

## JOURNAL OF THE SENATE

## Sixty-third Legislative Assembly

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Bismarck, February 25, 2013

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

The prayer was offered by Pastor Paul Gibson, First Baptist Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

## MOTION

**SEN. COOK MOVED** that SCR 4021 be returned to the Senate floor from the **Finance and Taxation Committee** for the purpose of withdrawal, which motion prevailed.

## REQUEST

**SEN. COOK REQUESTED** the unanimous consent of the Senate to withdraw SCR 4021. There being no objection, it was so ordered by the President.

## CONSIDERATION OF AMENDMENTS

**SB 2370, as engrossed: SEN. TRIPLETT (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## SECOND READING OF SENATE BILL

**SB 2370:** A BILL for an Act to create and enact section 57-06-17.5 and a new subsection to section 57-51-02.2 of the North Dakota Century Code, relating to a new natural gas gathering and collection systems property tax exemption and oil and gas gross production tax exemption; and to provide an effective date.

## ROLL CALL

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Reengrossed SB 2370 passed.

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## CONSIDERATION OF AMENDMENTS

**SB 2012: SEN. G. LEE (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## SECOND READING OF SENATE BILL

**SB 2012:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of transportation; to provide appropriations to the state treasurer for transportation funding distributions; to amend and reenact sections 39-02-03 and 39-04-09 of the North Dakota Century Code, relating to department of transportation motor vehicle branch offices and the issuance of license plates; to provide for transfers and contingent transfers; to provide exemptions; to provide for budget section reports; to provide for a legislative management study; and to declare an

emergency.

#### ROLL CALL

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2012 passed and the emergency clause was declared carried.

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#### MOTION

**SEN. KLEIN MOVED** that SB 2326 be moved to the top of the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2326:** A BILL for an Act to amend and reenact section 39-04-09 of the North Dakota Century Code, relating to the issuance of license plates; and to provide an appropriation.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEAS, 46 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Holmberg

**NAYS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

SB 2326 failed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2015: SEN. WANZEK (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2015:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide an exemption; and to amend and reenact section 3 of chapter 15 of the 2011 Session Laws, relating to borrowing authority.

#### 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman;

Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2015 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2244, as engrossed: SEN. DEVER (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2244:** A BILL for an Act to provide an appropriation to the department of human services for early childhood services inclusion support services and grants; 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, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Reengrossed SB 2244 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2205: SEN. KILZER (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2205:** A BILL for an Act to provide an appropriation to the department of human services for providing a grant for administering 2-1-1 services.

#### 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2205 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2353, as engrossed: SEN. SORVAAG (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2353:** A BILL for an Act to create and enact two new sections to chapter 37-17.3 of the

North Dakota Century Code, relating to statewide integrated radio communication; to provide for a legislative management study; and to provide an appropriation.

#### 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Reengrossed SB 2353 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2339, as engrossed: SEN. CARLISLE (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2339:** A BILL for an Act to create and enact a new section to chapter 6-09.4 of the North Dakota Century Code, relating to the financing of housing projects and creation of a public infrastructure revolving loan fund through the public finance authority; 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, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Reengrossed SB 2339 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2013: SEN. KREBSBACH (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2013:** A BILL for an Act to provide an appropriation for defraying the expenses of the commissioner of university and school lands; to provide for distributions from permanent funds; to amend and reenact subsection 1 of section 57-51-15 and section 57-62-04 of the North Dakota Century Code, relating to oil and gas gross production taxes and the energy infrastructure and impact office; to provide an effective date; to provide an expiration date; and to declare an emergency.

#### ROLL CALL

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell;

Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2013 passed and the emergency clause was declared carried.

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#### CONSIDERATION OF AMENDMENTS

**SB 2014: SEN. CARLISLE (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2014:** A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission; to provide legislative intent; to provide an appropriation; to provide a contingent appropriation; to authorize transfers; to amend and reenact subsection 1 of section 54-17.6-05 and sections 54-18-19, 57-51.1-07, and 57-51.1-07.3 of the North Dakota Century Code, relating to the resources trust fund, the oil and gas research council membership, the oil and gas research fund, and the transfer of North Dakota mill and elevator profits to the general fund; to provide for a value-added market opportunities for renewable energy resources and oil and gas study; to provide for a report to the legislative management; and to declare an emergency.

#### ROLL CALL

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2014 passed and the emergency clause was declared carried.

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#### MOTION

**SEN. KLEIN MOVED** that SB 2027 and SB 2029 be moved to the top of the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2027:** A BILL for an Act to amend and reenact section 57-51.1-07 of the North Dakota Century Code, relating to the resources trust fund; to provide for a value-added market opportunities for renewable energy resources study by the department of commerce; and to provide an appropriation.

#### ROLL CALL

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

**YEAS:** Mathern; O'Connell

**NAYS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Miller; Murphy; Nelson; Oehlke; Poolman; Robinson; Schaible;

Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

SB 2027 failed.

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### SECOND READING OF SENATE BILL

**SB 2029:** A BILL for an Act to amend and reenact section 57-51.1-07.3 of the North Dakota Century Code, relating to oil and gas research fund deposits; to provide for a value-added market opportunities for oil and gas study; to provide a statement of legislative intent; and to provide an appropriation.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEAS, 46 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** O'Connell

**NAYS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2029 failed.

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### CONSIDERATION OF AMENDMENTS

**SB 2284: SEN. MURPHY (Industry, Business and Labor Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

### SECOND READING OF SENATE BILL

**SB 2284:** A BILL for an Act to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to brewer taproom licenses; to amend and reenact section 5-03-07 of the North Dakota Century Code, relating to taxes on alcohol; and to provide for a statement of legislative intent and severability.

### ROLL CALL

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Bowman; Luick

Engrossed SB 2284 passed.

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### CONSIDERATION OF AMENDMENTS

**SB 2063: SEN. POOLMAN (Government and Veterans Affairs Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2063:** A BILL for an Act to amend and reenact section 23-02.1-01, subsection 3 of section 23-02.1-13, sections 23-02.1-15, 23-02.1-19, and 23-02.1-20, subsection 3 of section 23-02.1-25, and subsection 5 of section 23-02.1-30 of the North Dakota Century Code, relating to definitions, birth registration, delayed registration of birth, death registration, fetal death registration, amending vital records, and persons required to keep records under the Health Statistics Act.

**MOTION**

**SEN. DEVER MOVED** that Engrossed SB 2063 be amended as follows, which motion prevailed on a verification vote.

Page 1, line 1, remove "section 23-02.1-01,"

Page 1, line 3, remove "definitions,"

Page 1, remove lines 7 through 23

Page 2, remove 1 through 31

Page 3, remove lines 1 through 14

Page 3, line 17, replace "must" with "shall"

Page 3, line 20, remove "acceptable"

Page 3, remove line 21

Page 3, line 22, replace "following information" with "evidence acceptable to the state registrar of vital records to establish that the mother was pregnant, that the child was born alive, and that at the time of the birth the mother was present in North Dakota. If the evidence submitted under this subsection does not meet one or more of these required elements, the state registrar may not register the birth unless the required forms are accompanied by a certified copy of an order from a court of competent jurisdiction which establishes the missing element required under this subsection. Acceptable evidence to establish"

Page 3, line 24, overstrike the semicolon and insert immediately thereafter "includes:

- (1) A prenatal record from a hospital or clinic.
- (2) A statement from a physician or other health care provider qualified to determine pregnancy.
- (3) A statement from an individual in attendance at or immediately after the birth who is not related to the child's mother or father."

Page 3, line 26, replace "; and" with "includes:

- (1) A statement from a physician or other health care provider who saw or examined the child.
- (2) A statement from a local public health nurse who saw the mother and child.
- (3) A statement from an individual in attendance at or immediately after the birth who is not related to the child's mother or father."

Page 3, line 29, after "birth" insert ":

- (1) If the birth occurred at the mother's current residence in this state, includes:
  - (a) A rent receipt that includes the mother's name and address in this state.

- (b) A telephone bill or bill for any type of utility which includes the mother's name and address in this state.
- (c) A driver's license or a state-issued identification card that includes on the face of the license or card the address of the mother's residence in this state.
- (2) If the birth did not occur at the mother's residence in this state, may be established by providing:
  - (a) An affidavit of the tenant of the premises at which the birth occurred which states the mother was present at the tenant's premises at the time of the birth; and
  - (b) Evidence of the affiant's tenancy similar to the evidence allowed under paragraph 1"

Renumber accordingly

**SB 2063:** A BILL for an Act to amend and reenact subsection 3 of section 23-02.1-13, sections 23-02.1-15, 23-02.1-19, and 23-02.1-20, subsection 3 of section 23-02.1-25, and subsection 5 of section 23-02.1-30 of the North Dakota Century Code, relating to birth registration, delayed registration of birth, death registration, fetal death registration, amending vital records, and persons required to keep records under the Health Statistics Act.

#### ROLL CALL

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

**YEAS:** Anderson; Andrist; Berry; Burckhard; Dever; Erbele; Lee, G.; Lee, J.; Luick; Oehlke

**NAYS:** Armstrong; Axness; Bowman; Campbell; Carlisle; Cook; Dotzenrod; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Reengrossed SB 2063 failed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2347: SEN. DEVER (Government and Veterans Affairs Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2347:** A BILL for an Act to create and enact a new section to chapter 16.1-07 of the North Dakota Century Code, relating to emergency authority of the secretary of state for the administration of elections.

#### 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 43 YEAS, 4 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sorvaag; Triplett; Wanzek; Wardner; Warner

**NAYS:** Marcellais; Mathern; Sitte; Unruh

Engrossed SB 2347 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2369: SEN. SCHAIBLE (Government and Veterans Affairs Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2369:** A BILL for an Act to amend and reenact sections 16.1-06-04, 16.1-11-22, 16.1-11-30, and 16.1-12-02 of the North Dakota Century Code, relating to primary election ballot access and eligibility for minor political parties.

#### MOTION

**SEN. SCHAIBLE MOVED** that Engrossed SB 2369 be amended as follows, which motion prevailed on a voice vote.

Page 5, line 7, remove the overstrike over "~~16.1-03~~"

Page 5, line 7, remove "16.1-03.1"

Renumber accordingly

#### 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 43 YEAS, 4 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Heckaman; Marcellais; Mathern; Sinner

Reengrossed SB 2369 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2212: SEN. WARNER (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2212:** A BILL for an Act to provide an appropriation to the attorney general for the rural crime and justice center victim assistance academy.

#### 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2212 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2374: SEN. DEVER (Government and Veterans Affairs Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2374:** A BILL for an Act to amend and reenact sections 15.1-09-08 and 15.1-09-24, subsection 10 of section 16.1-01-09.1, sections 16.1-03-12 and 16.1-03-14, subsection 1 of section 16.1-07-15, sections 16.1-09-02, 16.1-11-06, 16.1-11-11, 16.1-11-11.1, 16.1-11-15, 16.1-11-18, 16.1-11-19, 16.1-11-30, 16.1-12-02, and 16.1-12-02.3, subsection 3 of section 16.1-12-04, sections 16.1-12-07, 16.1-12-09, 27-25-04, 40-21-02, 40-21-07, 40-21-08, and 40-57.3-01.1, subsection 4 of section 44-08-21, and sections 46-06-03, 61-24-03, 61-24.5-06, and 61-24.5-07 of the North Dakota Century Code, relating to election and recall filing requirements.

**ROLL CALL**

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2374 passed.

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**MOTION**

**SEN. KLEIN MOVED** that the Senate stand in recess until 3:00 p.m., which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with President Wrigley presiding.

**CONSIDERATION OF AMENDMENTS**

**SB 2330: SEN. MATHERN (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**.

**REQUEST**

**SEN. MILLER REQUESTED** a verification vote, which request was granted.

The proposed amendments to SB 2330 failed on a verification vote.

**SECOND READING OF SENATE BILL**

**SB 2330:** A BILL for an Act to amend and reenact section 57-38-62 of the North Dakota Century Code, relating to underpayment of estimated taxes; and to provide an effective date.

