

JOURNAL OF THE HOUSE

Sixty-fourth Legislative Assembly

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Bismarck, April 23, 2015

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

The prayer was offered by Rep. Damschen.

The roll was called and all members were present except Representatives Boehning, Devlin, Frantsvog, Hanson, and Oversen.

A quorum was declared by the Speaker.

COMMUNICATION FROM GOVERNOR JACK DALRYMPLE

This is to inform you that on April 22, 2015, I have signed the following: HB 1057, HB 1067, HB 1095, HB 1106, HB 1113, HB 1144, HB 1210, HB 1229, and HB 1282.

Also, on April 22, 2015, I have signed the following: HB 1360, HB 1368, HB 1392, and HB 1410.

MOTION

REP. VIGESAA MOVED that HB 1399 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1399: A BILL for an Act to amend and reenact section 14-05-24.1 of the North Dakota Century Code, relating to termination of spousal support; to provide for a legislative management study; and to provide for application.

CONFLICT OF INTEREST

REP. RICK C. BECKER STATED that he had a conflict of interest on Reengrossed HB 1399.

MOTION

REP. CARLSON MOVED that Rep. Rick C. Becker be allowed to vote on Reengrossed HB 1399, which motion prevailed on a voice vote.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 74 YEAS, 17 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Fehr; Froseth; Glassheim; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Nathe; Nelson, J.; Olson; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke; Speaker Belter

NAYS: Anderson, P.; Bellew; Boschee; Delmore; Guggisberg; Haak; Hogan; Holman; Kelsh; Mitskog; Mooney; Muscha; Nelson, M.; Onstad; Schneider; Strinden; Wallman

ABSENT AND NOT VOTING: Boehning; Devlin; Frantsvog

Reengrossed HB 1399 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. MARAGOS MOVED that the conference committee report on Engrossed HB 1399 as printed on HJ pages 1908-1909 be adopted, which motion prevailed on a voice vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KASPER MOVED that the conference committee report on Reengrossed SB 2304 as printed on HJ pages 1900-1902 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2304: A BILL for an Act to provide for the design of a governor's residence; to provide an appropriation to the office of management and budget for the demolition of the current governor's residence and the construction of a new residence; and to provide an appropriation to the governor's office for temporary housing expenses.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 69 YEAS, 22 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Brabandt; Carlson; Damschen; Delmore; Dockter; Dosch; Fehr; Froseth; Glassheim; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, M.; Olson; Onstad; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber; Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trotter; Zubke; Speaker Belter

NAYS: Amerman; Bellew; Boe; Boschee; Brandenburg; Delzer; Guggisberg; Haak; Hunsaker; Kelsh; Kreidt; Mitskog; Mock; Mooney; Muscha; Nelson, J.; Oversen; Pollert; Strinden; Vigasaa; Wallman; Weisz

ABSENT AND NOT VOTING: Boehning; Devlin; Frantsovog

Reengrossed SB 2304 passed.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1475.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1399.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2304.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report on: SB 2139.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2048.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1359.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1007, HB 1056, HB 1464.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1019, HB 1234, HB 1396.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: Your signature is respectfully requested on: SB 2017, SB 2120.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The President has signed: HB 1007, HB 1056, HB 1464.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The President has signed: HB 1019, HB 1234, HB 1396.

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

MR. PRESIDENT: The Speaker has signed: HCR 3024.

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

MR. PRESIDENT: The Speaker has signed: SB 2005, SCR 4010.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The President has signed: SB 2005, SCR 4010.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for filing on April 23, 2015: HCR 3024.

REPORT OF CONFERENCE COMMITTEE

HB 1002, as engrossed: Your conference committee (Sens. Kilzer, Sorvaag, Heckaman and Reps. Brandenburg, Thoreson, Onstad) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1546-1549, adopt amendments as follows, and place HB 1002 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1546-1549 of the House Journal and pages 1335-1338 of the Senate Journal and that Engrossed House Bill No. 1002 be amended as follows:

Page 1, replace lines 15 through 20 with:

"Salaries and wages	\$9,851,552	\$1,557,557	\$11,409,109
Accrued leave payments	531,696	(531,696)	0
Operating expenses	2,754,254	390,745	3,144,999
Capital assets	0	1,012,377	1,012,377
Judges retirement	75,017	4,571	79,588
Guardianship monitoring program	<u>70,000</u>	<u>233,789</u>	<u>303,789</u>
Total general fund	\$13,282,519	\$2,667,343	\$15,949,862"

Page 2, replace lines 1 through 9 with:

"Salaries and wages	\$61,177,621	\$10,591,709	\$71,769,330
Accrued leave payments	2,399,277	(2,399,277)	0
Operating expenses	20,847,479	2,780,840	23,628,319
Capital assets	0	1,968,460	1,968,460
Judges retirement	500,936	(92,287)	408,649
UND central legal research	<u>80,000</u>	<u>0</u>	<u>80,000</u>
Total all funds	\$85,005,313	\$12,849,445	\$97,854,758
Less estimated income	<u>1,808,090</u>	<u>114,060</u>	<u>1,922,150</u>
Total general fund	\$83,197,223	\$12,735,385	\$95,932,608"

Page 2, replace lines 14 through 18 with:

"Judicial conduct commission and disciplinary board	<u>\$1,020,874</u>	<u>\$106,613</u>	<u>\$1,127,487</u>
Total all funds	\$1,020,874	\$106,613	\$1,127,487
Less estimated income	<u>367,499</u>	<u>77,157</u>	<u>444,656</u>
Total general fund	\$653,375	\$29,456	\$682,831"

Page 2, replace lines 23 through 26 with:

"Grand total general fund	\$97,133,117	\$15,432,184	\$112,565,301
Grand total special funds	<u>2,175,589</u>	<u>191,217</u>	<u>2,366,806</u>
Grand total all funds	\$99,308,706	\$15,623,401	\$114,932,107
Full-time equivalent positions	363.00	28.00	391.00"

Page 3, replace line 6 with:

"Office equipment and furniture	\$331,470	\$220,000"
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Page 3, replace line 13 with:

"Disaster recovery project	0	2,000,000
Facility space expansion	0	1,149,377"

Page 3, replace line 15 with:

"Total general fund	\$1,172,876	\$4,392,837"
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Page 3, line 26, replace "two" with "four"

Page 3, line 26, remove "in the south central judicial district,"

Page 3, remove line 27

Page 3, line 28, remove "court judge in the northwest judicial district"

Page 3, line 28, remove "section 10 of article VI of"

Page 3, line 29, replace "the Constitution of North Dakota," with "section 27-05-01"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1002 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Supreme Court						
Total all funds	\$13,282,519	\$14,837,374	\$1,112,488	\$15,949,862	\$15,907,712	\$42,150
Less estimated income	0	0	0	0	0	0
General fund	\$13,282,519	\$14,837,374	\$1,112,488	\$15,949,862	\$15,907,712	\$42,150
District Courts						
Total all funds	\$85,005,313	\$97,966,175	(\$111,417)	\$97,854,758	\$98,465,131	(\$610,373)
Less estimated income	1,808,090	1,922,150	0	1,922,150	1,922,150	0
General fund	\$83,197,223	\$96,044,025	(\$111,417)	\$95,932,608	\$96,542,981	(\$610,373)
Judicial Conduct Commission						
Total all funds	\$1,020,874	\$1,130,499	(\$3,012)	\$1,127,487	\$1,127,487	\$0
Less estimated income	367,499	444,656	0	444,656	444,656	0
General fund	\$653,375	\$685,843	(\$3,012)	\$682,831	\$682,831	\$0
Bill total						
Total all funds	\$99,308,706	\$113,934,048	\$998,059	\$114,932,107	\$115,500,330	(\$568,223)
Less estimated income	2,175,589	2,366,806	0	2,366,806	2,366,806	0
General fund	\$97,133,117	\$111,567,242	\$998,059	\$112,565,301	\$113,133,524	(\$568,223)

House Bill No. 1002 - Supreme Court - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$9,851,552	\$11,445,245	(\$36,136)	\$11,409,109	\$11,409,109	
Operating expenses	2,754,254	3,007,999	137,000	3,144,999	3,144,999	
Capital assets			1,012,377	1,012,377	970,227	42,150
Judges' retirement	75,017	79,588		79,588	79,588	
Guardianship training	70,000	304,542	(753)	303,789	303,789	
Accrued leave payments	531,696					

Total all funds	\$13,282,519	\$14,837,374	\$1,112,488	\$15,949,862	\$15,907,712	\$42,150
Less estimated income	0	0	0	0	0	0
General fund	\$13,282,519	\$14,837,374	\$1,112,488	\$15,949,862	\$15,907,712	\$42,150
FTE	45.00	47.00	0.00	47.00	47.00	0.00

Department No. 181 - Supreme Court - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Adds Funding for Supreme Court Facility Expansion ²	Total Conference Committee Changes
Salaries and wages	(\$36,136)		(\$36,136)
Operating expenses		137,000	137,000
Capital assets		1,012,377	1,012,377
Judges' retirement			
Guardianship training	(753)		(753)
Accrued leave payments			
Total all funds	(\$36,889)	\$1,149,377	\$1,112,488
Less estimated income	0	0	0
General fund	(\$36,889)	\$1,149,377	\$1,112,488
FTE	0.00	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month. Same as the Senate version.

² One-time funding of \$1,149,377 is provided for Supreme Court facility expansion to renovate a portion of the former Information Technology Department space within the Capitol complex for use by the legislative branch and the judicial branch. The funding includes \$42,150 for a partition to divide a legislative conference room. The Senate provided \$1,107,227 for the project for exclusive use by the judicial branch and did not include funding for the partition.

House Bill No. 1002 - District Courts - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$61,177,621	\$72,029,075	(\$259,745)	\$71,769,330	\$72,345,535	(\$576,205)
Operating expenses	20,847,479	23,699,991	(71,672)	23,628,319	23,662,487	(34,168)
Capital assets		1,748,460	220,000	1,968,460	1,968,460	
Judges' retirement	500,936	408,649		408,649	408,649	
UND central legal research	80,000	80,000		80,000	80,000	
Accrued leave payments	2,399,277					
Total all funds	\$85,005,313	\$97,966,175	(\$111,417)	\$97,854,758	\$98,465,131	(\$610,373)
Less estimated income	1,808,090	1,922,150	0	1,922,150	1,922,150	0
General fund	\$83,197,223	\$96,044,025	(\$111,417)	\$95,932,608	\$96,542,981	(\$610,373)
FTE	314.00	340.00	0.00	340.00	342.00	(2.00)

Department No. 182 - District Courts - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Increases Funding for Juvenile Court Program Services ²	Reduces One- Time Funding for the Information Technology Disaster Recovery Site ³	Adds One-Time Funding for Equipment over \$5,000 ⁴	Total Conference Committee Changes
Salaries and wages	(\$259,745)				(\$259,745)
Operating expenses		100,000	(171,672)		(71,672)
Capital assets				220,000	220,000
Judges' retirement					

UND central legal research					
Accrued leave payments					
Total all funds	(\$259,745)	\$100,000	(\$171,672)	\$220,000	(\$111,417)
Less estimated income	0	0	0	0	0
General fund	(\$259,745)	\$100,000	(\$171,672)	\$220,000	(\$111,417)
FTE	0.00	0.00	0.00	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding is increased to expand intensive in-home programs and to provide additional youth cultural achievement programs in addition to the current juvenile court program services, the same as the Senate version.

³ One-time funding is reduced for the information technology disaster recovery site, the same as the Senate version.

⁴ One-time funding is provided for equipment over \$5,000, the same as the Senate version.

