

JOURNAL OF THE HOUSE

Sixty-fifth Legislative Assembly

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Bismarck, April 4, 2017

The House convened at 8:30 a.m., with Speaker Bellew presiding.

The prayer was offered by Pastor Paul Herr, Century Baptist Church, Bismarck.

The roll was called and all members were present except Representatives Johnston, Kasper, and Marschall.

A quorum was declared by the Speaker.

MOTION

REP. VIGESAA MOVED that SB 2206, which is on the Sixth order, be laid over one legislative day, which motion prevailed on a voice vote.

SIXTH ORDER OF BUSINESS

SPEAKER BELLEW DEEMED approval of the amendments to Engrossed SB 2006, Reengrossed SB 2025, SB 2156, Engrossed SB 2221, Reengrossed SB 2272, and Engrossed SB 2298.

Engrossed SB 2006, Reengrossed SB 2025, SB 2156, Engrossed SB 2221, Reengrossed SB 2272, and Engrossed SB 2298, as amended, were placed on the Fourteenth order of business on today's calendar.

SECOND READING OF SENATE BILL

SB 2224: A BILL for an Act to provide appropriations to the office of management and budget for community service supervision grants; and to provide legislative intent.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trotter; Vetter; Vigesaa; Weisz; Westlund; Zubke; Speaker Bellew

NAYS: Becker, Rick C.; Nelson, M.; Oliver; Olson; Simons

ABSENT AND NOT VOTING: Johnston; Kasper; Marschall

SB 2224, as amended, passed.

SECOND READING OF SENATE BILL

SB 2191: A BILL for an Act to provide an appropriation to the attorney general for grants.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has

committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Paur; Toman

ABSENT AND NOT VOTING: Johnston; Kasper; Marschall

SB 2191, as amended, passed.

MOTION

REP. VIGESAA MOVED that SB 2144 be moved to the bottom of the Fourteenth order, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2139: A BILL for an Act to amend and reenact subdivision m of subsection 2 of section 62.1-02-05 and section 62.1-04-04 of the North Dakota Century Code, relating to possession of a firearm at a public gathering and producing a concealed weapon license upon request.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Anderson, P.; Hanson; Hogan; Nelson, M.; Schneider

ABSENT AND NOT VOTING: Johnston; Kasper; Marschall

Engrossed SB 2139, as amended, passed.

SECOND READING OF SENATE BILL

SB 2231: A BILL for an Act to create and enact a new section to chapter 23-16 and four new sections to chapter 26.1-47 of the North Dakota Century Code, relating to informed decisionmaking for choosing air ambulance service providers, preferred provider arrangement requirements for insurance prior authorization for air ambulance services, and air ambulance subscriptions; to amend and reenact section 26.1-47-01, subsection 6 of section 26.1-47-02, and section 26.1-47-07 of the North

Dakota Century Code, relating to preferred provider organizations; to provide an effective date; and to provide a contingent effective date.

CONFLICT OF INTEREST

REP. PORTER STATED that he had a conflict of interest on Engrossed SB 2231.

MOTION

REP. VIGESAA MOVED that Rep. Porter be allowed to vote on Engrossed SB 2231, which motion prevailed on a voice vote.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 72 YEAS, 19 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Kempenich; Kiefert; Klemm; Koppelman, K.; Kreidt; Laning; Magrum; Maragos; Martinson; McWilliams; Mitskog; Mock; Monson; Nathe; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Streyle; Toman; Vetter; Vigesaa; Weisz; Zubke; Speaker Bellew

NAYS: Anderson, B.; Becker, Rick C.; Brabandt; Ertelt; Hatlestad; Kading; Keiser; Koppelman, B.; Lefor; Longmuir; Louser; Meier; Nelson, J.; Olson; Simons; Steiner; Sukut; Trottier; Westlind

ABSENT AND NOT VOTING: Johnston; Kasper; Marschall

Engrossed SB 2231, as amended, passed.

SECOND READING OF SENATE BILL

SB 2343: A BILL for an Act to create and enact four new sections to chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure statements and use of campaign contributions; to amend and reenact sections 16.1-08.1-01, 16.1-08.1-02.1, 16.1-08.1-03.1, 16.1-08.1-03.2, 16.1-08.1-03.3, and 16.1-08.1-03.5, subsection 3 of section 16.1-08.1-05, and subsection 5 of section 16.1-12-02.2 of the North Dakota Century Code, relating to definitions and campaign disclosure statements; to repeal sections 16.1-08.1-02, 16.1-08.1-03, 16.1-08.1-03.8, 16.1-08.1-03.9, 16.1-08.1-03.10, 16.1-08.1-03.11, 16.1-08.1-03.12, 16.1-08.1-03.13, and 16.1-08.1-04 of the North Dakota Century Code, relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 75 YEAS, 16 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kiefert; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Pollert; Porter; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schmidt; Schneider; Schreiber-Beck; Seibel; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind

NAYS: Becker, Rich S.; Becker, Rick C.; Brabandt; Ertelt; Headland; Kempenich; McWilliams; Paur; Ruby, D.; Ruby, M.; Schatz; Schobinger; Simons; Skroch; Zubke;

Speaker Bellew

ABSENT AND NOT VOTING: Johnston; Kasper; Marschall

Reengrossed SB 2343, as amended, passed.

SECOND READING OF SENATE BILL

SB 2156: A BILL for an Act to amend and reenact sections 23-20.2-02, 23-20.2-04, and 23-20.2-09 of the North Dakota Century Code, relating to definitions, permitting required for underground storage and retrieval or waste disposal facilities, and the disposal of radioactive waste material; and to provide for a legislative management study.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 80 YEAS, 11 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Speaker Bellew

NAYS: Becker, Rick C.; Delzer; Ertelt; Grueneich; Kiefert; Magrum; Nelson, M.; Owens; Ruby, D.; Simons; Zubke

ABSENT AND NOT VOTING: Johnston; Kasper; Marschall

SB 2156, as amended, passed.

SECOND READING OF SENATE BILL

SB 2298: A BILL for an Act to create and enact a new section to chapter 57-39.2 and a new section to chapter 57-40.2 of the North Dakota Century Code, relating to sales and use tax collection obligations of certain out-of-state sellers; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 68 YEAS, 23 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Longmuir; Maragos; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Sanford; Satrom; Schmidt; Schneider; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Trottier; Vetter; Vigesaa; Westlind; Zubke

NAYS: Becker, Rick C.; Boe; Carlson; Delzer; Devlin; Ertelt; Karls; Kreidt; Lefor; Louser; Magrum; Martinson; McWilliams; Olson; Rohr; Ruby, D.; Ruby, M.; Schatz; Schobinger; Simons; Toman; Weisz; Speaker Bellew

ABSENT AND NOT VOTING: Johnston; Kasper; Marschall

Engrossed SB 2298, as amended, passed.

SECOND READING OF SENATE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 6 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

NAYS: Ertelt; Koppelman, B.; McWilliams; Olson; Simons; Speaker Bellew

ABSENT AND NOT VOTING: Johnston; Kasper; Marschall

Engrossed SB 2006, as amended, passed.

SECOND READING OF SENATE BILL

SB 2025: A BILL for an Act to provide an appropriation for defraying the expenses of the department of veterans' affairs.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Hogan

ABSENT AND NOT VOTING: Johnston; Kasper; Marschall

Reengrossed SB 2025, as amended, passed.

SECOND READING OF SENATE BILL

SB 2221: A BILL for an Act to create and enact section 53-06.2-10.2 of the North Dakota Century Code, relating to historic horse race wagering; and to amend and reenact sections 50-06-22, 53-06.2-01, 53-06.2-04, 53-06.2-05, and 53-06.2-06, subsection 1 of section 53-06.2-08, and sections 53-06.2-10, 53-06.2-10.1, and 53-06.2-11 of the North Dakota Century Code, relating to the compulsive gambling prevention and treatment fund and the regulation of historic horse racing.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 46 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, P.; Beadle; Becker, Rick C.; Blum; Boe; Boehning; Brabandt; Brandenburg; Carlson; Dockter; Grueneich; Headland; Heinert; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Kempenich; Kiefert; Koppelman, B.; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; Mitskog; Nathe; Nelson, J.; Oliver; Olson; Porter; Pyle; Roers Jones; Schatz; Schmidt; Schreiber-Beck; Simons; Steiner; Streyle; Toman; Trottier; Vetter; Zubke

NAYS: Anderson, B.; Anderson, D.; Becker, Rich S.; Bosch; Boschee; Damschen; Delmore; Delzer; Devlin; Dobervich; Ertelt; Guggisberg; Hanson; Hatlestad; Hogan; Holman; Johnson, C.; Karls; Keiser; Klemin; Koppelman, K.; Kreidt; Laning; McWilliams; Meier; Mock; Monson; Nelson, M.; O'Brien; Owens; Paur; Pollert; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schneider; Schobinger; Seibel; Skroch; Sukut; Vigesaa; Weisz; Westlind; Speaker Bellew

ABSENT AND NOT VOTING: Johnston; Kasper; Marschall

Engrossed SB 2221, as amended, failed.

SECOND READING OF SENATE BILL

SB 2272: A BILL for an Act to create and enact a new section to chapter 54-27 of the North Dakota Century Code, relating to definitions for the foundation aid stabilization fund; to amend and reenact sections 15.1-36-01, 15.1-36-02, 15.1-36-06, and 15.1-36-08, subsection 7 of section 21-03-07, section 54-44.1-12, and subsection 1 of section 57-62-02 of the North Dakota Century Code, relating to school construction loans from the coal development trust fund and the school construction assistance revolving loan fund, control of the rate of expenditures, and the transfer of interest from the coal development trust fund; to repeal sections 9 and 10 of chapter 153 of the 2015 Session Laws and sections 15-10-60, 15.1-27-46, 15.1-36-02.1, 15.1-36-03, 15.1-36-06, and 15.1-36-07 of the North Dakota Century Code, relating to the scholarship endowment fund, the uses of the foundation aid stabilization fund, and school construction loans; to provide an expiration date; to provide contingent transfers; to provide transfers; to provide an appropriation; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider;

Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Magrum; Schatz; Simons

ABSENT AND NOT VOTING: Johnston; Kasper; Marschall

Reengrossed SB 2272, as amended, passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. ANDERSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1151 as printed on HJ page 1172, which motion prevailed on a voice vote.

Engrossed HB 1151, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1151: A BILL for an Act to amend and reenact section 38-08-04 of the North Dakota Century Code, relating to the reporting of well pad or oil and gas production facility fluid spills.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 83 YEAS, 8 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Anderson, P.; Boschee; Dobervich; Hanson; Hogan; Longmuir; Nelson, M.; Seibel

ABSENT AND NOT VOTING: Johnston; Kasper; Marschall

Reengrossed HB 1151 passed.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1427, HCR 3016.

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

MR. SPEAKER: The President has signed: HB 1427, HCR 3016.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2099, SB 2141, SB 2196, SB 2202, SB 2244, SB 2261, SB 2262, SB 2286, SB 2322, SB 2327, SB 2342.

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

MR. PRESIDENT: The Speaker has signed: SB 2099, SB 2141, SB 2196, SB 2202, SB 2244, SB 2261, SB 2262, SB 2286, SB 2322, SB 2327, SB 2342.

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

MR. SPEAKER: The President has signed: SB 2099, SB 2141, SB 2196, SB 2202, SB 2244, SB 2261, SB 2262, SB 2286, SB 2322, SB 2327, SB 2342.

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

MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2272.

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1151.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1347.

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

MR. SPEAKER: The President has signed: HB 1347.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2006, SB 2025, SB 2139, SB 2156, SB 2191, SB 2224, SB 2231, SB 2298, SB 2343.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2188.

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

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

HB 1037: Sens. Davison; Schaible; Vedaa

HB 1085: Sens. O. Larsen; Kreun; Anderson

HB 1120: Sens. Anderson; J. Lee; Clemens

HB 1365: Sens. J. Lee; Anderson; Kreun

HB 1389: Sens. Schaible; Kannianen; Oban

HCR 3019: Sens. Kreun; Cook; Unruh

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2037, SB 2042, SB 2045, SB 2243, SB 2273, SB 2316, and SB 2321, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2037: Sens. Rust; Vedaa; Davison

SB 2042: Sens. J. Lee; Anderson; Heckaman

SB 2045: Sens. Campbell; Casper; Laffen

SB 2243: Sens. Schaible; Rust; Oban

SB 2273: Sens. Bekkedahl; Meyer; Dotzenrod

SB 2316: Sens. Burckhard; Kannianen; Dotzenrod

SB 2321: Sens. Rust; Vedaa; Schaible

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2038, SB 2088, SB 2271, and SB 2329.

REPORT OF STANDING COMMITTEE

SB 2001, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2001 was placed on the Sixth order on the calendar.

Page 1, line 3, after "appropriations" insert "; to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to the creation of a state revenue advisory committee"

Page 1, replace lines 15 through 19 with:

| | | | |
|---|----------------|-----------------|----------------|
| "Salaries and wages | \$10,004,373 | \$229,051 | \$10,233,424 |
| Operating expenses | 3,467,629 | 226,962 | 3,694,591 |
| Capital assets | 16,800 | (10,800) | 6,000 |
| National conference of state legislatures | <u>241,263</u> | <u>(16,108)</u> | <u>225,155</u> |
| Total general fund | \$13,730,065 | \$429,105 | \$14,159,170" |

Page 1, remove line 24

Page 2, replace lines 1 through 6 with

| | | | |
|--------------------------------|------------------|---------------|------------------|
| "Salaries and wages | \$9,180,442 | (\$130,912) | \$9,049,530 |
| Operating expenses | <u>2,837,968</u> | <u>48,640</u> | <u>2,886,608</u> |
| Total all funds | \$12,018,410 | (\$82,272) | \$11,936,138 |
| Less estimated income | <u>70,000</u> | <u>0</u> | <u>70,000</u> |
| Total general fund | \$11,948,410 | (\$82,272) | \$11,866,138 |
| Full-time equivalent positions | 37.00 | (1.00) | 36.00" |

Page 2, replace lines 11 through 13 with:

| | | | |
|---------------------------|---------------|-----------|---------------|
| "Grand total general fund | \$25,678,475 | \$346,833 | \$26,025,308 |
| Grand total special funds | <u>70,000</u> | <u>0</u> | <u>70,000</u> |
| Grand total all funds | \$25,748,475 | \$346,833 | \$26,095,308 |

SECTION 2. HEALTH INSURANCE INCREASE. The salaries and wages line item in subdivisions 1 and 2 of section 1 of this Act include funding from the general fund for increases in employee health insurance premiums from \$1,130 to \$1,241 per month. Total funding provided from the general fund is as follows:

| | |
|----------------------|---------------|
| Legislative assembly | \$353,769 |
| Legislative council | <u>95,568</u> |
| Total | \$449,337" |

Page 3, after line 21, insert:

"SECTION 7. A new section to chapter 54-35 of the North Dakota Century Code is created and enacted as follows:

State revenue advisory committee.

1. There is created a state revenue advisory committee which consists of five members of the house of representatives and four members of the senate. The majority leader of the house shall appoint the house members of the committee with the number of majority party members and the number of minority party members being of the same proportion as the total number of majority and total number of minority members of the house and the majority leader of the senate shall appoint the senate members of the committee with the number of majority party members and the number of minority party members being of the same proportion as the total number of majority and total number of minority members of the senate. The committee shall select from its membership the chairman and vice chairman of the committee. The legislative council shall provide staffing for the committee. The members of the committee are entitled to compensation from the legislative council for attendance at committee meetings at the rate provided for members of the legislative assembly for attendance at interim committee meetings and are entitled to reimbursement for expenses incurred in attending the meetings in the amounts provided by law for other state officers.
2. The committee shall:
 - a. Monitor state revenues and state economic activity, review economic forecasting data and models, and review and analyze the executive revenue forecasts and alternative revenue forecasts.

- b. Review and assess state agency revenues, including revenues received by the information technology department and the department of transportation's state fleet services from other state agencies. The review of information technology and state fleet services revenues must include an assessment of the delivery and cost of services, staffing, and billing processes to identify improvements to the efficiency and effectiveness of the services that will result in reduced costs for state agencies.
 - c. Provide any recommendations to reduce costs for state agencies to the director of the office of management and budget for use in developing agency biennial budget requests.
 - d. Prepare a biennial report to the legislative management and provide recommendations to the appropriations committees of the legislative assembly.
3. The committee, to carry out its responsibilities, may:
- a. Enter contracts, subject to the availability of funding, with economic forecasting entities to provide economic data specific to North Dakota;
 - b. Request information and assistance from state agency personnel as needed;
 - c. Consider input from representatives of private sector entities regarding the economic conditions of the state;
 - d. Develop alternative revenue forecasts; and
 - e. Share information associated with state revenues and economic activity with the governor and the director of the office of management and budget."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-----------------------|--------------|----------------|---------------|---------------|
| Legislative Assembly | | | | |
| Total all funds | \$13,730,065 | \$14,213,458 | (\$54,288) | \$14,159,170 |
| Less estimated income | 0 | 0 | 0 | 0 |
| General fund | \$13,730,065 | \$14,213,458 | (\$54,288) | \$14,159,170 |
| Legislative Council | | | | |
| Total all funds | \$12,018,410 | \$12,142,536 | (\$206,398) | \$11,936,138 |
| Less estimated income | 70,000 | 70,000 | 0 | 70,000 |
| General fund | \$11,948,410 | \$12,072,536 | (\$206,398) | \$11,866,138 |
| Bill total | | | | |
| Total all funds | \$25,748,475 | \$26,355,994 | (\$260,686) | \$26,095,308 |
| Less estimated income | 70,000 | 70,000 | 0 | 70,000 |
| General fund | \$25,678,475 | \$26,285,994 | (\$260,686) | \$26,025,308 |

Senate Bill No. 2001 - Legislative Assembly - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|--------------------------------------|--------------|-----------------|---------------|---------------|
| Salaries and wages | \$10,004,373 | \$10,262,695.00 | (\$29,271) | \$10,233,424 |
| Operating expenses | 3,467,629 | 3,694,591 | | 3,694,591 |
| Capital assets | 16,800 | 6,000 | | 6,000 |
| National Conf. of State Legislatures | 241,263 | 250,172 | (25,017) | 225,155 |
| Total all funds | \$13,730,065 | \$14,213,458 | (\$54,288) | \$14,159,170 |
| Less estimated income | 0 | 0 | 0 | 0 |
| | \$13,730,065 | \$14,213,458 | (\$54,288) | \$14,159,170 |

| | | | | |
|--------------|------|------|------|------|
| General fund | | | | |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |

Department No. 150 - Legislative Assembly - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Reduces National Conference of State Legislatures Dues ² | Total House Changes |
|--------------------------------------|---|---|---------------------|
| Salaries and wages | (\$29,271) | | (\$29,271) |
| Operating expenses | | | |
| Capital assets | | | |
| National Conf. of State Legislatures | | (25,017) | (25,017) |
| Total all funds | (\$29,271) | (\$25,017) | (\$54,288) |
| Less estimated income | 0 | 0 | 0 |
| General fund | (\$29,271) | (\$25,017) | (\$54,288) |
| FTE | 0.00 | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² National Conference of State Legislatures dues are reduced by 10 percent to provide a total of \$225,155.

This amendment also adds a section to identify additional funding provided for health insurance increases.