**ROLL CALL**

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Klein; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Nelson; Oehlke; Poolman; Robinson; Schaible; Schneider; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**NAYS:** Bowman; Dotzenrod; Hogue; Holmberg; Kilzer; Krebsbach; Murphy; O'Connell; Sinner; Warner

SB 2330 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2019: SEN. WARNER (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2019:** A BILL for an Act to provide an appropriation for defraying the expenses of the state board for career and technical education; to amend and reenact sections 52-08-09, 52-08-10, and 52-08-11 of the North Dakota Century Code, relating to workforce training board reporting requirements; and to provide for a report to the budget section.

#### 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

SB 2019 passed.

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#### CONSIDERATION OF AMENDMENTS

**SCR 4017: SEN. SCHAIBLE (Government and Veterans Affairs Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 4017:** A concurrent resolution relating to the Obama Administration's proposal that the Senate of the United States consider adoption of a United Nations Arms Trade Treaty.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4017 was declared adopted on a voice vote.

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#### SECOND READING OF SENATE BILL

**SB 2031:** A BILL for an Act to create and enact a new section to chapter 23-35 of the North Dakota Century Code, relating to tribal health districts; to amend and reenact section 23-35-01, subsection 2 of section 23-35-03, subsection 1 of section 23-35-04, and sections 23-35-06, 23-35-07, and 23-35-08 of the North Dakota Century Code, relating to health districts; to provide for reports; and to provide an appropriation.

#### ROLL CALL

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman;

Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

SB 2031 passed.

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#### **SECOND READING OF SENATE BILL**

**SB 2269:** A BILL for an Act to provide for a legislative management study of the state's health care system; to provide for a health care consortium; to provide for reports to the legislative management; and to provide an appropriation.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Reengrossed SB 2269 passed.

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#### **SECOND READING OF SENATE BILL**

**SB 2006:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota aeronautics commission.

#### **ROLL CALL**

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2006 passed.

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#### **SECOND READING OF SENATE BILL**

**SB 2088:** A BILL for an Act to amend and reenact sections 43-39-05 and 43-39-08, subsection 3 of section 43-39-09, subsection 2 of section 43-39-10, and section 43-39-11 of the North Dakota Century Code, relating to athletic trainers; to repeal section 43-39-07 of the North Dakota Century Code, relating to grandfathering initial licensees; and to provide a penalty.

#### **ROLL CALL**

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek;

Wardner; Warner

Engrossed SB 2088 passed.

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### SECOND READING OF SENATE BILL

**SB 2125:** A BILL for an Act to create and enact two new sections to chapter 14-09 of the North Dakota Century Code, relating to the duty to report a missing child or the death of a child; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Campbell; Lee, G.; Sitte

Engrossed SB 2125 passed.

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### SECOND READING OF SENATE BILL

**SB 2183:** A BILL for an Act to amend and reenact subsections 3 and 4 of section 16.1-01-09 and subsections 3 and 6 of section 16.1-01-09.1 of the North Dakota Century Code, relating to qualifications of individuals circulating initiated or referred measure and recall petitions; and to provide for application.

### 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 31 YEAS, 16 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Dever; Erbele; Flakoll; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Murphy; Oehlke; Poolman; Schaible; Sinner; Sorvaag; Unruh; Wanzek; Wardner

**NAYS:** Anderson; Axness; Carlisle; Cook; Dotzenrod; Grabinger; Heckaman; Marcellais; Mathern; Nelson; O'Connell; Robinson; Schneider; Sitte; Triplett; Warner

Engrossed SB 2183 passed.

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### SECOND READING OF SENATE BILL

**SB 2345:** A BILL for an Act to amend and reenact section 12.1-31-07.1 of the North Dakota Century Code, relating to the penalty for the exploitation of a disabled adult or vulnerable elderly adult.

### 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman;

Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2345 passed.

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### SECOND READING OF SENATE BILL

**SB 2323:** A BILL for an Act to amend and reenact sections 50-25.2-03 and 50-25.2-10 of the North Dakota Century Code, relating to the reporting of abuse or neglect of a vulnerable adult; and to provide a penalty.

### MOTION

**SEN. MURPHY MOVED** that SB 2323 be amended as follows, which motion prevailed on a voice vote.

Page 1, line 9, remove "attorney."

Page 1, line 10, remove "or reasonable cause to believe"

Page 1, line 14, after "agency" insert "if the knowledge is derived from information received by that person in that person's official or professional capacity. A member of the clergy, however, is not required to report the information if the knowledge is derived from information received in the capacity of spiritual adviser"

Page 1, line 16, after the third underscored comma insert "or"

Page 1, line 17, remove ", or any officer or employee of a bank, credit union, or any other"

Page 1, line 18, remove "financial service provider"

Renumber accordingly

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 39 YEAS, 8 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Carlisle; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Murphy; Nelson; O'Connell; Poolman; Robinson; Schaible; Schneider; Sinner; Sorvaag; Triplett; Wanzek; Warner

**NAYS:** Campbell; Cook; Klein; Miller; Oehlke; Sitte; Unruh; Wardner

Engrossed SB 2323 passed.

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### MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2024, SB 2036, SB 2171, SB 2219, SB 2222, SB 2314, SB 2325.

### MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2020.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1035, HB 1037, HB 1040, HB 1048, HB 1063, HB 1067, HB 1084, HB 1093, HB 1099, HB 1116, HB 1130.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested

on: HB 1059, HCR 3027.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1126, HB 1135, HB 1176, HB 1209, HB 1242, HB 1245, HB 1293, HB 1314, HB 1348, HB 1373, HB 1397, HB 1399.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1131, HB 1147, HB 1246, HB 1325.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1132, HB 1162, HB 1175, HB 1205, HB 1206, HB 1225, HB 1304, HB 1342, HB 1452.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1134, HB 1138, HB 1161, HB 1169, HB 1172, HB 1180, HB 1200, HB 1202, HB 1213, HB 1219.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1232, HB 1249, HB 1251, HB 1253, HB 1257, HB 1259, HB 1274, HB 1291, HB 1292, HB 1296.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1300, HB 1305, HB 1309, HB 1316, HB 1339, HB 1352, HB 1354, HB 1355, HB 1356, HB 1359.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1360, HB 1369, HB 1378, HB 1382, HB 1392, HB 1410, HB 1412, HB 1413, HB 1425, HB 1429.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1434, HB 1443, HB 1451, HB 1454, HB 1455, HB 1456, HB 1458, HB 1459, HB 1464, HB 1468.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HCR 3009, HCR 3010, HCR 3012, HCR 3013, HCR 3014, HCR 3016, HCR 3017, HCR 3018, HCR 3019, HCR 3020, HCR 3021, HCR 3022, HCR 3023, HCR 3025, HCR 3026, HCR 3030, HCR 3031.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1140, HB 1264, HB 1285, HB 1301.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 9:00 a.m., Tuesday, February 26, 2013, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2002: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2002 was placed on the Sixth order on the calendar.

Page 1, replace line 14 with:

"Salaries and wages	\$9,116,651	\$3,541,308	\$12,657,959"
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Page 1, replace line 17 with:

"Judges retirement	<u>138,105</u>	<u>(62,719)</u>	<u>75,386</u> "
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Page 1, replace line 18 with:

"Total general fund	\$11,569,874	\$3,932,725	\$15,502,599"
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Page 1, replace line 23 with:

"Salaries and wages	\$54,216,144	\$5,967,754	\$60,183,898"
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Page 2, replace line 2 with:

"Judges retirement	478,997	24,421	503,418"
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Page 2, replace line 5 with:

"Total all funds	\$72,303,327	\$10,548,656	\$82,851,983"
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Page 2, replace line 7 with:

"Total general fund	\$70,446,552	\$10,597,341	\$81,043,893"
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Page 2, replace line 21 with:

"Grand total general fund	\$82,580,882	\$14,586,698	\$97,167,580"
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Page 2, replace line 23 with:

"Grand total all funds	\$84,763,156	\$14,580,013	\$99,343,169"
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Page 3, line 26, replace "forty-five" with "forty-three"

Page 3, line 27, replace "sixty-seven" with "six hundred eighty-five"

Page 3, line 28, replace "fifty-two" with "forty-nine"

Page 3, line 28, replace "three" with "four"

Page 3, line 28, replace "twenty" with "thirty-three"

Page 3, line 30, replace "sixty-six" with "twenty-seven"

Page 3, line 31, replace "three" with "two"

Page 3, line 31, replace "seventy-five" with "ninety-two"

Page 4, line 4, replace "thirty-two" with "thirty-one"

Page 4, line 4, overstrike "nine" and insert immediately thereafter "six"

Page 4, line 5, replace "twenty-seven" with "sixty-one"

Page 4, line 6, replace "thirty-nine" with "thirty-six"

Page 4, line 6, overstrike "five" and insert immediately thereafter "nine"

Page 4, line 6, replace "seventy-three" with "twenty-seven"

Page 4, line 10, replace "forty" with "three"

Page 4, line 11, remove the overstrike over "three"

Page 4, line 11, remove "four"

Page 4, line 12, replace "thirty-two" with "nine hundred fifty-five"

Renumber accordingly

# STATEMENT OF PURPOSE OF AMENDMENT:

## Senate Bill No. 2002 - Summary of Senate Action

	Executive Budget	Senate Changes	Senate Version
Supreme Court			
Total all funds	\$15,530,297	(\$27,698)	\$15,502,599
Less estimated income	0	0	0
General fund	\$15,530,297	(\$27,698)	\$15,502,599
District Courts			
Total all funds	\$83,073,957	(\$221,974)	\$82,851,983
Less estimated income	1,808,090	0	1,808,090
General fund	\$81,265,867	(\$221,974)	\$81,043,893
Judicial Conduct Commission			
Total all funds	\$988,587	\$0	\$988,587
Less estimated income	367,499	0	367,499
General fund	\$621,088	\$0	\$621,088
Bill total			
Total all funds	\$99,592,841	(\$249,672)	\$99,343,169
Less estimated income	2,175,589	0	2,175,589
General fund	\$97,417,252	(\$249,672)	\$97,167,580

## Senate Bill No. 2002 - Supreme Court - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$12,684,559	(\$26,600)	\$12,657,959
Operating expenses	2,754,254		2,754,254
Capital assets	15,000		15,000
Judges retirement	76,484	(1,098)	75,386
Total all funds	\$15,530,297	(\$27,698)	\$15,502,599
Less estimated income	0	0	0
General fund	\$15,530,297	(\$27,698)	\$15,502,599
FTE	45.00	0.00	45.00

## Department No. 181 - Supreme Court - Detail of Senate Changes

	Reduces Salary Increases for Justices <sup>1</sup>	Reduces Judges Retirement <sup>2</sup>	Total Senate Changes
Salaries and wages	(\$26,600)		(\$26,600)
Operating expenses			
Capital assets			
Judges retirement		(1,098)	(1,098)
Total all funds	(\$26,600)	(\$1,098)	(\$27,698)
Less estimated income	0	0	0
General fund	(\$26,600)	(\$1,098)	(\$27,698)
FTE	0.00	0.00	0.00

<sup>1</sup>This amendment reduces the salary increases for the justices of the Supreme Court and the Chief Justice from 5 percent each year of the biennium to 4 percent each year.

<sup>2</sup>This amendment reduces the increase in judges retirement from 5 percent each year of the biennium to 4 percent each year.

## Senate Bill No. 2002 - District Courts - Senate Action

Executive	Senate	Senate
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	Budget	Changes	Version
Salaries and wages	\$60,398,498	(\$214,600)	\$60,183,898
Operating expenses	20,162,413		20,162,413
Capital assets	833,026		833,026
Judges retirement	510,792	(7,374)	503,418
UND central legal research	80,000		80,000
Mediation	1,089,228		1,089,228
Total all funds	\$83,073,957	(\$221,974)	\$82,851,983
Less estimated income	1,808,090	0	1,808,090
General fund	\$81,265,867	(\$221,974)	\$81,043,893
FTE	310.00	0.00	310.00

### Department No. 182 - District Courts - Detail of Senate Changes

	Reduces Judges Salary Increases <sup>1</sup>	Reduces Judges Retirement <sup>2</sup>	Total Senate Changes
Salaries and wages	(\$214,600)		(\$214,600)
Operating expenses			
Capital assets			
Judges retirement		(7,374)	(7,374)
UND central legal research			
Mediation			
Total all funds	(\$214,600)	(\$7,374)	(\$221,974)
Less estimated income	0	0	0
General fund	(\$214,600)	(\$7,374)	(\$221,974)
FTE	0.00	0.00	0.00

<sup>1</sup>This amendment reduces the salary increases for district judges and presiding judges from 5 percent each year of the biennium to 4 percent each year.