Funding was not provided for a new judge and court reporter (\$547,772) and related operating expense (\$34,168) and salary increase (\$21,303) for the Northwest Judicial District, as included in the Senate version.

Section 5 is changed to remove language providing specific districts for the four additional judges and provides the judges will be assigned at the discretion of the Supreme Court chambers pursuant to North Dakota Century Code Section 27-05-01.

House Bill No. 1002 - Judicial Conduct Commission - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Judicial conduct commission	\$1,020,874	\$1,130,499	(\$3,012)	\$1,127,487	\$1,127,487	
Total all funds	\$1,020,874	\$1,130,499	(\$3,012)	\$1,127,487	\$1,127,487	\$0
Less estimated income	367,499	444,656	0	444,656	444,656	0
General fund	\$653,375	\$685,843	(\$3,012)	\$682,831	\$682,831	\$0
FTE	4.00	4.00	0.00	4.00	4.00	0.00

Department No. 183 - Judicial Conduct Commission - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Total Conference Committee Changes
Judicial conduct commission	(\$3,012)	(\$3,012)
Total all funds	(\$3,012)	(\$3,012)
Less estimated income	0	0
General fund	(\$3,012)	(\$3,012)
FTE	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

Engrossed HB 1002 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1049, as reengrossed: Your conference committee (Sens. J. Lee, Dever, Warner and

Reps. Hofstad, Silbernagel, Muscha) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1504-1505, adopt amendments as follows, and place HB 1049 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1504 and 1505 of the House Journal and page 1304-1306 of the Senate Journal and that Reengrossed House Bill No. 1049 be amended as follows:

Page 1, line 3, remove "subsection 2 of section 43-45-01 and subsection 2 of"

Page 1, line 3, replace "45-45-04" with "43-45-04"

Page 1, line 4, replace "the transfer of the authority" with "duties"

Page 1, line 5, remove "to the department of human services; to repeal sections 43-45-02, 43-45-03, and"

Page 1, remove line 6

Page 1, line 7, remove "examiners"

Page 1, line 7, after the first semicolon insert "to provide for a statement of legislative intent; to provide for reports to the legislative management;"

Page 1, remove lines 10 through 23

Page 2, replace lines 1 through 6 with:

"SECTION 1. AMENDMENT. Section 43-45-04 of the North Dakota Century Code is amended and reenacted as follows:

43-45-04. Board power, duties, and authority.

1. The board shall:
 - a. Administer and enforce the provisions of this chapter.
 - b. Evaluate the qualifications of applicants for a license to practice addiction counseling and issue licenses under this chapter.
 - c. Establish ethical standards of practice for persons holding a license to practice addiction counseling in this state.
 - d. Establish continuing education requirements and approve providers of continuing education.
 - e. Approve clinical training programs.
 - f. Register clinical trainees.
 - g. Register interns.
 - h. Register clinical supervisors.
 - i. Register licensees for private practice.
 - j. Approve and administer examinations.
 - k. Periodically evaluate initial licensure coursework requirements and clinical training requirements to ensure the requirements are up to date and do not serve as an undue barrier to licensure.
2. The board may:
 - a. Adopt rules under chapter 28-32 to implement this chapter.

- b. Issue subpoenas, examine witnesses, and administer oaths, and may investigate allegations of practices violating the provisions of this chapter.
- c. Recommend prosecution for violations of this chapter to the appropriate state's attorney.
- d. Recommend that the attorney general bring civil actions to seek injunctive and other relief against violations of this chapter.
- e. Collect fees for examinations, initial licensures, renewal of licenses, late renewals, private practice registrations, renewal of private practice registrations, approval of continuing education providers, and administrative fees. The fees must be established by rule in amounts necessary to compensate the board for administration and enforcement of this chapter.
- f. Employ persons to assist the board in carrying out its duties under this chapter."

Page 2, line 12, replace "an" with "a paid or unpaid"

Page 2, line 19, remove "five"

Page 2, line 20, replace "thousand" with "seven thousand five hundred"

Page 2, replaces lines 27 and 28 with:

"SECTION 3. LEGISLATIVE INTENT - ASSESSMENT OF INTERNSHIPS FOR ADDICTION COUNSELORS. The sixty-fourth legislative assembly recognizes that as dedicated funding becomes available in the future, the center for rural health at the university of North Dakota school of medicine and health sciences has the infrastructure, expertise, experience, and established relationships to provide a statewide assessment of viable internship sites for addiction counselors and to implement and provide oversight for such a program, in partnership with academic professionals in addiction counseling.

SECTION 4. BOARD OF ADDICTION COUNSELING EXAMINERS - LEGISLATIVE MANAGEMENT REPORT. The board of addiction counseling examiners shall evaluate the initial licensure coursework requirements and clinical training requirements noted in subsection 1 of section 43-45-04. Before July 1, 2016, the board of addiction counseling examiners shall report on the status of the periodic evaluation of those requirements to the legislative management."

Page 2, line 31, replace "\$150,000" with "\$200,000"

Page 3, line 3, replace "3" with "2"

ReNUMBER accordingly

Reengrossed HB 1049 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1126, as engrossed: Your conference committee (Sens. Luick, Armstrong, Grabinger and Reps. Brabandt, K. Koppelman, Delmore) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1251-1252, adopt amendments as follows, and place HB 1126 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1251 and 1252 of the House Journal and page 969 of the Senate Journal and that Engrossed House Bill No. 1126 be amended as follows:

Page 1, line 1, remove "create and enact section 26.1-26.6-07.1 of the North Dakota Century Code,"

Page 1, line 2, remove "relating to registered recovery agents; to"

Page 1, line 3, remove "and"

Page 1, line 3, after "26.1-26.6-07" insert ", 43-30-01, 43-30-02, 43-30-03, 43-30-04, 53-30-05, 43-30-10, 43-30-11, and 43-30-16"

Page 1, line 4, remove "recovery agents, and"

Page 1, line 4, after "retrieval" insert ", and licensure and regulation of recovery agents"

Page 1, line 14, replace "Registered recovery" with "Recovery"

Page 1, line 14, remove "any person that has been registered by the"

Page 1, line 15, replace "commissioner under this" with "an individual who is licensed as a recovery agent under"

Page 1, line 15, after "chapter" insert "43-30"

Page 1, line 15, after "the" insert "bail bond agent or"

Page 1, line 15, remove "arrest"

Page 1, line 16, replace "authority to take into custody a defendant on a bail bond" with "recovery service authority"

Page 3, line 29, remove "registered"

Page 4, line 5, remove "registered"

Page 4, line 8, remove "registered"

Page 4, line 12, replace "A" with "Subject to chapter 43-30, a"

Page 4, line 16, remove "registered"

Page 4, replace lines 18 through 24 with:

"SECTION 5. AMENDMENT. Section 43-30-01 of the North Dakota Century Code is amended and reenacted as follows:

43-30-01. Definitions.

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

1. "Board" means the private investigative and security board.
2. "Employee" means an employee under a contract of employment as defined in chapter 34-01, and not an independent contractor as defined by the common-law test.
3. "License" includes a registration issued by the board.
4. "Licensee" includes an individual who is registered by the board.
5. "Private investigative service" means, for a fee, reward, or other consideration, undertaking any of the following acts for the purpose of obtaining information for others:
 - a. Investigating the identity, habits, conduct, movements, whereabouts, transactions, reputation, or character of any person or organization;
 - b. Investigating the credibility of persons;

- c. Investigating the location or recovery of lost or stolen property, missing persons, owners of abandoned property or escheated property, or heirs to estates;
 - d. Investigating the origin of and responsibility for libels, losses, accidents, or damage or injuries to persons or property;
 - e. Investigating the affiliation, connection, or relationship of any person, firm, or corporation with any organization, society, or association, or with any official, representative, or member thereof;
 - f. Investigating the conduct, honesty, efficiency, loyalty, or activities of employees, persons seeking employment, agents, or contractors and subcontractors;
 - g. Investigating or obtaining evidence to be used before any authorized investigating committee, board of award, board of arbitration, administrative body, or officer or in preparation for trial of civil or criminal cases; or
 - h. Investigating the identity or location of persons suspected of crimes or wrongdoing.
6. "Private security service" means furnishing for hire security officers or other persons to:
- a. Protect persons or property;
 - b. Prevent or detect theft or the unlawful taking of goods, wares, or merchandise, or to prevent the misappropriation or concealment of goods, wares, merchandise, money, bonds, stocks, choses in action, notes, or other valuable documents or papers;
 - c. Control, regulate, or direct the flow of or movements of the public, whether by vehicle or otherwise, to assure protection of private property;
 - d. Prevent or detect intrusion, unauthorized entry or activity, vandalism, or trespass on private property;
 - e. Perform the service of a security officer or other person for any of these purposes; or
 - f. Transport money or negotiable securities to or from a financial institution or between business locations on a regular or daily basis, except for mail delivery.
7. "Recovery agent" means an individual who is licensed under this chapter to provide a recovery service.
8. "Recovery service" means to enforce the terms and conditions of a defendant's release on bail in a civil or criminal proceeding or to apprehend a defendant or surrender a defendant to custody, or both, in accordance with chapter 26.1-26.6. The term includes presenting a defendant for a required court appearance, apprehending or surrendering a defendant to a court, or keeping the defendant under necessary surveillance.

SECTION 6. AMENDMENT. Section 43-30-02 of the North Dakota Century Code is amended and reenacted as follows:

43-30-02. Exemptions.

This chapter does not apply to:

1. Any investigator or officer directly employed by or under any direct contract with the federal government, state, or any county or city thereof, appointed, elected, or contracted with, by due authority of law, while engaged in the performance of official duties. Subcontractors of agencies directly contracted with these entities are not exempted.
2. Any state's attorney.
3. Any attorneys or counselors at law in the regular practice of their profession and any paralegal or legal assistant employed by an attorney or law firm when the attorney or law firm retains complete responsibility for the work product of the paralegal or legal assistant.
4. Any person engaged exclusively in obtaining and furnishing information as to the financial standing, rating, and credit responsibility of persons or as to the personal habits and financial responsibilities of applicants for insurance, indemnity bonds, or commercial credit.
5. A collection agency or finance company licensed to do business under the laws of this state, or an employee of one of those companies, while acting within the scope of employment when making an investigation incidental to the business of the agency, including an investigation as to location of a debtor and of the debtor's assets or property, provided the client has a financial interest in or a lien upon the assets or property of the debtor.
6. Any person making any investigation of any matter in which that person or the person by whom that person is solely employed is interested or involved.
7. A person whose sole investigative business is obtaining or furnishing information about acts or individuals from public records, other than those investigating the location or recovery of abandoned or escheated property, owners of abandoned or escheated property, or heirs to estates.
8. An expert who specializes in a specific, limited area of practice, including automotive accident reconstructions, fire origin and cause investigations, technical surveillance countermeasures, handwriting analysis, auditor, accountant or accounting clerk performing audits or accounting functions, or other areas of practice covered by other licensure in the state, and other areas determined by the board, that fall within the individual's scope of employment, incidental to the investigative profession.
9. Persons reporting for any media, including news reporters or news investigators.
10. A person providing mystery or secret shopping services, or providing a similar service, used for evaluating customer service, products, services, pricing, locations, or consumer issues so long as the evaluation is not for purposes of litigation or discovering violations of law.
11. As it relates to providing a recovery service, a bail bond agent licensed under chapter 26.1-26.6.

SECTION 7. AMENDMENT. Section 43-30-03 of the North Dakota Century Code is amended and reenacted as follows:

43-30-03. Private investigative and security board.