Senate Bill No. 2001 - Legislative Council - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|------------------------|---------------------|---------------------|--------------------|---------------------|
| Salaries and wages | \$9,180,442 | \$9,169,066 | (\$119,536) | \$9,049,530 |
| Operating expenses | 2,837,968 | 2,943,470 | (56,862) | 2,886,608 |
| Capital assets | | 30,000 | (30,000) | |
| Total all funds | \$12,018,410 | \$12,142,536 | (\$206,398) | \$11,936,138 |
| Less estimated income | 70,000 | 70,000 | 0 | 70,000 |
| General fund | \$11,948,410 | \$12,072,536 | (\$206,398) | \$11,866,138 |
| FTE | 37.00 | 36.00 | 0.00 | 36.00 |

Department No. 160 - Legislative Council - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Removes Funding for 1 FTE Office Assistant Position ² | Adds Funding for Temporary Salaries ³ | Reduces Funding for Operating Expenses ⁴ | Removes Funding for Capital Assets ⁵ | Total House Changes |
|------------------------|---|--|--|---|---|---------------------|
| Salaries and wages | (\$7,465) | (\$147,071) | \$35,000 | | | (\$119,536) |
| Operating expenses | | | | (56,862) | | (56,862) |
| Capital assets | | | | | (30,000) | (30,000) |
| Total all funds | (\$7,465) | (\$147,071) | \$35,000 | (\$56,862) | (\$30,000) | (\$206,398) |
| Less estimated income | 0 | 0 | 0 | 0 | 0 | 0 |
| General fund | (\$7,465) | (\$147,071) | \$35,000 | (\$56,862) | (\$30,000) | (\$206,398) |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Funding for 1 FTE office assistant position is removed.

³ Funding is added for temporary salaries and wages to assist with session duties related to the office assistant position.

⁴ Funding is reduced for information technology services (\$21,862) and professional fees (\$35,000).

⁵ Funding for copier replacement is removed.

This amendment also adds sections to:

- Identify additional funding provided for health insurance increases.
- Establish a state revenue advisory committee.

REPORT OF STANDING COMMITTEE

SB 2002, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2002 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 2, after "transfer" insert "; and to provide for a legislative management study"

Page 1, replace lines 13 through 17 with:

| | | | |
|---------------------------------|----------------|---------------|----------------|
| "Salaries and wages | \$11,059,109 | (\$149,997) | \$10,909,112 |
| Operating expenses | 2,483,980 | 247,602 | 2,731,582 |
| Judges' retirement | 79,588 | 1,176 | 80,764 |
| Guardianship monitoring program | <u>228,789</u> | <u>87,415</u> | <u>316,204</u> |
| Total general fund | \$13,851,466 | \$186,196 | \$14,037,662" |

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 5 with:

| | | | |
|---|------------------|------------------|------------------|
| "Salaries and wages | \$68,669,330 | (\$1,066,702) | \$67,602,628 |
| Operating expenses | 19,930,733 | 950,474 | 20,881,207 |
| Judges' retirement | 343,649 | (359) | 343,290 |
| University of North Dakota central legal research | <u>80,000</u> | <u>(40,000)</u> | <u>40,000</u> |
| Total all funds | \$89,023,712 | (\$156,587) | \$88,867,125 |
| Less estimated income | <u>1,922,150</u> | <u>(583,012)</u> | <u>1,339,138</u> |
| Total general fund | \$87,101,562 | \$426,425 | \$87,527,987" |

Page 2, replace lines 10 through 14 with:

| | | | |
|---|--------------------|-----------------|--------------------|
| "Judicial conduct commission and disciplinary board | <u>\$1,082,762</u> | <u>\$92,060</u> | <u>\$1,174,822</u> |
| Total all funds | \$1,082,762 | \$92,060 | \$1,174,822 |
| Less estimated income | <u>444,656</u> | <u>38,045</u> | <u>482,701</u> |
| Total general fund | \$638,106 | \$54,015 | \$692,121" |

Page 2, replace lines 19 through 22 with:

| | | | |
|--------------------------------|------------------|------------------|------------------|
| "Grand total general fund | \$101,591,134 | \$666,636 | \$102,257,770 |
| Grand total special funds | <u>2,366,806</u> | <u>(544,967)</u> | <u>1,821,839</u> |
| Grand total all funds | \$103,957,940 | \$121,669 | \$104,079,609 |
| Full-time equivalent positions | 391.00 | (35.50) | 355.50 |

SECTION 2. HEALTH INSURANCE INCREASE. The appropriation in section 1 of this Act includes the sum of \$950,356 from the general fund for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 3, after line 10, insert:

"SECTION 6. UNIVERSITY OF NORTH DAKOTA CENTRAL LEGAL RESEARCH - MATCHING FUND REQUIREMENT. Subdivision 2 of section 1 of this Act includes \$40,000 from the general fund for university of North Dakota central legal research, which may not be spent until the chief justice of the supreme court certifies to the office of management and budget that \$40,000 in matching funds from nonstate sources have been provided to the university of North Dakota for central legal research.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY. During the 2017-18 interim, the legislative management shall consider studying fees charged by the judicial branch, including fees charged by the clerk of district court under section 27-05.2-03. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-sixth legislative assembly."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2002 - Summary of House Action

| | Base Budget | Senate Version | House Changes | House Version |
|------------------------------------|---------------|----------------|---------------|---------------|
| Supreme Court | | | | |
| Total all funds | \$13,851,466 | \$14,046,785 | (\$9,123) | \$14,037,662 |
| Less estimated income | 0 | 0 | 0 | 0 |
| General fund | \$13,851,466 | \$14,046,785 | (\$9,123) | \$14,037,662 |
| District Courts | | | | |
| Total all funds | \$89,023,712 | \$88,817,173 | \$49,952 | \$88,867,125 |
| Less estimated income | 1,922,150 | 1,339,138 | 0 | 1,339,138 |
| General fund | \$87,101,562 | \$87,478,035 | \$49,952 | \$87,527,987 |
| Judicial Conduct Commission | | | | |
| Total all funds | \$1,082,762 | \$1,175,651 | (\$829) | \$1,174,822 |
| Less estimated income | 444,656 | 482,701 | 0 | 482,701 |
| General fund | \$638,106 | \$692,950 | (\$829) | \$692,121 |
| Bill total | | | | |
| Total all funds | \$103,957,940 | \$104,039,609 | \$40,000 | \$104,079,609 |
| Less estimated income | 2,366,806 | 1,821,839 | 0 | 1,821,839 |
| General fund | \$101,591,134 | \$102,217,770 | \$40,000 | \$102,257,770 |

Senate Bill No. 2002 - Supreme Court - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|---------------------------------|--------------|----------------|---------------|---------------|
| Salaries and wages | \$11,059,109 | \$10,918,028 | (\$8,916) | \$10,909,112 |
| Operating expenses | 2,483,980 | 2,731,582 | | 2,731,582 |
| Judges' retirement | 79,588 | 80,764 | | 80,764 |
| Guardianship monitoring program | 228,789 | 316,411 | (207) | 316,204 |
| Total all funds | \$13,851,466 | \$14,046,785 | (\$9,123) | \$14,037,662 |
| Less estimated income | 0 | 0 | 0 | 0 |
| General fund | \$13,851,466 | \$14,046,785 | (\$9,123) | \$14,037,662 |
| FTE | 47.00 | 43.50 | 0.00 | 43.50 |

Department No. 181 - Supreme Court - Detail of House Changes

| Adjusts Funding for Health | Total House Changes |
|----------------------------|---------------------|
| | |

| | Insurance Increases ¹ | |
|------------------------------------|-------------------------------------|-----------|
| Salaries and wages | (\$8,916) | (\$8,916) |
| Operating expenses | | |
| Judges' retirement | | |
| Guardianship monitoring program | (207) | (207) |
| Total all funds | (\$9,123) | (\$9,123) |
| Less estimated income | 0 | 0 |
| General fund | (\$9,123) | (\$9,123) |
| FTE | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

Senate Bill No. 2002 - District Courts - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|----------------------------|----------------|-------------------|------------------|------------------|
| Salaries and wages | \$68,669,330 | \$67,666,910 | (\$64,282) | \$67,602,628 |
| Operating expenses | 19,930,733 | 20,806,973 | 74,234 | 20,881,207 |
| Judges' retirement | 343,649 | 343,290 | | 343,290 |
| UND central legal research | 80,000 | | 40,000 | 40,000 |
| Total all funds | \$89,023,712 | \$88,817,173 | \$49,952 | \$88,867,125 |
| Less estimated income | 1,922,150 | 1,339,138 | 0 | 1,339,138 |
| General fund | \$87,101,562 | \$87,478,035 | \$49,952 | \$87,527,987 |
| FTE | 340.00 | 308.00 | 0.00 | 308.00 |

Department No. 182 - District Courts - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Adds Matching Funds for UND Central Legal Research ² | Adds Funding for Juvenile Court Services ³ | Total House Changes |
|----------------------------|---|--|---|------------------------|
| Salaries and wages | (\$64,282) | | | (\$64,282) |
| Operating expenses | | | 74,234 | 74,234 |
| Judges' retirement | | | | |
| UND central legal research | | 40,000 | | 40,000 |
| Total all funds | (\$64,282) | \$40,000 | \$74,234 | \$49,952 |
| Less estimated income | 0 | 0 | 0 | 0 |
| General fund | (\$64,282) | \$40,000 | \$74,234 | \$49,952 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Matching funds of \$40,000 from the general fund are added for University of North Dakota central legal research. The general fund appropriation must be matched by nonstate funds provided to the University of North Dakota for central legal research.

³ Funding is added for juvenile court services.

Senate Bill No. 2002 - Judicial Conduct Commission - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-----------------------------|----------------|-------------------|------------------|------------------|
| Judicial Conduct Commission | \$1,082,762 | \$1,175,651 | (\$829) | \$1,174,822 |
| | \$1,082,762 | \$1,175,651 | (\$829) | \$1,174,822 |

| | | | | |
|-----------------------|-------------|-------------|---------|-------------|
| Salaries and wages | \$874,608 | \$849,237 | (\$830) | \$848,407 |
| Operating expenses | 253,132 | 263,704 | | 263,704 |
| Total all funds | \$1,127,740 | \$1,112,941 | (\$830) | \$1,112,111 |
| Less estimated income | 0 | 0 | 0 | 0 |
| General fund | \$1,127,740 | \$1,112,941 | (\$830) | \$1,112,111 |
| FTE | 5.00 | 4.00 | 0.00 | 4.00 |

Department No. 316 - Indian Affairs Commission - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Total House Changes |
|-----------------------|---|------------------------|
| Salaries and wages | (\$830) | (\$830) |
| Operating expenses | | |
| Total all funds | (\$830) | (\$830) |
| Less estimated income | 0 | 0 |
| General fund | (\$830) | (\$830) |
| FTE | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

A section is added identifying the cost of the health insurance premium increase.

REPORT OF STANDING COMMITTEE

SB 2007, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2007 was placed on the Sixth order on the calendar.

Page 1, line 1, after "home" insert "; and to provide for exemptions"

Page 1, replace lines 10 through 15 with:

| | | | |
|-----------------------|-------------------|------------------|-------------------|
| "Salaries and wages | \$17,973,934 | \$710,556 | \$18,684,490 |
| Operating expenses | 4,958,742 | 495,497 | 5,454,239 |
| Capital assets | <u>273,270</u> | <u>280,033</u> | <u>553,303</u> |
| Total all funds | \$23,205,946 | \$1,486,086 | \$24,692,032 |
| Less estimated income | <u>15,077,922</u> | <u>3,662,671</u> | <u>18,740,593</u> |
| Total general fund | \$8,128,024 | (\$2,176,585) | \$5,951,439" |

Page 1, after line 16, insert:

"SECTION 2. HEALTH INSURANCE INCREASES. The salaries and wages line item in section 1 of this Act includes the sum of \$382,267, of which \$130,374 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 5 with:

| | | |
|--------------------------------------|-----------|---------------|
| "Shop addition | \$126,800 | \$0 |
| Irrigation system | 83,000 | 0 |
| Equipment | 195,530 | 44,500 |
| Health information exchange software | 0 | 15,000 |
| Nurse call system upgrade | <u>0</u> | <u>82,500</u> |
| Total all funds | \$405,330 | \$142,000 |

| | | |
|-----------------------|---------|---------|
| Less estimated income | 405,330 | 142,000 |
| Total general fund | \$0 | \$0" |

Page 2, after line 9, insert:

"SECTION 4. EXEMPTION - VETERANS' HOME CONSTRUCTION PROJECT FUNDING. The unexpended amount remaining from the appropriation for the veterans' home construction project in chapter 53 of the 2009 Session Laws which was continued into the 2011-13 biennium, the 2013-15 biennium, and the 2015-17 biennium is not subject to the provisions of section 54-44.1-11 at the end of the 2015-17 biennium and may continue into the 2017-19 biennium for paying expenses of the veterans' home construction project.

SECTION 5. EXEMPTION - SHOP ADDITION PROJECT FUNDING. The unexpended amount remaining from the appropriation for the veterans' home shop addition project in chapter 38 of the 2013 Session Laws which was continued into the 2015-17 biennium under section 54-44.1-11 and the unexpended amount remaining from the appropriation for the veterans' home shop addition project in chapter 7 of the 2015 Session Laws are not subject to the provisions of section 54-44.1-11 at the end of the 2015-17 biennium and may be continued into the 2017-19 biennium for paying expenses of the veterans' home shop addition project."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2007 - Veterans' Home - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-----------------------|--------------|----------------|---------------|---------------|
| Salaries and wages | \$17,973,934 | \$18,714,350 | (\$29,860) | \$18,684,490 |
| Operating expenses | 4,958,742 | 5,517,000 | (62,761) | 5,454,239 |
| Capital assets | 273,270 | 560,542 | (7,239) | 553,303 |
| Total all funds | \$23,205,946 | \$24,791,892 | (\$99,860) | \$24,692,032 |
| Less estimated income | 15,077,922 | 18,775,269 | (34,676) | 18,740,593 |
| General fund | \$8,128,024 | \$6,016,623 | (\$65,184) | \$5,951,439 |
| FTE | 120.72 | 120.72 | 0.00 | 120.72 |

Department No. 313 - Veterans' Home - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Adjusts Funding for Operating Expenses ² | Adjusts Funding for Bond Payments ³ | Adjusts One-Time Funding for Equipment ⁴ | Total House Changes |
|-----------------------|---|---|--|---|---------------------|
| Salaries and wages | (\$29,860) | | | | (\$29,860) |
| Operating expenses | | (55,000) | (7,761) | | (62,761) |
| Capital assets | | | 7,761 | (15,000) | (7,239) |
| Total all funds | (\$29,860) | (\$55,000) | \$0 | (\$15,000) | (\$99,860) |
| Less estimated income | (19,676) | 0 | 0 | (15,000) | (34,676) |
| General fund | (\$10,184) | (\$55,000) | \$0 | \$0 | (\$65,184) |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Funding for operating expenses is reduced by \$55,000 to provide a total operating expenses increase of \$495,497 from the base budget. The Senate approved an increase in operating expenses of \$558,258.

³ Funding of \$7,761 from the soldiers home fund is transferred from the operating expense line item to the capital assets line item to provide funding necessary for bond payments

during the 2017-19 biennium.

⁴ One-time funding for equipment is reduced by \$15,000, to provide a one-time appropriation for equipment of \$44,500 of special funds. The Senate approved one-time funding from special funds of \$59,500 for equipment.

This amendment also adds sections:

- Identifying the amount of funding included in the bill for the increase in employee health insurance premiums.
- Providing an exemption allowing unspent appropriation authority relating to the Veterans' Home construction project to continue.
- Providing an exemption allowing unspent appropriation authority relating to the shop addition project to continue.

REPORT OF STANDING COMMITTEE

SB 2008, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2008 was placed on the Sixth order on the calendar.

Page 1, line 2, after "institutions" insert "; to provide for a study; and to provide for a report to the legislative management"

Page 1, replace line 11 with:

| | | | |
|---------------------|-------------|----------|--------------|
| "Salaries and wages | \$6,737,190 | \$76,650 | \$6,813,840" |
|---------------------|-------------|----------|--------------|

Page 1, replace line 14 with:

| | | | |
|----------------------|-------------|----------|--------------|
| "Total special funds | \$8,389,442 | \$20,470 | \$8,409,912" |
|----------------------|-------------|----------|--------------|

Page 1, after line 15, insert:

"SECTION 2. HEALTH INSURANCE INCREASE. The salaries and wages line item in section 1 of this Act includes the sum of \$79,639 from other funds for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 1, after line 20, insert:

"SECTION 4. OPERATIONS OF DEPARTMENT OF FINANCIAL INSTITUTIONS AND SECURITIES DEPARTMENT - STUDY BY GOVERNOR - REPORT TO LEGISLATIVE MANAGEMENT. During the 2017-18 interim, the governor shall study the operations of the department of financial institutions and the securities department to determine the feasibility and desirability of combining the agencies into a single department. The governor shall report to the legislative management regarding the findings and recommendations of the study by July 1, 2018."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2008 - Department of Financial Institutions - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-----------------------|----------------|-------------------|------------------|------------------|
| Salaries and wages | \$6,737,190 | \$6,820,061 | (\$6,221) | \$6,813,840 |
| Operating expenses | 1,575,252 | 1,576,072 | | 1,576,072 |
| Contingency | 77,000 | 20,000 | | 20,000 |
| Total all funds | \$8,389,442 | \$8,416,133 | (\$6,221) | \$8,409,912 |
| Less estimated income | 8,389,442 | 8,416,133 | (6,221) | 8,409,912 |

| | | | | |
|--------------|-------|-------|------|-------|
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 30.00 | 30.00 | 0.00 | 30.00 |

Department No. 413 - Department of Financial Institutions - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Total House Changes |
|-----------------------|---|------------------------|
| Salaries and wages | (\$6,221) | (\$6,221) |
| Operating expenses | | |
| Contingency | | |
| Total all funds | (\$6,221) | (\$6,221) |
| Less estimated income | (6,221) | (6,221) |
| General fund | \$0 | \$0 |
| FTE | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

This amendment also:

- Adds a section identifying the cost of the health insurance premium increase.
- Adds a section requiring the Governor to study the possibility of combining the operations of the Department of Financial Institutions and the Securities Department. The section also requires a report to the Legislative Management upon the completion of the study.

REPORT OF STANDING COMMITTEE

SB 2009, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2009 was placed on the Sixth order on the calendar.

Page 1, line 2, after "association" insert "; to create and enact a new section to chapter 4-02.1 of the North Dakota Century Code, relating to facility operations or maintenance costs on the state fairgrounds; and to provide a statement of legislative intent"

Page 1, after line 17, insert:

"SECTION 3. LEGISLATIVE INTENT - PREMIUMS. It is the intent of the sixty-fifth legislative assembly that the state fair association use \$17,000 of its available operating funds to supplement funding for premiums appropriated in section 1 of this Act for the biennium beginning July 1, 2017, and ending June 30, 2019.

SECTION 4. A new section to chapter 4-02.1 of the North Dakota Century Code is created and enacted as follows:

Facility operations or maintenance costs.

Except for costs resulting from a natural disaster, the state fair association may not pay for the cost of any of its facility operations or maintenance costs from the state general fund."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment:

- Adds a section to provide legislative intent that the State Fair Association use \$17,000 of its operating fund to supplement funding for premiums for the 2017-19 biennium. The House did not change the Senate level of funding for premiums from the general fund of \$515,665.
- Creates a new section to North Dakota Century Code Chapter 4-02.1 relating to facility operations or maintenance costs on the state fairgrounds.