<sup>2</sup>This amendment reduces the increase in judges retirement from 5 percent each year of the biennium to 4 percent each year.

### REPORT OF STANDING COMMITTEE

**SB 2003: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). SB 2003 was placed on the Sixth order on the calendar.

Page 1, line 2, after "system" insert "; to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to the assessment of institutions of higher education"

Page 1, line 2, replace the first comma with "and"

Page 1, line 2, replace "and 15.1-21-02.6" with "subsection 2 of section 15-70-04, and section 54-44.1-11"

Page 1, line 4, replace "and the North Dakota scholarships" with "tribally controlled community college grants, and the cancellation of unexpended appropriations"

Page 1, line 6, after "projects" insert "; to provide for budget section reports"

Page 1, line 19, after "assets" insert "- Bond payments"

Page 1, replace line 21 with:

"System governance	7,349,806	1,527,502	8,877,308"
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Page 1, replace line 24 with:

"Professional liability insurance	800,000	(800,000)	0"
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Page 2, replace line 2 with:

"Professional student exchange program	3,321,438	953,577	4,275,015"
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Page 2, remove line 11

Page 2, replace lines 13 through 15 with:

"Education challenge fund	<u>0</u>	<u>30,000,000</u>	<u>30,000,000</u>
Total all funds	\$104,428,941	\$49,148,895	\$153,577,836"

Page 2, replace lines 17 and 18 with:

"Total general fund	\$101,372,712	\$49,905,212	\$151,277,924
Full-time equivalent positions	100.31	0.00	100.31"

Page 3, replace lines 24 through 26 with:

"Capital assets	<u>4,411,566</u>	<u>176,787,262</u>	<u>181,198,828</u>
Total all funds	\$144,869,050	\$195,234,626	\$340,103,676
Less estimated income	<u>0</u>	<u>96,487,262</u>	<u>96,487,262"</u>

Page 4, replace lines 4 through 6 with:

"Capital assets	<u>2,732,244</u>	<u>69,419,356</u>	<u>72,151,600</u>
Total all funds	\$127,747,549	\$88,692,290	\$216,439,839
Less estimated income	<u>0</u>	<u>39,819,356</u>	<u>39,819,356"</u>

Page 4, replace line 23 with:

"Operations	\$22,383,539	\$6,290,197	\$28,673,736"
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Page 4, replace line 25 with:

"Total all funds	\$22,792,617	\$6,290,197	\$29,082,814"
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Page 4, replace line 27 with:

"Total general fund	\$22,792,617	\$6,290,197	\$29,082,814"
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Page 5, replace line 13 with:

"Operations	\$37,838,974	\$9,725,919	\$47,564,893"
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Page 5, replace line 15 with:

"Total all funds	\$38,738,594	\$23,349,609	\$62,088,203"
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Page 5, replace line 17 with:

"Total general fund	\$38,738,594	\$11,547,824	\$50,286,418"
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Page 5, replace lines 24 and 25 with:

"Capital assets	<u>408,319</u>	<u>9,199,103</u>	<u>9,607,422</u>
Total all funds	\$18,103,060	\$13,609,384	\$31,712,444"

Page 5, replace line 27 with:

"Total general fund	\$18,103,060	\$8,802,547	\$26,905,607"
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Page 6, replace lines 4 and 5 with:

"Capital assets	<u>115,507</u>	<u>8,836,389</u>	<u>8,951,896</u>
Total all funds	\$6,605,257	\$10,723,028	\$17,328,285"

Page 6, replace line 7 with:

"Total general fund	\$6,605,257	\$3,122,239	\$9,727,496"
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Page 6, replace lines 13 and 14 with:

"Operations	<u>\$47,747,971</u>	<u>\$8,214,806</u>	<u>\$55,962,777</u>
Total all funds	\$47,747,971	\$8,214,806	\$55,962,777"

Page 6, replace line 16 with:

"Total general fund	\$47,747,971	\$8,214,806	\$55,962,777"
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Page 7, replace lines 1 through 3 with:

"Grand total all funds	\$611,231,666	\$470,153,980	\$1,081,385,646
Grand total special funds	<u>4,706,229</u>	<u>161,109,712</u>	<u>165,815,941</u>
Grand total general fund	\$606,525,437	\$309,044,268	\$915,569,705"

Page 7, replace lines 9 through 11 with:

"Capital projects - General fund	\$47,136,000	\$167,973,263
Capital projects - Other funds	105,065,555	161,866,029
Dickinson state university operating funds	900,000	800,000
Minot state university flood recovery	0	5,000,000
Dakota college at Bottineau - Campus software updates	0	30,000"

Page 7, remove lines 18 and 19

Page 7, replace lines 22 through 24 with:

"Total all funds	\$156,325,912	\$383,084,098
Total other funds	<u>105,065,555</u>	<u>161,866,029</u>
Total general fund	\$51,260,357	\$221,218,069"

Page 7, line 28, replace "2015" with "2013"

Page 7, line 28, replace "2017" with "2015"

Page 8, after line 26, insert:

**"SECTION 4.** A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

**Assessment of institutions.**

1. Before the state board of higher education may impose an assessment on or otherwise require that individual institutions of higher education pay for any goods or services provided by or through the North Dakota university system office, the board shall seek approval from the budget section of the legislative management.
2. This section does not apply to any assessments or payment obligations for goods or services in effect before the effective date of this Act."

Page 9, remove lines 14 through 31

Page 10, replace lines 1 through 27 with:

**"SECTION 6. AMENDMENT.** Subsection 2 of section 15-70-04 of the North Dakota Century Code is amended and reenacted as follows:

2. If an application is approved, the state board of higher education shall distribute to the tribally controlled community college, during each year of the biennium, an amount equivalent to the most recent per student

payment provided in accordance with the Tribally Controlled Colleges and Universities Assistance Act of 1978 [25 U.S.C. 20] for each nonbeneficiary student who is a resident of the state. If the amount appropriated is insufficient to meet the requirements of this section, the board shall prorate the amount to be distributed. The board may distribute no more than one-half of the biennial legislative appropriation provided for grants under this section during the first year of the biennium.

**SECTION 7. AMENDMENT.** Section 54-44.1-11 of the North Dakota Century Code is amended and reenacted as follows:

**54-44.1-11. (Effective through July 31, 2013~~2015~~) Office of management and budget to cancel unexpended appropriations - When they may continue.**

Except as otherwise provided by law, the office of management and budget, thirty days after the close of each biennial period, shall cancel all unexpended appropriations or balances of appropriations after the expiration of the biennial period during which they became available under the law. Unexpended appropriations for the state historical society are not subject to this section and the state historical society shall report on the amounts and uses of funds carried over from one biennium to the appropriations committees of the next subsequent legislative assembly. Unexpended appropriations for the North Dakota university system are not subject to this section and the North Dakota university system shall report on the amounts and uses of funds carried over from one biennium to the next to subsequent appropriations committees of the legislative assembly. The chairmen of the appropriations committees of the senate and house of representatives of the legislative assembly with the office of the budget may continue appropriations or balances in force for not more than two years after the expiration of the biennial period during which they became available upon recommendation of the director of the budget for:

1. New construction projects.
2. Major repair or improvement projects.
3. Purchases of new equipment costing more than ten thousand dollars per unit if it was ordered during the first twelve months of the biennium in which the funds were appropriated.
4. The purchase of land by the state on a "contract for deed" purchase if the total purchase price is within the authorized appropriation.
5. Purchases by the department of transportation of roadway maintenance equipment costing more than ten thousand dollars per unit if the equipment was ordered during the first twenty-one months of the biennium in which the funds were appropriated.
6. Authorized ongoing information technology projects.

**(Effective after July 31, 2013~~2015~~) Office of management and budget to cancel unexpended appropriations - When they may continue.** The office of management and budget, thirty days after the close of each biennial period, shall cancel all unexpended appropriations or balances of appropriations after the expiration of the biennial period during which they became available under the law. Unexpended appropriations for the state historical society are not subject to this section and the state historical society shall report on the amounts and uses of funds carried over from one biennium to the appropriations committees of the next subsequent legislative assembly. The chairmen of the appropriations committees of the senate and house of representatives of the legislative assembly with the office of the budget may continue appropriations or balances in force for not more than two years after the expiration of the biennial period during which they became available upon recommendation of the director of the budget for:

1. New construction projects.

2. Major repair or improvement projects.
3. Purchases of new equipment costing more than ten thousand dollars per unit if it was ordered during the first twelve months of the biennium in which the funds were appropriated.
4. The purchase of land by the state on a "contract for deed" purchase if the total purchase price is within the authorized appropriation.
5. Purchases by the department of transportation of roadway maintenance equipment costing more than ten thousand dollars per unit if the equipment was ordered during the first twenty-one months of the biennium in which the funds were appropriated.
6. Authorized ongoing information technology projects.

#### **SECTION 8. SYSTEMWIDE FUNDING POOLS - TRANSFER AUTHORITY.**

The following line items contained in subdivision 1 of section 1 of this Act include funding that may be transferred in full or in part during the biennium beginning July 1, 2013, and ending June 30, 2015, by the state board of higher education to the institutions and entities under its control based on the recommendations of the commissioner of higher education as follows:

1. The deferred maintenance funding pool line item includes funding that must be used to address deferred maintenance and other infrastructure needs at institutions.
2. The education incentive programs line item includes funding that may be allocated to education incentive programs based on program eligibility criteria and the reduction or elimination of specific programs as determined by the board.

**SECTION 9. SYSTEM INFORMATION TECHNOLOGY SERVICES - OFFICE CONSOLIDATION - BUDGET SECTION REPORT.** Within five years of the completion of the joint information technology building project on the campus of the university of North Dakota, as approved by the sixty-second legislative assembly, the state board of higher education shall consolidate all system information technology services staff offices in the building. The state board of higher education shall provide annual reports to the budget section regarding the status of the consolidation of the system information technology services offices until all offices are consolidated. Effective five years after the completion of the building project, the state board of higher education may not authorize the use of any other office space for system information technology services employees unless the consent of the legislative assembly or the budget section of the legislative management is received to use office space in a different location.

**SECTION 10. UNIVERSITY OF NORTH DAKOTA - RESEARCH ENTERPRISE AND COMMERCIALIZATION BUILDING PURCHASE - BUDGET SECTION REPORT.** During the biennium beginning July 1, 2013, and ending June 30, 2015, the state board of higher education may enter a purchase and financing agreement or agreements with a private entity and do all things necessary and proper to authorize the purchase of the research enterprise and commercialization building on the campus of the university of North Dakota using donations, gifts, or other funds. The state board of higher education shall provide a report to the budget section if the research enterprise and commercialization building is purchased as provided under this section.

**SECTION 11. MINOT STATE UNIVERSITY - FLOOD RECOVERY FUNDING.** The sum of \$5,000,000 included in the operations line item in subdivision 10 of section 1 of this Act must be used by Minot state university to address housing, budget, and other needs relating to the 2011 flood, including capital, as determined by the university."