The governor shall appoint a private investigative and security board. The board must consist of not less than five nor more than eleven members appointed for staggered four-year terms. Appointees to the board must be knowledgeable in private investigative or private security, or recovery matters. A majority of the members of the board must be actively engaged in the private investigative or security, or recovery profession, with at least one member actively engaged in law

enforcement. Members of the board may not receive any compensation for their service on the board, but they are entitled to be reimbursed for their expenses incurred in performing their duties in the amounts provided by law for state employees.

SECTION 8. AMENDMENT. Section 43-30-04 of the North Dakota Century Code is amended and reenacted as follows:

43-30-04. Powers of the board.

1. The board shall establish by rule the qualifications and procedures for classifying, qualifying, licensing, bonding, and regulating persons providing private investigative ~~and~~ security, and recovery services, including armed security personnel. All rules adopted by the board and appeals therefrom must be in accordance with chapter 28-32.
2. The board may hire office personnel ~~deemed~~ the board deems necessary ~~by it for carrying on its~~ out the board's official duties and shall set the compensation to be paid to the personnel.
3. Upon initial licensure and annually thereafter, the board shall provide the attorney general and the insurance commissioner with a list of the recovery agent licensees. Upon request of the attorney general or the insurance commissioner, the board shall provide information regarding recovery agent licensees.

SECTION 9. AMENDMENT. Section 43-30-05 of the North Dakota Century Code is amended and reenacted as follows:

43-30-05. License required to provide private investigative ~~or~~ security, or recovery services - Exclusivity.

A person may not provide private investigative ~~or~~ security, or recovery services without a license issued by the board. Notwithstanding any other law or ordinance, a person may not be required to obtain a license to provide private investigative or security services in this state other than the license required by this chapter.

SECTION 10. AMENDMENT. Section 43-30-10 of the North Dakota Century Code is amended and reenacted as follows:

43-30-10. Penalty - Injunction - Unlicensed activity.

1. Any person ~~who~~ that violates this chapter or rules adopted under this chapter, or any person ~~who~~ that provides a private investigative service ~~or~~ private security service, or recovery service without a current license issued by the board, or falsely states or represents that the person has been or is a recovery agent or an investigative officer or employed by an investigative or security officer or agency is guilty of a class B misdemeanor.
2. In addition to the criminal penalties provided, the civil remedy of an injunction is available to restrain and enjoin violations of any provisions of this chapter, without proof of actual damages sustained by any person. An injunction does not preclude criminal prosecution and punishment of a violator.
3. The board is not liable for the lost income, costs, or any other expenses that may be incurred by a person against whom an injunction is sought, and the board may not be required to provide security or a bond. The board may seek costs for reimbursement of expenses for obtaining an injunction, including attorney's fees.

4. In addition to issuing the injunction, the court may impose an administrative fee consistent with section 43-30-10.1 if the person has violated a provision of this chapter.

SECTION 11. AMENDMENT. Section 43-30-11 of the North Dakota Century Code is amended and reenacted as follows:

43-30-11. Renewal of licenses.

A license to provide private investigative ~~or~~ security or recovery services must be renewed on an annual basis ending on September thirtieth of each year. License fees must be prorated for the portion of each license period the license is in effect.

SECTION 12. AMENDMENT. Section 43-30-16 of the North Dakota Century Code is amended and reenacted as follows:

43-30-16. Examination, license, and registration fees.

The board may establish by rule and charge the following fees:

1. The fee to be paid by an applicant for an examination to determine the applicant's fitness to receive a license as a private investigator ~~or~~ a license to provide private security services, or a license as a recovery agent may not exceed one hundred dollars.
2. The fee to be paid by an applicant for the initial issuance or the renewal of a license as a private investigator ~~or~~ a license to provide private security services, or a license as a recovery agent may not exceed one hundred fifty dollars. A late fee not to exceed fifty dollars may be charged for each month the renewal fee is due and unpaid.
3. The fee to be paid by an applicant to apply for a license to conduct a private security or detective agency may not exceed one hundred dollars.
4. The fee for the issuance or the renewal of a license to conduct a private security or detective agency may not exceed three hundred dollars. A late fee not to exceed one hundred dollars may be charged for each month the renewal fee is due and unpaid.
5. The one-time fee to be paid by an applicant for the issuance of a private security training certificate may not exceed twenty-five dollars.
6. The annual fee to be paid by an applicant for the issuance of an armed private security certificate may not exceed twenty-five dollars. A late fee not to exceed ten dollars may be charged for each month the renewal fee is due and unpaid.
7. The fee to be paid for the issuance of a duplicate license may not exceed twenty dollars.
8. The initial registration fee to provide private investigative service or private security service may not exceed twenty-five dollars. The fee for the renewal of a registration to provide private investigative service or private security service may not exceed twenty-five dollars. A late fee not to exceed ten dollars may be charged for each month the renewal fee is due and unpaid.

SECTION 13. EFFECTIVE DATE. Sections 1, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of this Act become effective on January 1, 2016."

Renumber accordingly

Engrossed HB 1126 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HCR 3047, as engrossed: Your conference committee (Sens. Dever, Davison, Marcellais and Reps. Klemin, Karls, Delmore) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1634, adopt amendments as follows, and place HCR 3047 on the Seventh order:

That the Senate recede from its amendments as printed on page 1634 of the House Journal and page 1408 of the Senate Journal and that Engrossed House Concurrent Resolution No. 3047 be amended as follows:

Page 1, line 4, remove "are estimated to"

Page 1, line 4, after "a" insert "major"

Page 1, line 4, remove "of"

Page 1, line 5, remove "twenty million dollars or more"

Page 1, line 23, remove "the fiscal impact of"

Page 1, line 24, replace "be twenty million dollars or more" with "have a major fiscal impact, as determined by law."

Renumber accordingly

Engrossed HCR 3047 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2205: Your conference committee (Sens. Dever, J. Lee, Axness and Reps. Hofstad, Rich S. Becker, Oversen) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1316-1319, adopt amendments as follows, and place SB 2205 on the Seventh order:

That the House recede from its amendments as printed on pages 1316-1319 of the Senate Journal and pages 1470-1473 of the House Journal and that Senate Bill No. 2205 be amended as follows:

Page 1, line 1, remove ", 43-28.1-02"

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

Page 1, line 2, replace "43-28.1-04" with "43-28.1-05, 43-28.1-08, and 43-28.1-09"

Page 1, line 3, after "43-28.1-01.1" insert ", 43-28.1-02, 43-28.1-04,"

Page 1, line 9, after the second bold dash insert "**Defined need -**"

Page 1, line 11, replace "to communities" with "in cities or surrounding areas, or both."

Page 1, line 11, after "state" insert "which the state health council identifies as having a defined need for dental services"

Page 1, line 11, remove "Subject to the"

Page 1, line 12, replace "availability of funding, the" with "The"

Page 1, line 13, after the first "clinic" insert ", a practice with a focus on an underserved population."

Page 1, line 15, overstrike "four-year" and insert immediately thereafter "five-year"

Page 1, line 15, overstrike "eighty" and insert immediately thereafter "one hundred"

Page 1, remove lines 18 through 23

Page 2, remove lines 1 through 18

Page 2, line 21, overstrike "**Dentist selection - Eligibility for loan repayment**" and insert immediately thereafter "**Criteria**"

Page 2, line 22, overstrike "In establishing the criteria regarding a dentist's eligibility for loan repayment funds"

Page 2, overstrike lines 23 and 24

Page 2, line 25, overstrike "which such services are needed in a selected"

Page 2, line 25, remove "site."

Page 2, line 26, overstrike "b. The dentist's commitment to serve in a"

Page 2, line 26, remove "site"

Page 2, line 26, overstrike "that is in need of a dentist."

Page 2, line 27, overstrike "c. The compatibility of the dentist with a selected"

Page 2, line 27, remove "site"

Page 2, line 27, overstrike the period

Page 2, overstrike line 28

Page 2, line 29, remove "site"

Page 2, line 29, overstrike the period

Page 2, overstrike lines 30 and 31

Page 3, line 1, overstrike "2."

Page 3, line 10, overstrike "Dentists selected"

Page 3, line 10, remove "must be licensed to practice dentistry in this state and"

Page 3, line 10, overstrike "shall contract"

Page 3, overstrike line 11

Page 3, line 12, remove "sites"

Page 3, line 12, overstrike the period

Page 3, line 13, remove "3."

Page 3, line 13, overstrike "For the purposes of a dentist selected for loan payment who practices within fifteen"

Page 3, overstrike lines 14 through 21 and insert immediately thereafter "The health council shall establish criteria to be used in selecting qualified dentists and in identifying cities or surrounding areas, or both, that have a defined need for dental services. The criteria must include consideration of:

- a. The number of dentists already providing dental services in the city or surrounding areas, or both;
- b. Access to dental services in the city and the surrounding area;

- c. How the dentist will provide dental services in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic; and
 - d. The dentist's training in general dentistry or in a dental specialty and the extent to which such services are needed in the identified city or surrounding areas, or both.
2. For purposes of a dentist selected for loan payment under this chapter who practices within fifteen miles [24.14 kilometers] of the city limits of one of the three largest cities in the state, to qualify to receive a yearly disbursement under this chapter during that year of obligated service, the dentist must have:
- a. Received dental medical payments of at least twenty thousand dollars in the form of medical assistance reimbursement; or
 - b. Practiced at least two full workdays per week at a public health clinic or at a nonprofit dental clinic that uses a sliding fee schedule to bill the nonprofit dental clinic's patients.
3. The health council may consult with public and private sector entities in establishing criteria and evaluating needs based on the criteria."

Page 3, remove lines 22-31

Page 4, replace lines 1 through 14 with:

"SECTION 3. AMENDMENT. Section 43-28.1-05 of the North Dakota Century Code is amended and reenacted as follows:

43-28.1-05. Eligible loans.

The state health council may provide for loan repayment funds to a dentist who has received an education loan. The council may not provide funds for the repayment of any loan that is in default at the time of the application. The amount of repayment must be related to the dentist's outstanding education loans. A dentist is eligible to receive loan repayment funds in an amount equal to the outstanding balance of the dentist's education loans with applicable interest, or eightyone hundred thousand dollars, whichever is less. Loan repayment funds may not be used to satisfy other service obligations under similar programs.

SECTION 4. AMENDMENT. Section 43-28.1-08 of the North Dakota Century Code is amended and reenacted as follows:

43-28.1-08. Payment.

The state health council may not provide any loan repayment funds to a dentist under this chapter until the dentist has practiced at least six months on a full-time basis in the selected communitycity or surrounding areas, or both, the state health council has identified as having a defined need for dental services. Loan repayment funds for a year of obligated service are payable by the state health council no later than the end of the fiscal year in which the dentist completes the year of obligated service.

SECTION 5. AMENDMENT. Section 43-28.1-09 of the North Dakota Century Code is amended and reenacted as follows:

43-28.1-09. Gifts, grants, and donations - Continuing appropriation.

The state health council may accept any conditional or unconditional gift, grant, or donation for the purpose of providing funds for the repayment of dentists' educational loans. If any entity desires to provide funds to the council to allow an expansion of the program beyond the ~~three~~ dentists contemplated by this chapter, the entity shall commit to fund fully the expansion for a period of ~~four~~five years. The

council may contract with any public or private entity and may expend any moneys available to the council to obtain matching funds for the purposes of this chapter. All money received as gifts, grants, or donations under this section is appropriated as a continuing appropriation to the state health council for the purpose of providing funds for the repayment of additional dentists' educational loans."