REPORT OF STANDING COMMITTEE

SB 2010, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2010 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 17 with:

| | | | |
|-----------------------|------------------|-----------------|------------------|
| "Salaries and wages | \$886,297 | \$19,156 | \$905,453 |
| Operating expenses | 372,224 | (16,373) | 355,851 |
| Grants | <u>2,117,390</u> | <u>(26,896)</u> | <u>2,090,494</u> |
| Total all funds | \$3,375,911 | (\$24,113) | \$3,351,798 |
| Less estimated income | <u>1,745,467</u> | <u>41,455</u> | <u>1,786,922</u> |
| Total general fund | \$1,630,444 | (\$65,568) | \$1,564,876" |

Page 1, after line 18, insert:

"SECTION 2. HEALTH INSURANCE INCREASE. Section 1 of this Act includes the sum of \$13,273 from the general fund for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2010 - Council on the Arts - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-----------------------|------------------|------------------|-----------------|------------------|
| Salaries and wages | \$886,297 | \$906,490 | (\$1,037) | \$905,453 |
| Operating expenses | 372,224 | 322,851 | 33,000 | 355,851 |
| Grants | <u>2,117,390</u> | <u>2,164,494</u> | <u>(74,000)</u> | <u>2,090,494</u> |
| Total all funds | \$3,375,911 | \$3,393,835 | (\$42,037) | \$3,351,798 |
| Less estimated income | <u>1,745,467</u> | <u>1,812,922</u> | <u>(26,000)</u> | <u>1,786,922</u> |
| General fund | \$1,630,444 | \$1,580,913 | (\$16,037) | \$1,564,876 |
| FTE | 5.00 | 5.00 | 0.00 | 5.00 |

Department No. 709 - Council on the Arts - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Adjusts Funding for Grants ² | Adjusts Funding for Art for Life Toolkits ³ | Reduces Funding for Operating Expenses ⁴ | Total House Changes |
|-----------------------|---|---|--|---|---------------------|
| Salaries and wages | (\$1,037) | | | | (\$1,037) |
| Operating expenses | | | 48,000 | (15,000) | 33,000 |
| Grants | | 26,000 | (100,000) | | (74,000) |
| Total all funds | (\$1,037) | 26,000 | (\$52,000) | (\$15,000) | (\$42,037) |
| Less estimated income | <u>0</u> | <u>26,000</u> | <u>(52,000)</u> | <u>0</u> | <u>(26,000)</u> |
| General fund | (\$1,037) | \$0 | \$0 | (\$15,000) | (\$16,037) |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Funding is adjusted for Bush Foundation and other agency grants.

³ Funding is adjusted for grants from the Bush Foundation for Art for Life program toolkits to provide a total of \$48,000 and to move funding from grants to the operating expenses line item. The Senate provided for \$74,000 in the grants line item for this purpose.

⁴ Funding is reduced for operating expenses.

This amendment also adds a section to identify the amount of funding included in the bill for the increase in employee health insurance premiums.

REPORT OF STANDING COMMITTEE

SB 2011, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 1 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2011 was placed on the Sixth order on the calendar.

Page 1, line 1, after "patrol" insert "; to create and enact two new sections to chapter 39-03 of the North Dakota Century Code, relating to capitol building access cards and job shadowing with the highway patrol; to amend and reenact subdivision j of subsection 3 of section 39-12-02 of the North Dakota Century Code, relating to fees for electronic permits; to provide a continuing appropriation"

Page 1, replace lines 13 through 17 with:

| | | | |
|--------------------------------|--------------|-------------|--------------|
| "Field operations | 52,348,835 | 5,139,871 | 57,488,706 |
| Total all funds | \$55,899,236 | \$1,589,470 | \$57,488,706 |
| Less estimated income | 12,955,491 | 2,005,787 | 14,961,278 |
| Total general fund | \$42,943,745 | (\$416,317) | \$42,527,428 |
| Full-time equivalent positions | 215.00 | (11.00) | 204.00 |

SECTION 2. HEALTH INSURANCE INCREASE. Section 1 of this Act includes the sum of \$533,578, of which \$426,619 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 2, line 13, replace "\$6,916,962" with "\$6,912,904"

Page 2, after line 17, insert:

"SECTION 5. MOTOR CARRIER ELECTRONIC PERMIT TRANSACTION FUND. The estimated income line item in section 1 of this Act includes \$1,269,165 from the motor carrier electronic permit transaction fund for the purpose of defraying various expenses associated with the issuance of permits during the biennium beginning July 1, 2017, and ending June 30, 2019."

Page 2, after line 29, insert:

"SECTION 8. A new section to chapter 39-03 of the North Dakota Century Code is created and enacted as follows:

Capitol building access card fund - Continuing appropriation.

There is created in the state treasury a capitol building access card fund. The fund consists of any fees received by the superintendent for the issuance of capitol building access cards. The superintendent shall establish policies regarding the issuance of capitol building access cards and may charge a fee of ten dollars for each access card issued to an individual who is not an employee of the state of North Dakota. All moneys in the fund are appropriated to the highway patrol on a continuing basis for costs associated with the issuance of capitol building access cards and capitol complex security needs.

SECTION 9. A new section to chapter 39-03 of the North Dakota Century Code is created and enacted as follows:

Job shadowing.

For purposes of education and community outreach and to promote public trust, the superintendent may permit a non-member of the highway patrol to participate in job shadowing activities, including:

1. Participating in a ride-along program with a member of the highway patrol while on duty;
2. Operating a highway patrol motor vehicle on a closed course under the supervision of a member of the highway patrol; and
3. Discharging a firearm owned and used by the highway patrol while at a training facility and under supervision of a member of the highway patrol.

SECTION 10. AMENDMENT. Subdivision j of subsection 3 of section 39-12-02 of the North Dakota Century Code is amended and reenacted as follows:

- j. The highway patrol may establish an online electronic permit system. If the highway patrol establishes an online electronic permit system, the highway patrol shall assess an additional fee of up to fifteen dollar-feedollars for every permit issued under this section to be deposited into the motor carrier electronic permit transaction fund."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2011 - Highway Patrol - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-----------------------|--------------|----------------|---------------|---------------|
| Administration | \$3,550,401 | | | |
| Field operations | 52,348,835 | 57,524,884 | (36,178) | 57,488,706 |
| Total all funds | \$55,899,236 | \$57,524,884 | (\$36,178) | \$57,488,706 |
| Less estimated income | 12,955,491 | 13,699,780 | 1,261,498 | 14,961,278 |
| General fund | \$42,943,745 | \$43,825,104 | (\$1,297,676) | \$42,527,428 |
| FTE | 215.00 | 206.00 | (2.00) | 204.00 |

Department No. 504 - Highway Patrol - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Adjusts Funding for Positions ² | Removes Unfunded FTE Positions ³ | Adjusts Funding Sources ⁴ | Total House Changes |
|-----------------------|---|--|---|--------------------------------------|---------------------|
| Administration | | | | | |
| Field operations | (41,679) | 5,501 | | | (36,178) |
| Total all funds | (\$41,679) | \$5,501 | \$0 | \$0 | (\$36,178) |
| Less estimated income | (8,355) | 688 | 0 | 1,269,165 | 1,261,498 |
| General fund | (\$33,324) | \$4,813 | \$0 | (\$1,269,165) | (\$1,297,676) |
| FTE | 0.00 | 0.00 | (2.00) | 0.00 | (2.00) |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Adjustments are made to transfer funding from 1 FTE trooper position to fill 2 unfunded Capitol security positions. Funding of \$5,501 is also added to provide total funding of \$231,008 for the security positions.

³ Authorization for two unfunded FTE trooper positions is removed.

⁴ The funding source for permit section staff and related expenses is transferred from the general fund to the motor carrier electronic permit transaction fund.

This amendment also:

- Adds a section detailing the amount of funding provided to the agency for employee health insurance premium increases.
- Adjusts the amount of funding provided from the highway tax distribution fund from \$6,916,962 to \$6,912,904.
- Adds a section to provide that \$1,269,165 of the Highway Patrol's special fund appropriation is from the motor carrier electronic permit fund.
- Adds a section to authorize the Highway Patrol to charge nonstate employees \$10 for a Capitol building access card. The section provides for the fees to be deposited in a Capitol building access card fund. Any money deposited in the fund are appropriated to the Highway Patrol for Capitol building security needs.
- Adds a section to authorize the Highway Patrol to permit members of the public to participate in job shadowing activities.
- Amends North Dakota Century Code Section 39-12-02 to require the Highway Patrol to charge up to \$15 for issuing an electronic permit. The section currently requires a \$15 fee to be charged for each permit.

REPORT OF STANDING COMMITTEE

SB 2012, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2012 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "section" with "sections"

Page 1, line 2, after "24-02-37" insert "and 39-01-09"

Page 1, line 3, after "expenditures" insert "and parking meters"

Page 1, line 3, remove "and"

Page 1, line 4, after "exemptions" insert "; to provide for studies; and to provide for reports"

Page 1, replace line 13 with:

| | | | |
|---------------------|---------------|---------------|----------------|
| "Salaries and wages | \$207,778,278 | (\$5,903,676) | \$201,874,602" |
|---------------------|---------------|---------------|----------------|

Page 1, replace lines 16 through 18 with:

| | | | |
|--------------------------------|-------------------|------------------|-------------------|
| "Grants | <u>62,918,030</u> | <u>4,610,000</u> | <u>67,528,030</u> |
| Total special funds | \$1,266,540,461 | \$2,949,407 | \$1,269,489,868 |
| Full-time equivalent positions | 1,080.50 | (36.50) | 1,044.00 |

SECTION 2. HEALTH INSURANCE INCREASE. The salaries and wages line item in section 1 of this Act includes the sum of \$2,702,395 from other funds for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 2, line 16, replace "\$5,700,000" with "\$16,300,000"

Page 2, remove lines 20 through 25

Page 3, after line 6, insert:

"SECTION 8. DISPOSITION OF MAINTENANCE SECTION SITES.
Notwithstanding any other provision of law, the department of transportation may

discontinue operations of department maintenance section sites in New England, Starkweather, Fessenden, Courtenay, Gackle, Litchville, Finley, and Mayville as provided in this section.

1. During the biennium beginning July 1, 2017, and ending June 30, 2019, the department may not dispose of any property assigned to a section site where operations are being discontinued.
2. The department shall consult with representatives of the political subdivisions in which the section site is located, in the following order: first with the county, second with the city, and third with the township. If requested by any of the political subdivisions, the department shall negotiate a lease agreement with that political subdivision regarding the use of the section site and facilities. The lease agreement must address, at a minimum, the following:
 - a. The political subdivision may use the department's maintenance site and building, road oil tank, and shop equipment contained in the building. The political subdivision must be responsible for all routine maintenance and utility costs.
 - b. If requested by the political subdivision, the department may transfer ownership of an equipped snow plow to the political subdivision. The snow plow must be one that the department intends to dispose of as part of its equipment replacement schedule.
 - c. The department may charge a reasonable fee to the political subdivision under the lease.
 - d. The department shall retain the use of salt buildings located on the property, the right to park one vehicle inside the maintenance building during a major winter storm, the use of an electrical outlet to plug in various vehicles for wintertime loading of deicing materials, and the right to use a portion of the site for a salt and sand pile for winter snow and ice control operations.
 - e. If an emergency occurs in or around a section site, and the department is unable to respond, the political subdivision shall agree to have an individual available to respond to the emergency. The political subdivision shall establish a process that allows emergency response teams to contact the political subdivision to allow it to respond to an emergency occurring within the area currently served by the section site. The response may require the political subdivision to provide snow and ice control on the state highway system.
3. If the department does not enter a lease agreement for a section site during the biennium beginning July 1, 2017, and ending June 30, 2019, the department may dispose of the section site property in accordance with state law.

SECTION 9. DRIVER'S LICENSE SERVICE SITES. During the biennium beginning July 1, 2017, and ending June 30, 2019, the department may not discontinue operations at a driver's licenses service site that processed 600 or more transactions during the prior state fiscal year."

Page 4, after line 17, insert:

"SECTION 11. AMENDMENT. Section 39-01-09 of the North Dakota Century Code is amended and reenacted as follows:

39-01-09. Parking meters prohibited - Exemption.

1. It is unlawful for the state of North Dakota, its political subdivisions, counties, or cities, including home rule counties and cities, and the state

department of transportation to establish and maintain any mechanical device or devices known as "parking meters", or by whatever name designated, requiring the deposit therein of coins or tokens for the privilege of parking cars or other vehicles upon the streets and highways in the state of North Dakota. ~~Any and all ordinances and resolutions now existing authorizing the establishment and maintenance of such mechanical devices or parking meters, or by whatever name designated, are hereby declared null and void.~~

2. Notwithstanding subsection 1, if approved by a majority of the voters of the jurisdiction voting on the question at a general election, a political subdivision may approve the use of parking meters.
3. Except for parking meters located on property owned by an institution under the control of the state board of higher education, twenty percent of all revenue generated from the use of parking meters under this section must be deposited in the state public transportation fund.

SECTION 12. DEPARTMENT OF TRANSPORTATION STUDY - SNOW AND ICE CONTROL SERVICES - REPORT TO LEGISLATIVE MANAGEMENT.

During the 2017-18 interim, the department of transportation shall study the manner in which it provides snow and ice control services on the state highway system, including the existing costs for these services and any potential savings available in providing these services. Based on its findings, the department shall determine the most efficient and effective manner in which to provide snow and ice control services. The department shall provide a report to the legislative management before to July 1, 2018, regarding the results of the study.

SECTION 13. DEPARTMENT OF TRANSPORTATION STUDY - CONSOLIDATION OF SERVICES - REPORT TO LEGISLATIVE MANAGEMENT - REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY.

During the 2017-18 interim, the department of transportation shall study options to consolidate transportation facilities within Williams County and the Williston district headquarters. The department shall provide the final report, including the results of the study, to the legislative management before July 1, 2018. If the results of the study determine that it is beneficial to consolidate facilities, the department may proceed with consolidation efforts. Before the completion of the study and the determination whether the consolidation of facilities is beneficial, the department may not construct any new buildings at the Williston district headquarters. The department shall provide reports to the appropriations committees of the sixty-sixth legislative assembly regarding the study and the outcomes of the study.

SECTION 14. LEGISLATIVE MANAGEMENT STUDY - TRANSPORTATION FUNDING.

During the 2017-18 interim, the legislative management shall consider studying the funding mechanisms and options available to the department of transportation, political subdivisions, and public transportation providers, for road construction, maintenance, other transportation infrastructure needs, and transit services. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-sixth legislative assembly.

SECTION 15. DEPARTMENT OF TRANSPORTATION FEES - REPORT TO BUDGET SECTION. The department of transportation shall report to the legislative management's budget section by September 30, 2017, and by September 30, 2018, regarding all fees charged by the department in comparison to the actual cost of providing the services for which the fee is charged."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2012 - Department of Transportation - House Action

| | Budget | Version | Changes | Version |
|-----------------------|-----------------|-----------------|---------------|-----------------|
| Salaries and wages | \$207,778,278 | \$202,085,692 | (\$211,090) | \$201,874,602 |
| Operating expenses | 295,762,751 | 229,381,646 | | 229,381,646 |
| Capital assets | 700,081,402 | 770,705,590 | | 770,705,590 |
| Grants | 62,918,030 | 72,528,030 | (5,000,000) | 67,528,030 |
| Total all funds | \$1,266,540,461 | \$1,274,700,958 | (\$5,211,090) | \$1,269,489,868 |
| Less estimated income | 1,266,540,461 | 1,274,700,958 | (5,211,090) | 1,269,489,868 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 1080.50 | 1049.00 | (5.00) | 1044.00 |

Department No. 801 - Department of Transportation - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Removes Funding for a Community Enhancement Program ² | Removes Authorization for 5 FTE Administrator Positions ³ | Total House Changes |
|-----------------------|---|--|--|------------------------|
| Salaries and wages | (\$211,090) | | | (\$211,090) |
| Operating expenses | | | | |
| Capital assets | | | | |
| Grants | | (5,000,000) | | (5,000,000) |
| Total all funds | (\$211,090) | (\$5,000,000) | \$0 | (\$5,211,090) |
| Less estimated income | (211,090) | (5,000,000) | 0 | (5,211,090) |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | (5.00) | (5.00) |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Funding of \$5 million for a North Dakota community enhancement program is removed. The Senate included \$5 million for this program as recommended by Governor Burgum.

³ Authorization for 5 FTE administrator positions is removed. The funding for the positions remains in the salaries and wages line item and the department may transfer this funding to other line items as necessary for road projects. The Senate removed 31.5 FTE positions and related funding.

This amendment also:

- Adds a section identifying the cost of the health insurance premium increase.
- Increases the use of enhanced state highway investment funding transferred from the general fund to the highway fund by the 2015 Legislative Assembly for matching federal highway construction funds during the 2017-19 biennium from \$5.7 million to \$16.3 million. The Senate authorized the use of \$5.7 million.
- Removes a section authorizing the use of \$5 million in enhanced state highway investment funding transferred from the general fund to the highway fund by the 2015 Legislative Assembly for the North Dakota community enhancement program during the 2017-19 biennium.
- Adds a section directing the department to consult with political subdivisions in the areas where highway maintenance section sites are being closed, before the buildings and vehicles are disposed of.
- Adds a section to amend North Dakota Century Code Section 39-01-09, relating to parking meters, and providing that 20 percent of the revenue generated from parking meters, except those on property of state higher education institutions be deposited in the public transportation fund.
- Adds a section requiring the department to study the manner in which it provides snow and ice control services and to provide a report to the Legislative Management.
- Adds a section requiring the department to study options to consolidate transportation facilities within Williams County and the Williston district headquarters

and to provide a report to the Legislative Management, and the 2019 Legislative Assembly.

- Adds a section requiring the Legislative Management to study transportation funding.
- Adds a section directing the department to report annually to the Budget Section during the 2017-18 interim, regarding all fees charged by the agency in comparison to the actual cost incurred for the resulting services provided.
- Adds a section to prohibit the department from closing a driver's license service site that processed 600 or more transactions during the prior state fiscal year.

REPORT OF STANDING COMMITTEE

SB 2014, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2014 was placed on the Sixth order on the calendar.