Page 11, remove lines 20 through 29

Page 12, remove lines 1 through 3

Page 12, line 7, replace "chancellor" with "commissioner of higher education"

Page 12, line 13, after "reject" insert ", including tuition revenue"

Page 12, line 27, after "control" insert "during the biennium beginning July 1, 2013, and ending June 30, 2015"

Page 12, remove lines 29 through 31

Page 13, remove lines 1 through 9

Page 13, line 10, remove "- **APPROPRIATION**"

Page 13, line 18, remove ", for the biennium beginning"

Page 13, line 19, replace "July 1, 2013, and ending June 30, 2015, for the purpose of financing" with "in section 1 of this Act for"

Page 13, after line 21, insert:

"University of North Dakota - Wilkerson hall dining center 29,000,000"

Page 13, replace line 23 with:

"Total special funds \$56,487,262"

Page 13, line 24, replace "The" with "Section 18 of this Act and the"

Page 13, line 24, replace "education incentive" with "deferred maintenance pool"

Page 13, line 25, remove "and sections 6 and 19"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2003 - Summary of Senate Action

	Executive Budget	Senate Changes	Senate Version
University System Office			
Total all funds	\$158,461,888	(\$4,884,052)	\$153,577,836
Less estimated income	2,299,912	0	2,299,912
General fund	\$156,161,976	(\$4,884,052)	\$151,277,924
Bismarck State College			
Total all funds	\$48,714,535	\$0	\$48,714,535
Less estimated income	0	0	0
General fund	\$48,714,535	\$0	\$48,714,535
Lake Region State College			
Total all funds	\$19,357,137	\$0	\$19,357,137
Less estimated income	0	0	0
General fund	\$19,357,137	\$0	\$19,357,137
Williston State College			
Total all funds	\$24,187,242	\$0	\$24,187,242
Less estimated income	0	0	0
General fund	\$24,187,242	\$0	\$24,187,242
University of North Dakota			
Total all funds	\$311,103,676	\$29,000,000	\$340,103,676
Less estimated income	67,487,262	29,000,000	96,487,262
General fund	\$243,616,414	\$0	\$243,616,414
UND Medical Center			
Total all funds	\$55,162,777	\$800,000	\$55,962,777

Less estimated income	0	0	0
General fund	\$55,162,777	\$800,000	\$55,962,777
North Dakota State University			
Total all funds	\$215,779,839	\$660,000	\$216,439,839
Less estimated income	39,159,356	660,000	39,819,356
General fund	\$176,620,483	\$0	\$176,620,483
State College of Science			
Total all funds	\$51,852,178	\$0	\$51,852,178
Less estimated income	1,350,000	0	1,350,000
General fund	\$50,502,178	\$0	\$50,502,178
Dickinson State University			
Total all funds	\$28,082,814	\$1,000,000	\$29,082,814
Less estimated income	0	0	0
General fund	\$28,082,814	\$1,000,000	\$29,082,814
Mayville State University			
Total all funds	\$23,819,658	\$0	\$23,819,658
Less estimated income	0	0	0
General fund	\$23,819,658	\$0	\$23,819,658
Minot State University			
Total all funds	\$57,088,203	\$5,000,000	\$62,088,203
Less estimated income	11,801,785	0	11,801,785
General fund	\$45,286,418	\$5,000,000	\$50,286,418
Valley City State University			
Total all funds	\$31,462,444	\$250,000	\$31,712,444
Less estimated income	4,806,837	0	4,806,837
General fund	\$26,655,607	\$250,000	\$26,905,607
Dakota College at Bottineau			
Total all funds	\$16,488,285	\$840,000	\$17,328,285
Less estimated income	7,600,789	0	7,600,789
General fund	\$8,887,496	\$840,000	\$9,727,496
Forest Service			
Total all funds	\$7,159,022	\$0	\$7,159,022
Less estimated income	1,650,000	0	1,650,000
General fund	\$5,509,022	\$0	\$5,509,022
Bill total			
Total all funds	\$1,048,719,698	\$32,665,948	\$1,081,385,646
Less estimated income	136,155,941	29,660,000	165,815,941
General fund	\$912,563,757	\$3,005,948	\$915,569,705

### Senate Bill No. 2003 - North Dakota University System - General Fund Summary

	Executive Budget	Senate Changes	Senate Version
University System Office	\$156,161,976	(\$4,884,052)	\$151,277,924
Bismarck State College	48,714,535		48,714,535
Lake Region State College	19,357,137		19,357,137
Williston State College	24,187,242		24,187,242
University of North Dakota	243,616,414		243,616,414
UND Medical Center	55,162,777	800,000	55,962,777
North Dakota State University	176,620,483		176,620,483
State College of Science	50,502,178		50,502,178
Dickinson State University	28,082,814	1,000,000	29,082,814
Mayville State University	23,819,658		23,819,658
Minot State University	45,286,418	5,000,000	50,286,418
Valley City State University	26,655,607	250,000	26,905,607
Dakota College at Bottineau	8,887,496	840,000	9,727,496
Forest Service	5,509,022		5,509,022
Total general fund	\$912,563,757	\$3,005,948	\$915,569,705

### Detail of Senate changes to the General Fund

	Removes New University System Office FTE Positions <sup>1</sup>	Adds Funding for System Governance <sup>2</sup>	Adds Funding for Professional Student Exchange Program <sup>3</sup>	Removes Funding for Master Plan and Space Study <sup>4</sup>	Removes Funding for New Program Startup Pool <sup>5</sup>	Transfers Funding for Professional Liability Insurance <sup>6</sup>
University System Office	(\$3,056,020)	\$1,300,000	\$171,968	(\$1,000,000)	(\$1,500,000)	(\$800,000)
Bismarck State College						
Lake Region State College						
Williston State College						
University of North Dakota						
UND Medical Center						800,000

North Dakota State University  
State College of Science  
Dickinson State University  
Mayville State University  
Minot State University  
Valley City State University  
Dakota College at Bottineau  
Forest Service

Total general fund	(\$3,056,020)	\$1,300,000	\$171,968	(\$1,000,000)	(\$1,500,000)	\$0
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	Adds Funding for Dickinson State University Programs <sup>7</sup>	Adds Funding for Flood Recovery <sup>8</sup>	Adjusts Funding for Capital Projects <sup>9</sup>	Total General Fund Changes
University System Office				(\$4,884,052)
Bismarck State College				
Lake Region State College				
Williston State College				
University of North Dakota				
UND Medical Center				800,000
North Dakota State University				
State College of Science				
Dickinson State University	1,000,000			1,000,000
Mayville State University				
Minot State University		5,000,000		5,000,000
Valley City State University			250,000	250,000
Dakota College at Bottineau			840,000	840,000
Forest Service				
Total general fund	\$1,000,000	\$5,000,000	\$1,090,000	\$3,005,948

### Senate Bill No. 2003 - North Dakota University System - Other Funds Summary

	Executive Budget	Senate Changes	Senate Version
University System Office	\$2,299,912		\$2,299,912
Bismarck State College			
Lake Region State College			
Williston State College			
University of North Dakota	67,487,262	29,000,000	96,487,262
UND Medical Center			
North Dakota State University	39,159,356	660,000	39,819,356
State College of Science	1,350,000		1,350,000
Dickinson State University			
Mayville State University			
Minot State University	11,801,785		11,801,785
Valley City State University	4,806,837		4,806,837
Dakota College at Bottineau	7,600,789		7,600,789
Forest Service	1,650,000		1,650,000
Total other funds	\$136,155,941	\$29,660,000	\$165,815,941

### Detail of Senate changes to Other Funds

	Removes New University System Office FTE Positions <sup>1</sup>	Adds Funding for System Governance <sup>2</sup>	Adds Funding for Professional Student Exchange Program <sup>3</sup>	Removes Funding for Master Plan and Space Study <sup>4</sup>	Removes Funding for New Program Startup Pool <sup>5</sup>	Transfers Funding for Professional Liability Insurance <sup>6</sup>
University System Office						
Bismarck State College						
Lake Region State College						
Williston State College						
University of North Dakota						
UND Medical Center						
North Dakota State University						
State College of Science						
Dickinson State University						
Mayville State University						
Minot State University						
Valley City State University						
Dakota College at Bottineau						
Forest Service						
Total other funds	\$0	\$0	\$0	\$0	\$0	\$0
	Adds Funding for Dickinson State University Programs <sup>7</sup>	Adds Funding for Flood Recovery <sup>8</sup>	Adjusts Funding for Capital Projects <sup>9</sup>	Total Other Funds Changes		
University System Office						

Bismarck State College			
Lake Region State College			
Williston State College			
University of North Dakota	29,000,000		29,000,000
UND Medical Center			
North Dakota State University	660,000		660,000
State College of Science			
Dickinson State University			
Mayville State University			
Minot State University			
Valley City State University			
Dakota College at Bottineau			
Forest Service			
Total other funds	\$0	\$0	\$29,660,000
			\$29,660,000

### Senate Bill No. 2003 - North Dakota University System - All Funds Summary

	Executive Budget	Senate Changes	Senate Version
University System Office	\$158,461,888	(\$4,884,052)	\$153,577,836
Bismarck State College	48,714,535		48,714,535
Lake Region State College	19,357,137		19,357,137
Williston State College	24,187,242		24,187,242
University of North Dakota	311,103,676	29,000,000	340,103,676
UND Medical Center	55,162,777	800,000	55,962,777
North Dakota State University	215,779,839	660,000	216,439,839
State College of Science	51,852,178		51,852,178
Dickinson State University	28,082,814	1,000,000	29,082,814
Mayville State University	23,819,658		23,819,658
Minot State University	57,088,203	5,000,000	62,088,203
Valley City State University	31,462,444	250,000	31,712,444
Dakota College at Bottineau	16,488,285	840,000	17,328,285
Forest Service	7,159,022		7,159,022
Total all funds	\$1,048,719,698	\$32,665,948	\$1,081,385,646
FTE	2344.49	(7.00)	2337.49

### Detail of Senate changes to All Funds

	Removes New University System Office FTE Positions <sup>1</sup>	Adds Funding for System Governance <sup>2</sup>	Adds Funding for Professional Student Exchange Program <sup>3</sup>	Removes Funding for Master Plan and Space Study <sup>4</sup>	Removes Funding for New Program Startup Pool <sup>5</sup>	Transfers Funding for Professional Liability Insurance <sup>6</sup>
University System Office	(\$3,056,020)	\$1,300,000	\$171,968	(\$1,000,000)	(\$1,500,000)	(\$800,000)
Bismarck State College						
Lake Region State College						
Williston State College						
University of North Dakota						
UND Medical Center						800,000
North Dakota State University						
State College of Science						
Dickinson State University						
Mayville State University						
Minot State University						
Valley City State University						
Dakota College at Bottineau						
Forest Service						
Total all funds	(\$3,056,020)	\$1,300,000	\$171,968	(\$1,000,000)	(\$1,500,000)	\$0
FTE	(7.00)	0.00	0.00	0.00	0.00	0.00

	Adds Funding for Dickinson State University Programs <sup>7</sup>	Adds Funding for Flood Recovery <sup>8</sup>	Adjusts Funding for Capital Projects <sup>9</sup>	Total All Funds Changes
University System Office				(\$4,884,052)
Bismarck State College				
Lake Region State College				
Williston State College				
University of North Dakota			29,000,000	29,000,000
UND Medical Center				800,000
North Dakota State University			660,000	660,000
State College of Science				
Dickinson State University	1,000,000			1,000,000
Mayville State University				
Minot State University		5,000,000		5,000,000
Valley City State University			250,000	250,000
Dakota College at Bottineau			840,000	840,000
Forest Service				

Total all funds	\$1,000,000	\$5,000,000	\$30,750,000	\$32,665,948
FTE	0.00	0.00	0.00	(7.00)

<sup>1</sup>Seven new FTE positions and related funding included in the executive budget for the North Dakota University System office is removed.

<sup>2</sup>Funding of \$1.3 million is added for system governance with the specific use of funds to be determined by the State Board of Higher Education.

<sup>3</sup>Funding is added to the professional student exchange program to provide funding for students enrolled in dental school who attend summer school courses.

<sup>4</sup>Funding included in the executive budget recommendation for a University System master plan and space utilization study is removed.

<sup>5</sup>One-time funding included in the executive budget recommendation for a new and expanding program funding pool is removed.

<sup>6</sup>Funding included in the University System office budget for professional liability insurance is transferred to the University of North Dakota School of Medicine and Health Sciences. The funding is currently transferred from the University System office to the School of Medicine and Health Sciences each biennium.

<sup>7</sup>Funding is provided for the following programs at Dickinson State University:

- Ongoing funding of \$200,000 is provided for the operations of the Henry Biesiot Activities Center.
- One-time funding of \$800,000 is added for enhancements to the Theodore Roosevelt Center.

<sup>8</sup>One-time funding of \$5 million is provided to Minot State University to address housing and budget issues resulting from the 2011 flood.