Page 4, line 15, after "43-28.1-01.1" insert ", 43-28.1-02, 43-28.1-04,"

Page 4, line 17, after "43-28.1-01.1" insert ", 43-28.1-02, 43-28.1-04,"

Renumber accordingly

SB 2205 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2139, as engrossed: Your conference committee (Sens. Campbell, Rust, Sinner and Reps. Weisz, Schatz, M. Nelson) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1088-1089 and place SB 2139 on the Seventh order.

Engrossed SB 2139 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2048, as reengrossed: Your conference committee (Sens. J. Lee, Anderson, Warner and Reps. Silbernagel, Weisz, Muscha) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1355-1357, adopt amendments as follows, and place SB 2048 on the Seventh order:

That the House recede from its amendments as printed on pages 1355-1357 of the Senate Journal and pages 1474-1476 of the House Journal and that Reengrossed Senate Bill No. 2048 be amended as follows:

Page 1, line 1, after the first "to" insert "create and enact new sections to chapter 15.1-07 and 15.1-13 of the North Dakota Century Code, relating to teacher licensure requirements and mental health training provided by school districts; to"

Page 1, line 3, remove "and"

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

Page 1, replace lines 5 through 22 with:

"SECTION 1. A new section to chapter 15.1-13 of the North Dakota Century Code is created and enacted as follows:

Teacher licensure requirement - Youth mental health competency.

1. The board shall ensure a candidate for teacher licensure demonstrates competencies in youth mental health. Competencies must include:
 - a. An understanding of the prevalence and impact of youth mental health disorders on family structure, education, juvenile services, law enforcement, and health care and treatment providers;
 - b. Knowledge of mental health symptoms, social stigmas, risks, and protective factors; and
 - c. Awareness of referral sources and strategies for appropriate interventions.
2. A teacher licensure candidate satisfies the requirements of this section if the candidate demonstrates the candidate has received training in competencies related to youth mental health from an accredited or approved youth mental health education provider. The board may issue a

provisional license for up to two years to a teacher licensure candidate that does not meet the requirements of this section.

SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

Provision of youth mental health training to teachers, administrators, and ancillary staff.

1. Once every two years, each school district shall provide a minimum of eight hours of training on youth mental health to elementary, middle, and high school teachers and administrators. Each school district shall encourage ancillary and support staff to participate in the training. The training must include:
 - a. Understanding of the prevalence and impact of youth mental health disorders on family structure, education, juvenile services, law enforcement, and health care and treatment providers;
 - b. Knowledge of mental health symptoms, social stigmas, risks, and protective factors; and
 - c. Awareness of referral sources and strategies for appropriate interventions.
2. Each school district shall report the outcome of the training to the department of public instruction.
3. The superintendent of public instruction shall collaborate with regional education associations to disseminate information, training materials, and notice of training opportunities to school districts and nonpublic schools."

Page 1, line 24, replace "FTE" with "SERVICES FACILITATION"

Page 2, line 1, replace "\$166,092" with "\$150,000"

Page 2, line 2, remove "hiring one full-time"

Page 2, remove line 3

Page 2, line 4, replace "human services" with "facilitating the behavioral health services authorized by the sixty-fourth legislative assembly, including developing formal discharge planning protocols for discharge or release of individuals with behavioral health issues and designing a resource support network to provide family support, assessment, and stabilization services that are accessible by families and custodial agencies"

Page 2, line 4, after the period insert "The development of discharge planning protocols must involve law enforcement, health care providers, and other related organizations. The protocols must include outcome measures."

Page 2, line 5, replace "REPORTS" with "REPORT"

Page 2, line 7, replace "\$2,000,000" with "\$750,000"

Page 2, line 8, replace "addressing" with "establishing and administering a voucher system to address underserved areas and"

Page 2, line 9, remove ", including intervention, detoxification, and"

Page 2, replace lines 10 through 16 with "and to assist in the payment of addiction treatment services provided by private licensed substance abuse treatment programs, for the period beginning July 1, 2016, and ending June 30, 2017. Services eligible for the voucher program include only those levels of care recognized by the American society of addiction medicine, with particular emphasis given to underserved areas

and programs. The department of human services shall ensure that a private licensed substance abuse treatment program accepting vouchers under this Act collects and reports process and outcome measures. The department of human services shall develop requirements and provide training and technical assistance to a private licensed substance abuse treatment program accepting vouchers under this Act. A private licensed substance abuse treatment program accepting vouchers under this Act shall provide evidence-based services. Before July 1, 2016, the department of human services shall provide a report to the legislative management regarding the rules adopted to establish and administer the voucher system to assist in the payment of addiction treatment services provided by private licensed substance abuse treatment programs.

SECTION 5. DEPARTMENT OF PUBLIC INSTRUCTION - REPORT TO THE LEGISLATIVE MANAGEMENT. During the 2015-16 interim, the department of public instruction shall compile information on mental health training provided by school districts and determine the feasibility and effect of the youth mental health training required in section 2 of this Act. Before July 1, 2016, the department of public instruction shall provide a report to the legislative management regarding mental health training provided by school districts."

Page 2, line 17, remove **"ADULT"**

Page 2, line 18, replace **"ASSESSMENT NETWORK"** with **"RESOURCES"**

Page 2, line 19, replace "assessment network" with "resources"

Page 2, line 19, after "for" insert "youth and"

Page 2, line 20, replace "an adult" with "a"

Page 2, line 20, replace "assessment" with "resource"

Page 2, line 21, after the first comma insert "and"

Page 2, line 21, replace "assessment" with "resource"

Page 2, line 21, after the second "and" insert "must"

Page 2, line 22, replace "assessment" with "resource"

Page 2, line 23, replace "along" with "together"

Page 2, remove lines 26 through 31

Page 3, remove lines 1 through 3

Page 3, line 11, remove "consideration of developing a grant"

Page 3, replace line 12, with "the"

Page 3, line 13, replace "the" with "of"

Page 3, line 16, replace "along" with "together"

Page 3, after line 17, insert:

"SECTION 8. EFFECTIVE DATE. Section 1 of this Act becomes effective on August 1, 2016."

Renumber accordingly

Reengrossed SB 2048 was placed on the Seventh order of business on the calendar.

ANNOUNCEMENT

SPEAKER BELTER ANNOUNCED that the House stand in recess until 1:00 p.m.

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. HOFSTAD MOVED that the conference committee report on Engrossed HB 1002 as printed on HJ pages 1546-1549 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1002: A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to provide for the establishment of additional district court judgeships; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of supreme and district court judges.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 87 YEAS, 2 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Bellew; Ruby

ABSENT AND NOT VOTING: Boehning; Devlin; Frantsvog; Glassheim; Schneider

Reengrossed HB 1002 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. HOFSTAD MOVED that the conference committee report on Reengrossed HB 1049 as printed on HJ pages 1504-1505 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1049: A BILL for an Act to create and enact a new section to chapter 43-45 of the North Dakota Century Code, relating to loans for certain behavioral health professions; to amend and reenact section 43-45-04 of the North Dakota Century Code, relating to duties of the board of addiction counseling examiners; to provide for a statement of legislative intent; to provide for reports to the legislative management; to provide an appropriation; to provide a continuing appropriation; and to provide for a transfer.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 81 YEAS, 8 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Brandenburg; Carlson; Damschen; Delmore; Dockter; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Becker, Rick C.; Bellew; Brabandt; Delzer; Dosch; Headland; Olson; Ruby

ABSENT AND NOT VOTING: Boehning; Devlin; Frantsvog; Glassheim; Schneider

Reengrossed HB 1049 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. K. KOPPELMAN MOVED that the conference committee report on Engrossed HB 1126 as printed on HJ pages 1251-1252 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1126: A BILL for an Act to amend and reenact sections 26.1-26.6-01, 26.1-26.6-04, 26.1-26.6-05, 26.1-26.6-07, 43-30-01, 43-30-02, 43-30-03, 43-30-04, 53-30-05, 43-30-10, 43-30-11, and 43-30-16 of the North Dakota Century Code, relating to bail bond agents, defendant retrieval, and licensure and regulation of recovery agents; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 65 YEAS, 24 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Headland; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Mitskog; Mock; Monson; Mooney; Nathe; Olson; Oversen; Owens; Pollert; Porter; Rohr; Sanford; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Trottier; Zubke; Speaker Belter

NAYS: Anderson, D.; Anderson, P.; Bellew; Delzer; Hanson; Hatlestad; Hawken; Hogan; Kelsh; Klemin; Laning; Meier; Muscha; Nelson, J.; Nelson, M.; Onstad; Paur; Ruby; Schatz; Streyle; Toman; Vigasaa; Wallman; Weisz

ABSENT AND NOT VOTING: Boehning; Devlin; Frantsvog; Glassheim; Schneider

Reengrossed HB 1126 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KLEMIN MOVED that the conference committee report on Engrossed HCR 3047 as printed on HJ page 1634 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3047: A concurrent resolution to amend and reenact section 2 of article III of the Constitution of North Dakota, relating to the fiscal impact of initiated measures.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read. The roll was called and there were 71 YEAS, 18 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Froseth; Hatlestad; Hawken; Headland; Hofstad; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Nelson, M.; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke; Speaker Belter

NAYS: Amerman; Anderson, P.; Boschee; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Kelsh; Mitskog; Mock; Mooney; Muscha; Onstad; Oversen; Strinden; Wallman

ABSENT AND NOT VOTING: Boehning; Devlin; Frantsvog; Glassheim; Schneider

Reengrossed HCR 3047 was declared adopted on a recorded roll call vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. SILBERNAGEL MOVED that the conference committee report on Reengrossed SB 2048 as printed on HJ pages 1474-1476 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2048: A BILL for an Act to create and enact new sections to chapter 15.1-07 and 15.1-13 of the North Dakota Century Code, relating to teacher licensure requirements and mental health training provided by school districts; to provide appropriations to the department of human services for improving behavioral health services and for substance abuse treatment services; to provide for reports to the legislative management; to provide for legislative management studies; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 73 YEAS, 16 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Brandenburg; Carlson; Damschen; Delmore; Dockter; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Kreidt; Kretschmar; Larson; Lefor; Looyen; Maragos; Martinson; Mitskog; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Sanford; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Becker, Rick C.; Bellew; Brabandt; Delzer; Dosch; Kading; Koppelman, B.; Koppelman, K.; Laning; Louser; Meier; Nathe; Olson; Rohr; Ruby; Schatz

ABSENT AND NOT VOTING: Boehning; Devlin; Frantsvog; Glassheim; Schneider

Reengrossed SB 2048, as amended, passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. SCHATZ MOVED that the conference committee report on Engrossed SB 2139 as printed on HJ pages 1224-1225 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2139: A BILL for an Act to create and enact two new sections to chapter 39-24 of the North Dakota Century Code, relating to accidents and liability; to amend and reenact sections 39-24-02, 39-24-03.1, 39-24-07, 39-24-08, 39-24-09, 39-24-09.1, 39-24-10, and 39-24-11, and subsection 2 of section 57-40.3-01 of the North Dakota Century Code, relating to the licensing of snowmobiles; to provide a penalty; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 31 YEAS, 58 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, P.; Beadle; Boe; Boschee; Delmore; Dosch; Guggisberg; Haak; Hawken; Hogan; Johnson, M.; Karls; Klemin; Kretschmar; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Porter; Schatz; Schmidt; Silbernagel; Streyle; Toman; Zubke

NAYS: Amerman; Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Bellew; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Fehr; Froseth; Hanson; Hatlestad; Headland; Hofstad; Holman; Hunsakor; Johnson, D.; Kading; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Larson; Lefor; Looysen; Louser; Meier; Mitskog; Olson; Oversen; Owens; Paur; Pollert; Rohr; Ruby; Sanford; Schreiber Beck; Seibel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Trottier; Vigasaa; Wallman; Weisz; Speaker Belter

ABSENT AND NOT VOTING: Boehning; Devlin; Frantsvog; Glassheim; Schneider

Engrossed SB 2139, as amended, failed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. HOFSTAD MOVED that the conference committee report on SB 2205 as printed on HJ pages 1470-1473 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2205: A BILL for an Act to amend and reenact sections 43-28.1-01, 43-28.1-03, 43-28.1-05, 43-28.1-08, and 43-28.1-09 of the North Dakota Century Code, relating to the dentists' loan repayment program; to repeal sections 43-28.1-01.1, 43-28.1-02, 43-28.1-04, and 43-28.1-10 of the North Dakota Century Code, relating to the loan repayment program for dentists in public health and nonprofit dental clinics and new practice grants for dentists; and to provide for application.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 75 YEAS, 14 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looysen; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Sanford; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Becker, Rick C.; Bellew; Brabandt; Delzer; Kading; Koppelman, B.; Louser; Olson; Rohr; Ruby; Schatz; Schmidt; Streyle; Toman

ABSENT AND NOT VOTING: Boehning; Devlin; Frantsvog; Glassheim; Schneider

SB 2205, as amended, passed.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1002, HB 1049, HB 1126.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HCR 3047.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2048, SB 2205.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently failed to pass: SB 2139.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2010.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1399.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: Your signature is respectfully requested on: SB 2304.