Page 1, line 3, remove the third "to"

Page 1, remove lines 4 through 7

Page 1, line 8, remove "tax credits;"

Page 1, line 8, replace the first comma with "and"

Page 1, line 8, after the second comma insert "subsection 3 of section 54-17-07.3, and sections"

Page 1, line 8, after the third comma insert "54-18-19,"

Page 1, line 9, remove "occupational or"

Page 1, line 10, replace "professional" with "recreational"

Page 1, line 10, after the second comma insert "North Dakota mill and elevator profits,"

Page 1, line 11, replace "section" with "sections 6-09-50, 54-17-40,"

Page 1, line 11, after "54-17-41" insert ", and 54-18-20"

Page 1, line 11, after "Code" insert "and sections 16, 26, and 27 of chapter 14 of the 2015 Session Laws"

Page 1, line 11, after the second "to" insert "a financial center project, the housing incentive fund,"

Page 1, line 12, after "reports" insert ", and a gain-sharing program"

Page 1, line 12, after the second semicolon insert "to provide for a report to the legislative management;"

Page 1, line 13, remove "and"

Page 1, line 13, after the second "date" insert "; and to declare an emergency"

Page 2, replace lines 1 through 8 with:

| | | | |
|--------------------------------|-------------------|------------------|-------------------|
| "Salaries and wages | \$22,132,229 | (\$118,145) | \$22,014,084 |
| Operating expenses | 4,779,135 | 1,526,753 | 6,305,888 |
| Grants - bond payments | 15,040,829 | (1,830,345) | 13,210,484 |
| Contingencies | <u>0</u> | <u>221,737</u> | <u>221,737</u> |
| Total all funds | \$41,952,193 | (\$200,000) | \$41,752,193 |
| Less estimated income | <u>16,994,447</u> | <u>(651,241)</u> | <u>16,343,206</u> |
| Total general fund | \$24,957,746 | \$451,241 | \$25,408,987 |
| Full-time equivalent positions | 116.75 | (6.50) | 110.25" |

Page 2, replace lines 13 through 15 with:

| | | | |
|----------------------------------|----------------|---------------|----------------|
| "Bank of North Dakota operations | \$58,542,301 | (\$253,097) | \$58,289,204 |
| Capital assets | <u>745,000</u> | <u>65,000</u> | <u>810,000</u> |
| Total special funds | \$59,287,301 | (\$188,097) | \$59,099,204" |

Page 2, replace lines 21 through 25 with:

| | | | |
|-----------------------------------|----------------|-------------|----------------|
| "Salaries and wages | \$36,278,898 | \$3,029,621 | \$39,308,519 |
| Operating expenses | 27,327,000 | 868,000 | 28,195,000 |
| Contingencies | 500,000 | 0 | 500,000 |
| Agriculture promotion | <u>210,000</u> | <u>0</u> | <u>210,000</u> |
| Total from mill and elevator fund | \$64,315,898 | \$3,897,621 | \$68,213,519" |

Page 2, remove line 31

Page 3, replace lines 1 through 5 with:

| | | | |
|--------------------------------------|----------------|-------------|----------------|
| "Salaries and wages | \$7,745,034 | (\$107,655) | \$7,637,379 |
| Operating expenses | 3,744,275 | 999,080 | 4,743,355 |
| Grants | 25,930,780 | 5,864,048 | 31,794,828 |
| Housing finance agency contingencies | <u>100,000</u> | <u>0</u> | <u>100,000</u> |
| Total special funds | \$37,520,089 | \$6,755,473 | \$44,275,562 |
| Full-time equivalent positions | 46.00 | (4.00) | 42.00" |

Page 3, replace lines 10 through 12 with:

| | | | |
|---------------------------|--------------------|------------------|--------------------|
| "Grand total general fund | \$24,957,746 | \$451,241 | \$25,408,987 |
| Grand total special funds | <u>178,117,735</u> | <u>9,813,756</u> | <u>187,931,491</u> |
| Grand total all funds | \$203,075,481 | \$10,264,997 | \$213,340,478 |

SECTION 2. HEALTH INSURANCE INCREASE. Section 1 of this Act includes the sum of \$1,319,354, of which \$292,009 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 5, line 5, replace "\$1,254,462" with "\$221,737"

Page 5, line 5, replace "six" with "two"

Page 5, line 9, remove "the thresholds identified in this section. Of the \$1,254,462 and the six full-time"

Page 5, replace lines 10 through 18 with:

"eighteen thousand two hundred. Subject to budget section approval, the industrial commission may spend \$221,737 from the contingencies line item and may hire two full-time equivalent positions, one of which may be hired after May 31, 2018, and one of which may be hired after November 30, 2018, if the total number of wells capable of production and injection exceeds eighteen thousand two hundred."

Page 5, line 20, replace "\$1,103,986" with "\$1,103,779"

Page 7, line 11, replace "thirteen" with "thirty"

Page 7, line 20, remove the overstrike over "~~Suspension of~~"

Page 7, line 21, after "~~license~~" insert "recreational licenses"

Page 7, line 21, remove the overstrike over "~~for nonpayment of defaulted state guaranteed student loans~~"

Page 7, line 22, remove the overstrike over "4."

Page 7, line 29, remove the overstrike over "2."

Page 8, line 15, after the overstruck period insert "The court may withhold or suspend any certificate, permit, or license issued by lottery, tag, electronically, or over the counter by the director of the game and fish department which the judgment debtor is required to obtain before engaging in a recreational activity. Following a decision to withhold or suspend a judgment debtor's certificate, permit, or license for failure to repay a state guaranteed student loan, the court shall notify the judgment debtor that the decision becomes final thirty days after the notification unless the judgment debtor satisfies or makes arrangements to pay the entire outstanding payment due or makes regular payment on the judgment in a manner and at times satisfactory to the court. The court shall notify the director of the game and fish department of the court's decision to withhold or suspend a debtor's certificate, permit, or license. A certificate, permit, or license withheld or suspended by an order issued under this section may be reissued only by order of the court. An appeal by a debtor who has had a certificate, permit, or license suspended or withheld under this section is an appeal from the court's order and may not be appealed to the director of the game and fish department."

Page 8, replace lines 16 through 21 with:

"SECTION 19. AMENDMENT. Subsection 3 of section 54-17-07.3 of the North Dakota Century Code is amended and reenacted as follows:

3. Multifamily housing finance program. A program or programs to provide financing directly or indirectly of construction, permanent, and combined construction and permanent mortgage loans, including participations in mortgage loans, for the acquisition, construction, refurbishing, reconstruction, rehabilitation, or improvement of multifamily housing facilities. As part of the program, the industrial commission, acting in its capacity as a state housing finance agency, may enter a public and private partnership with any interested private entity and accept any gift, grant, or other type of financial aid or assistance, ~~including a contribution to the housing incentive fund~~, to provide financing for the construction or rehabilitation of a multifamily housing facility in a developing community in the state to address an unmet housing need or alleviate a housing shortage. A private entity participating in this program may reserve a proportionate share of available units in the facility for occupancy by its workforce based on its financial participation in the facility, in addition to any units held for occupancy by individuals or families of low or moderate income."

Page 10, remove lines 30 and 31

Page 11, remove lines 1 through 30

Page 12, remove lines 1 through 30

Page 13, remove lines 1 through 31

Page 14, replace lines 1 through 22 with:

"SECTION 21. AMENDMENT. Section 54-18-19 of the North Dakota Century Code is amended and reenacted as follows:

54-18-19. Transfer of North Dakota mill and elevator profits to general fund.

The industrial commission shall transfer to the state general fund ~~fifty~~ seventy-five percent of the annual earnings and undivided profits of the North Dakota mill and elevator association after any transfers to other state agricultural-related programs. The moneys must be transferred on an annual basis in the amounts and at the times requested by the director of the office of management and budget."

Page 19, line 3, replace "Section" with "Sections"

Page 19, line 3, after "54-17-41" insert "and 54-18-20"

Page 19, line 3, replace "is" with "are"

Page 19, after line 3, insert:

"SECTION 24. REPEAL. Section 6-09-50 of the North Dakota Century Code and sections 16, 26, and 27 of chapter 14 of the 2015 Session Laws are repealed.

SECTION 25. REPEAL. Section 54-17-40 of the North Dakota Century Code is repealed."

Page 19, remove lines 21 through 26

Page 20, replace lines 13 through 15 with:

"SECTION 30. PROHIBITION - NORTH DAKOTA FINANCIAL CENTER - BANK OF NORTH DAKOTA. The Bank of North Dakota may not construct a North Dakota financial center on a site adjacent to the existing building on which the Bank of North Dakota is located related to the funding provided in section 1 of chapter 14 of the 2015 Session Laws and identified in sections 2 and 26 of chapter 14 of the 2015 Session Laws.

SECTION 31. LAKE BED SEDIMENTATION STUDY - REPORT TO THE LEGISLATIVE MANAGEMENT. During the 2017-18 interim, the industrial commission shall conduct a study in consultation with the game and fish department, the state department of health, and the state water commission regarding the feasibility of and appropriate jurisdiction for regulation of sediment studies and dredging operations from the beds of reservoirs that retain more than fifty acre-feet of surface water. The industrial commission shall report to the legislative management by September 30, 2018, regarding the results and recommendations of the study.

SECTION 32. EFFECTIVE DATE. Sections 19 and 25 of this Act become effective December 31, 2018.

SECTION 33. EXPIRATION DATE. Section 21 of this Act is effective through June 30, 2019, and after that date is ineffective.

SECTION 34. EMERGENCY. Sections 24 and 30 of this Act are declared to be an emergency measure."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2014 - Summary of House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-------------------------------|--------------|----------------|---------------|---------------|
| Industrial Commission | | | | |
| Total all funds | \$41,952,193 | \$42,809,180 | (\$1,056,987) | \$41,752,193 |
| Less estimated income | 16,994,447 | 16,344,658 | (1,452) | 16,343,206 |
| General fund | \$24,957,746 | \$26,464,522 | (\$1,055,535) | \$25,408,987 |
| Bank of North Dakota | | | | |
| Total all funds | \$59,287,301 | \$59,336,944 | (\$237,740) | \$59,099,204 |
| Less estimated income | 59,287,301 | 59,336,944 | (237,740) | 59,099,204 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| Housing Finance Agency | | | | |
| Total all funds | \$37,520,089 | \$44,539,570 | (\$264,008) | \$44,275,562 |
| Less estimated income | 37,520,089 | 44,539,570 | (264,008) | 44,275,562 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| Mill and Elevator | | | | |
| Total all funds | \$64,315,898 | \$68,245,245 | (\$31,726) | \$68,213,519 |
| Less estimated income | 64,315,898 | 68,245,245 | (31,726) | 68,213,519 |
| General fund | \$0 | \$0 | \$0 | \$0 |

| | | | | |
|-----------------------|---------------|---------------|---------------|---------------|
| Bill total | | | | |
| Total all funds | \$203,075,481 | \$214,930,939 | (\$1,590,461) | \$213,340,478 |
| Less estimated income | 178,117,735 | 188,466,417 | (534,926) | 187,931,491 |
| General fund | \$24,957,746 | \$26,464,522 | (\$1,055,535) | \$25,408,987 |

Senate Bill No. 2014 - Industrial Commission - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|------------------------|--------------|----------------|---------------|---------------|
| Salaries and wages | \$22,132,229 | \$22,038,346 | (\$24,262) | \$22,014,084 |
| Operating expenses | 4,779,135 | 6,305,888 | | 6,305,888 |
| Grants - Bond payments | 15,040,829 | 13,210,484 | | 13,210,484 |
| Contingencies | | 1,254,462 | (1,032,725) | 221,737 |
| Total all funds | \$41,952,193 | \$42,809,180 | (\$1,056,987) | \$41,752,193 |
| Less estimated income | 16,994,447 | 16,344,658 | (1,452) | 16,343,206 |
| General fund | \$24,957,746 | \$26,464,522 | (\$1,055,535) | \$25,408,987 |
| FTE | 116.75 | 114.25 | (4.00) | 110.25 |

Department No. 405 - Industrial Commission - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Adjusts Contingent FTE Positions ² | Total House Changes |
|------------------------|---|---|---------------------|
| Salaries and wages | (\$24,262) | | (\$24,262) |
| Operating expenses | | | |
| Grants - Bond payments | | | |
| Contingencies | | (1,032,725) | (1,032,725) |
| Total all funds | (\$24,262) | (\$1,032,725) | (\$1,056,987) |
| Less estimated income | (1,452) | 0 | (1,452) |
| General fund | (\$22,810) | (\$1,032,725) | (\$1,055,535) |
| FTE | 0.00 | (4.00) | (4.00) |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Contingent funding and authorization for FTE positions are adjusted to provide \$221,737 from the general fund and 2 FTE positions. The funding and FTE positions are authorized, subject to Budget Section approval, if the total number of wells capable of production and injection exceeds 18,200 wells as identified in Section 7 of the bill.

This amendment also includes the following changes related to the Industrial Commission:

- Identifies the funding increase for health insurance premium increases included in the agency's appropriation.
- Identifies \$221,737 from the general fund and 2 FTE positions included in the appropriation as contingent funding and contingent FTE position authorization. The funding and FTE positions are authorized, subject to Budget Section approval, if the total number of wells capable of production and injection exceeds 18,200 wells. One position may be hired after May 31, 2018, and another position may be hired after November 30, 2018. The Senate provided \$1,254,462 from the general fund and 6 FTE positions.
- Allows the Industrial Commission to transfer up to \$1,103,779 from special funds from the entities under the control of the Industrial Commission for administrative services. The transfer was adjusted for the health insurance adjustment compared to the transfer of \$1,103,986 provided by the Senate.
- Adds a section requiring the Industrial Commission, in consultation with the Game and Fish Department, the State Department of Health, and the State Water Commission, to study lake bed sedimentation and to report the results to the Legislative Management.

Senate Bill No. 2014 - Bank of North Dakota - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|---------------------------------|--------------|----------------|---------------|---------------|
| Capital assets | \$745,000 | \$810,000 | | \$810,000 |
| Bank of North Dakota operations | 58,542,301 | 58,526,944 | (237,740) | 58,289,204 |
| Total all funds | \$59,287,301 | \$59,336,944 | (\$237,740) | \$59,099,204 |
| Less estimated income | 59,287,301 | 59,336,944 | (237,740) | 59,099,204 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 181.50 | 181.50 | 0.00 | 181.50 |

Department No. 471 - Bank of North Dakota - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Reduces Funding for Salaries and Wages ² | Total House Changes |
|---------------------------------|---|---|---------------------|
| Capital assets | | | |
| Bank of North Dakota operations | (37,740) | (200,000) | (237,740) |
| Total all funds | (\$37,740) | (\$200,000) | (\$237,740) |
| Less estimated income | (37,740) | (200,000) | (237,740) |
| General fund | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Funding is reduced for salaries and wages by \$200,000.

This amendment also includes the following changes related to the Bank of North Dakota:

- Identifies the funding increase for health insurance premium increases included in the agency's appropriation.
- Authorizes the Bank of North Dakota to charge up to 30 percent of accumulated principal and interest on defaulted student loans. The Senate provided authorization to charge up to 13 percent.
- Provides the authority to suspend a recreational license when the licensee's student loans are in default. The Senate removed the authority to suspend an occupational or professional license.
- Repeals the references to the North Dakota financial center, which were included in 2015 House Bill No. 1014, and provides an emergency clause related to the repeal.
- Prohibits the Bank of North Dakota from constructing a financial center and provides an emergency clause related to the prohibition.

Senate Bill No. 2014 - Housing Finance Agency - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-----------------------|--------------|----------------|---------------|---------------|
| Salaries and wages | \$7,745,034 | \$7,901,387 | (\$264,008) | \$7,637,379 |
| Operating expenses | 3,744,275 | 4,743,355 | | 4,743,355 |
| Grants | 25,930,780 | 31,794,828 | | 31,794,828 |
| HFA contingencies | 100,000 | 100,000 | | 100,000 |
| Total all funds | \$37,520,089 | \$44,539,570 | (\$264,008) | \$44,275,562 |
| Less estimated income | 37,520,089 | 44,539,570 | (264,008) | 44,275,562 |
| General fund | \$0 | \$0 | \$0 | \$0 |

| | | | | |
|-----|-------|-------|--------|-------|
| FTE | 46.00 | 46.00 | (4.00) | 42.00 |
|-----|-------|-------|--------|-------|

Department No. 473 - Housing Finance Agency - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Removes FTE Positions ² | Removes Additional FTE Positions ³ | Total House Changes |
|-----------------------|---|---------------------------------------|---|------------------------|
| Salaries and wages | (\$9,331) | | (\$254,677) | (\$264,008) |
| Operating expenses | | | | |
| Grants | | | | |
| HFA contingencies | | | | |
| Total all funds | (\$9,331) | \$0 | (\$254,677) | (\$264,008) |
| Less estimated income | (9,331) | 0 | (254,677) | (264,008) |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | (2.00) | (2.00) | (4.00) |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Authorization for 2 FTE positions is removed. Funding for 2 FTE positions, including a housing program administrator position and a housing program representative, was removed by the Senate.

³ Funding of \$254,677 and 2 FTE positions are removed, including a housing program specialist position and a housing program administrator position.

This amendment also includes the following changes related to the Housing Finance Agency:

- Continues the housing incentive fund through December 31, 2018, after which all references to the housing incentive fund are repealed.
- Removes a section added by the Senate to provide up to \$5 million of income tax credits for contributions to the housing incentive fund which would have reduced general fund revenues by \$2.5 million for individual income tax collections and \$2.5 million for corporate income tax collections.
- Removes a section added by the Senate to establish the essential service worker home ownership incentive fund and to identify the uses of the fund.
- Removes a section added by the Senate to provide up to \$500,000 of income tax credits for contributions to the essential service worker home ownership incentive fund which would have reduced general fund revenues by \$250,000 for individual income tax collections and \$250,000 for corporate income tax collections.
- Removes a section added by the Senate to identify 50 percent of the contributions to the essential service worker home ownership fund for planning regions 1 and 8 and the remaining contributions for the other planning areas.
- Removes a section added by the Senate to provide an effective date and expiration date related to the housing incentive fund and the essential service worker home ownership incentive fund tax credits.

Senate Bill No. 2014 - Mill and Elevator - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-----------------------|----------------|-------------------|------------------|------------------|
| Salaries and wages | \$36,278,898 | \$39,340,245 | (\$31,726) | \$39,308,519 |
| Operating expenses | 27,327,000 | 28,195,000 | | 28,195,000 |
| Contingencies | 500,000 | 500,000 | | 500,000 |
| Agriculture promotion | 210,000 | 210,000 | | 210,000 |
| Total all funds | \$64,315,898 | \$68,245,245 | (\$31,726) | \$68,213,519 |

| | | | | |
|-----------------------|------------|------------|----------|------------|
| Less estimated income | 64,315,898 | 68,245,245 | (31,726) | 68,213,519 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 147.00 | 153.00 | 0.00 | 153.00 |

Department No. 475 - Mill and Elevator - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Total House Changes |
|-----------------------|---|------------------------|
| Salaries and wages | (\$31,726) | (\$31,726) |
| Operating expenses | | |
| Contingencies | | |
| Agriculture promotion | | |
| Total all funds | (\$31,726) | (\$31,726) |
| Less estimated income | (31,726) | (31,726) |
| General fund | \$0 | \$0 |
| FTE | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

This amendment also includes the following changes related to the Mill and Elevator Association:

- Identifies the funding increase for health insurance premium increases included in the agency's appropriation.
- Amends North Dakota Century Code Section 54-18-19 to increase the annual transfer of Mill and Elevator profits to the general fund from 50 to 75 percent for the 2017-19 biennium resulting in an increase of \$6,188,868 to 2017-19 biennium estimated general fund revenue, from \$12,377,736 to \$18,566,604.
- Section 22 repeals Section 54-18-20 which authorizes a gain-sharing program. The removal of the gain-sharing program may affect the profits available for transfer to the agricultural products utilization fund and the general fund, but the amounts cannot be determined.

REPORT OF STANDING COMMITTEE

SB 2015, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2015 was placed on the Sixth order on the calendar.