<sup>9</sup>The following adjustments are made for capital projects and assets at University System institutions:

- University of North Dakota - Special fund authority of \$29 million is added to reauthorize the Wilkerson Dining Hall project. Revenue bonding authorization is also provided for the project.
- North Dakota State University - Special fund authority of \$660,000 is provided for building upgrades to the Center for Computationally Assisted Science and Technology.
- Valley City State University - Funding of \$250,000 from the general fund is added for campus extraordinary repairs and projects.
- Dakota College at Bottineau - Funding of \$840,000 from the general fund is added for Thatcher Hall heating upgrades (\$810,000) and campus software updates (\$30,000).

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#### Senate Bill No. 2003 - Other Changes - Senate Action

This amendment also:

- Removes Section 5 of the bill relating to increased award levels for the academic and career and technical education scholarship programs.
- Combines transfer authority for systemwide service contained in Sections 10 and 17 into one section. Section 8, which provides authority to transfer funds from the system information technology services line item to institutions, is removed due to the accounting and reporting restructuring of the system.
- Removes Section 12 which gives the State Board of Higher Education permissive authority to provide student financial assistance grants to part-time students. The section is not needed because the State Board of Higher Education has the statutory authority to determine the guidelines for grant distributions.

- Adjusts Section 14 to clarify that tuition revenue received during the 2013-15 biennium is appropriated to the respective institutions.
- Removes Section 18 which provides that only one-half of the funding provided for tribal college assistance grants may be used during the first half of the biennium. A section is added to amend Section 15-70-04 to provide that the State Board of Higher Education may only use one-half of the biennial appropriation for tribal college assistance grants during the first year of the biennium.
- Adjusts Section 19 to remove appropriation authority included in the section for projects funded through revenue bonds. Section 1 includes appropriation authority for the projects.
- Adds a section to amend Section 54-44.1-11 to extend the carryover authority of the University System.
- Adds a section to create a new statutory section to require Budget Section approval for the University System to assess campuses to pay for employee costs in the University System office.
- Adds a section to require the consolidation of all system information technology services staff offices within five years in the joint information technology building on the campus of the University of North Dakota.
- Makes technical corrections to Sections 2 and 13.

#### REPORT OF STANDING COMMITTEE

**SB 2004: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2004 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to repeal section 23-46-05 of the North Dakota Century Code, relating to state financial assistance for emergency medical services;"

Page 1, replace lines 12 and 13 with:

"Salaries and wages	\$49,351,659	\$8,839,585	\$58,191,244
Operating expenses	50,272,030	(11,744,473)	38,527,557"

Page 1, replace line 15 with:

"Grants	57,928,038	(443,309)	57,484,729"
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Page 1, replace lines 19 through 21 with:

"Total all funds	\$189,870,305	(\$3,083,375)	\$186,786,930
Less estimated income	<u>156,956,525</u>	<u>(16,337,612)</u>	<u>140,618,913</u>
Total general fund	\$32,913,780	\$13,254,237	\$46,168,017"

Page 2, after line 20, insert:

**"SECTION 4. TOBACCO PREVENTION AND CONTROL TRUST FUND.** The estimated income line item included in section 1 of this Act includes \$383,000 from the tobacco prevention and control trust fund, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 2, after line 23, insert:

**"SECTION 6. FOLLOWUP COLORECTAL SCREENING GUIDELINES.** The grants line item included in section 1 of this Act includes \$160,200 from the general fund for recommended followup colorectal screenings. These funds may be spent for the cost of recommended followup colorectal screenings of up to \$1,800 per screening for the biennium beginning July 1, 2013, and ending June 30, 2015."

**SECTION 7. REPEAL.** Section 23-46-05 of the North Dakota Century Code is repealed."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2004 - State Department of Health - Senate Action**

	<b>Executive Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$58,149,478	\$41,766	\$58,191,244
Operating expenses	38,152,557	375,000	38,527,557
Capital assets	2,224,288		2,224,288
Grants	57,316,529	168,200	57,484,729
Tobacco prevention	5,544,251		5,544,251
WIC food payments	24,659,861		24,659,861
Federal stimulus funds	155,000		155,000
Total all funds	\$186,201,964	\$584,966	\$186,786,930
Less estimated income	140,216,701	402,212	140,618,913
General fund	\$45,985,263	\$182,754	\$46,168,017
FTE	354.00	0.00	354.00

**Department No. 301 - State Department of Health - Detail of Senate Changes**

	<b>Corrects Executive Compensation Package<sup>1</sup></b>	<b>Increases Funding for Colorectal Screenings<sup>2</sup></b>	<b>Increases Funding for Statewide Stroke System of Care<sup>3</sup></b>	<b>Total Senate Changes</b>
Salaries and wages	\$41,766			\$41,766
Operating expenses			375,000	375,000
Capital assets				
Grants		160,200	8,000	168,200
Tobacco prevention				
WIC food payments				
Federal stimulus funds				
Total all funds	\$41,766	\$160,200	\$383,000	\$584,966
Less estimated income	19,212	0	383,000	402,212
General fund	\$22,554	\$160,200	\$0	\$182,754
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is added due to a calculation error in the executive compensation package.

<sup>2</sup> Funding is added for recommended followup colorectal screenings to provide a total of \$762,800 from the general fund for the colorectal screening initiative, an increase of \$285,200 from the 2011-13 biennium.

<sup>3</sup> This amendment provides funding from the tobacco prevention and control trust fund to increase funding for continued implementation of the statewide integrated stroke system of care to provide a total of \$856,324, of which \$473,324 is from the general fund.

A section of legislative intent is added to the bill to allow the colorectal screening initiative to provide recommended followup colorectal screenings and to provide that the cost of recommended followup screenings not exceed \$1,800 per screening.

A section is added to the bill to repeal Section 23-46-05 relating to a distribution limit on state financial assistance for emergency medical services.

## REPORT OF STANDING COMMITTEE

**SB 2018: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2018 was placed on the Sixth order on the calendar.

Page 1, line 2, after "enact" insert "a new chapter to title 6, a new section to chapter 10-30.5,"

Page 1, line 2, after "54-45.5-10" insert a comma

Page 1, line 2, replace "two" with "three"

Page 1, line 3, after "to" insert "a loan guarantee program, the research North Dakota venture program,"

Page 1, line 3, after "fund" insert a comma

Page 1, line 4, after the fourth comma insert "54-17-07.3, 54-17-40,"

Page 1, line 6, remove "and"

Page 1, line 7, after "fund" insert ", housing finance programs, and the housing incentive fund"

Page 1, line 8, after the semicolon insert "to provide for an upper great plains transportation institute study; to provide for legislative management studies;"

Page 1, replace line 18 with:

"Salaries and wages	\$10,858,251	\$1,800,217	\$12,658,468"
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Page 1, replace line 21 with:

"Grants	59,977,994	1,669,956	61,647,950"
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Page 2, replace lines 8 through 10 with:

"Total all funds	\$93,273,052	\$34,054,511	\$127,327,563
Less estimated income	<u>69,666,470</u>	<u>1,134,709</u>	<u>70,801,179</u>
Total general fund	\$23,606,582	\$32,919,802	\$56,526,384"

Page 2, remove lines 30 and 31

Page 3, replace lines 1 and 2 with:

"Federal fiscal stimulus	24,496,750	796,770
Enhanced use lease grant	<u>0</u>	<u>2,500,000</u>
Total all funds	\$272,121,750	\$43,254,636
Less estimated income	<u>259,496,750</u>	<u>19,079,636</u>
Total general fund	\$12,625,000	\$24,175,000"

Page 4, after line 17, insert:

**"SECTION 6.** A new chapter to title 6 of the North Dakota Century Code is created and enacted as follows:

**Definitions.**

As used in this chapter, unless the context otherwise requires:

1. "Child care provider" means a child care home, group, or center licensed by the department of human services.

2. "Lender" means any lending institution that is regulated or funded under the laws of this state or the United States and which has provided financing to a child care provider for a child care facility.
3. "Loan guarantee" means an agreement that in the event of default by a child care facility under a note and mortgage or other loan or financing agreement, the Bank of North Dakota shall pay the lender the amount agreed upon up to a percentage to be determined by the Bank of the amount of principal due the lender on a loan at the time the claim is approved from the loan guarantee fund.

#### **Loan guarantee fund - Administration.**

A child care facility loan guarantee fund is created to be used by the Bank of North Dakota to administer a child care facility loan guarantee program in conjunction with other loan programs. The fund includes moneys appropriated by the legislative assembly for administration of the program and all earnings, less any administrative charges, from the investment of those moneys. The Bank may retain any administrative charges necessary for the administration of the program established by this chapter. The fund is not subject to section 54-44.1-11.

#### **Application for guarantee - Term - Annual fee.**

A lender may apply to the Bank of North Dakota for a loan guarantee for a loan amount to be determined by the Bank. The Bank may approve a guarantee of a loan of up to fifteen thousand dollars to a child care provider for use by the child care provider for purchasing, constructing, or remodeling a facility to provide child care services. The term of a loan guarantee may not exceed five years. The Bank may charge a lender an annual fee during the term of a loan guarantee.

#### **Termination.**

The Bank of North Dakota may terminate a loan guarantee upon the sale, exchange, assignment, or transfer of the child care provider's interest in the qualified child care facility. The Bank shall terminate a loan guarantee if the Bank determines that the loan guarantee was obtained by fraud or material misrepresentation of which the lender or seller has actual knowledge.

#### **Rules.**

Notwithstanding any provision of this chapter, the Bank of North Dakota shall adopt rules to implement this chapter. The rules may include a formula for determining the ratio of reserves in the loan guarantee fund to the amount of guaranteed loans and the maximum allowable annual interest rate on a loan eligible for a guarantee.

**SECTION 7.** A new section to chapter 10-30.5 of the North Dakota Century Code is created and enacted as follows:

#### **Research North Dakota venture investment program.**

1. The corporation shall administer a research North Dakota venture investment program that provides investments to startup or spinoff businesses that utilize technology developed at a research university, as defined in section 54-65-01, or jointly developed by a research university and the private sector.
2. A qualified applicant for a research North Dakota venture investment:
  - a. Must be a business operating in North Dakota that is in the startup or spinoff state;
  - b. Must be utilizing technology that is licensed from a research university or a nonprofit foundation affiliated with a research university; and

- c. Must meet underwriting guidelines established by the corporation.
- 3. An investment under this section may not exceed two hundred fifty thousand dollars. A recipient business may not receive more than one award under this section.
- 4. An investment under this section is not a business incentive under chapter 54-60.1."

Page 4, after line 25, insert:

**"SECTION 9. AMENDMENT.** Section 54-17-07.3 of the North Dakota Century Code is amended and reenacted as follows:

**54-17-07.3. Housing finance programs.**

Acting in its capacity as a state housing finance agency, the industrial commission is authorized to establish the following housing finance programs:

1. Home mortgage finance program. A program or programs to provide financing or refinancing of loans made by lenders, including second mortgage loans and leasehold mortgage loans on tribal trust or other reservation lands, and leasehold mortgage loans that are insured or guaranteed through an affordable housing program, to persons or families of low and moderate income for the purchase or substantial rehabilitation of owner occupied, single-family residential dwelling units, which includes mobile homes and manufactured housing.
2. Mobile home and manufactured housing finance program. A program or programs to provide for the purchase or guaranty of a loan made by a lender to finance the purchase of a mobile home or a manufactured housing unit other than on a real property mortgage basis. A program authorized under this subsection may provide assistance in the development of low-income to moderate-income housing or to otherwise assist a developing community in the state address an unmet housing need or alleviate a housing shortage.
3. Multifamily housing finance program. A program or programs to provide financing directly or indirectly of construction, permanent, and combined construction and permanent mortgage loans, including participations in mortgage loans, for the acquisition, construction, refurbishing, reconstruction, rehabilitation, or improvement of multifamily housing facilities.
4. Mortgage loan financing program. A program or programs to provide for the purchase or guaranty of a temporary or permanent mortgage loan originated by a lender on residential real property or on land to be developed into residential real property, in addition to a mortgage loan acquired or to be acquired under subsections 1 through 3. A program authorized under this subsection may provide assistance in the development of low to moderate income housing or to otherwise assist a developing community in the state address an unmet housing need or alleviate a housing shortage.
5. Home improvement finance program. A program or programs to provide full or partial, indirect financing of improvements to existing residential dwelling units.
6. Housing grant program. A program or programs to provide a grant other than those authorized by section 54-17-07.6 to encourage and promote housing availability for persons of low or moderate income or to otherwise assist a developing community in this state address an unmet housing need or alleviate a housing shortage.

