestricted concealed weapons license; and
- q. An individual's storage of a firearm or dangerous weapon in a building that is owned or managed by the state or a political subdivision, provided:
 - (1) The individual resides in the building;
 - (2) The storage is inside the individual's assigned residential unit; and
 - (3) The storage has been consented to by the state, the governing board, or a designee.
- 3. This section does not prevent any political subdivision from enacting an ordinance that is less restrictive than this section relating to the possession of firearms or dangerous weapons at a public gathering. An enacted ordinance supersedes this section within the jurisdiction of the political subdivision.
- 4. Notwithstanding any other provision of law, a church or place of worship may not be held liable for any injury or death or damage to property caused by an individual permitted to carry a dangerous weapon concealed under this section.
- 5. For purposes of this section, "political subdivision" includes a nonpublic school.

SECTION 4. Section 62.1-04-03.2 of the North Dakota Century Code is created and enacted as follows:

62.1-04-03.2. Class 1 exempt firearm license.

- 1. The director of the bureau of criminal investigation shall issue a class 1 exempt license to carry a firearm or dangerous weapon concealed to an individual who:
 - a. Possesses a valid class 1 firearm license under section 62.1-04-03; and
 - b. Successfully completes the training and testing requirements under this section.
- 2. The bureau of criminal investigation shall coordinate with the peace officer standards and training board to develop and implement training standards and testing requirements equivalent to the firearms proficiency required by the peace officer standards and training board for law enforcement officers. The bureau of criminal investigation shall certify instructors under this section. Training must include:
 - a. Classroom training on weapons and procedures, including:
 - (1) At least two hours of specialized training relating to when, where, and how to carry a dangerous weapon concealed; and
 - (2) Instruction on situational awareness considerations when assessing the need to carry a dangerous weapon concealed in

a publicly owned or operated building, church, school, and athletic or sporting event; and

- b. Field training on weapons and procedures.
- 3. The bureau of criminal investigation shall develop and administer an annual training requirement for holders of a class 1 exempt license which may include classroom and field training components.
- 4. The bureau of criminal investigation shall prescribe the form of the application and license.
- 5. All fees collected for a class 1 exempt license must be credited to the attorney general's operating fund. All fees must be paid before the license application is processed by the director of the bureau of criminal investigation. The attorney general shall adopt rules establishing the fees associated with a license issued under this section."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2293, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2293, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 1262 and 1263 of the House Journal, Engrossed Senate Bill No. 2293 is amended as follows:

Page 1, line 1, remove "a new section to"

Page 1, line 2, replace "chapter 20.1-03" with "a new section to chapter 20.1-13"

Page 1, line 3, replace "surcharges for fishing and waterfowl licenses" with "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 declare an emergency"

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 4"

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, replace lines 8 through 17, with:

"SECTION 4. 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 who violates this section is guilty of a class 2 noncriminal offense.

SECTION 5. 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 must be transferred to the state game and fish fund to repay any moneys expended from the state game and fish fund under this section.

SECTION 6. 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 \$1,300,000, 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 7. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment:

- Provides a 2017-19 biennium appropriation of \$467,100 from the game and fish fund and adds 2 FTE positions for aquatic nuisance species programs.
- Removes a continuing appropriation for the aquatic nuisance species program fund.
- Provides a \$1,300,000 appropriation from the aquatic nuisance species program fund to the Game and Fish Department for use in aquatic nuisance species education, inspection, and monitoring programs under Chapter 20.1-17.
- Removes language added by the Senate that allows investment income of the game and fish fund to be deposited in the aquatic nuisance species program fund.
- Adds a \$15 aquatic nuisance species fee to motorboat registrations and requires the fee to be deposited in the aquatic nuisance species program fund.
- Transfers funds from the aquatic nuisance species fund to the game and fish fund to reimburse the fund for the appropriation provided for aquatic nuisance species programs.

REPORT OF STANDING COMMITTEE

SCR 4001, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SCR 4001 was placed on the Sixth order on the calendar.

Page 1, line 7, after the period insert "The measure also requires constitutional amendments to be submitted to voters only at general elections."

Page 1, line 19, after the period insert "An initiative to amend the constitution may be placed on the ballot only at a general election."

Page 1, line 19, remove "in a statewide"

Page 1, line 20, remove "election"

Page 1, line 23, replace "statewide" with "general"

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE

HB 1067, as engrossed: Your conference committee (Sens. D. Larson, Anderson, J. Lee and Reps. Longmuir, Strinden, Adams) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1070 and place HB 1067 on the Seventh order.

Engrossed HB 1067 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1095: Your conference committee (Sens. K. Roers, Vedaa, Oban and Reps. Laning, Schneider, Rohr) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1059 and place HB 1095 on the Seventh order.

HB 1095 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1123, as engrossed: Your conference committee (Sens. J. Roers, Kreun, Piepkorn and Reps. Laning, C. Johnson, M. Nelson) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1109-1110 and place HB 1123 on the Seventh order.

Engrossed HB 1123 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1368: Your conference committee (Sens. Elkin, Vedaa, Marcellais and Reps. Steiner, Schauer, C. Johnson) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1343 and place HB 1368 on the Seventh order.

HB 1368 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1468, as engrossed: Your conference committee (Sens. Kreun, J. Roers, Piepkorn and Reps. Bosch, Richter, P. Anderson) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1284 and place HB 1468 on the Seventh order.

Engrossed HB 1468 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1502, as engrossed: Your conference committee (Sens. Vedaa, Burckhard, Piepkorn and Reps. D. Ruby, Richter, P. Anderson) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1396, adopt further amendments as follows, and place HB 1502 on the Seventh order:

That the House accede to the Senate amendments as printed on page 1396 of the House Journal and page 1117 of the Senate Journal and that Engrossed House Bill No. 1502 be further amended as follows:

Page 1, line 2, remove "and"

Page 1, line 4, after "distilleries" insert "; and to declare and emergency"

Page 2, line 10, overstrike "To participate in a pride of"

Page 2, overstrike line 11

Page 2, line 12, overstrike "obtain"

Page 2, line 12, remove "an event"

Page 2, line 12, overstrike "permit from the tax commissioner."

Page 3, after line 23, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

Engrossed HB 1502 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1205, as engrossed: Your conference committee (Sens. Unruh, Kannianen, Patten and Reps. Grueneich, Steiner, Mitskog) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1394-1395 and place HB 1205 on the Seventh order.

Engrossed HB 1205 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2102: Your conference committee (Sens. Kreun, Vedaa, Piepkorn and Reps. Kasper, Louser, P. Anderson) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1068 and place SB 2102 on the Seventh order.

SB 2102 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2258, as engrossed: Your conference committee (Sens. Cook, Patten, Dotzenrod and Reps. Headland, Grueneich, Mitskog) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 1026-1027 and place SB 2258 on the Seventh order.

Engrossed SB 2258 was placed on the Seventh order of business on the calendar.

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

Buell J. Reich, Chief Clerk