Page 1, line 6, remove "a"

Page 1, line 7, replace "study" with "studies"

Page 1, replace lines 17 through 22 with:

| | | | |
|--------------------------------|---------------|--------------|---------------|
| "Adult services | \$205,626,019 | \$16,734,336 | \$222,360,355 |
| Youth services | 30,654,707 | (171,110) | 30,483,597 |
| Total all funds | \$236,280,726 | \$16,563,226 | \$252,843,952 |
| Less estimated income | 33,236,706 | 5,527,454 | 38,764,160 |
| Total general fund | \$203,044,020 | \$11,035,772 | \$214,079,792 |
| Full-time equivalent positions | 836.29 | 7.00 | 843.29 |

SECTION 2. HEALTH INSURANCE INCREASE. The appropriation in section 1 of this Act includes the sum of \$2,150,275, of which \$2,010,808 is from the general

fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 2, line 1, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SIXTH LEGISLATIVE ASSEMBLY"

Page 2, line 3, after "2017-19" insert "biennium"

Page 2, replace lines 12 through 14 with:

| | | |
|----------------------------------|-------------|-------------|
| "Justice reinvestment initiative | 0 | 500,000 |
| Total all funds | \$6,592,167 | \$1,602,907 |
| Less estimated income | 5,126,000 | 1,602,907 |
| Total general fund | \$1,466,167 | \$0" |

Page 2, line 15, after "2017-19" insert "biennium"

Page 3, after line 10, insert:

"SECTION 7. MISSOURI RIVER CORRECTIONAL CENTER - HOUSING UNIT PURCHASE. The appropriation in section 1 of this Act includes the sum of \$844,000 for the purchase of a thirty-six bed housing unit at the Missouri River correctional center."

Page 3, line 26, replace ". including" with ". Potential alternatives to physical custody include"

Page 6, after line 12, insert:

"SECTION 12. LEGISLATIVE MANAGEMENT STUDY - TOMPKINS REHABILITATION CENTER. During the 2017-18 interim, the legislative management shall consider studying the operation, management, conditions, caseload, and physical plant of the Tompkins rehabilitation center at the state hospital. The study must include the potential transition of the Tompkins rehabilitation center, including the transfer of the building, employees, and supervision and management of all operations and caseload of the Tompkins rehabilitation center, from the department of human services and the state hospital to the department of corrections and rehabilitation. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - Summary of House Action

| | Base Budget | Senate Version | House Changes | House Version |
|--------------------------------------|---------------|----------------|---------------|---------------|
| DHS - Other | | | | |
| Total all funds | \$0 | \$7,500,000 | \$0 | \$7,500,000 |
| Less estimated income | 0 | 7,000,000 | 0 | 7,000,000 |
| General fund | \$0 | \$500,000 | \$0 | \$500,000 |
| Department of Corrections and Rehab. | | | | |
| Total all funds | \$236,280,726 | \$253,633,027 | (\$789,075) | \$252,843,952 |
| Less estimated income | 33,236,706 | 38,275,054 | 489,106 | 38,764,160 |
| General fund | \$203,044,020 | \$215,357,973 | (\$1,278,181) | \$214,079,792 |
| Bill total | | | | |
| Total all funds | \$236,280,726 | \$261,133,027 | (\$789,075) | \$260,343,952 |
| Less estimated income | 33,236,706 | 45,275,054 | 489,106 | 45,764,160 |
| General fund | \$203,044,020 | \$215,857,973 | (\$1,278,181) | \$214,579,792 |

Senate Bill No. 2015 - Department of Corrections and Rehab. - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|----------------|---------------|----------------|---------------|---------------|
| Adult services | \$205,626,019 | \$222,336,292 | \$24,063 | \$222,360,355 |

| | | | | |
|-----------------------|---------------|---------------|---------------|---------------|
| Youth services | 30,654,707 | 31,296,735 | (813,138) | 30,483,597 |
| Total all funds | \$236,280,726 | \$253,633,027 | (\$789,075) | \$252,843,952 |
| Less estimated income | 33,236,706 | 38,275,054 | 489,106 | 38,764,160 |
| General fund | \$203,044,020 | \$215,357,973 | (\$1,278,181) | \$214,079,792 |
| FTE | 836.29 | 847.29 | (4.00) | 843.29 |

Department No. 530 - Department of Corrections and Rehab. - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Reduces New Youth Correctional Center Positions ² | Reduces Funding for Operating Expenses ³ | Adds One-Time Funding for Justice Reinvestment ⁴ | Total House Changes |
|-----------------------|---|--|---|---|---------------------|
| Adult services | (\$139,937) | | (\$336,000) | \$500,000 | \$24,063 |
| Youth services | (39,447) | (503,230) | (270,461) | | (813,138) |
| Total all funds | (\$179,384) | (\$503,230) | (\$606,461) | \$500,000 | (\$789,075) |
| Less estimated income | (10,894) | 0 | 0 | 500,000 | 489,106 |
| General fund | (\$168,490) | (\$503,230) | (\$606,461) | \$0 | (\$1,278,181) |
| FTE | 0.00 | (4.00) | 0.00 | 0.00 | (4.00) |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Funding from the general fund is reduced and 4 new FTE Youth Correctional Center positions are removed providing 6 new FTE positions relating to maintaining compliance with the federal Prison Rape Elimination Act. The Senate added 10 new FTE positions and \$1,258,076 from the general fund to maintain compliance with the federal Prison Rape Elimination Act.

³ Funding from the general fund for operating expenses is reduced by \$606,461, including \$160,461 for youth services information technology data processing.

⁴ One-time funding of \$500,000 from other funds is added for implementing justice reinvestment initiatives.

This amendment also:

- Adds a new section to identify the amount appropriated relating to increases in employee health insurance premiums from \$1,130 to \$1,241 per month.
- Adds a new section to designate \$844,000 for the purchase of a 36-bed housing unit at the Missouri River Correctional Center.
- Adds a new section to provide for a Legislative Management study of the Tompkins Rehabilitation Center.
- Amends a section added by the Senate relating to management of inmate population at local and regional correctional facilities.

REPORT OF STANDING COMMITTEE

SB 2016, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2016 was placed on the Sixth order on the calendar.

Page 1, line 2, after "Dakota" insert "; to amend and reenact section 52-08-10 of the North Dakota Century Code, relating to the preparation of a business plan for workforce training; to repeal chapter 52-02.1 of the North Dakota Century Code, relating to new jobs training; to provide a statement of legislative intent; to provide for a legislative management study; and to provide for application"

Page 1, replace lines 12 through 21 with:

| | | | |
|---|-------------------|---------------------|-------------------|
| "Salaries and wages | \$39,604,238 | (\$12,448,672) | \$27,155,566 |
| Operating expenses | 13,479,157 | (1,977,902) | 11,501,255 |
| Capital assets | 20,000 | 100,000 | 120,000 |
| Grants | 5,404,326 | 54,245 | 5,458,571 |
| Workforce 20/20 | 1,441,225 | (1,441,225) | 0 |
| Reed Act - unemployment insurance computer modernization | <u>12,407,000</u> | <u>(1,197,443)</u> | <u>11,209,557</u> |
| Total all funds | \$72,355,946 | (\$16,910,997) | \$55,444,949 |
| Less estimated income | <u>70,467,866</u> | <u>(15,568,710)</u> | <u>54,899,156</u> |
| Total general fund | \$1,888,080 | (\$1,342,287) | \$545,793" |

Page 1, after line 22, insert:

"SECTION 2. HEALTH INSURANCE INCREASES. The salaries and wages line item in section 1 of this Act includes the sum of \$421,951, of which \$2,827 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 1, line 23, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SIXTH LEGISLATIVE ASSEMBLY**"

Page 1, line 24, after "biennium" insert "and the 2017-19 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 2 through 6 with:

| | | |
|--|----------|----------------|
| "Oil and gas employment study | \$80,000 | \$0 |
| Virtual OneStop application | 9,500 | 0 |
| Renovation of Bismarck regional office | <u>0</u> | <u>100,000</u> |
| Total all funds | \$89,500 | \$100,000 |
| Total special funds | <u>0</u> | <u>0</u> |
| Total general fund | \$89,500 | \$100,000 |

The 2017-19 biennium one-time funding amounts are not a part of the entity's base budget for the 2019-21 biennium. Job service North Dakota shall report to the appropriations committees of the sixty-sixth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2017, and ending June 30, 2019."

Page 2, line 9, replace "\$11,210,286" with "\$11,209,557"

Page 2, after line 16, insert:

"SECTION 6. AMENDMENT. Section 52-08-10 of the North Dakota Century Code is amended and reenacted as follows:

52-08-10. Preparation of business plan - Revolving loans.

Subject to state board of higher education policies, the president of an institution of higher education that is assigned primary responsibility for workforce training shall prepare an annual business plan that must include provisions for use of the training capacity of the tribal colleges within the designated region, in consultation with the workforce training board. ~~The business plan may include participation as a community under the new jobs training program under chapter 52-02-1.~~ The workforce training board shall approve the business plan and make recommendations for funding of the business plan to the state board of higher education. Any state funds received under this program by the institutions of higher education assigned primary responsibility for workforce training must be used for business and customized training activities. The state board of higher education may establish for each institution of higher education assigned primary responsibility for workforce training a revolving loan fund for workforce training program startups using the borrowing authority provided in section 15-10-16.1.

SECTION 7. REPEAL. Chapter 52-02.1 of the North Dakota Century Code is repealed.

SECTION 8. APPLICATION. Job service North Dakota shall honor contractual obligations under the new jobs training program in chapter 52-02.1 which were in effect before the effective date of this Act, until the terms of the contracts have been fulfilled.

SECTION 9. ESTIMATED INCOME - RENT REVENUE. The estimated income line item in section 1 of this Act includes \$750,000 of estimated rent revenue as a result of job service North Dakota leasing the Minot regional office and a portion of the Bismarck central office to other state agencies. Any revenue collected must be deposited in the job service North Dakota operating fund for the biennium beginning July 1, 2017, and ending June 30, 2019.

SECTION 10. ONE-TIME FUNDING - BISMARCK REGIONAL OFFICE RENOVATION - RELOCATION COSTS. Section 1 of this Act includes \$100,000 of one-time funding from the general fund, for defraying the expenses of job service North Dakota relocating from the Bismarck central office to the Bismarck regional office and for costs associated with renovations of the Bismarck regional office necessary for normal business operations for the biennium beginning July 1, 2017, and ending June 30, 2019.

SECTION 11. LEGISLATIVE INTENT - JOB SERVICE NORTH DAKOTA PROPERTIES. It is the intent of the sixty-fifth legislative assembly that, as a result of the study provided for in section 12 of this Act, job service North Dakota enter a long-term lease or sell the property determined most valuable and continue to occupy the property with the lowest cost for office space.

SECTION 12. LEGISLATIVE MANAGEMENT STUDY - JOB SERVICE NORTH DAKOTA PROPERTIES. During the 2017-18 interim, the legislative management shall consider studying office space cost and value of properties owned by job service North Dakota in Fargo, Rolla, Minot, and Bismarck with input from the office of management and budget. If job service North Dakota sells or leases any property identified in this section before July 1, 2017, the property may not be included in the study. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2016 - Job Service North Dakota - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-----------------------------------|--------------|----------------|---------------|---------------|
| Salaries and wages | \$39,604,238 | \$27,187,623 | (\$32,057) | \$27,155,566 |
| Operating expenses | 13,479,157 | 10,751,255 | 750,000 | 11,501,255 |
| Capital assets | 20,000 | 20,000 | 100,000 | 120,000 |
| Grants | 5,404,326 | 5,458,571 | | 5,458,571 |
| Workforce 20/20 | 1,441,225 | 502,407 | (502,407) | |
| Reed Act - Computer modernization | 12,407,000 | 11,210,286 | (729) | 11,209,557 |
| Total all funds | \$72,355,946 | \$55,130,142 | \$314,807 | \$55,444,949 |
| Less estimated income | 70,467,866 | 54,181,895 | 717,261 | 54,899,156 |
| General fund | \$1,888,080 | \$948,247 | (\$402,454) | \$545,793 |
| FTE | 237.76 | 181.61 | 0.00 | 181.61 |

Department No. 380 - Job Service North Dakota - Detail of House Changes

| | Adjusts Funding for Health Insurance ¹ | Eliminates Funding Workforce 20/20 Program ² | Adds Funding for Estimated Rent Revenue ³ | Adds One-Time Funding for Relocating and Office Renovations ⁴ | Total House Changes |
|--------------------|---|---|--|--|---------------------|
| Salaries and wages | (\$32,057) | | | | (\$32,057) |
| Operating expenses | | | 750,000 | | 750,000 |
| Capital assets | | | | 100,000 | 100,000 |
| Grants | | | | | |
| Workforce 20/20 | (174) | (502,233) | | | (502,407) |

| | | | | | |
|-----------------------------------|------------|-------------|-----------|-----------|-------------|
| Reed Act - Computer modernization | (729) | | | | (729) |
| Total all funds | (\$32,960) | (\$502,233) | \$750,000 | \$100,000 | \$314,807 |
| Less estimated income | (32,739) | 0 | 750,000 | 0 | 717,261 |
| General fund | (\$221) | (\$502,233) | \$0 | \$100,000 | (\$402,454) |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Funding is eliminated for the Workforce 20/20 program. The Senate provided \$502,407 from the general fund for the program.

³ Funding for operating expenses is increased by \$750,000 of revenue to be collected as a result of Job Service North Dakota leasing the Minot regional office and Bismarck central office to other state agencies. Revenue collected will be deposited in the Job Service North Dakota operating fund.

⁴ One-time funding is added from the general fund for costs associated with Job Service North Dakota relocating from the Bismarck central office to the Bismarck regional office and for any related renovations of the Bismarck regional office necessary for normal business operations.

This amendment also:

- Adds a section to identify the amount of funding included in the bill for the increase in employee health insurance premiums.
- Adjusts the amount of funding for Reed Act funds in Section 4 of the bill.
- Repeals North Dakota Century Code Chapter 52-02.1 related to the new jobs training program and amends Section 52-08-10 to eliminate reference to Chapter 52-02.1.
- Adds a section providing an application clause related to the new jobs training program, allowing Job Service North Dakota to honor current contractual obligations under the program.
- Adds a section to identify an increase in special fund spending authority of \$750,000 due to estimated rent revenue to be collected as a result of leasing the Job Service North Dakota Minot regional office and Bismarck central office.
- Adds a section to identify \$100,000 of one-time funding from the general fund for costs associated with Job Service North Dakota relocating to the Bismarck regional office and for related renovation costs of the property.
- Adds a section providing legislative intent regarding the study of Job Service North Dakota properties in Fargo, Rolla, Minot, and Bismarck.
- Adds a section providing for a legislative management study, in conjunction with the office of management and budget, related to Job Service North Dakota properties in Fargo, Rolla, Minot, and Bismarck.

REPORT OF STANDING COMMITTEE

SB 2017, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2017 was placed on the Sixth order on the calendar.

| | | | |
|--------------------------------|------------------|-----------------|------------------|
| "Salaries and wages | \$1,195,284 | (\$3,434) | \$1,191,850 |
| Operating expenses | <u>1,756,327</u> | <u>(29,543)</u> | <u>1,726,784</u> |
| Total special funds | \$2,951,611 | (\$32,977) | \$2,918,634 |
| Full-time equivalent positions | 5.00 | 0.00 | 5.00 |

SECTION 2. HEALTH INSURANCE INCREASE. The salaries and wages line item in section 1 of this Act includes the sum of \$13,273 from special funds for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2017 - Office of Administrative Hearings - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-----------------------|------------------|------------------|-----------------|------------------|
| Salaries and wages | \$1,195,284 | \$1,163,344 | \$28,506 | \$1,191,850 |
| Operating expenses | <u>1,756,327</u> | <u>1,756,327</u> | <u>(29,543)</u> | <u>1,726,784</u> |
| Total all funds | \$2,951,611 | \$2,919,671 | (\$1,037) | \$2,918,634 |
| Less estimated income | <u>2,951,611</u> | <u>2,919,671</u> | <u>(1,037)</u> | <u>2,918,634</u> |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 5.00 | 5.00 | 0.00 | 5.00 |

Department No. 140 - Office of Administrative Hearings - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Adjusts Funding Between Line Items ² | Total House Changes |
|-----------------------|---|---|---------------------|
| Salaries and wages | (\$1,037) | \$29,543 | \$28,506 |
| Operating expenses | | <u>(29,543)</u> | <u>(29,543)</u> |
| Total all funds | (\$1,037) | \$0 | (\$1,037) |
| Less estimated income | <u>(1,037)</u> | <u>0</u> | <u>(1,037)</u> |
| General fund | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Funding of \$29,543 is removed from the operating expenses line item, rather than the salaries and wages line item.

This amendment also adds a new section to identify the amount of funding included in the bill for the increase in employee health insurance premiums.

REPORT OF STANDING COMMITTEE

SB 2019, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2019 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 21 with:

| | | | |
|------------------------|------------------|--------------------|------------------|
| "Salaries and wages | \$4,763,504 | (\$63,529) | \$4,699,975 |
| Operating expenses | 1,267,340 | (26,751) | 1,240,589 |
| Grants | 31,240,290 | 1,593,066 | 32,833,356 |
| Grants - postsecondary | 661,113 | (364,906) | 296,207 |
| Adult farm management | 660,438 | (80,616) | 579,822 |
| Workforce training | <u>2,803,500</u> | <u>(1,203,500)</u> | <u>1,600,000</u> |

| | | | |
|--------------------------------|------------------|------------------|-------------------|
| Total all funds | \$41,396,185 | (\$146,236) | \$41,249,949 |
| Less estimated income | <u>9,697,887</u> | <u>2,395,779</u> | <u>12,093,666</u> |
| Total general fund | \$31,698,298 | (\$2,542,015) | \$29,156,283 |
| Full-time equivalent positions | 26.50 | (2.00) | 24.50 |

SECTION 2. HEALTH INSURANCE INCREASE. The salaries and wages line item in section 1 of this Act includes the sum of \$61,059 from the general fund for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 2, replace lines 4 and 5 with:

| | | |
|---|----------|------------------|
| "School district and area center grants | \$0 | \$2,427,000 |
| Marketplace for kids | <u>0</u> | <u>300,000</u> |
| Total all funds | \$0 | \$2,727,000 |
| Less estimated income | <u>0</u> | <u>2,477,000</u> |
| Total general fund | \$0 | \$250,000" |

Page 2, line 12, after the period insert "Of this amount, \$50,000 is for the marketplace for kids program."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2019 - Dept. of Career and Technical Education - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|------------------------|------------------|-------------------|--------------------|-------------------|
| Salaries and wages | \$4,763,504 | \$4,864,807 | (\$164,832) | \$4,699,975 |
| Operating expenses | 1,267,340 | 1,240,589 | | 1,240,589 |
| Grants | 31,240,290 | 32,542,856 | 290,500 | 32,833,356 |
| Grants - Postsecondary | 661,113 | 586,707 | (290,500) | 296,207 |
| Adult farm management | 660,438 | 579,822 | | 579,822 |
| Workforce training | <u>2,803,500</u> | <u>2,600,000</u> | <u>(1,000,000)</u> | <u>1,600,000</u> |
| Total all funds | \$41,396,185 | \$42,414,781 | (\$1,164,832) | \$41,249,949 |
| Less estimated income | <u>9,697,887</u> | <u>12,093,666</u> | <u>0</u> | <u>12,093,666</u> |
| General fund | \$31,698,298 | \$30,321,115 | (\$1,164,832) | \$29,156,283 |
| FTE | 26.50 | 25.50 | (1.00) | 24.50 |

Department No. 270 - Dept. of Career and Technical Education - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Removes 1 FTE Position ² | Adjusts Funding for STEM Grants ³ | Adjusts Funding for Workforce Training ⁴ | Adjusts Funding for Marketplace for Kids ⁵ | Total House Changes |
|------------------------|---|-------------------------------------|--|---|---|---------------------|
| Salaries and wages | (\$7,632) | (\$157,200) | | | | (\$164,832) |
| Operating expenses | | | | | | |
| Grants | | | 290,500 | | | 290,500 |
| Grants - Postsecondary | | | (290,500) | | | (290,500) |
| Adult farm management | | | | | | |
| Workforce training | | | | (1,000,000) | | (1,000,000) |
| Total all funds | (\$7,632) | (\$157,200) | \$0 | (\$1,000,000) | \$0 | (\$1,164,832) |
| Less estimated income | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| General fund | (\$7,632) | (\$157,200) | \$0 | (\$1,000,000) | \$0 | (\$1,164,832) |
| FTE | 0.00 | (1.00) | 0.00 | 0.00 | 0.00 | (1.00) |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month. Section 2 of the bill is also adjusted to reflect the revised premium rate.