7. Child care facility finance program. A program or programs to provide financing directly or indirectly of construction, permanent, and combined construction and permanent mortgage loans, including participations in mortgage loans, for the acquisition, construction, refurbishing, reconstruction, rehabilitation, or improvement of child care facilities.

**SECTION 10. AMENDMENT.** Section 54-17-40 of the North Dakota Century Code is amended and reenacted as follows:

**54-17-40. (Effective through June 30, 2013~~2015~~) Housing incentive fund - Continuing appropriation.**

1. The housing incentive fund in an amount not to exceed fifty million dollars is created as a special revolving fund at the Bank of North Dakota. The housing finance agency may direct disbursements from the fund and a continuing appropriation from the fund is provided for that purpose.
2. After a public hearing, the housing finance agency shall create an annual allocation plan for the distribution of the fund. At least twenty-five percent of the fund must be used to assist developing communities with a population of not more than ten thousand individuals to address an unmet housing need or alleviate a housing shortage. At least fifty percent of the fund must be used to benefit households with incomes at not more than fifty percent of the area median income. The agency may collect a reasonable administrative fee from the fund.
3. The housing finance agency shall adopt guidelines for the fund so as to address unmet housing or child care needs in this state. Assistance from the fund may be used solely for:
  - a. New construction, rehabilitation, or acquisition of a multifamily housing project;
  - b. Gap assistance, matching funds, and accessibility improvements;
  - c. Assistance that does not exceed the amount necessary to qualify for a loan using underwriting standards acceptable for secondary market financing or to make the project feasible; and
  - d. Rental assistance, emergency assistance, or targeted supportive services designated to prevent homelessness.
4. Eligible recipients include units of local, state, and tribal government; local and tribal housing authorities; community action agencies; regional planning councils; and nonprofit organizations and for-profit developers of multifamily housing. Individuals may not receive direct assistance from the fund.
5. Except for subdivision d of subsection 3, assistance is subject to repayment or recapture under the guidelines adopted by the housing finance agency. Any assistance that is repaid or recaptured must be deposited in the fund and is appropriated on a continuing basis for the purposes of this section."

Page 5, after line 20, insert:

**"SECTION 14.** A new section to chapter 54-65 of the North Dakota Century Code is created and enacted as follows:

**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 guidelines to qualify for a grant under this section."

Page 8, line 11, replace "biennium" with "period"

Page 8, line 11, replace "July 1, 2013," with "with the effective date of this Act"

Page 8, line 16, after the period insert "The department of commerce may use up to \$2,000,000 of the funds transferred to the research North Dakota fund for venture grants."

**SECTION 28. TRANSFER - BANK OF NORTH DAKOTA - CHILD CARE FACILITY LOAN GUARANTEE FUND.** The Bank of North Dakota shall transfer the sum of \$200,000 from the Bank's current earnings and undivided profits to the child care facility loan guarantee fund for the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 8, line 30, remove "Grants are available to communities with air force bases only"

Page 9, replace lines 1 and 2 with "The department may award grants of up to \$500,000 to each community with an air force base or air national guard facilities."

Page 9, line 10, after the first boldfaced period insert "**STRATEGIC INVESTMENT AND IMPROVEMENTS FUND -**"

Page 9, after line 15, insert:

**"SECTION 33. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - ENHANCED USE LEASE GRANT PROGRAM.** The grants line item in section 2 of this Act includes the sum of \$2,500,000 from the strategic investment and improvements fund for an enhanced use lease grant program to be developed by the department of commerce, for the biennium beginning July 1, 2013, and ending June 30, 2015. Grants are available for constructing infrastructure required for an enhanced use lease private sector business development project located on or adjacent to the Grand Forks air force base, contingent upon certification from the department of commerce verifying both a signed enhanced use lease agreement and a commitment by a private sector business to locate in the development.

**SECTION 34. NORTH DAKOTA ECONOMIC DEVELOPMENT FOUNDATION - 2020 AND BEYOND INITIATIVE - REPORT TO THE LEGISLATIVE MANAGEMENT.** Before September 1, 2014, the North Dakota economic development foundation shall provide a report to the legislative management regarding progress made toward the recommendations provided as part of the 2020 and beyond initiative and any recommendations for future legislation.

**SECTION 35. EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEARCH - RESEARCH NORTH DAKOTA - REPORT TO BUDGET SECTION.** Before June 1, 2014, the department of commerce shall provide a progress report on the experimental program to stimulate competitive research and research North Dakota, including the research North Dakota venture investment program to the budget section of the legislative management.

**SECTION 36. UPPER GREAT PLAINS TRANSPORTATION INSTITUTE STUDY - REPORTS TO BUDGET SECTION.** The operating expenses line item in section 1 of this Act includes the sum of \$350,000 from the general fund for the department of commerce to contract with the upper great plains transportation institute for the purpose of updating and maintaining reports for transportation infrastructure needs for all county roads and bridges in the state, for the biennium beginning July 1, 2013, and ending June 30, 2015. While updating and maintaining the reports, the upper great plains transportation institute shall review options to most efficiently use resources through the integration of road and bridge projects identified in the reports along with other associated infrastructure needs. During the 2013-14 interim, the upper great plains transportation institute shall report at least annually to the budget section of the legislative management regarding the status of the reports.

**SECTION 37. LEGISLATIVE MANAGEMENT STUDY - CHILD CARE**

**SERVICES.** During the 2013-14 interim, the legislative management shall consider studying child care services. The study must include consideration of the current and potential needs for child care services and the current and potential workforce needs related to child care. The study must include consideration of the current quality of child care services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly.

**SECTION 38. LEGISLATIVE INTENT - RESEARCH NORTH DAKOTA**

**VENTURE INVESTMENT PROGRAM.** It is the intent of the sixty-third legislative assembly that the North Dakota development fund, incorporated, use funding transferred to the North Dakota development fund, incorporated, in section 18 of chapter 50 of the 2011 Session Laws for investments under the research North Dakota venture investment program."

Page 9, line 17, after the second comma insert "and funding of \$5,000,000 in the grants line item of section 1 of this Act, relating to the unmanned aircraft systems program,"

Page 9, line 17, replace "21" with "26"

Page 9, line 17, replace "26" with "32"

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2018 - Department of Commerce - Senate Action**

	<b>Executive Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$12,396,970	\$261,498	\$12,658,468
Operating expenses	16,434,601		16,434,601
Capital assets	10,000		10,000
Grants	59,147,950	2,500,000	61,647,950
Discretionary funds	928,082		928,082
Workforce enhancement fund	2,000,000		2,000,000
Economic development initiatives	186,846		186,846
Flood impact grants and loans	11,782,866		11,782,866
Ag Products Utilization Commission	3,246,536		3,246,536
Research North Dakota	12,000,000		12,000,000
North Dakota Trade Office	2,613,400		2,613,400
Partner programs	2,022,044		2,022,044
Federal fiscal stimulus funds	796,770		796,770
North Dakota planning initiative	1,000,000		1,000,000
Total all funds	\$124,566,065	\$2,761,498	\$127,327,563
Less estimated income	68,241,034	2,560,145	70,801,179
General fund	\$56,325,031	\$201,353	\$56,526,384
FTE	69.25	0.00	69.25

**Department No. 601 - Department of Commerce - Detail of Senate Changes**

	<b>Corrects Executive Compensation Package<sup>1</sup></b>	<b>Adds Funding for Enhanced Use Lease Grant Program<sup>2</sup></b>	<b>Total Senate Changes</b>
Salaries and wages	\$261,498		\$261,498
Operating expenses			
Capital assets			
Grants		2,500,000	2,500,000
Discretionary funds			
Workforce enhancement fund			
Economic development initiatives			
Flood impact grants and loans			
Ag Products Utilization Commission			

Research North Dakota			
North Dakota Trade Office			
Partner programs			
Federal fiscal stimulus funds			
North Dakota planning initiative			
Total all funds	\$261,498	\$2,500,000	\$2,761,498
Less estimated income	60,145	2,500,000	2,560,145
General fund	\$201,353	\$0	\$201,353
FTE	0.00	0.00	0.00

<sup>1</sup>Funding is added due to a calculation error in the executive compensation package.

<sup>2</sup>This amendment adds one-time funding of \$2.5 million from the strategic investment and improvements fund to the grants line item for an enhanced use lease grant program at the Grand Forks Air Force Base.

This amendment adds new sections to:

- Create a loan guarantee program to be administered by the Bank of North Dakota for child care facility loans of up to \$15,000 per loan.
- Create the Research North Dakota venture investment program as part of the Development Fund.
- Amend the Housing Finance Program to include child care facilities.
- Amend the housing incentive fund to limit the fund to a maximum balance of \$50 million.
- Create Research North Dakota venture grants.
- Transfer \$200,000 of Bank of North Dakota profits into the child care facility loan guarantee fund.
- Create the enhanced use lease grant program.
- Provide for a report to the Legislative Management relating to the 2020 and Beyond Initiative.
- Provide for an Upper Great Plains Transportation Institute study.
- Provide for a report to the Budget Section on the Experimental Program to Stimulate Competitive Research, including Research North Dakota.
- Provide for a Legislative Management study of child care services.
- Provide that \$2 million of the \$12 million transferred to the Research North Dakota fund may be used for venture grants.

#### REPORT OF STANDING COMMITTEE

**SB 2333: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2333 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2359: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2359 was placed on the Sixth order on the calendar.

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

Page 1, line 1, remove ", and 61-40-12"

Page 2, line 6, remove "not"

Page 2, line 7, replace "from which industrial water sales are made" with "with the approval of the state water commission"

Page 2, line 17, after the period insert "The state water commission may require the authority to provide value engineering reviews for segments of the project."

Page 2, line 18, remove the overstrike over "If"

Page 2, remove the overstrike over line 19

Page 2, line 20, remove the overstrike over "~~repaid, without the written consent of the state-water commission the~~"

Page 2, line 20, remove "The"

Page 2, line 23, after the second "authority" insert "and participating member entities"

Page 2, remove lines 25 through 31

Page 3, remove lines 1 through 8

Page 3, line 9, replace "61-40-11" with "61-40-10"

Page 3, line 11, replace "**61-40-11. Grant**" with "**61-40-10. Limitations and**"

Page 3, replace lines 12 through 23 with:

"The western area water supply authority and independent water producers must follow the following limitations and conditions for any of the limitations and conditions to apply.

1. The authority and the participating member entities may not bring any claim under 7 U.S.C. 1926(b) which would restrict or oppose other public or private uses of water from Lake Sakakawea or other waters of the state for industrial purposes.
2. The authority and participating member entities may not sell directly or indirectly for industrial purposes more than thirty percent of the industrial water sales in the same area in the previous year as determined by the state water commission unless the percentage is exceeded solely by sales within ten miles [16.09 kilometers] of the twelve approved water depots of the authority.
3. Independent water producers may not sell water for industrial purposes within a ten-mile [16.09-kilometer] radius from any of the twelve approved water depots of the authority unless the producer has facilities located within the ten mile [16.09-kilometer] radius from which the producer is selling water for industrial use before July 1, 2013, under a water permit issued before July 1, 2013."

Page 3, line 24, replace "61-40-12" with "61-40-11"

Page 3, line 26, replace "**61-40-12**" with "**61-40-11**"

Page 3, line 27, replace "Section" with "Sections"

Page 3, line 27, replace "does" with "and 61-02-68.18 do"

Renumber accordingly

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

**SB 2373: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2373 was placed on the Eleventh order on the calendar.

#### **FIRST READING OF SENATE CONCURRENT RESOLUTIONS**

Sens. Cook, Campbell, Wardner and Reps. Belter, Carlson, Headland introduced:

**SCR 4023:** A concurrent resolution directing the Legislative Management to study whether

political subdivisions can become more efficient and effective to reduce costs to taxpayers.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sen. Robinson and Reps. Holman, J. Kelsh, Mooney introduced:

**SCR 4024:** A concurrent resolution directing the Legislative Management to study the effects of climate change on this state.