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

MR. PRESIDENT: The Speaker has signed: HB 1007, HB 1019, HB 1056, HB 1234, HB 1396, HB 1464.

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

MR. PRESIDENT: The Speaker has signed: SB 2017, SB 2120.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 23, 2015: HB 1007, HB 1019, HB 1056, HB 1234, HB 1396, HB 1464.

REPORT OF CONFERENCE COMMITTEE

HB 1004, as engrossed: Your conference committee (Sens. Kilzer, G. Lee, Mathern and Reps. Bellew, Kreidt, Holman) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1571-1574, adopt amendments as follows, and place HB 1004 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1571-1574 of the House Journal and pages 1338-1341 of the Senate Journal and that Engrossed House Bill No. 1004 be amended as follows:

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

Page 1, line 3, after "program" insert "; to provide a statement of legislative intent; and to provide for legislative management studies"

Page 1, replace lines 13 through 23 with:

"Salaries and wages	\$54,757,510	\$7,877,277	\$62,634,787
Accrued leave payments	2,223,289	(2,223,289)	0
Operating expenses	37,305,014	6,961,674	44,266,688
Capital assets	2,224,288	1,494,944	3,719,232
Grants	57,510,729	451,031	57,961,760
Tobacco prevention	5,544,251	1,365,926	6,910,177
WIC food payments	<u>24,659,861</u>	<u>(4,459,861)</u>	<u>20,200,000</u>
Total all funds	\$184,224,942	\$11,467,702	\$195,692,644
Less estimated income	<u>139,303,434</u>	<u>4,867,530</u>	<u>144,170,964</u>
Total general fund	\$44,921,508	\$6,600,172	\$51,521,680
Full-time equivalent positions	354.00	11.00	365.00"

Page 2, after line 9, insert:

"Forensic examiner x-ray equipment	0	44,000
WIC system upgrade	0	1,712,110"

Page 2, replace lines 11 through 13 with:

"Total all funds	\$1,245,000	\$2,536,110
Less estimated income	<u>265,000</u>	<u>2,200,110</u>
Total general fund	\$980,000	\$336,000"

Page 3, after line 10, insert:

"SECTION 5. LEGISLATIVE INTENT - GRANTS TO LOCAL PUBLIC HEALTH UNITS. It is the intent of the sixty-fourth legislative assembly that, of the funds provided for grants to local public health units in the grants line item in section 1 of this Act, \$250,000 from the general fund be made available for grants to local public health units serving non-oil-producing counties in the state during the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 6. LEGISLATIVE INTENT - RURAL EMERGENCY MEDICAL SERVICES GRANT DISTRIBUTION. It is the intent of the sixty-fourth legislative assembly that, of the sum of \$7,500,000 provided for rural emergency medical services grants in the grants line item in section 1 of this Act, at least eighty-five percent be distributed to emergency medical services providers that do not receive an oil impact grant during the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY - UNIVERSITY OF NORTH DAKOTA FORENSIC PATHOLOGY CENTER. During the 2015-16 interim, the legislative management shall consider studying the feasibility and desirability of the university of North Dakota acquiring the building that houses the university of North Dakota forensic pathology center. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

SECTION 8. LEGISLATIVE MANAGEMENT STUDY - WASTE MANAGEMENT. During the 2015-16 interim, the legislative management shall consider studying onsite sewage disposal in the state, including areas of the state lacking environmental programs to address onsite sewage disposal, lack of uniform standards for disposal, regulation authority, and the impact of onsite sewage disposal and waste management on industry and the public. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1004 - State Department of Health - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$54,757,510	\$61,864,139	\$770,648	\$62,634,787	\$64,468,676	(\$1,833,889)
Operating expenses	37,305,014	40,605,327	3,661,361	44,266,688	44,606,538	(339,850)
Capital assets	2,224,288	3,488,810	230,422	3,719,232	3,719,232	
Grants	57,510,729	55,901,090	2,060,670	57,961,760	58,961,760	(1,000,000)
Tobacco prevention	5,544,251	6,413,715	496,462	6,910,177	6,913,715	(3,538)
WIC food payments	24,659,861	20,200,000		20,200,000	20,200,000	
Accrued leave payments	<u>2,223,289</u>					
Total all funds	\$184,224,942	\$188,473,081	\$7,219,563	\$195,692,644	\$198,869,921	(\$3,177,277)
Less estimated income	<u>139,303,434</u>	<u>138,320,871</u>	<u>5,850,093</u>	<u>144,170,964</u>	<u>143,920,964</u>	<u>250,000</u>
General fund	\$44,921,508	\$50,152,210	\$1,369,470	\$51,521,680	\$54,948,957	(\$3,427,277)
FTE	354.00	361.00	4.00	365.00	367.00	(2.00)

Department No. 301 - State Department of Health - Detail of Conference Committee Changes

Adjusts Funding for Health	Adds Funding for Environmental	Adds One-Time Funding for Forensic	Adjusts Funding for Women's Way ⁴	Adjusts Funding for Dental Loan	Adjusts Funding for Behavioral Risk
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	Insurance Premium Increases ¹	Health Positions ²	Examiner Equipment ³		Repayments ⁵	Factor State Survey ⁶
Salaries and wages	(\$257,767)	\$560,582				
Operating expenses		117,936		(14,000)		
Capital assets			44,000			
Grants						
Tobacco prevention	(3,538)					
WIC food payments						
Accrued leave payments						
Total all funds	(\$261,305)	\$678,518	\$44,000	(\$14,000)	\$0	\$0
Less estimated income	(108,257)	0	0	(14,000)	0	0
General fund	(\$153,048)	\$678,518	\$44,000	\$0	\$0	\$0
FTE	0.00	4.00	0.00	0.00	0.00	0.00

	Increases Funding for Rural EMS Grants ⁷	Increases Funding for Tobacco Prevention ⁸	Adds Funding for Federal Grants ⁹	Adds Funding for Cardiac System of Care ¹⁰	Total Conference Committee Changes
Salaries and wages			\$467,833		\$770,648
Operating expenses			3,357,425	200,000	3,661,361
Capital assets			186,422		230,422
Grants	600,000		1,460,670		2,060,670
Tobacco prevention		500,000			496,462
WIC food payments					
Accrued leave payments					
Total all funds	\$600,000	\$500,000	\$5,472,350	\$200,000	\$7,219,563
Less estimated income	0	500,000	5,472,350	0	5,850,093
General fund	\$600,000	\$0	\$0	\$200,000	\$1,369,470
FTE	0.00	0.00	0.00	0.00	4.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month and to reflect FTE adjustments made by the conference committee.

² Funding is added for 4 FTE positions in the Environmental Health Section, including municipal facilities (1 FTE position), waste management (1 FTE position), and water quality (2 FTE positions) to meet increased demands in oil-impacted areas, including salaries and wages (\$540,407), related salary increase funding (\$20,175), and operating expenses (\$117,936), the same as the Senate version.

³ One-time funding included in the executive recommendation for digital x-ray equipment for the forensic examiner is added, the same as the Senate version.

⁴ Funding for Women's Way is reduced to provide a total of \$400,000 from the community health trust fund, instead of from the general fund as proposed in the executive recommendation and included in the Senate version.

⁵ Funding for the dental loan repayment program (\$360,000) is provided from the student loan trust fund instead of the community health trust fund. Funding for the dental loan repayment program was provided from the community health trust fund in the executive recommendation and in the House and Senate versions.

⁶ Funding for the behavioral risk factor state survey is adjusted to provide \$24,500 from federal or other funds, and \$496,000 from the community health trust fund, instead of the total funding of \$520,500 provided from the community health trust fund as provided in the executive recommendation and the House and Senate versions.

⁷ Funding is increased by \$600,000 from the general fund for rural emergency medical services (EMS) grants to provide a total of \$8.44 million, of which \$1.25 million is from the insurance tax distribution fund and \$7.19 million is from the general fund. Funding is provided for training grants (\$940,000) and rural EMS grants (\$7,500,000). This level of funding is \$500,000 less than the executive recommendation of \$8.94 million. In addition, a section is added to provide that of the \$7.5 million provided for rural EMS grants, at least 85 percent be distributed to EMS providers that do not receive oil impact grant funding.

⁸ Funding for tobacco prevention is increased to provide for a grant from the Tobacco Prevention and Control Executive Committee to be used for the Centers for Disease Control and Prevention *Best Practices for Comprehensive Tobacco Prevention and Control Programs*, the same as the Senate version.

⁹ Federal funding authority is added for federal grants identified by the department, including funding for colorectal cancer screening capacity, stroke prevention, and Ebola emergency preparedness, lab capacity, and hospital preparedness, the same as the Senate version.

¹⁰ Funding is added for cardiac system of care, the same as the Senate version.

This amendment also adds:

- A section of legislative intent to provide that the additional \$250,000 from the general fund provided for grants to local public health units be made available to local public health units serving non-oil-producing counties in the state. This section was not included in the House or Senate version. The conference committee increased funding for grants to local public health units by \$250,000 from the general fund to provide a total of \$4,250,000, the same as the House version. This level of funding is \$500,000 less than the amount approved by the Senate and \$750,000 less than the executive recommendation.
- A section of legislative intent to provide that of the sum of \$7.5 million provided for rural emergency medical services grants, at least 85 percent is to be distributed to emergency medical services providers that do not receive oil impact grant funding. This section was not included in the House or Senate version.
- A section to provide for a Legislative Management study of the feasibility and desirability of the University of North Dakota acquiring the building that houses the University of North Dakota Forensic Pathology Center, the same as the Senate version.
- A section to provide for a Legislative Management study of onsite sewage disposal in the state, including areas of the state lacking environmental programs to address onsite sewage disposal, lack of uniform standards for disposal, regulation authority, and the impact of onsite sewage disposal and waste management on industry and the public, the same as the Senate version.

The conference committee removed a section included by the Senate to provide the State Department of Health increase license fees in the Division of Food and Lodging to generate additional revenue necessary to support a portion of the cost of additional FTE positions.