² Funding is removed for 1 FTE assistant program supervisor position.

³ Funding of \$290,500 for science, technology, engineering, and math (STEM) grants is transferred from the grants - postsecondary line item to the grants line item to provide a total of \$296,207 in the grants - postsecondary line item and \$32,833,356 in the grants line item.

⁴ Funding is reduced for workforce training grants by \$1 million from the general fund to provide a total appropriation of \$1.6 million.

⁵ Ongoing funding for the Marketplace for Kids program is reduced by \$250,000 and replaced with \$250,000 of one-time funding. An amount of \$50,000 from the foundation aid stabilization fund is also identified in section 4 of the bill to provide a total one-time appropriation of \$300,000 for the program.

REPORT OF STANDING COMMITTEE

SB 2022, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2022 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 16 with:

| | | | |
|--|---------------------|--------------------|---------------------|
| "Commission on legal counsel for indigents | <u>\$18,889,823</u> | <u>\$1,013,800</u> | <u>\$19,903,623</u> |
| Total all funds | \$18,889,823 | \$1,013,800 | \$19,903,623 |
| Less estimated income | <u>1,906,914</u> | <u>12,833</u> | <u>1,919,747</u> |
| Total general fund | \$16,982,909 | \$1,000,967 | \$17,983,876" |

Page 1, after line 17, insert:

"SECTION 2. HEALTH INSURANCE INCREASE. The salaries and wages line item in section 1 of this Act includes the sum of \$114,999, of which \$112,215 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2022 - Commission on Legal Counsel for Indigents - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|--------------------------------------|------------------|------------------|---------------|------------------|
| Comm. on Legal Counsel for Indigents | \$18,889,823 | \$19,912,606 | (\$8,983) | \$19,903,623 |
| Total all funds | \$18,889,823 | \$19,912,606 | (\$8,983) | \$19,903,623 |
| Less estimated income | <u>1,906,914</u> | <u>1,919,965</u> | (218) | <u>1,919,747</u> |
| General fund | \$16,982,909 | \$17,992,641 | (\$8,765) | \$17,983,876 |
| FTE | 40.00 | 40.00 | 0.00 | 40.00 |

Department No. 188 - Commission on Legal Counsel for Indigents - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Total House Changes |
|--------------------------------------|---|---------------------|
| Comm. on Legal Counsel for Indigents | (\$8,983) | (\$8,983) |
| Total all funds | (\$8,983) | (\$8,983) |
| Less estimated income | <u>(218)</u> | <u>(218)</u> |
| General fund | (\$8,765) | (\$8,765) |

FTE 0.00 0.00

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

This amendment also adds a new section to identify the amount of funding included in the bill for the increase in employee health insurance premiums.

REPORT OF STANDING COMMITTEE

SB 2023, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2023 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 and 13 with:

| | | | |
|--------------------|-----------|-----------|------------|
| "Racing commission | \$546,551 | (\$4,373) | \$542,178 |
| Total all funds | \$546,551 | (\$4,373) | \$542,178" |

Page 1, replace line 15 with:

| | | | |
|---------------------|-----------|-----------|------------|
| "Total general fund | \$387,821 | (\$8,200) | \$379,621" |
|---------------------|-----------|-----------|------------|

Page 1, after line 16, insert:

"SECTION 2. HEALTH INSURANCE INCREASE. The racing commission line item in section 1 of this Act includes the sum of \$5,309 from the general fund for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2023 - Racing Commission - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-----------------------|-------------|----------------|---------------|---------------|
| Racing Commission | \$546,551 | \$542,593 | (\$415) | \$542,178 |
| Total all funds | \$546,551 | \$542,593 | (\$415) | \$542,178 |
| Less estimated income | 158,730 | 162,557 | 0 | 162,557 |
| General fund | \$387,821 | \$380,036 | (\$415) | \$379,621 |
| FTE | 2.00 | 2.00 | 0.00 | 2.00 |

Department No. 670 - Racing Commission - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Total House Changes |
|-----------------------|---|---------------------|
| Racing Commission | (\$415) | (\$415) |
| Total all funds | (\$415) | (\$415) |
| Less estimated income | 0 | 0 |
| General fund | (\$415) | (\$415) |
| FTE | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

A section is added identifying the cost of the health insurance premium increase.

REPORT OF STANDING COMMITTEE

SB 2036, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2036 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for contributions to qualified universities; to"

Page 1, line 3, remove "and to provide an"

Page 1, line 4, replace "appropriation" with "to provide for the cancellation of appropriation authority; to provide for a legislative management report; to provide an effective date; and to provide an expiration date"

Page 1, line 10, overstrike "During the period beginning July 1, 2015"

Page 1, line 10, remove "2017"

Page 1, line 10, overstrike ", and ending December 31,"

Page 1, line 11, overstrike "2016"

Page 1, line 11, replace "2018" with "Subject to legislative appropriations, each biennium during the period beginning July 1 of each odd-numbered year and ending December 31 of each even-numbered year"

Page 2, line 1, overstrike "before January 1,"

Page 2, line 2, overstrike "2017"

Page 2, line 2, remove "2019"

Page 2, line 2, overstrike the first comma

Page 2, line 18, overstrike "During the period beginning July 1, 2015"

Page 2, line 18, remove "2017"

Page 2, line 18, overstrike ", and ending December 31,"

Page 2, line 19, overstrike "2016"

Page 2, line 19, replace "2018" with "Subject to legislative appropriations, each biennium during the period beginning July 1 of each odd-numbered year and ending December 31 of each even-numbered year"

Page 3, line 1, overstrike "before January 1,"

Page 3, line 2, replace "2019" with "prior to January 1 of each odd-numbered year"

Page 3, remove lines 25 through 30

Page 4, replace lines 1 and 2 with:

"SECTION 3. A new section to chapter 57-38 of the North Dakota Century Code is created and enacted as follows:

Income tax credit for contributions to a qualified university.

1. A taxpayer is entitled to a credit against tax liability determined under section 57-38-30.3 for charitable contributions made after June 30, 2017, to a qualified university. To qualify for the credit under this section, a single contribution must be a cash contribution of twenty-five thousand dollars or more.
2. For purposes of this section, "qualified university" means an institution under the control of the state board of higher education, which is a tax-exempt organization under 26 U.S.C. 501(c)(3) to which contributions qualify for federal charitable income tax deductions.
3. The amount of the credit to which a taxpayer is entitled is forty percent of the amount contributed by the taxpayer to a qualified university during the taxable year.
4. The maximum credit that may be earned under this section in a taxable year is thirty thousand dollars for an individual, or sixty thousand dollars for married individuals filing a joint return. This subsection may not be interpreted to limit additional contributions by a taxpayer for which that taxpayer is not earning a credit.
5. The credit under this section may not exceed the taxpayer's income tax liability. If the amount of credit determined under this section exceeds the liability for tax under this chapter, the excess may be carried forward to each of the five succeeding taxable years.
6. The contribution used to calculate the credit under this section may not be used to calculate any other income tax deduction or credit allowed by law.
7. North Dakota taxable income must be increased by the amount of the charitable contribution upon which the credit under this section is computed but only to the extent the contribution reduced federal taxable income in any year.
8. The aggregate amount of credits allowed for contributions under this section may not exceed two million five hundred thousand dollars per year. The credit must be allowed to taxpayers in the chronological order of their contributions to a qualified university.
9. A qualified university that is:
 - a. A four-year institution with a full-time equivalent annual enrollment of more than ten thousand students is limited to receiving no more than three million dollars of contributions over all taxable years for purposes of qualifying for the credit.
 - b. A four-year institution with a full-time equivalent annual enrollment of ten thousand students or fewer is limited to receiving no more than one million dollars of contributions over all taxable years for purposes of qualifying for the credit.
 - c. A two-year institution with a full-time equivalent annual enrollment of ten thousand students or fewer is limited to receiving no more than five hundred thousand dollars of contributions over all taxable years for purposes of qualifying for the credit.
10. Within thirty days after the date on which a taxpayer makes a contribution to the qualified university, the university shall file with each contributing taxpayer, and a copy with the tax commissioner, completed forms that show as to each contribution to the qualified university by that taxpayer the following:

- a. The name, address, and social security number or federal employer identification number of the taxpayer that made the contribution;
 - b. The dollar amount contributed to the qualified university; and
 - c. The date the contribution was received by the qualified university.
11. A taxpayer shall claim the credit on the taxpayer's state income tax return in the form and manner prescribed by the tax commissioner and file with the return a copy of the form issued by the qualified university under subsection 10.
 12. A passthrough entity making a contribution to a qualified university under this section is considered to be the taxpayer for purposes of this section, and the amount of the credit allowed must be determined at the passthrough entity level. The amount of the total credit determined at the entity level must be passed through to the partners, shareholders, or members in proportion to their respective interests in the passthrough entity.
 13. The state board of higher education shall approve the use of all funds received by a qualified university pursuant to this section.

SECTION 4. A new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code is created and enacted as follows:

Income tax credit for contributions to a qualified university under section 3 of this Act (effective for the first two taxable years beginning after December 31, 2016).

SECTION 5. CANCELLATION OF APPROPRIATION AUTHORITY. Prior to August first of each year, the tax commissioner shall certify to the office of management and budget the amount of credits claimed during the preceding state fiscal year under section 3 of this Act which apply to contributions to each qualified university. The director of the office of management and budget shall cancel the portion of the current biennium general fund appropriations authority for each qualified university equal to the amount of credits claimed during the preceding fiscal year for contributions to the qualified university.

SECTION 6. LEGISLATIVE MANAGEMENT REPORT. During the 2017-18 interim, the state board of higher education shall provide a report to the legislative management regarding tax credits claimed for contributions to qualified universities, including the amount of tax credits claimed for contributions to each university and the use of funds by each university.

SECTION 7. EFFECTIVE DATE - EXPIRATION DATE. Sections 3 and 4 of this Act are effective for the first two taxable years beginning after December 31, 2016, and are thereafter ineffective."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment:

- Removes reference to specific dates from statutory provisions relating to higher education challenge grants;
- Removes the \$4 million appropriation from the strategic investment and improvements fund for higher education challenge grants;
- Creates an income tax credit for contributions to North Dakota University System institutions; and

- Cancels higher education appropriation authority equal to the amount of tax credits claimed during the preceding fiscal year.

REPORT OF STANDING COMMITTEE

SB 2150: Education Committee (Rep. Owens, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2150 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2344, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2344 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact chapter 19-24.1 of the North Dakota Century Code, relating to medical marijuana; to amend and reenact section 54-60-03, paragraph 3 of subdivision a of subsection 15 of section 57-02-08, and paragraph 2 of subdivision b of subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to primary sector business certification and property tax exemptions for farm buildings and residences; to repeal chapter 19-24 of the North Dakota Century Code, relating to medical marijuana; to provide a statement of legislative intent; to provide for a report; to provide a penalty; to provide a continuing appropriation; and to declare an emergency..

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Chapter 19-24.1 of the North Dakota Century Code is created and enacted as follows:

19-24.1-01. Definitions.

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

1. "Advanced practice registered nurse" means an advanced practice registered nurse as defined under section 43-12.1-02.
2. "Allowable amount of usable marijuana" means the amount of usable marijuana a registered qualifying patient or registered designated caregiver may purchase in a thirty-day period under this chapter.
 - a. During a thirty-day period, a registered qualifying patient may not purchase or have purchased by a registered designated caregiver more than two and one-half ounces [70.87 grams] of dried leaves or flowers of the plant of genus cannabis in a combustible delivery form. At any time a registered qualifying patient, or a registered designated caregiver on behalf of a registered qualifying patient, may not possess more than three ounces [85.05 grams] of dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form.
 - b. A registered qualifying patient may not purchase or have purchased by a registered designated caregiver more than the maximum concentration or amount of tetrahydrocannabinol permitted in a thirty-day period. The maximum concentration or amount of tetrahydrocannabinol permitted in a thirty-day period for a cannabinoid concentrate or medical cannabinoid product, or the cumulative total of both, is two thousand milligrams.
3. "Bona fide provider-patient relationship" means a treatment or counseling relationship between a health care provider and patient in which all the following are present:

- a. The health care provider has reviewed the patient's relevant medical records and completed a full assessment of the patient's medical history and current medical condition, including a relevant, in-person, medical evaluation of the patient.
 - b. The health care provider has created and maintained records of the patient's condition in accordance with medically accepted standards.
 - c. The patient is under the health care provider's continued care for the debilitating medical condition that qualifies the patient for the medical use of marijuana.
 - d. The health care provider has a reasonable expectation that provider will continue to provide followup care to the patient to monitor the medical use of marijuana as a treatment of the patient's debilitating medical condition.
 - e. The relationship is not for the sole purpose of providing written certification for the medical use of marijuana.
4. "Cannabinoid" means a chemical compound that is one of the active constituents of marijuana.
 5. "Cannabinoid capsule" means a small, soluble container, usually made of gelatin, which encloses a dose of a cannabinoid product or a cannabinoid concentrate intended for consumption. The maximum concentration of amount of tetrahydrocannabinol permitted in a serving of a cannabinoid capsule is fifty milligrams.
 6. "Cannabinoid concentrate" means a concentrate or extract obtained by separating cannabinoids from marijuana by a mechanical, chemical, or other process.
 7. "Cannabinoid edible product" means a food or potable liquid into which a cannabinoid concentrate or the dried leaves or flowers of the plant of the genus cannabis is incorporated.
 8. "Cannabinoid tincture" means a solution of alcohol, cannabinoid concentrate, and other ingredients intended for consumption.
 9. "Cannabinoid topical" means a cannabinoid product intended to be applied to the skin or hair. The maximum concentration or amount of tetrahydrocannabinol permitted in a cannabinoid topical is six percent.
 10. "Cannabinoid transdermal patch" means an adhesive substance applied to the skin which contains a cannabinoid product or cannabinoid concentrate for absorption into the bloodstream. The maximum concentration or amount of tetrahydrocannabinol permitted in a serving of a cannabinoid transdermal patch is fifty milligrams.
 11. "Cardholder" means a qualifying patient, designated caregiver, or compassion center agent who has been issued and possesses a valid registry identification card.
 12. "Compassion center" means a manufacturing facility or dispensary.
 13. "Compassion center agent" means a principal officer, board member, member, manager, governor, employee, volunteer, or agent of a compassion center.
 14. "Contaminated" means made impure or inferior by extraneous substances.
 15. "Debilitating medical condition" means one of the following:

- a. Cancer;
 - b. Positive status for human immunodeficiency virus;
 - c. Acquired immune deficiency syndrome;
 - d. Decompensated cirrhosis caused by hepatitis C;
 - e. Amyotrophic lateral sclerosis;
 - f. Posttraumatic stress disorder;
 - g. Agitation of Alzheimer's disease or related dementia;
 - h. Crohn's disease;
 - i. Fibromyalgia;
 - j. Spinal stenosis or chronic back pain, including neuropathy or damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity;
 - k. Glaucoma;
 - l. Epilepsy;
 - m. A terminal illness; and
 - n. A chronic or debilitating disease or medical condition or treatment for such disease or medical condition that produces one or more of the following:
 - (1) Cachexia or wasting syndrome;
 - (2) Severe debilitating pain that has not responded to previously prescribed medication or surgical measures for more than three months or for which other treatment options produced serious side effects;
 - (3) Intractable nausea;
 - (4) Seizures; or
 - (5) Severe and persistent muscle spasms, including those characteristic of multiple sclerosis.
16. "Department" means the state department of health.
17. "Designated caregiver" means an individual who agrees to manage the well-being of a registered qualifying patient with respect to the qualifying patient's medical use of marijuana.
18. "Dispensary" means an entity registered by the department as a compassion center authorized to dispense usable marijuana to a registered qualifying patient and a registered designated caregiver.
19. "Enclosed, locked facility" means a closet, room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access limited to individuals authorized under this chapter or rules adopted under this chapter.
20. "Health care provider" means a physician or an advanced practice registered nurse.

21. "Manufacturing facility" means an entity registered by the department as a compassion center authorized to produce and process and to sell usable marijuana to a dispensary.
22. "Marijuana" means all parts of the plant of the genus cannabis; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, the seeds of the plant, or the resin extracted from any part of the plant.
23. "Maximum concentration or amount of tetrahydrocannabinol" means the total amount of tetrahydrocannabinol and tetrahydrocannabinolic acid in a medical cannabinoid product or a cannabinoid concentrate.
24. "Medical cannabinoid product" means a product intended for human consumption or use which contains cannabinoids.
 - a. Medical cannabinoid products are limited to the following forms:
 - (1) Cannabinoid tincture;
 - (2) Cannabinoid capsule;
 - (3) Cannabinoid transdermal patch; and
 - (4) Cannabinoid topical.
 - b. "Medical cannabinoid product" does not include:
 - (1) A cannabinoid edible product;
 - (2) A cannabinoid concentrate by itself; or
 - (3) The dried leaves or flowers of the plant of the genus cannabis by itself.
25. "Medical marijuana product" means a cannabinoid concentrate or a medical cannabinoid product.
26. "Medical marijuana waste" means unused, surplus, returned, or out-of-date usable marijuana; recalled usable marijuana; unused marijuana; or plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts and roots.
27. "Medical use of marijuana" means the acquisition, use, and possession of usable marijuana to treat or alleviate a qualifying patient's debilitating medical condition.
28. "Minor" means an individual under the age of nineteen.
29. "North Dakota identification" means a North Dakota driver's license or comparable state of North Dakota or federal issued photo identification card verifying North Dakota residence.
30. "Pediatric medical marijuana" means a medical marijuana product containing cannabidiol which may not contain a maximum concentration or amount of tetrahydrocannabinol of more than six percent.
31. "Physician" means a physician licensed under chapter 43-17 to practice medicine in the state of North Dakota.
32. "Posttraumatic stress disorder" means a patient meets the diagnostic criteria for posttraumatic stress disorder under the "Diagnostic and Statistical Manual of Mental Disorders", American psychiatric association, fifth edition, text revision (2013).