Was read the first time and referred to the **Natural Resources Committee**.

#### **FIRST READING OF HOUSE BILLS**

**HB 1035:** A BILL for an Act to amend and reenact subsection 1 of section 23-09.3-01.1 and subsection 1 of section 23-16-01.1 of the North Dakota Century Code, relating to the moratorium on expansion of basic care bed capacity and the moratorium on expansion of long-term care bed capacity.

Was read the first time and referred to the **Human Services Committee**.

**HB 1037:** A BILL for an Act to provide for a legislative management study of the autism spectrum disorder.

Was read the first time and referred to the **Human Services Committee**.

**HB 1040:** A BILL for an Act to create and enact section 30.1-28-10.1 of the North Dakota Century Code, relating to the appointment of an emergency guardian; to amend and reenact section 30.1-28-09 of the North Dakota Century Code, relating to requirements of guardianship proceedings; and to repeal section 30.1-28-10, relating to the appointment of temporary guardians.

Was read the first time and referred to the **Human Services Committee**.

**HB 1048:** A BILL for an Act to amend and reenact section 39-06.1-06 and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to fees for speeding.

Was read the first time and referred to the **Transportation Committee**.

**HB 1063:** A BILL for an Act to amend and reenact sections 61-02-01, 61-15-01, and 61-15-02 of the North Dakota Century Code, relating to the term nonnavigable and water conservation; and to repeal section 61-15-08 of the North Dakota Century Code, relating to water conservation.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1067:** A BILL for an Act to amend and reenact section 61-02-09 of the North Dakota Century Code, relating to the state water commission acting as a public corporation.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1084:** A BILL for an Act to create and enact two new sections to chapter 13-05, two new sections to chapter 13-08, two new sections to chapter 13-09, and a new section to chapter 13-11 of the North Dakota Century Code, relating to a six-month extension of a collection agency license, a deferred presentment service provider license, and a money transmitter license during the 2014 calendar year, and the confidentiality of information submitted or received by the commissioner or commissioner's designee to a nationwide multistate licensing system; and to amend and reenact subsection 4 of section 6-01-07.1, sections 13-05-03, 13-05-05, 13-08-04, and 13-08-09, subsections 6 and 7 of section 13-08-12, and sections 13-09-07, 13-09-10, and 13-11-03 of the North Dakota Century Code, relating to the confidentiality of information shared with a nationwide multistate licensing system, collection agency license applications, the expiration and renewal of a collection agency license, deferred presentment service provider license applications, the expiration and renewal of a deferred presentment service provider license, deferred presentment service transaction procedures, money transmitter license applications, the expiration and renewal of a money transmitter license, and debt-settlement provider license applications.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1093:** A BILL for an Act to amend and reenact section 43-41-05 of the North Dakota Century Code, relating to the private practice of social work.

Was read the first time and referred to the **Human Services Committee**.

**HB 1099:** A BILL for an Act to amend and reenact sections 54-44.1-04 and 54-44.1-06 of the

North Dakota Century Code, relating to agency budget requests and the preparation of budget data.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1116:** A BILL for an Act to amend and reenact section 12.1-04-06 of the North Dakota Century Code, relating to an evaluation to determine a defendant's fitness to proceed.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1126:** A BILL for an Act to amend and reenact section 39-05-20.2 of the North Dakota Century Code, relating to salvage certificates of title.

Was read the first time and referred to the **Transportation Committee**.

**HB 1130:** A BILL for an Act to amend and reenact sections 20.1-03-12, 20.1-03-12.1, and 20.1-03-12.2 of the North Dakota Century Code, relating to hunting fees.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1131:** A BILL for an Act to amend and reenact section 20.1-03-11 of the North Dakota Century Code, relating to big game and gratis licenses; and to declare an emergency.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1132:** A BILL for an Act to provide for a legislative management study of the feasibility and desirability of making political subdivision budget information accessible on the state budget database website and finding better ways to inform taxpayers regarding political subdivision budget or levy deliberations and regarding legislative property tax relief.

Was read the first time and referred to the **Political Subdivisions Committee**.

**HB 1134:** A BILL for an Act to create and enact sections 57-51-02.6 and 57-51.1-02.1 of the North Dakota Century Code, relating to oil and gas gross production tax exemption for natural gas and an oil extraction tax exemption for liquids produced from natural gas extracted to encourage use of gas that might otherwise be flared; to amend and reenact sections 38-08-06.4 and 57-39.2-04.5 of the North Dakota Century Code, relating to flaring restrictions for natural gas and sales tax exemption for property used to process natural gas to encourage use of gas that might otherwise be flared; and to provide an effective date.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1135:** A BILL for an Act to provide an appropriation to the state department of health for a mobile dental care services grant.

Was read the first time and referred to the **Human Services Committee**.

**HB 1138:** A BILL for an Act to amend and reenact sections 12-63-09 and 12-63-12 of the North Dakota Century Code, relating to peace officer licenses; and to repeal section 12-63-08 of the North Dakota Century Code, relating to peace officer licenses.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1140:** A BILL for an Act to provide for a loan from the Bank of North Dakota to the western area water supply authority; and to declare an emergency.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1147:** A BILL for an Act to create and enact a new section to chapter 49-22 of the North Dakota Century Code, relating to route adjustments for gas and liquid transmission lines; to amend and reenact subsections 4 and 10 of section 49-22-03 of the North Dakota Century Code, relating to definitions for siting a gas or liquid transmission line; to repeal section 49-22-07.1 of the North Dakota Century Code, relating to a letter of intent; and to declare an emergency.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1161:** A BILL for an Act to amend and reenact subsection 12 of section 20.1-02-05 of the North Dakota Century Code, relating to game and fish department licenses; and to provide an effective date.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1162:** A BILL for an Act to amend and reenact section 47-30.1-01 of the North Dakota Century Code, relating to definitions for unclaimed property purposes.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1169:** A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-02 of the North Dakota Century Code, relating to the suspension of hunting, fishing, and trapping privileges as a sentencing alternative.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1172:** A BILL for an Act to amend and reenact subsection 1 of section 50-24.1-07 of the North Dakota Century Code, relating to the recovery from the estate of a medical assistance recipient.

Was read the first time and referred to the **Human Services Committee**.

**HB 1175:** A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century Code, relating to an acute cardiovascular emergency medical system; to provide a statement of legislative intent; and to provide a continuing appropriation.

Was read the first time and referred to the **Human Services Committee**.

**HB 1176:** A BILL for an Act to amend and reenact subsection 3 of section 14-06.1-09, subsection 3 of section 50-01.2-00.1, section 50-01.2-03, subsection 6 of section 50-06-01.4, subsection 17 of section 50-06-05.1, section 50-09-29, and subsection 3 of section 54-06-20 of the North Dakota Century Code, relating to eligibility for the supplemental nutrition assistance program and the temporary assistance for needy families program.

Was read the first time and referred to the **Human Services Committee**.

**HB 1180:** A BILL for an Act to create and enact two new sections to chapter 50-06.2 and a new section to chapter 50-24.7 of the North Dakota Century Code, relating to the qualifications, authority, and duties of independent home and community-based services case managers.

Was read the first time and referred to the **Human Services Committee**.

**HB 1200:** A BILL for an Act to amend and reenact sections 15-10-12.1 and 48-01.2-25 of the North Dakota Century Code, relating to the approval of higher education campus improvements financed by donations, gifts, grants, and bequests and the approval of a change or expansion of a public improvement project.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1202:** A BILL for an Act to amend and reenact section 54-59-08 of the North Dakota Century Code, relating to use of wide area network services.

Was read the first time and referred to the **Political Subdivisions Committee**.

**HB 1205:** A BILL for an Act to amend and reenact sections 39-04-10.3 and 39-04-10.14 and subdivisions j and o of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to number plates for certain veterans.

Was read the first time and referred to the **Transportation Committee**.

**HB 1206:** A BILL for an Act to create and enact section 61-02-01.3 of the North Dakota Century Code, relating to development of a comprehensive water development plan; and to provide for a legislative management study.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1209:** A BILL for an Act to amend and reenact section 50-24.5-10 of the North Dakota Century Code, relating to compensation for top management personnel of basic care facilities.

Was read the first time and referred to the **Human Services Committee**.

**HB 1213:** A BILL for an Act to amend and reenact section 23-11-29 of the North Dakota Century Code, relating to the real property tax exemption status of a housing authority; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**HB 1219:** A BILL for an Act to amend and reenact section 15-10-18.3 of the North Dakota Century Code, relating to tuition for dependents of disabled veterans.

Was read the first time and referred to the **Education Committee**.

**HB 1225:** A BILL for an Act to amend and reenact section 11-18-02.2 of the North Dakota Century Code, relating to property sales price disclosures.

Was read the first time and referred to the **Political Subdivisions Committee**.

**HB 1232:** A BILL for an Act to amend and reenact sections 43-10.1-03.1 and 50-24.1-02.3 of the North Dakota Century Code, relating to pre-need funeral contracts and medicaid eligibility.

Was read the first time and referred to the **Human Services Committee**.

**HB 1245:** A BILL for an Act to amend and reenact subsections 1 and 2 of section 16.1-16-01 of the North Dakota Century Code, relating to election recounts.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1246:** A BILL for an Act to create and enact a new section to chapter 43-51 of the North Dakota Century Code, relating to occupational and professional licensure of military spouses; to amend and reenact section 43-51-01 of the North Dakota Century Code, relating to occupational and professional licensure of military spouses; and to declare an emergency.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1249:** A BILL for an Act to amend and reenact section 21-10-01 of the North Dakota Century Code, relating to the membership of the state investment board.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1251:** A BILL for an Act to amend and reenact sections 35-13-01 and 35-13-04 of the North Dakota Century Code, relating to repairman's liens.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1253:** A BILL for an Act to amend and reenact sections 23-12-10.4 and 23-42-04 of the North Dakota Century Code, relating to securing the necessary signage required to be in compliance with smoking restrictions in public places and places of employment.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1257:** A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 23-15-01 of the North Dakota Century Code, relating to fireworks permitted to be sold.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1259:** A BILL for an Act to amend and reenact subsection 2 of section 23-15-01 of the North Dakota Century Code, relating to fireworks.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1264:** A BILL for an Act to create and enact a new section to chapter 20.1-02, two new subsections to section 20.1-03-12, and a new section to chapter 20.1-03 of the North Dakota Century Code, relating to depredation kill permits for geese and an early Canada goose season; to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to the early Canada goose season; and to declare an emergency.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1274:** A BILL for an Act to amend and reenact section 23-01-38 of the North Dakota Century Code, relating to electronic drug prior authorization.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1285:** A BILL for an Act to amend and reenact subsection 1 of section 43-26.1-04 and subsection 4 of section 43-26.1-11 of the North Dakota Century Code, relating to physical therapy licensure and supervision of physical therapy assistants; and to declare an emergency.

Was read the first time and referred to the **Human Services Committee**.

**HB 1291:** A BILL for an Act to create and enact two new sections to chapter 15.1-21 of the North Dakota Century Code, relating to the provision of North Dakota scholarships

to students who receive home education; and to amend and reenact section 15.1-21-02.6 of the North Dakota Century Code, relating to the provision of North Dakota scholarships to students who receive home education.

Was read the first time and referred to the **Education Committee**.

**HB 1292:** A BILL for an Act to amend and reenact sections 23-12-09 and 23-12-10.4 of the North Dakota Century Code, relating to smoking in public places and places of employment and the responsibility of proprietors.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1293:** A BILL for an Act to amend and reenact sections 15.1-04.1-01, 15.1-04.1-02, 15.1-04.1-03, 15.1-04.1-04, 15.1-06-01, 15.1-21-02.1, 15.1-29-13, and 37-03-16 of the North Dakota Century Code, relating to the compact on educational opportunity for military children.

Was read the first time and referred to the **Education Committee**.

**HB 1296:** A BILL for an Act to amend and reenact section 15.1-13-20 of the North Dakota Century Code, relating to teachers licensed in other states.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1300:** A BILL for an Act to amend and reenact subsection 9 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for property of churches; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**HB 1301:** A BILL for an Act to amend and reenact sections 15.1-29-14 and 15.1-32-19 of the North Dakota Century Code, relating to the reimbursement of school districts for boarding care costs; to provide an effective date; and to declare an emergency.