In addition, the conference committee did not include funding for 2 additional inspection FTE positions in the Division of Food and Lodging (\$326,488), targeted salary equity (\$1,559,659), or additional Environmental Health Section legal fees (\$270,000) included in the executive recommendation and the Senate version.

Engrossed HB 1004 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1018, as engrossed: Your conference committee (Sens. Holmberg, Krebsbach, Robinson and Reps. Streyle, Martinson, Guggisberg) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1742-1746, adopt amendments as follows, and place HB 1018 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1742-1746 of the House Journal and pages 1414-1418 of the Senate Journal and that Engrossed House Bill No. 1018 be amended as follows:

Page 1, line 2, after the third semicolon insert "to amend and reenact section 54-60-17 of the North Dakota Century Code, relating to workforce development;"

Page 1, replace line 12 with:

"Salaries and wages	\$12,361,114	\$810,693	\$13,171,807"
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Page 1, replace line 14 with:

"Operating expenses	15,635,749	3,036,541	18,672,290"
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Page 1, replace line 16 with:

"Grants	56,622,950	12,364,121	68,987,071"
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Page 1, replace lines 21 and 22 with:

"Agricultural products utilization commission	3,240,494	78,117	3,318,611
Research North Dakota	0	4,500,000	4,500,000"

Page 1, remove line 24

Page 2, replace lines 1 through 4 with:

"Entrepreneurship grants and vouchers	0	3,250,000	3,250,000
Partner programs	<u>2,022,044</u>	<u>200,000</u>	<u>2,222,044</u>
Total all funds	\$93,864,446	\$37,658,728	\$131,523,174
Less estimated income	<u>51,707,386</u>	<u>22,812,087</u>	<u>74,519,473</u>
Total general fund	\$42,157,060	\$14,846,641	\$57,003,701"

Page 2, replace line 13 with:

"Research North Dakota	12,000,000	4,500,000"
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Page 2, replace lines 20 through 22 with:

"Enhanced use lease grant	2,500,000	7,500,000
Child care facility grants	0	2,250,000
Homeless shelter grants	0	1,500,000"

Page 2, replace line 24 with:

"Tribal community college grants	0	3,000,000"
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Page 2, replace line 27 with:

"Workplace safety training facility grant	0	4,000,000
Workforce recruitment campaign	0	300,000"

Page 2, remove lines 29 and 30

Page 3, replace lines 1 and 2 with:

"Entrepreneurship grants and vouchers	0	1,750,000
Tourism international	0	247,836
Educators and industry externships	<u>0</u>	<u>50,000</u>
Total all funds	\$45,955,636	\$44,926,325
Less estimated income	<u>23,655,636</u>	<u>21,359,869</u>
Total general fund	\$22,300,000	\$23,566,456"

Page 3, line 7, after the boldfaced hyphen insert "**CONTINGENCY -**"

Page 3, line 8, replace "\$2,000,000" with "\$4,000,000"

Page 3, line 9, remove "acquiring land, site"

Page 3, line 10, replace "development, and design for" with "constructing"

Page 3, line 11, after the period insert "The grant is contingent upon the organization providing \$800,000 of nonstate funds for the construction of the workplace safety training facility."

Page 3, line 20, replace "\$2,500,000" with "\$7,500,000"

Page 3, line 24, replace "funds" with "up to \$3,100,000, or additional amounts as necessary,"

Page 3, line 25, remove "and construction"

Page 3, line 26, remove "commences"

Page 3, line 27, replace "Funds" with "Remaining funds"

Page 3, line 27, remove "and construction commences"

Page 3, line 30, replace ", such as fiber" with "or for data services, such as analysis, modeling or storage, to be provided to tenants or prospective tenants"

Page 4, line 2, replace "\$1,875,000" with "\$2,250,000"

Page 4, line 9, replace "\$2,500,000" with "\$3,250,000"

Page 4, line 9, replace "\$2,350,000" with "\$3,100,000"

Page 4, line 13, remove "use"

Page 4, line 14, replace "up to" with "provide a"

Page 4, line 14, remove "to provide a"

Page 4, line 15, after the second "located" insert "and provide a \$300,000 grant to each of the two entrepreneurial centers associated with a research university located in a city with a population of at least 50,000 according to the most recent decennial census"

Page 4, after line 26, insert:

"SECTION 9. TRIBAL COLLEGE GRANTS. The grants line item in section 1 of this Act includes the sum of \$3,000,000 for tribal college grants, \$2,000,000 of which is from the general fund and \$1,000,000 is from the student loan trust fund, for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 10. DEPARTMENT OF COMMERCE GRANT - ART AND GALLERY ASSOCIATION. Of the funds appropriated in the discretionary funds line item in section 1 of this Act, the department shall use \$150,000 from the general fund to provide a grant to an arts and gallery association located in the city where the state capitol is located."

Page 5, line 22, replace "\$1,500,000" with "\$1,550,000"

Page 5, line 29, after the period insert "The department of commerce shall make available \$1,000,000 of the funds transferred to the research North Dakota fund for research North Dakota for grants to conduct research on and commercialization for the prevention of, treatment of, or cure for viral diseases, cancer, and other pathogens, for the period beginning July 1, 2015, and ending December 31, 2016. If the grants are not awarded by December 31, 2016, the funds must be made available for other authorized purposes of research North Dakota."

Page 7, after line 3, insert:

"SECTION 25. AMENDMENT. Section 54-60-17 of the North Dakota Century Code is amended and reenacted as follows:

54-60-17. Division of workforce development - Internships, apprenticeships, and work experience opportunities.

The division of workforce development shall administer a program to increase use of internships, apprenticeships, and work experience opportunities for higher education students and high school students enrolled in grade eleven or twelve, and educators. The primary focus of this program must be higher education internships in target industries. This program shall provide services to employers, communities, and business organizations to increase internship, apprenticeship, and work experience opportunities. The department shall maintain records of the number of internship, apprenticeship, and work experience opportunities subsidized within each funding recipient.

SECTION 26. LEGISLATIVE MANAGEMENT STUDY - CIVILIAN GROUND CENTER FOR PROCESSING FIRST RESPONDER DATA. During the 2015-16 interim, the legislative management shall consider studying issues related to the state's development of a civilian ground center. The issues include: deployable pilots, sensor operators, and aircraft; a central location for processing first responder data, including high definition, high-spectral, infrared and thermal imagery, as well as electronic signals through cell phones and internet service, generated from the deployment of unmanned aircraft and unmanned systems by first responders during federal, state, and local government responses to emergencies, natural disasters, emergency preparedness and law enforcement activities; training services; data management, data analysis, data interpretation and information routing approximating a real-time basis; and a repository of data and best practices for first responders at federal, state, and local levels. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Page 7, line 4, replace "\$1,500,000" with "\$1,550,000"

Page 7, line 5, after "1" insert "relating to the operation intern program"

Page 7, line 5, replace "10" with "15"

Page 7, line 5, remove "relating to the operation intern program,"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1018 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Adjutant General						
Total all funds	\$0	\$200,000	\$0	\$200,000	\$200,000	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$200,000	\$0	\$200,000	\$200,000	\$0
Department of Commerce						
Total all funds	\$93,864,446	\$120,997,699	\$10,525,475	\$131,523,174	\$132,773,174	(\$1,250,000)
Less estimated income	51,707,386	68,527,697	5,991,776	74,519,473	75,519,473	(1,000,000)
General fund	\$42,157,060	\$52,470,002	\$4,533,699	\$57,003,701	\$57,253,701	(\$250,000)
Bill total						
Total all funds	\$93,864,446	\$121,197,699	\$10,525,475	\$131,723,174	\$132,973,174	(\$1,250,000)
Less estimated income	51,707,386	68,527,697	5,991,776	74,519,473	75,519,473	(1,000,000)
General fund	\$42,157,060	\$52,670,002	\$4,533,699	\$57,203,701	\$57,453,701	(\$250,000)

House Bill No. 1018 - Adjutant General - Conference Committee Action

The Senate did not change the House version.

House Bill No. 1018 - Department of Commerce - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$12,361,114	\$13,207,534	(\$35,727)	\$13,171,807	\$13,195,182	(\$23,375)
Operating expenses	15,635,749	18,315,874	356,416	18,672,290	18,685,123	(12,833)
Capital assets	10,000					
Grants	56,622,950	60,130,878	8,856,193	68,987,071	70,699,456	(1,712,385)
Discretionary funds	928,082	928,082		928,082	928,082	
Economic development initiatives	186,846					
Ag products utilization commission	3,240,494	3,320,018	(1,407)	3,318,611	3,320,018	(1,407)
North Dakota trade office	2,613,400	2,613,400		2,613,400	2,613,400	
Partner programs	2,022,044	2,122,044	100,000	2,222,044	2,222,044	
Accrued leave payments	243,767					
Research North Dakota		4,000,000	500,000	4,500,000	4,000,000	500,000
Workforce enhancement fund		1,000,000		1,000,000	1,000,000	
Flood impact grants/loans		12,859,869		12,859,869	12,859,869	
Entrepreneurship grants and vouchers		2,500,000	750,000	3,250,000	3,250,000	
Total all funds	\$93,864,446	\$120,997,699	\$10,525,475	\$131,523,174	\$132,773,174	(\$1,250,000)
Less estimated income	51,707,386	68,527,697	5,991,776	74,519,473	75,519,473	(1,000,000)
General fund	\$42,157,060	\$52,470,002	\$4,533,699	\$57,003,701	\$57,253,701	(\$250,000)
FTE	69.25	69.40	0.00	69.40	69.40	0.00

Department No. 601 - Department of Commerce - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Increases Funding for Partner Program ²	Increases One-Time Funding ³	Total Conference Committee Changes
Salaries and wages	(\$48,118)		\$12,391	(\$35,727)
Operating expenses			356,416	356,416
Capital assets				
Grants			8,856,193	8,856,193
Discretionary funds				
Economic development initiatives				
Ag products utilization commission	(1,407)			(1,407)
North Dakota trade office				
Partner programs		100,000		100,000
Accrued leave payments				
Research North Dakota			500,000	500,000
Workforce enhancement fund				
Flood impact grants/loans				
Entrepreneurship grants and vouchers			750,000	750,000
Total all funds	(\$49,525)	\$100,000	\$10,475,000	\$10,525,475
Less estimated income	(8,224)	0	6,000,000	5,991,776
General fund	(\$41,301)	\$100,000	\$4,475,000	\$4,533,699
FTE	0.00	0.00	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding is increased for partner programs related to small business development programs to provide a total of \$300,000, the same as the Senate version.