33. "Processing" or "process" means the compounding or conversion of marijuana into a medical marijuana product.
34. "Producing", "produce", or "production" mean the planting, cultivating, growing, trimming, or harvesting of the plant of the genus cannabis or the drying of the leaves or flowers of the plant of the genus cannabis.
35. "Qualifying patient" means an individual who has been diagnosed by a health care provider as having a debilitating medical condition.
36. "Registry identification card" means a document issued by the department which identifies an individual as a registered qualifying patient, registered designated caregiver, or registered compassion center agent.
37. "Terminal illness" means a disease, illness, or condition of a patient:
- a. For which there is not a reasonable medical expectation of recovery;
 - b. Which as a medical probability, will result in the death of the patient, regardless of the use or discontinuance of medical treatment implemented for the purpose of sustaining life or the life processes; and
 - c. As a result of which, the patient's health care provider would not be surprised if death were to occur within six months.
38. "Usable marijuana" means a medical marijuana product or the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form. However, the term does not include the dried leaves or flowers unless authorized through a written certification and does not include a cannabinoid edible product. In the case of a registered qualifying patient who is a minor, "usable marijuana" is limited to pediatric medical marijuana.
39. "Verification system" means the system maintained by the department under section 19-24.1-31 for verification of registry identification cards.
40. "Written certification" means a form established by the department which is executed, dated, and signed by a health care provider within ninety calendar days of the date of application, stating that in the health care provider's professional opinion the patient is likely to receive therapeutic or palliative benefit from the medical use of marijuana to treat or alleviate the patient's debilitating medical condition. A health care provider may authorize the use of dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form to treat or alleviate the patient's debilitating medical condition. A written certification may not be made except in the course of a bona fide provider-patient relationship.

19-24.1-02. Medical marijuana program.

The department shall establish and implement a medical marijuana program under this chapter to allow for production and processing, the sale and dispensing of usable marijuana, and medical use of marijuana. A person may not produce or process or sell, possess, transport, dispense, or use marijuana or usable marijuana under the medical marijuana program unless the person is authorized to do so as a compassion center, a cardholder, or otherwise authorized by rule adopted under this chapter.

19-24.1-03. Qualifying patients - Registration.

1. A qualifying patient is not eligible to purchase, use, or possess usable marijuana under the medical marijuana program unless the qualifying patient has a valid registry identification card.

2. A qualifying patient application for a registry identification card is complete and eligible for review if an applicant submits to the department:
 - a. A nonrefundable annual application fee in the amount of fifty dollars, with a personal check or cashier's check payable to "North Dakota State Department of Health, Medical Marijuana Program".
 - b. An original written certification, which must include:
 - (1) The name, address, and telephone number of the practice location of the applicant's health care provider;
 - (2) The health care provider's North Dakota license number;
 - (3) The health care provider's medical or nursing specialty;
 - (4) The applicant's name and date of birth;
 - (5) The applicant's debilitating medical condition and the medical justification for the health care provider's certification of the patient's debilitating medical condition;
 - (6) Attestation the written certification is made in the course of a bona fide provider-patient relationship and that in the provider's professional opinion the applicant is likely to receive therapeutic or palliative benefit from the medical use of marijuana to treat or alleviate the applicant's debilitating medical condition;
 - (7) Whether the health care provider authorizes the patient to use the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form; and
 - (8) The health care provider's signature and the date.
 - c. An original qualifying patient application for a registry identification card form established by the department which must include all of the following:
 - (1) The applicant's name, address, and date of birth.
 - (2) The applicant's social security number.
 - (3) The name, address, and date of birth of the applicant's proposed designated caregiver, if any.
 - (4) A photographic copy of the applicant's North Dakota identification. The North Dakota identification must be available for inspection and verification upon request of the department. If the applicant is a minor, a certificated copy of a birth record is required.
 - (5) The applicant's or guardian's signature and the date, or in the case of a minor, the signature of the minor's parent or legal guardian with responsibility for health care decisions and the date.
 - d. A signed consent for release of medical information related to the applicant's debilitating medical condition, on a form provided by the department.
 - e. A recent two-by-two inch [5.08-by-5.08 centimeter] photograph of the applicant.

- f. Any other information or material required by rule adopted under this chapter.
- 3. If the applicant is unable to submit the required application information due to age or medical condition, the individual responsible for making medical decisions for the applicant may submit the application on behalf of the applicant. The individual responsible for making medical decisions:
 - a. Must be identified on the qualifying patient application for a registry identification card; and
 - b. Shall provide a copy of the individual's North Dakota identification. The North Dakota identification must be available for inspection and verification upon the request of the department.
- 4. If the applicant is a minor, the department may waive the application or renewal fee if:
 - a. The parent or legal guardian of the applicant is the applicant's registered designated caregiver; and
 - b. The applicant resides with the applicant's registered designated caregiver.

19-24.1-04. Designated caregivers - Registration.

- 1. A designated caregiver is not eligible to purchase, assist in the use of, or possess usable marijuana under the medical marijuana program unless the designated caregiver has a valid registry identification card.
- 2. A designated caregiver application is complete and eligible for review if an applicant submits to the department all of the following:
 - a. A nonrefundable annual application fee in the amount of fifty dollars, with a personal check or cashier's check made payable to "North Dakota State Department of Health, Medical Marijuana Program".
 - b. An original designated caregiver application for a registry identification card form established by the department which must include all of the following:
 - (1) A certified copy of a birth record verifying the applicant is at least twenty-one years of age.
 - (2) A photographic copy of the applicant's North Dakota identification. The North Dakota identification must be available for inspection and verification upon request of the department.
 - (3) The name, address, telephone number, and date of birth of the qualifying patient.
 - (4) The name, address, and telephone number for the qualifying patient's health care provider.
 - (5) The name, address, and telephone number of the applicant.
 - (6) The applicant's social security number.
 - (7) The applicant's signature and the date.
 - c. An original designated caregiver authorization form established by the department which must be executed by a registered qualifying patient providing the designated caregiver applicant with the responsibility of managing the well-being of the registered qualifying

patient with respect to the registered qualifying patient's medical use of marijuana. The form must include:

- (1) The name and date of birth of the designated caregiver applicant; and
 - (2) The registered qualifying patient's signature and the date.
- d. A recent two-by-two inch [5.08-by-5.08 centimeter] photograph of the applicant.
- e. Any other information or material required by the department by rule.
3. A criminal history record check conducted under section 12-60-24 must be performed upon initial application and biennially thereafter and at any other time upon the request of the department. All fees associated with the criminal history record check must be paid by the applicant.
4. An individual convicted of a drug-related misdemeanor offense within the five years preceding the date of application or of a felony offense is prohibited from serving as a designated caregiver.
5. An applicant shall submit a separate and complete application for each of the applicant's registered qualifying patients. A registered designated caregiver may assist no more than five registered qualifying patients. A registered designated caregiver who is a registered qualifying patient may assist no more than four additional registered qualifying patients.
6. A registered designated caregiver may not purchase or possess more than the allowable amount of usable marijuana for each of the registered designated caregiver's registered qualifying patients and for the registered designated caregiver if the caregiver is a registered qualifying patient.

19-24.1-05. Qualifying patients and designated caregivers - Identification cards - Issuance and denial.

1. Upon receipt of a complete application for or renewal of a qualifying patient or designated caregiver registry identification card, the department shall verify the submitted information.
2. The verification methods used by the department on an application or renewal and accompanying documentation may include:
 - a. Contacting an applicant by telephone or mail, or if proof of identity is uncertain, the department shall require a face-to-face meeting and the production of additional identification materials;
 - b. Contacting the North Dakota board of medicine or North Dakota board of nursing to verify the certifying health care provider is licensed in the state and is in good standing; and
 - c. Contacting the health care provider to obtain additional documentation verifying the qualifying patient applicant's medical diagnosis and medical condition qualify the applicant for participation in the medical marijuana program.
3. Upon verification of the information contained in an application or renewal, the department shall approve or deny the application or renewal.
4. Except as provided in subsection 5, the department shall issue a registry identification card within thirty calendar days of approving an application or renewal. A designated caregiver must have a registry identification card for each of the designated caregiver's registered qualifying patients.

5. The department may not issue a registry identification card to a qualifying patient who is a minor unless:
 - a. The department receives documentation the minor's health care provider has explained to the parent or legal guardian with responsibility for health care decisions for the minor the potential risks and benefits of the use of pediatric medical marijuana to treat or alleviate the debilitating medical condition; and
 - b. The department receives documentation the parent or legal guardian with responsibility for health care decisions for the minor consents in writing to:
 - (1) Allow the minor's use of pediatric medical marijuana to treat or alleviate the debilitating medical condition;
 - (2) Serve as the minor's designated caregiver or identifies a registered designated caregiver to act as the minor's designated caregiver;
 - (3) Control the acquisition of usable marijuana and control the dosage and frequency of the use of usable marijuana by the minor; and
 - (4) If serving as the minor's designated caregiver, prevent the minor from accessing the usable marijuana by storing the usable marijuana in an enclosed, locked facility.
6. If the department denies an application or renewal, the applicant may not reapply for one year from the date of the denial, unless otherwise authorized by the department, and the applicant is prohibited from all lawful privileges provided under this chapter.
7. The department shall deny an application for or renewal of a qualifying patient's registry identification card if the applicant:
 - a. Does not meet the requirements of this section or section 19-24.1-03;
 - b. Did not provide the required information and materials;
 - c. Previously had a registry identification card revoked; or
 - d. Provided false or falsified information or made a material misstatement.
8. The department shall deny an application for or renewal of a designated caregiver registry identification card if the designated caregiver applicant:
 - a. Does not meet the requirements of this section or section 19-24.1-04;
 - b. Did not provide the required information and materials;
 - c. Previously had a registry identification card revoked; or
 - d. Provided false or falsified information or made a material misstatement.
9. The department shall notify, in writing, the qualifying patient or designated caregiver applicant of the reason for denying an application or renewal.
10. The department shall notify the following in writing:

- a. A registered qualifying patient if that patient's designated caregiver's application or renewal is denied; and
 - b. A registered designated caregiver if that caregiver's qualifying patient's application or renewal is denied.
11. The cardholder may appeal a denial or revocation of a registry identification card to the district court of Burleigh County for hearing. The court may authorize the cardholder to appear by reliable electronic means.

19-24.1-06. Registry identification cards - Renewal.

To prevent interruption of possession of a valid registry identification card, a registered qualifying patient or registered designated caregiver shall apply for a registry identification card renewal by submitting a complete reapplication as provided under section 19-24.1-03 or 19-24.1-04 no less than forty-five calendar days before the expiration date of the existing registry identification card.

19-24.1-07. Registry identification cards - Nontransferable.

A registry identification card is not transferable, by assignment or otherwise, to another person. If a person attempts to transfer a card in violation of this section, the registry identification card is void and the person is prohibited from all privileges provided under this chapter.

19-24.1-08. Qualifying patients and designated caregivers - Voluntary withdrawal.

A registered qualifying patient or registered designated caregiver may voluntarily withdraw from participation in the medical marijuana program. A registered qualifying patient or registered designated caregiver seeking to withdraw from the medical marijuana program shall notify the department in writing no less than thirty calendar days before withdrawal.

19-24.1-09. Cardholders - Eligibility and compliance.

1. A cardholder shall provide the department or the department's designee immediate access to any material and information necessary for determining eligibility and compliance with this chapter.
2. Failure of a cardholder to provide the department access to the material, or information as provided under this chapter may result in the department taking action, which may include the revocation of the cardholder registry identification card and referral to state or local law enforcement.
3. Failure of a cardholder to comply with the requirements under this section which is documented by the department, may result in sanctions, including suspension, revocation, nonrenewal, or denial of registration, and referral to state or local law enforcement.
4. The department shall refer credible criminal complaints against a cardholder to appropriate state or local law enforcement authorities.
5.
 - a. If a violation of the requirements under this section is cited as a result of compliance monitoring, the department shall provide the cardholder with written notice of the findings following the compliance monitoring visit.
 - b. Unless otherwise specified by the department, the cardholder shall correct the violation within five calendar days of receipt of the notice citing the violation.

- c. The department shall verify whether the cardholder corrected the violation.
- d. The violation is not deemed corrected until the department provides written verification the corrective action is satisfactory.
- e. If the violation is not corrected within the required time, the department may revoke the registry identification card of the cardholder.

19-24.1-10. Cardholders - Notification of change.

1. Within ten calendar days of the change, in a manner prescribed by the department, a registered qualifying patient or registered designated caregiver shall notify the department of any of the following:
 - a. A change in the cardholder's name or address;
 - b. Knowledge of a change that would render the registered qualifying patient no longer eligible to participate in the medical marijuana program;
 - c. Knowledge of a change that results in the registered qualifying patient's health care provider no longer meeting the definition of the term "health care provider" as defined under section 19-24.1-01; or
 - d. Knowledge of a change that renders the registered qualifying patient's registered designated caregiver no longer eligible to participate in the medical marijuana program.
2. If a registered qualifying patient seeks to change the patient's designated caregiver, the registered qualifying patient shall notify the department in writing of this change.
3. If a cardholder loses the cardholder's registry identification card, the cardholder shall notify the department in writing within twenty-four hours of becoming aware of the loss.
4. If a registered qualifying patient is unable to make a notification required under this section due to age or medical condition, that patient's registered designated caregiver or the individual responsible for making medical decisions for that patient shall provide the notification.
5. If the department receives notification of an item listed in this section and the nature of the item reported does not affect a cardholder's eligibility, the department shall issue the cardholder a new registry identification card with a new random ten-digit alphanumeric identification number within twenty calendar days of approving the updated information and the cardholder shall pay a fee, not to exceed twenty-five dollars. If a cardholder notifying the department is a registered qualifying patient who has a registered designated caregiver, the department shall issue the patient's registered designated caregiver a new registry identification card within twenty calendar days of approving the updated information.
6. If the department receives notification of an item listed in this section and the nature of the item reported makes the cardholder ineligible, the cardholder's registry identification card becomes void immediately upon notification of the department and the registered cardholder shall dispose of any usable marijuana in the cardholder's possession within fifteen calendar days, in accordance with rules adopted under this chapter.
7. A registered qualifying patient's certifying health care provider shall notify the department in writing if the health care provider's registered qualifying patient no longer has a debilitating medical condition or if the health care provider no longer believes the patient will receive therapeutic or

palliative benefit from the medical use of marijuana. The qualifying patient's registry identification card becomes void immediately upon the health care provider's notification of the department and the registered qualifying patient shall dispose of any usable marijuana in the cardholder's possession within fifteen calendar days, in accordance with rules adopted under this chapter.

19-24.1-11. Registry identification cards.

1. The contents of a registry identification card must include:
 - a. The name of the cardholder;
 - b. A designation as to whether the cardholder is a qualifying patient, designated caregiver, or compassion center agent;
 - c. A designation as to whether a qualifying patient is a minor;
 - d. A designation as to whether a qualifying patient or a designated caregiver's qualifying patient is authorized to use the dried leaves or flowers of the plant of the genus cannabis;
 - e. The date of issuance and expiration date;
 - f. A random ten-digit alphanumeric identification number containing at least four numbers and at least four letters which is unique to the cardholder;
 - g. If the cardholder is a designated caregiver, the random identification number of the qualifying patient the designated caregiver is authorized to assist;
 - h. A photograph of the cardholder; and
 - i. The phone number or website address at which the card can be verified.
2. Except as otherwise provided in this section or rule adopted under this chapter, a registry identification card expiration date must be one year after the date of issuance.
3. If a health care provider states in the written certification that the qualifying patient would benefit from the medical use of marijuana until a specified date, less than one year, the registry identification card expires on that date.

19-24.1-12. Compassion centers.

1. A person may not process or produce or dispense usable marijuana or otherwise act as a compassion center in this state unless the person is registered as a compassion center.
2. Except as otherwise provided under this section, the department shall register no more than:
 - a. Two compassion centers with the sole purpose of operating as a manufacturing facility; and
 - b. Eight compassion centers with the sole purpose of operating as a dispensary.
3. The department shall establish an open application period for the submission of compassion center applications. At the completion of the open application period, the department shall review each complete application using a competitive process established in accordance with

rules adopted under this chapter and shall determine which applicants to register as compassion centers.

4. The department may register additional compassion centers if the department determines additional compassion centers are necessary to increase access to usable marijuana by registered qualifying patients and registered designated caregivers.
5. If the department revokes or does not renew a compassion center registration certificate, the department may establish an open application period for the submission of compassion center applications.
6. The department of commerce may not certify a compassion center as a primary sector business.

19-24.1-13. Compassion centers - Authority.

1. The activities of a manufacturing facility are limited to producing and processing and to related activities, including acquiring, possessing, storing, transferring, and transporting marijuana and usable marijuana, for the sole purpose of selling usable marijuana to a dispensary.
2. The activities of a dispensary are limited to purchasing usable marijuana from a manufacturing facility, and related activities, including storing, delivering, transferring, and transporting usable marijuana, for the sole purpose of dispensing usable marijuana to a registered qualifying patient, directly or through the registered qualifying patient's registered designated caregiver. The activities of a dispensary include providing educational material and selling usable marijuana related supplies to a registered qualifying patient or a registered designated caregiver.

19-24.1-14. Compassion centers - Application.

1. The department shall establish forms for an application to be registered as a compassion center. For a compassion center registration application to be complete and eligible for review, the applicant shall submit to the department all of the following:
 - a. A nonrefundable application fee, not to exceed five thousand dollars, made payable to the "North Dakota State Department of Health, Medical Marijuana Program".
 - b. The legal name, articles of incorporation or articles of organization, and bylaws or operating agreement of the proposed compassion center applicant.
 - c. Evidence of the proposed compassion center applicant's registration with the secretary of state and certificate of good standing.
 - d. The physical address of the proposed location of the proposed compassion center and:
 - (1) Evidence of approval from local officials as to the proposed compassion center applicant's compliance with local zoning laws for the physical address to be used by the proposed compassion center; and
 - (2) Evidence the physical address of the proposed compassion center is not located within one thousand feet [604.80 meters] of a property line of a pre-existing public or private school.
 - e. For a manufacturing facility applicant, a description of the enclosed, locked facility that would be used in the production and processing of marijuana, including steps that will be taken to ensure the production and processing is not visible from the street or other public areas.

- f. The name, address, and date of birth of each principal officer and board member, or of each member-manager, manager, or governor, of the proposed compassion center applicant and verification each officer and board member, or each member-manager, manager, or governor, has consented to a criminal history record check conducted under section 12-60-24.
 - g. For each of the proposed compassion center applicant's principal officers and board members, or for each of the proposed compassion center applicant's member-managers, managers, or governors, a description of that individual's relevant experience, including training or professional licensing related to medicine, pharmaceuticals, natural treatments, botany, food science, food safety, production, processing, and the individual's experience running a business entity.
 - h. A description of proposed security and safety measures, which demonstrate compliance with the security and safety requirements under section 19-24.1-25.
 - i. An example of the design and security features of usable marijuana containers which demonstrates compliance with section 19-24.1-21.
 - j. A complete operations manual, which demonstrates compliance with section 19-24.1-27.
 - k. A description of the plans for making usable marijuana available on an affordable basis to registered qualifying patients with limited financial resources.
 - l. A list of all individuals and business entities having direct or indirect authority over the management or policies of the proposed compassion center applicant.
 - m. A list of all individuals and business entities having an ownership interest in the proposed compassion center applicant, whether direct or indirect, and whether the interest is in profits, land, or building, including owners of any business entity that owns all or part of the land or building.
 - n. The identity of any creditor holding a security interest in the proposed compassion center premises.
2. The department is not required to review an application submitted under this section unless the department determines the application is complete. The criteria considered by the department in reviewing an application must include:
- a. The suitability of the proposed compassion center location, including compliance with any local zoning laws, and the geographic convenience to access compassion centers for registered qualifying patients and registered designated caregivers from throughout the state;
 - b. The character and relevant experience of the principal officers and board members, or of the member-managers, managers, or governors, including training or professional licensing and business experience;
 - c. The applicant's plan for operations and services, including staffing and training plans, whether the applicant has sufficient capital to operate, and the applicant's ability to provide an adequate supply of usable marijuana to registered qualifying patients and registered designated caregivers;

- d. The sufficiency of the applicant's plans for recordkeeping;
 - e. The sufficiency of the applicant's plans for safety, security, and the prevention of diversion, including the proposed location and security devices employed;
 - f. The applicant's plan for making usable marijuana available on an affordable basis to registered qualifying patients with limited financial resources;
 - g. The applicant's plan for safe and accurate packaging and labeling of usable marijuana; and
 - h. The applicant's plans for testing usable marijuana and marijuana.
3. Following completion of the review under subsection 2, the department shall select the applicants eligible for registration under section 19-24.1-15.