Was read the first time and referred to the **Education Committee**.

**HB 1304:** A BILL for an Act to create and enact chapter 21-13 of the North Dakota Century Code, relating to the divestiture of state investment funds in certain companies liable to sanctions under the Iran Sanctions Act of 1996; and to provide an expiration date.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1305:** A BILL for an Act to create and enact a new section to chapter 14-02.1 of the North Dakota Century Code, relating to the prohibition on abortions for sex selection or genetic abnormalities; to amend and reenact section 14-02.1-02 of the North Dakota Century Code, relating to definitions; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1309:** A BILL for an Act to amend and reenact sections 54-06-32, 54-06-33, and 54-06-34 of the North Dakota Century Code, relating to state agency reporting requirements for employee service awards, employer-paid tuition, and employer-paid dues and memberships.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1314:** A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century Code, relating to genetic privacy; and to provide a penalty.

Was read the first time and referred to the **Human Services Committee**.

**HB 1316:** A BILL for an Act to create and enact two new sections to chapter 47-34 of the North Dakota Century Code, relating to good funds and disclosures for real estate transactions; and to amend and reenact sections 47-34-01 and 47-34-02 of the North Dakota Century Code, relating to good funds for real estate transactions.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1325:** A BILL for an Act to provide for the hosting of legislative exchanges; to provide an appropriation; and to declare an emergency.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1339:** A BILL for an Act to amend and reenact section 11-28.2-02 of the North Dakota Century Code, relating to compensation of recreational service district board members.

Was read the first time and referred to the **Political Subdivisions Committee**.

**HB 1342:** A BILL for an Act to amend and reenact subsections 4 and 5 of section 39-12-05.3 of the North Dakota Century Code, relating to a ten percent weight permit for certain vehicles.

Was read the first time and referred to the **Transportation Committee**.

**HB 1348:** A BILL for an Act to amend and reenact section 38-08-05 of the North Dakota Century Code, relating to setbacks for oil and gas wells.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1352:** A BILL for an Act to create and enact a new section to chapter 38-11.1 and a new section to chapter 47-16 of the North Dakota Century Code, relating to mediation of mineral developer and surface owner disputes and resolution of title disputes.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1354:** A BILL for an Act to amend and reenact section 20.1-02-04 of the North Dakota Century Code, relating to special deer licenses.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1355:** A BILL for an Act to create and enact a new section to chapter 47-16 of the North Dakota Century Code, relating to definition of commencement of drilling operations.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1356:** A BILL for an Act directing the superintendent of public instruction to study early childhood care and education.

Was read the first time and referred to the **Education Committee**.

**HB 1359:** A BILL for an Act to amend and reenact sections 49-07-01.1, 49-23-04, and 49-23-05 of the North Dakota Century Code, relating to the one-call notice system; and to provide a penalty.

Was read the first time and referred to the **Political Subdivisions Committee**.

**HB 1360:** A BILL to provide for the funding of the program of all-inclusive care for the elderly within the department of human services appropriation.

Was read the first time and referred to the **Human Services Committee**.

**HB 1369:** A BILL for an Act to amend and reenact subsection 4 of section 14-02.4-02, subsection 5 of section 14-02.5-01, subsection 4 of section 34-01-20, sections 34-05-01.1 and 34-05-01.2, subsection 8 of section 34-05-01.3, sections 34-07-05, 34-11.1-04, 34-14-11, 34-14-12, and 34-14-13 of the North Dakota Century Code, relating to a name change from the department of labor to the department of labor and human rights.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1373:** A BILL for an Act to provide for limitations on the use of unmanned aircraft for surveillance; and to provide for a legislative management study.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1378:** A BILL for an Act to require the department of human services to conduct a study of the cost of services to children; and to provide for a report to the sixty-fourth legislative assembly.

Was read the first time and referred to the **Human Services Committee**.

**HB 1382:** A BILL for an Act to amend and reenact section 57-39.2-04.2 of the North Dakota Century Code, relating to sales tax exemption for a wind-powered electrical generating facility; to provide an effective date; and to provide an expiration date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**HB 1392:** A BILL for an Act to amend and reenact sections 12-44.1-01 and 12-44.1-04 and subsection 1 of section 12-44.1-06 of the North Dakota Century Code, relating to correctional facilities.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1397:** A BILL for an Act to amend and reenact section 16.1-01-12 of the North Dakota Century Code, relating to election offenses; and to provide a penalty.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1399:** A BILL for an Act to require the attorney general to consider bringing legal action against the United States fish and wildlife service.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1410:** A BILL for an Act to create and enact a new section to chapter 57-39.2 and a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemptions for materials used to construct a processing facility to produce liquefied natural gas and for liquified natural gas used for railroad purposes; to amend and reenact subsection 4 of section 57-40.2-03.3, subsection 5 of section 57-40.2-04, and section 57-43.2-02.3 of the North Dakota Century Code, relating to exemption from sales and use and special fuels taxes for liquified natural gas used for railroad purposes and materials used to liquify natural gas; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**HB 1412:** A BILL for an Act to amend and reenact sections 5-01-08, 5-01-09, and 14-10-06 of the North Dakota Century Code, relating to immunity from criminal liability in medical emergencies involving drugs or alcohol.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1413:** A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales tax exemption for tangible personal property used to construct or expand a facility for use of coal gasification byproducts; to amend and reenact section 57-40.2-03.3 of the North Dakota Century Code, relating to a sales tax exemption for tangible personal property used to construct or expand a facility for use of coal gasification byproducts; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**HB 1425:** A BILL for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to an enhanced operator's license; and to provide a penalty.

Was read the first time and referred to the **Transportation Committee**.

**HB 1429:** A BILL for an Act to amend and reenact section 15.1-09-58 of the North Dakota Century Code, relating to early childhood education.

Was read the first time and referred to the **Education Committee**.

**HB 1434:** A BILL for an Act to amend and reenact subsection 6 of section 20.1-03-12 of the North Dakota Century Code, relating to fishing license fees for the disabled.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1443:** A BILL for an Act to provide for collaboration in developing diabetes goals and plans.

Was read the first time and referred to the **Human Services Committee**.

**HB 1451:** A BILL for an Act to amend and reenact sections 29-10.1-02, 29-10.1-21, and 29-10.1-22 of the North Dakota Century Code, relating to the requirements for calling and the duties of a grand jury.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1452:** A BILL for an Act to amend and reenact subsection 4 of section 54-52-01 and sections 54-52.6-01, 54-52.6-02, and 54-52.6-15 of the North Dakota Century Code, relating to eligibility to participate in the defined contribution retirement plan; and to repeal section 54-52.6-03 of the North Dakota Century Code, relating to calculation of accumulated fund balances under the public employees retirement system.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1454:** A BILL for an Act to provide for a legislative management study of access to dental services.

Was read the first time and referred to the **Human Services Committee**.

**HB 1455:** A BILL for an Act to create and enact a new subsection to section 30.1-18-15 and a new chapter to title 34 of the North Dakota Century Code, relating to authority of personal representatives relating to internet accounts and workplace privacy of

social media accounts.

Was read the first time and referred to the **Human Services Committee**.

**HB 1456:** A BILL for an Act to create and enact two new sections to chapter 14-02.1 and a new subsection to section 43-17-31 of the North Dakota Century Code, relating to limitations on abortion after determination of detectable heartbeat in an unborn child and to grounds for disciplinary action for physicians; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1458:** A BILL for an Act to amend and reenact sections 5-01-08.1 and 5-01-09 of the North Dakota Century Code, relating to the penalty for delivery of alcohol to an underage individual; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1459:** A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales tax rebate for certain purchases of replacement property for property damaged or destroyed by 2011 flooding; to provide an effective date; and to provide an expiration date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**HB 1464:** A BILL for an Act to amend and reenact subsection 1 of section 57-39.2-12.1 and subsection 1 of section 57-40.2-07.1 of the North Dakota Century Code, relating to the deduction to allow retailer reimbursement for administrative expenses of collecting sales and use taxes; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**HB 1468:** A BILL for an Act to amend and reenact subsection 2 of section 40-57-02 of the North Dakota Century Code, relating to authorized municipal industrial development bond projects.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

#### **FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCR 3009:** A concurrent resolution directing the Legislative Management to study the use of open textbooks in the North Dakota University System, including options to develop partnerships with other states to use open textbooks.

Was read the first time and referred to the **Education Committee**.

**HCR 3010:** A concurrent resolution urging Congress and the United States Army Corps of Engineers to ensure that access to Lake Sakakawea and Lake Oahe for agriculture, commerce, energy and water development, and recreation is not inhibited by unreasonable regulations and to address proper funding for all project purposes and weed control on Lake Sakakawea and Lake Oahe.

Was read the first time and referred to the **Natural Resources Committee**.

**HCR 3012:** A concurrent resolution urging the United States Air Force to select the Grand Forks Air Force Base as the active duty main operating base for the new KC-46A refueling tanker mission.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HCR 3013:** A concurrent resolution urging the State Board of Higher Education and faculty members of North Dakota University System institutions to increase the use of open textbooks for academic courses in order to reduce the financial burden to higher education students.

Was read the first time and referred to the **Education Committee**.

**HCR 3014:** A concurrent resolution urging the United States Department of the Interior's Bureau of Reclamation and North Dakota's Congressional Delegation to work together to find a solution that allows people occupying lots around Lake Tschida under bureau-issued permits to freely transfer their permits and to leave nonpermanent structures, such as mobile homes, on their lots and that the state Attorney General consider taking such action as may be helpful to bring about the desired solution.

Was read the first time and referred to the **Natural Resources Committee**.

**HCR 3016:** A concurrent resolution directing the Legislative Management to study the use of

natural gas as fuel in motor vehicles, including the feasibility of turning natural gas into diesel fuel for public consumption.

Was read the first time and referred to the **Natural Resources Committee**.

**HCR 3017:** A concurrent resolution urging the United States Fish and Wildlife Service and the United States Department of Agriculture's Natural Resource Conservation Service to fairly administer water management laws and regulations in a manner that allows landowners and tenants certainty and cooperation in the management of these laws and regulations.

Was read the first time and referred to the **Natural Resources Committee**.

**HCR 3018:** A concurrent resolution directing the Legislative Management to study the most beneficial use of the earnings of the legacy fund.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HCR 3019:** A concurrent resolution directing the Legislative Management to study the property tax system.

Was read the first time and referred to the **Finance and Taxation Committee**.

**HCR 3020:** A concurrent resolution directing the Legislative Management to study the process for planning transportation projects, including placing an interchange on an interstate.

Was read the first time and referred to the **Transportation Committee**.

**HCR 3021:** A concurrent resolution directing the Legislative Management to study the feasibility and desirability of providing assistance to obtain rural water for households with arsenic and other harmful substances in the well water.

Was read the first time and referred to the **Natural Resources Committee**.

**HCR 3022:** A concurrent resolution urging Congress to amend the Federal Meat Inspection Act for the purpose of allowing flexibility in state meat inspection programs.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HCR 3023:** A concurrent resolution directing the Legislative Management to study the feasibility and desirability of creating and encouraging the use of paved bike paths throughout the state.

Was read the first time and referred to the **Transportation Committee**.

**HCR 3025:** A concurrent resolution of commendation to the North Dakota State University Bison football team and Coach Craig Bohl for achieving a rare level of dominance in NCAA Division I football.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HCR 3026:** A concurrent resolution urging the United States Environmental Protection Agency to refrain from enacting regulations that place unreasonable economic burden on electric consumers living in the Northern Great Plains.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HCR 3027:** A concurrent resolution urging the Congress of the United States to take back its legislative authority to pass legislation and the President of the United States to recognize the constitutional separation of powers between the legislative and executive branches of government and not to abuse the use of executive orders.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HCR 3030:** A concurrent resolution endorsing Taiwan's participation as an observer in the International Civil Aviation Organization and United Nations Framework Convention on Climate Change.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HCR 3031:** A concurrent resolution directing the Legislative Management to study special enforcement measures in high-fatality zones on highways in this state.

Was read the first time and referred to the **Transportation Committee**.

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

**William R. Horton, Secretary**