³ One-time funding is increased for the following:

	House Version	General Fund Increase	Other Funds Increase	Conference Committee Version	Senate Version
Child care facility grant program	\$1,875,000	\$375,000		\$2,250,000	\$3,000,000
Tribal college grants	2,000,000		\$1,000,000.00	3,000,000	4,000,000
Enhanced use lease grant	2,500,000		5,000,000	7,500,000	7,500,000

Entrepreneurial centers and vouchers	1,000,000	750,000	1,750,000	1,750,000
Workforce recruitment campaign		300,000	300,000	300,000
Educators and externship grants		50,000	50,000	50,000
Workplace safety facility	2,000,000	2,000,000	4,000,000	4,000,000
Homeless shelter grants	1,000,000	500,000	1,500,000	1,500,000
Research ND	4,000,000	500,000	4,500,000	4,000,000
Total	\$14,375,000	\$4,475,000	\$6,000,000	\$24,850,000
				\$26,100,000

This amendment also:

- Requires the organization receiving the workplace safety to provide a match of \$800,000 of nonstate funds for the construction of a workplace safety facility. The Senate required a match of \$4 million of nonstate funds.
- Makes available \$1 million of Research North Dakota funding for grants to conduct research on and commercialization for the prevention of, treatment of, or cure of viral diseases, cancer, and other pathogens, until December 31, 2016. If the grants are not awarded by December 31, 2016, the funds become available for other Research North Dakota grants. The Senate made the funding available until June 30, 2016.
- Allows the department to provide grants of up to \$3.1 million or additional amounts if necessary under the enhanced used lease grant program for taxiway reconnection and alert pad refurbishment, and includes language for data services. The Senate did not include language for data services.
- Requires the department to provide three separate grants of \$300,000 to the IDEA Center, North Dakota State University Research and Technology Park, and the University of North Dakota Center for Innovation, the same as the Senate version.
- Designates \$1 million of the \$3 million provided for tribal college grants from the student loan trust fund. The Senate designated \$2 million of \$4 million provided for tribal college grants from the student loan trust fund.
- Provides a new section requiring the department to use \$150,000 from the discretionary funds line item to provide a grant to the Bismarck Art and Galleries Association. The Senate did not include this section.
- Includes a new section providing a legislative study of issues related to being the first state to support the development of a civilian ground center. The Senate did not include this section.
- Amends North Dakota Century Code Section 54-60-17 to include educators under the workforce development program, the same as the Senate version.
- Transfers \$247,836 for tourism international from ongoing funding to one-time funding, the same as the Senate version.

Engrossed HB 1018 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1025, as engrossed: Your conference committee (Sens. Kilzer, Bowman, Robinson and Reps. Kreidt, J. Nelson, Holman) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1531-1532, adopt amendments as follows, and place HB 1025 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1531 and 1532 of the House Journal and pages 1324 and 1325 of the Senate Journal and that Engrossed House Bill No. 1025 be amended as follows:

Page 1, replace line 12 with:

"Veterans' affairs	\$1,410,580	\$365,298	\$1,775,878
Contingent service dogs	0	25,000	25,000"

Page 1, replace lines 15 through 17 with:

"Total all funds	\$1,420,703	\$395,175	\$1,815,878
Less estimated income	<u>0</u>	<u>288,018</u>	<u>288,018</u>
Total general fund	\$1,420,703	\$107,157	\$1,527,860"

Page 2, replace lines 1 and 2 with:

"Service dogs	0	25,000
Contingent service dogs	0	25,000"

Page 2, replace line 4 with:

"Total general fund	\$295,000	\$50,000"
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Page 2, replace lines 9 through 13 with:

"SECTION 4. CONTINGENT FUNDING - SERVICE DOGS. Funding provided in the contingent service dogs line item in section 1 of this Act includes \$25,000 from the general fund for service dogs to assist North Dakota veterans with posttraumatic stress disorder. The department of veterans' affairs may spend these funds subject to:

1. The dogs having completed service dog training;
2. Eligible veterans having been approved to receive the service dogs; and
3. Budget section approval."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1025 - Department of Veterans' Affairs - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Veterans' Affairs	\$1,410,580	\$1,752,651	\$23,227	\$1,775,878	\$1,865,978	(\$90,100)
Accrued leave payments	10,123					
Transport Vans		15,000		15,000	15,000	
Contingent service dogs			25,000	25,000		25,000
Total all funds	\$1,420,703	\$1,767,651	\$48,227	\$1,815,878	\$1,880,978	(\$65,100)
Less estimated income	<u>0</u>	<u>284,453</u>	<u>3,565</u>	<u>288,018</u>	<u>288,018</u>	<u>0</u>
General fund	\$1,420,703	\$1,483,198	\$44,662	\$1,527,860	\$1,592,960	(\$65,100)
FTE	8.00	9.00	0.00	9.00	9.00	0.00

Department No. 321 - Department of Veterans' Affairs - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Increases Funding for Stand Down Events ²	Adds One-Time Funding for Service Dogs ³	Adds Contingent One-Time Funding for Service Dogs ⁴	Total Conference Committee Changes
Veterans' Affairs	(\$6,773)	\$5,000	\$25,000		\$23,227
Accrued leave payments					
Transport Vans					
Contingent service dogs				25,000	25,000
Total all funds	(\$6,773)	\$5,000	\$25,000	\$25,000	\$48,227
Less estimated income	<u>3,565</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3,565</u>
General fund	(\$10,338)	\$5,000	\$25,000	\$25,000	\$44,662
FTE	0.00	0.00	0.00	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding is increased by \$5,000 for stand down events to provide a total of \$20,000 from the general fund, the same as the Senate version.

³ One-time funding of \$25,000 is added for service dog training to provide two service dogs to veterans with posttraumatic stress disorder (PTSD). The Senate included \$50,000 for four service dogs.

⁴ Contingent one-time funding is added for two service dogs for veterans with PTSD. The funding is contingent on service dogs that have completed training, eligible and approved veterans, and Budget Section approval. The Senate version included \$50,000 for service dogs, but did not include the contingency.

This amendment also:

- Removes the section related to contingent funding for stand down events added by the House, the same as the Senate version.
- Adds a section relating to contingent funding for two service dogs for veterans with PTSD that is subject to service dogs that have completed training, eligible and approved veterans, and Budget Section approval. Neither the House nor Senate version included this section.

Engrossed HB 1025 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2010, as engrossed: Your conference committee (Sens. Krebsbach, Erbele, Mathern and Reps. Thoreson, Vigesaa, Hogan) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1432-1433, adopt amendments as follows, and place SB 2010 on the Seventh order:

That the House recede from its amendments as printed on pages 1432 and 1433 of the Senate Journal and pages 1585 and 1586 of the House Journal and that Engrossed Senate Bill No. 2010 be amended as follows:

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

Page 1, line 3, after "26.1-01-09" insert ", 26.1-26.6-01, 26.1-26.6-04, 26.1-26.6-05, and subsection 4 of section 26.1-44-03.1"

Page 1, line 4, after "salary" insert ", bail bond agents, and surplus lines insurance filings"

Page 1, replace lines 12 through 16 with:

"Salaries and wages	\$8,019,514	\$923,583	\$8,943,097
Accrued leave payments	163,182	(163,182)	0
Operating expenses	2,858,008	(345,966)	2,512,042
Capital assets	0	90,000	90,000
Total special funds	\$11,040,704	\$504,435	\$11,545,139"

Page 2, after line 20, insert:

"SECTION 8. AMENDMENT. Section 26.1-26.6-01 of the North Dakota Century Code is amended and reenacted as follows:

26.1-26.6-01. Definition.

As used in this chapter, unless the context otherwise requires, "bail bond agent" means any person ~~who~~that has been licensed by the commissioner and appointed by an insurer by power of attorney to execute or countersign bail bonds for the insurer in connection with the judicial proceedings and charges and receives money for the services.

SECTION 9. AMENDMENT. Section 26.1-26.6-04 of the North Dakota Century Code is amended and reenacted as follows:

26.1-26.6-04. ~~Qualification~~Appointment and license as bail bond agent - Pledge of property as security - Penalty.

A person may not act in the capacity of a bail bond agent or perform any of the functions, duties, or powers prescribed for a bail bond agent under this chapter unless that person is ~~qualified~~appointed and licensed as provided in this chapter. However, this section does not prohibit any individual from pledging real or other property as security for a bail bond in judicial proceedings if the individual does not receive, or is not promised, money or other things of value therefor. Violation of this section is a class ~~BA~~ misdemeanor.

SECTION 10. AMENDMENT. Section 26.1-26.6-05 of the North Dakota Century Code is amended and reenacted as follows:

26.1-26.6-05. Violations - Penalties.

1. The commissioner may suspend, revoke, or refuse to continue, issue, or renew any license issued under this chapter if, after notice to the licensee and hearing, the commissioner finds as to the licensee any of the following conditions:
 - a. Recommending any particular attorney at law to handle the case in which the bail bond agent has caused a bond to be issued under this chapter.
 - b. Forging the name of another to a bond or application for bond.
 - c. Soliciting business in or about any place for prisoners or persons confined, arraigned, or in custody.
 - d. Paying a fee or rebate, or giving or promising anything of value to a jailer, trustee, police officer or officer of the law, or any other person who has power to arrest or hold in custody or to any public official or public employee in order to secure a settlement, compromise, remission, or reduction of the amount of any bail bond or entreatment thereof, or to secure, delay, or other advantage. This subdivision does not apply to a jailer, police officer, or officer of the law who is not on duty and who assists in the apprehension of a defendant.
 - e. Paying a fee or rebating or giving anything of value to an attorney in bail bond matters, except in defense of any action on a bond.
 - f. Accepting anything of value from a principal other than a premium. Provided, the bail bond agent may accept collateral security or other indemnity from the principal which must be returned immediately upon final termination of liability on the bond. Such collateral security or other indemnity required by the bail bond agent must be reasonable in relation to the amount of the bond.
 - g. Willfully failing to return collateral security to the principal when the principal is entitled to the security.
 - h. Knowingly employing a person whose insurance producer license has been revoked, suspended, or denied in this or any other state.
 - i. Knowingly or intentionally executing a bail bond without collecting in full a premium for the bond, at the premium rate as filed with and approved by the commissioner.
 - j. Failing to pay any forfeiture as directed by a court and as required by this chapter.

2. For purposes of subdivisions f and g of subsection 1, a bail bond agent shall monitor the status of bonds written by the bail bond agent to make timely return of the collateral security to the principal. It is not a defense to administrative action under this section that the bail bond agent did not know liability on the bond had been terminated or that the principal was entitled to return of the security.
3. A bail bond agent or bail bond agency may not advertise as or hold itself out to be a surety company.
- ~~3-4.~~ A bail bond agent may not sign nor countersign any blank in any bond, nor give up power of attorney to or otherwise authorize, anyone to countersign the bail bond agent's name to bonds.
- 4-5. When a bail bond agent accepts collateral, the bail bond agent shall give a written receipt for the collateral and this receipt must contain a full description of the collateral received in the terms of redemption. The bail bond agent shall keep copies of all receipts of the bonds to be placed in business to be available to the commissioner for the commissioner's review.
- ~~5-6.~~ The provisions and penalties under this section are in addition to those provided under chapter 26.1-26.

SECTION 11. AMENDMENT. Subsection 4 of section 26.1-44-03.1 of the North Dakota Century Code is amended and reenacted as follows:

4. At the time of filing the ~~verified report~~ annual tax statement as set forth in section 26.1-44-06.1, each surplus lines producer shall pay the premium tax due for the policies written during the period covered by the ~~report~~ annual tax statement."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2010 - Insurance Department - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$8,019,514	\$8,980,738	(\$37,641)	\$8,943,097	\$8,943,097	
Operating expenses	2,858,008	2,512,042		2,512,042	2,512,042	
Capital assets		90,000		90,000	90,000	
Fire department grants	15,336,386	16,701,207		16,701,207	16,481,207	220,000
Accrued leave payments	163,182					
Total all funds	\$26,377,090	\$28,283,987	(\$37,641)	\$28,246,346	\$28,026,346	\$220,000
Less estimated income	26,377,090	28,283,987	(37,641)	28,246,346	28,026,346	220,000
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	49.50	49.50	0.00	49.50	49.50	0.00

Department No. 401 - Insurance Department - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Total Conference Committee Changes
Salaries and wages	(\$37,641)	(\$37,641)
Operating expenses		
Capital assets		
Fire department grants		
Accrued leave payments		
Total all funds	(\$37,641)	(\$37,641)
Less estimated income	(37,641)	(37,641)
	\$0	\$0

General fund		
FTE	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

This amendment also:

- Adds 3 sections to amend North Dakota Century Code Sections 26.1-26.6-01, 26.1-26.6-04, and 26.1-26.6-05 relating to bail bond agents.
- Adds a section to amend Subsection 4 of Section 26.1-44-03.1 relating to surplus lines insurance filings.
- Does not include the change from the House version to remove funding of \$90,000 from the insurance tax distribution fund for increased grant funding for the North Dakota Firefighter's Association.
- Does not include the change from the House version to remove one-time funding of \$130,000 from the insurance tax distribution fund for a computerized database for the North Dakota Firefighter's Association.

Engrossed SB 2010 was placed on the Seventh order of business on the calendar.

ANNOUNCEMENT

SPEAKER BELTER ANNOUNCED that the House stand in recess until 4:30 p.m.

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. BELLEW MOVED that the conference committee report on Engrossed HB 1004 as printed on HJ pages 1571-1574 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1004: A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health; to amend and reenact section 43-29.1-03 of the North Dakota Century Code, relating to selection criteria for the veterinarian loan repayment program; to provide a statement of legislative intent; and to provide for legislative management studies.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 84 YEAS, 5 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Bellew; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Becker, Rick C.; Dosch; Koppelman, B.; Olson; Schatz

ABSENT AND NOT VOTING: Boehning; Frantsovog; Glassheim; Klein; Pollert

Reengrossed HB 1004 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. STREYLE MOVED that the conference committee report on Engrossed HB 1018 as

printed on HJ pages 1742-1746 be adopted.

REQUEST

REP. STREYLE REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to adopt the conference committee report on Engrossed HB 1018, the roll was called and there were 43 YEAS, 45 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, P.; Beadle; Boe; Carlson; Delmore; Dockter; Dosch; Guggisberg; Hanson; Hawken; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kreidt; Laning; Larson; Lefor; Looysen; Louser; Maragos; Martinson; Mitskog; Mock; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Porter; Sanford; Schmidt; Schneider; Seibel; Skarphol; Steiner; Streyle; Thoreson; Toman; Wallman

NAYS: Amerman; Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Bellew; Boschee; Brabandt; Brandenburg; Damschen; Delzer; Devlin; Fehr; Froseth; Haak; Hatlestad; Hogan; Kading; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kretschmar; Meier; Monson; Nelson, M.; Olson; Owens; Paur; Rohr; Ruby; Schatz; Schreiber Beck; Silbernagel; Strinden; Sukut; Trotter; Vigasaa; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Boehning; Frantsvog; Glassheim; Headland; Klein; Pollert

The conference committee report on Engrossed HB 1018 was rejected on a recorded roll call vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KREIDT MOVED that the conference committee report on Engrossed HB 1025 as printed on HJ pages 1531-1532 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1025: A BILL for an Act to provide an appropriation for defraying the expenses of the department of veterans' affairs; and to provide an exemption.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 87 YEAS, 1 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looysen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trotter; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Delzer

ABSENT AND NOT VOTING: Boehning; Frantsvog; Glassheim; Headland; Klein; Pollert

Reengrossed HB 1025 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. THORESON MOVED that the conference committee report on Engrossed SB 2010 as printed on HJ pages 1585-1586 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2010: A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; to provide an appropriation for the distribution of funds from the insurance tax distribution fund; and to amend and reenact sections 26.1-01-09, 26.1-26.6-01, 26.1-26.6-04, 26.1-26.6-05, and subsection 4 of section 26.1-44-03.1 of the North Dakota Century Code, relating to the commissioner's salary, bail bond agents, and surplus lines insurance filings.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 86 YEAS, 2 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyson; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Beadle; Hanson

ABSENT AND NOT VOTING: Boehning; Frantsvog; Glassheim; Headland; Klein; Pollert

Engrossed SB 2010, as amended, passed.

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

MR. PRESIDENT: The House has not adopted the conference committee report on: HB 1018.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1004, HB 1025.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2010.

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

MR. PRESIDENT: The Speaker has signed: SB 2304.

MOTION

REP. VIGESAA MOVED that the absent members be excused, which motion prevailed.

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, Seventh, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Friday, April 24, 2015, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

HB 1015, as reengrossed: Your conference committee (Sens. Wanzek, Krebsbach, Robinson and Reps. J. Nelson, Pollert, Holman) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1605-1608, adopt amendments as follows, and place HB 1015 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1605-1608 of the House Journal and pages 1378-1381 of the Senate Journal and that Reengrossed House Bill No. 1015 be amended as follows:

Page 1, replace lines 13 through 19 with:

"Adult services	\$175,467,210	\$46,766,631	\$222,233,841
Youth services	28,604,526	2,911,581	31,516,107
Accrued leave payments	<u>4,639,529</u>	<u>(4,639,529)</u>	<u>0</u>
Total all funds	\$208,711,265	\$45,038,683	\$253,749,948
Less estimated income	<u>30,936,922</u>	<u>7,425,784</u>	<u>38,362,706</u>
Total general fund	\$177,774,343	\$37,612,899	\$215,387,242
Full-time equivalent positions	814.29	22.00	836.29"

Page 2, replace lines 8 through 11 with:

"DOCSTARS maintenance		0	150,000
Extraordinary repairs		<u>1,683,296</u>	<u>1,425,267</u>
Total all funds		\$8,339,046	\$7,538,311
Less estimated income		<u>5,198,000</u>	<u>4,900,000</u>
Total general fund		\$3,141,046	\$2,638,311"

Page 2, remove lines 21 through 24

Page 2, line 26, remove "the recidivism reduction reentry"

Page 2, line 27, remove "program pilot project, the prison day bed allocation pilot project,"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Legislative Council						
Total all funds	\$0	\$50,000	\$0	\$50,000	\$50,000	\$0
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General fund	\$0	\$50,000	\$0	\$50,000	\$50,000	\$0
Department of Corrections and Rehab.						
Total all funds	\$208,711,265	\$247,857,238	\$5,892,710	\$253,749,948	\$259,445,416	(\$5,695,468)
Less estimated income	<u>30,936,922</u>	<u>37,639,260</u>	<u>723,446</u>	<u>38,362,706</u>	<u>38,362,706</u>	<u>0</u>
General fund	\$177,774,343	\$210,217,978	\$5,169,264	\$215,387,242	\$221,082,710	(\$5,695,468)
Bill total						
Total all funds	\$208,711,265	\$247,907,238	\$5,892,710	\$253,799,948	\$259,495,416	(\$5,695,468)
Less estimated income	<u>30,936,922</u>	<u>37,639,260</u>	<u>723,446</u>	<u>38,362,706</u>	<u>38,362,706</u>	<u>0</u>
General fund	\$177,774,343	\$210,267,978	\$5,169,264	\$215,437,242	\$221,132,710	(\$5,695,468)

House Bill No. 1015 - Legislative Council - Conference Committee Action

The Senate did not change the House version.

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

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Adult services	\$175,467,210	\$216,385,178	\$5,848,663	\$222,233,841	\$227,929,309	(\$5,695,468)
Youth services	28,604,526	31,472,060	44,047	31,516,107	31,516,107	
Accrued leave payments	<u>4,639,529</u>					
Total all funds	\$208,711,265	\$247,857,238	\$5,892,710	\$253,749,948	\$259,445,416	(\$5,695,468)
Less estimated income	<u>30,936,922</u>	<u>37,639,260</u>	<u>723,446</u>	<u>38,362,706</u>	<u>38,362,706</u>	<u>0</u>
General fund	\$177,774,343	\$210,217,978	\$5,169,264	\$215,387,242	\$221,082,710	(\$5,695,468)
FTE	814.29	826.29	10.00	836.29	849.29	(13.00)

Department No. 530 - Department of Corrections and Rehab. - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Adds Funding for Targeted Equity ²	Adds Funding for Parole and Probation Staffing ³	Adds Funding for Youth Correctional Center Staffing ⁴	Removes Funding for Adult Recidivism Program ⁵	Adds Funding to Increase Contract Housing and Programming ⁶
Adult services	(\$494,435)	\$2,126,442	\$1,668,431		(\$1,300,000)	\$3,000,000
Youth services	(98,095)			142,142		
Accrued leave payments						
Total all funds	(\$592,530)	\$2,126,442	\$1,668,431	\$142,142	(\$1,300,000)	\$3,000,000
Less estimated income	(26,554)	0	0	0	0	0
General fund	(\$565,976)	\$2,126,442	\$1,668,431	\$142,142	(\$1,300,000)	\$3,000,000
FTE	0.00	0.00	9.00	1.00	0.00	0.00

	Adds Funding to Increase Extraordinary Repairs ⁷	Adjusts Funding for Facility Maintenance and Operations ⁸	Adds Funding for Equipment ⁹	Adds Funding for DOCSTARS Maintenance ¹⁰	Total Conference Committee Changes
Adult services	\$150,000	\$250,000	\$298,225	\$150,000	\$5,848,663
Youth services					44,047
Accrued leave payments					
Total all funds	\$150,000	\$250,000	\$298,225	\$150,000	\$5,892,710
Less estimated income	150,000	600,000	0	0	723,446
General fund	\$0	(\$350,000)	\$298,225	\$150,000	\$5,169,264
FTE	0.00	0.00	0.00	0.00	10.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding of \$2,126,442 from the general fund is provided for targeted equity salary increases for correctional officer positions, the same as the Senate version.

³ Funding of \$1,668,431 from the general fund is added for 9 parole and probation FTE positions. This change brings the total number of new parole and probation positions to 16. The House version provided for 7 new parole and probation FTE positions. The Senate version provided for 13 new parole and probation FTE positions and an additional 16 contingent parole and probation FTE positions.

⁴ Funding of \$142,142 from the general fund is added for 1 Youth Correctional Center FTE position, the same as the Senate version. Of that amount, \$4,862 is for performance salary increases and \$3,567 is for health insurance premium adjustments related to the position.

⁵ Funding of \$1.3 million from the general fund is removed for the adult recidivism reduction program, the same as the Senate version.

⁶ Funding of \$3 million from the general fund is added to increase funding for contract housing and programming to provide a total of \$31,979,762. The Senate version increased funding by \$5,009,931 to provide a total of \$33,989,693.

⁷ Funding of \$150,000 from other funds is added to provide for air conditioning in the Roughrider Industries building at the James River Correctional Center. The Senate version included this funding and additional one-time funding that was not included in the conference committee version of \$750,580 from the general fund for perimeter fence and existing sally port renovation and replacement and installation of lighting luminaries at the James River Correctional Center.

⁸ Funding of \$600,000 is added from the penitentiary land replacement fund and funding is

reduced by \$350,000 from the general fund for facility maintenance and operations, the same as the Senate version. This provides for total funding of \$993,405 for facility maintenance and operations, of which \$393,405 is from the general fund.

⁹ Funding of \$298,225 from the general fund is added for parole officer phones and radios, the same as the Senate version.

¹⁰ One-time funding of \$150,000 from the general fund is added for Department of Corrections and Rehabilitation's DOCSTARS maintenance, the same as the Senate version.

This amendment also:

- Removes Section 4, which designated \$1.3 million of the appropriation in the adult services line item for a recidivism reduction reentry program pilot project in Cass, Burleigh, Morton, and Williams Counties. The Senate also removed this section.
- Does not include a section added by the Senate to identify the criteria for contingent parole and probation FTE positions.
- Does not include funding of \$1,705,382 from the general fund added by the Senate for market equity salary increases.
- Does not include contingent funding of \$1,782,325 from the general fund added by the Senate for 16 contingent parole and probation FTE positions.

Reengrossed HB 1015 was placed on the Seventh order of business on the calendar.

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

Buell J. Reich, Chief Clerk