19-24.1-15. Compassion centers - Registration.

1. Upon receipt of notification by the department a compassion center application is eligible for registration, the applicant shall submit all of the following additional items to the department to qualify for registration:
 - a. A certification fee, made payable to the "North Dakota State Department of Health, Medical Marijuana Program", in the amount of ninety thousand dollars for a dispensary and one hundred ten thousand dollars for a manufacturing facility.
 - b. A financial assurance or security bond to ensure the protection of the public health and safety and the environment in the event of abandonment, default, or other inability or unwillingness to meet the requirements of this chapter.
 - c. The legal name, articles of incorporation or articles of organization, and bylaws or operating agreement, of the proposed compassion center applicant.
 - d. The physical address of the proposed compassion center; confirmation the information in the application regarding the physical location of the proposed compassion center has not changed, and if the information has changed the department shall determine whether the new information meets the requirements of this chapter; and a current certificate of occupancy, or equivalent document, to demonstrate compliance with the provisions of state and local fire code for the physical address of the proposed compassion center. It is not necessary for an applicant to resubmit any information provided in the initial application unless there has been a change in that information.
 - e. An update to previously submitted information, including information about compassion center agents and compliance with section 19-24.1-18.
2. If an applicant complies with subsection 1, the department shall issue the applicant a registration certificate.

19-24.1-16. Compassion centers - Renewal.

1. A compassion center registration certificate expires two years after issuance. A compassion center may submit a renewal application at any time beginning ninety calendar days before the expiration of the registration certificate. A compassion center shall submit a renewal

- application a minimum of sixty calendar days before the expiration of the registration certificate to avoid suspension of the certificate.
2. The department shall approve a compassion center's renewal application within sixty calendar days of submission, if the following conditions are satisfied:
 - a. The compassion center submits a renewal fee, in the amount of ninety thousand dollars for a dispensary and one hundred ten thousand dollars for a manufacturing facility, which the department shall refund if the department rejects the renewal application;
 - b. The compassion center submits a complete renewal application;
 - c. The department has at no time suspended the compassion center's registration for violation of this chapter;
 - d. Inspections conducted under this chapter do not raise any serious concerns about the continued operation of the compassion center; and
 - e. The compassion center continues to meet all the requirements for the operation of a compassion center as set forth in this chapter and rules adopted under this chapter.
 3. If a compassion center does not meet the requirements for renewal, the department may not issue a registration certificate and the department shall provide the compassion center with written notice of the determination. If a compassion center's certificate is not renewed, the compassion center shall dispose all marijuana and usable marijuana in accordance with rules adopted under this chapter.

19-24.1-17. Compassion centers - Registration certificates nontransferable - Notification of changes.

1. A registration certificate authorizing operation of a compassion center may not be transferred to another person. Unless a compassion center applies for and receives an amended registration certificate authorizing operation of a compassion center, the registration certificate is void if there is a change in ownership of the compassion center, there is a change in the authorized physical location of the compassion center, or if the compassion center discontinues operation.
2. A compassion center shall provide the department a written notice of any change described under this section at least sixty calendar days before the proposed effective date of the change. The department may waive all or part of the required advance notice to address emergent or emergency situations.

19-24.1-18. Compassion centers - Agents - Registry identification cards.

1. Upon issuance of a compassion center registry certificate, the department shall issue a registry identification card to each qualified compassion center agent associated with the compassion center.
2. To qualify to be issued a registry identification card, each compassion center agent must be at least twenty-one years of age and shall submit all of the following registry identification card application material to the department:
 - a. A photographic copy of the agent's department-approved identification. The agent shall make the identification available for inspection and verification by the department.

- b. A recent two-by-two inch [5.08-by-5.08 centimeter] photograph of the agent.
 - c. A written and signed statement from an officer or executive staff member of the compassion center stating the applicant is associated with the compassion center and the capacity of the association.
 - d. The name, address, and telephone number of the agent.
 - e. The agent's social security number.
 - f. The name, address, and telephone number of the compassion center with which the agent is associated.
 - g. The agent's signature and the date.
 - h. A nonrefundable application or renewal fee in the amount of two hundred dollars, in the form of a check made out to "North Dakota State Department of Health, Medical Marijuana Program".
 3. Each compassion center agent shall consent to a criminal history record check conducted under section 12-60-24 to demonstrate compliance with the eligibility requirements.
 - a. All applicable fees associated with the required criminal history record checks must be paid by the compassion center or the agent.
 - b. A criminal history record check must be performed upon initial application and biennially upon renewal. A compassion center agent shall consent to a criminal history record check at any time the department determines necessary.
 - c. An individual convicted of a drug-related misdemeanor offense within the five-year period before the date of application or a felony offense is prohibited from being a compassion center agent.
 4. The department shall notify the compassion center in writing of the purpose for denying a compassion center agent application for a registry identification card. The department shall deny an application if the agent fails to meet the registration requirements or to provide the information required, or if the department determines the information provided is false. The cardholder may appeal a denial or revocation of a registry identification card to the district court of Burleigh County for hearing. The court may authorize the cardholder to appear by reliable electronic means.
 5. The department shall issue a compassion center agent a registry identification card within thirty calendar days of approval of an application.
 6. A compassion center agent with a registry identification card shall notify the department of any of the following within ten calendar days of the change, in a manner prescribed by the department:
 - a. A change in the cardholder's name or address; and
 - b. Knowledge of a change that would render the compassion center agent no longer eligible to be a cardholder.
 7. If a compassion center agent loses the agent's registry identification card, that agent shall notify the department in writing within twenty-four hours of becoming aware the card has been lost.
 8. If a cardholder notifies the department of items listed in this section but the nature of the item reported results in the cardholder remaining

eligible, the department shall issue the cardholder a new registry identification card with a new random ten-digit alphanumeric identification number within twenty calendar days of approving the updated information and the cardholder shall pay a fee, not to exceed twenty-five dollars. If a cardholder notifies the department of an item that results in the cardholder being ineligible, the registry identification card immediately becomes void.

9. A compassion center shall notify the department in writing within two calendar days of the date a compassion center agent ceases to work for or be associated with the compassion center. Upon receipt of the notification, that individual's registry identification card becomes void immediately.
10. The registry identification card of a compassion center agent expires one year after issuance or upon the termination of the compassion center's registration certificate, whichever occurs first. To prevent interruption of possession of a valid registry identification card, a compassion center agent shall renew a registry identification card by submitting a complete renewal application no less than forty-five calendar days before the expiration date of the existing registry identification card.

19-24.1-19. Cardholders - Compassion centers - Revocation.

1. The department may suspend or revoke a cardholder's registry identification card or a compassion center's registration certificate for a material misstatement by an applicant in an application or renewal.
2. The department may suspend or revoke a registry identification card or registration certificate for a violation of this chapter or rules adopted under this chapter.
3. If a compassion center agent or a compassion center sells or otherwise transfers marijuana or usable marijuana to a person not authorized to possess marijuana or usable marijuana under this chapter, the department shall revoke the cardholder's registry identification card or the compassion center's registration certificate, or both. If the department revokes a cardholder's registry identification card under this subsection, the cardholder is disqualified from further participation under this chapter.
4. The department shall provide written notice of suspension or revocation of a registry identification card or registration certificate.
 - a. A suspension may not be for a period longer than six months.
 - b. A manufacturing facility may continue to produce and process and to possess marijuana and usable marijuana during a suspension, but may not transfer or sell usable marijuana.
 - c. A dispensary may continue to possess usable marijuana during a suspension, but may not purchase, dispense, or transfer usable marijuana.
 - d. The cardholder or the compassion center may appeal a denial or revocation of a registry identification card or registry certificate to the district court of Burleigh County for hearing. The court may authorize the cardholder or compassion center to appear by reliable electronic means.

19-24.1-20. Cardholders - Compassion centers - Violations - Penalties.

1. A cardholder or compassion center that fails to provide a notice as required under this chapter shall pay to the department a fee in an amount established by the department, not to exceed one hundred fifty dollars.

2. In addition to any other penalty applicable in law, a manufacturing facility or a manufacturing facility agent is guilty of a class B felony for intentionally selling or otherwise transferring marijuana or usable marijuana in any form, to a person other than a dispensary, or for internationally selling or otherwise transferring marijuana in any form other than usable marijuana, to a dispensary. A person convicted under this subsection may not continue to be affiliated with a compassion center and is disqualified from further participation under this chapter.
3. In addition to any other penalty applicable in law, a dispensary or a dispensary agent is guilty of a class B felony for intentionally selling or otherwise transferring usable marijuana, to a person other than a registered qualifying patient or a registered designated caregiver, to a registered qualifying patient who is a minor, or in a form not allowed under this chapter. A person convicted under this subsection may not continue to be affiliated with a compassion center and is disqualified from further participation under this chapter.
4. In addition to any other penalty applicable in law, a dispensary or a dispensary agent is guilty of a class B felony for intentionally selling or otherwise transferring usable marijuana, in a form other than pediatric medical marijuana, to a registered designated caregiver, for use by a registered qualifying patient who is a minor. A person convicted under this subsection may not continue to be affiliated with a compassion center and is disqualified from further participation under this chapter.
5. A compassion center or compassion center agent that knowingly submits false records or documentation required by the department to certify a compassion center under this chapter is guilty of a class C felony. A person convicted under this subsection may not continue to be affiliated with a compassion center and is disqualified from further participation under this chapter.
6. In addition to any other penalty applicable in law, if a compassion center violates this chapter the department may fine the compassion center up to one thousand dollars for each violation.
7. In addition to any other penalty applicable in law, a registered qualifying patient who intentionally sells or otherwise transfers usable marijuana, to another person, is guilty of a class B felony. An individual convicted under this subsection is disqualified from further participation under this chapter.
8. In addition to any other penalty applicable in law, a registered designated caregiver who intentionally sells or otherwise transfers usable marijuana, to a person other than a registered qualifying patient to which the caregiver is associated with registration, is guilty of a class B felony. An individual convicted under this subsection is disqualified from further participation under this chapter.
9. An individual who knowingly submits false records or documentation required by the department to receive a registry identification card under this chapter is guilty of a class A misdemeanor. An individual convicted under this subsection may not continue to be affiliated with a compassion center and is disqualified from further participation under this chapter.
10. A health care provider who holds a financial interest in a compassion center may not knowingly refer a patient to a compassion center or to a registered designated caregiver, advertise in a compassion center, or issue a written certification. A health care provider who violates this subsection must be fined up to one thousand dollars.

19-24.1-21. Compassion centers - Dispensing.

1. A compassion center shall comply with the dispensing requirements of this section.
2. Design and security features of usable marijuana containers must be in accordance with rules adopted under this chapter.
3. A manufacturing facility or agent of the manufacturing facility may not dispense marijuana or usable marijuana, except the manufacturing facility or agent may sell usable marijuana to a dispensary.
4. A dispensary or agent of the dispensary may not dispense usable marijuana unless the dispensary first uses the verification system to confirm the registered qualifying patient or registered designated caregiver identification card is valid. A dispensary or agent of the dispensary:
 - a. May not dispense usable marijuana to a person other than a registered qualifying patient or a registered qualifying patient's registered designated caregiver. If a registered qualifying patient is a minor:
 - (1) The dispensary or agent of the dispensary may not dispense usable marijuana to a minor; and
 - (2) The usable marijuana dispensed to the minor's designated caregiver must be in the form of pediatric medical marijuana oil.
 - b. May not dispense to a registered qualifying patient or registered designated caregiver more than the allowable amount of usable marijuana and may not dispense an amount if it is known that amount would cause the recipient to purchase or possess more usable marijuana than is permitted under this chapter.
 - c. May not dispense to a registered qualifying patient or registered designated caregiver the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form unless the registry identification card and verification system authorize this form of usable marijuana.

19-24.1-22. Compassion centers - Inspections.

1. A compassion center is subject to random inspection by the department. During an inspection, the department may review the compassion center's records, including the compassion center's financial and dispensing records, which may track transactions according to registered qualifying patient and registered designated caregiver registry identification numbers.
2. The department shall conduct inspections of compassion centers to ensure compliance with this chapter. The department shall conduct inspections of manufacturing facilities for the presence of contaminants. The department shall select a certified laboratory to conduct random quality sampling testing, in accordance with rules adopted under this chapter. A compassion center shall pay the cost of all random quality sampling testing.

19-24.1-23. Compassion centers - Pesticide testing.

A manufacturing facility shall test marijuana at a manufacturing facility for the presence of pesticides. If a marijuana pesticide test or a random quality sampling test under section 19-24.1-22 indicates the presence of a pesticide, the manufacturing facility shall report the test result immediately to the department and

to the agriculture commissioner. Upon the order of the department or agriculture commissioner, the manufacturing facility immediately shall destroy all affected or contaminated marijuana and usable marijuana inventory in accordance with rules adopted under this chapter, and shall certify to the department and to the agriculture commissioner that all affected or contaminated inventory has been destroyed.

19-24.1-24. Compassion centers - Cannabis plants.

The health council shall adopt rules establishing the maximum amount of plants of the genus cannabis and the amount of marijuana and usable marijuana a compassion center may possess. Except as otherwise provided under this section, the rules may not allow a manufacturing facility to possess more than one thousand plants, regardless of the stage of growth, and may not allow a dispensary to possess more than three thousand five hundred ounces [99.22 kilograms] of usable marijuana at any time, regardless of formulation. The rules may allow a manufacturing facility to possess no more than an additional fifty plants for the exclusive purpose of department-authorized research and development related to production and processing.

19-24.1-25. Compassion centers - Security and safety.

1. In compliance with rules adopted under this chapter, a compassion center shall implement appropriate security and safety measures to deter and prevent the unauthorized entrance to areas containing marijuana and containing usable marijuana and to prevent the theft of marijuana and usable marijuana.
2. A compassion center shall limit to authorized personnel entry to an area in which production or producing takes place or in which marijuana or usable marijuana is held.
3. A compassion center must have a fully operational security alarm system at the authorized physical address which includes an electrical support backup system for the alarm system to provide suitable protection against theft and diversion.
4. A compassion center shall maintain documentation in an auditable form for:
 - a. All maintenance inspections and tests conducted under this section, and any servicing, modification, or upgrade performed on the security alarm system;
 - b. An alarm activation or other event that requires response by public safety personnel; and
 - c. Any breach of security.

19-24.1-26. Compassion centers - Inventory control.

1. A compassion center shall comply with the inventory control requirements provided under this section and rules adopted under this chapter.
 - a. A manufacturing facility shall:
 - (1) Employ a bar coding inventory control system to track batch, strain, and amounts of marijuana and usable marijuana in inventory and to track amounts of usable marijuana sold to dispensaries; and
 - (2) Host a secure computer interface to transfer inventory amounts and dispensary purchase information to the department.
 - b. A dispensary shall:

- (1) Employ a bar coding inventory control system to track batch, strain, and amounts of usable marijuana in inventory and to track amounts sold to registered qualifying patients and registered designated caregivers; and
 - (2) Host a secure computer interface to transfer inventory amounts and registered qualifying patient and registered designated caregiver purchase information to the department.
2. A compassion center shall store the compassion center's marijuana and usable marijuana in an enclosed locked facility with adequate security, in accordance with rules adopted under this chapter.
3. A compassion center shall conduct inventories of marijuana and usable marijuana at the authorized location at the frequency and in the manner provided by rules adopted under this chapter. If an inventory results in the identification of a discrepancy, the compassion center shall notify the department and appropriate law enforcement authorities immediately. A compassion center shall document each inventory conducted by the compassion center.

19-24.1-27. Compassion centers - Operating manual - Training.

1. A compassion center shall maintain a current copy of the compassion center's operating manual that meets the requirements of rules adopted under this chapter.
2. A compassion center shall develop, implement, and maintain on the premises an onsite training curriculum or shall enter contractual relationships with outside resources capable of meeting compassion center agent training needs. A compassion center shall ensure each compassion center agent receives training that includes:
 - a. Education regarding professional conduct, ethics, and state and federal laws regarding patient confidentiality;
 - b. Informational developments in the field of medical use of marijuana;
 - c. All safety and security measures required under section 19-24.1-25;
 - d. Specific procedural instructions for responding to an emergency, including robbery or violent accident; and
 - e. The compassion center's operating manual and all requirements related to recordkeeping.

19-24.1-28. Compassion centers - Bylaws and operating agreements.

As part of a proposed compassion center's initial application, the applicant shall provide to the department a current copy of the applicant's bylaws or operating agreement. Upon receipt of a registration certificate, a compassion center shall maintain the bylaws or operating agreement in accordance with this chapter. In addition to any other requirements, the bylaws or operating agreement must include the ownership or management structure of the compassion center; the composition of the board of directors, board of governors, member-managers, or managers; and provisions relative to the disposition of revenues and earnings.

19-24.1-29. Compassion centers - Retention of and access to records and reports.

A compassion center shall keep detailed financial reports of proceeds and expenses. A compassion center shall maintain all inventory, sales, and financial records in accordance with generally accepted accounting principles. The compassion center shall maintain for a period of seven years all reports and records required under this section. A compassion center shall allow the department, or an

audit firm contracted by the department, access at all times to all books and records kept by the compassion center.

19-24.1-30. Compassion centers - Recordkeeping - Compassion center agents - Registry identification cards.

1. Each compassion center shall maintain:
 - a. In compliance with rules adopted under this chapter, a personnel record for each compassion center agent for a period of at least three years following termination of the individual's affiliation with the compassion center. The personnel record must comply with minimum requirements set by rule adopted under this chapter.
 - b. A record of the source of funds that will be used to open or maintain the compassion center, including the name, address, and date of birth of any investor.
 - c. A record of each instance in which a current or prospective board member, member-manager, manager, or governor, who managed or served on the board of a business or not-for-profit entity and in the course of that service was convicted, fined, or censured or had a registration or license suspended or revoked in any administrative or judicial proceeding.
2. Each compassion center agent shall hold a valid registry identification card.

19-24.1-31. Verification system.

1. The department shall maintain a confidential list of cardholders and each cardholder's address, phone number, and registry identification number.
2. The department shall establish a secure verification system. The verification system must allow law enforcement personnel, health care providers, pharmacists, compassion centers, and compassion center agents twenty-four-hour access to enter a registry identification number to determine whether the number corresponds with a current valid registry identification card. The system may disclose:
 - a. Whether an identification card is valid;
 - b. The name of the cardholder;
 - c. Whether the cardholder is a registered qualifying patient, registered designated caregiver, or registered compassion center agent;
 - d. Whether a registered qualifying patient is a minor; and
 - e. The registry identification number of any affiliated registered qualifying patient, registered designated caregiver, or compassion center.

19-24.1-32. Protections.

Except as provided in sections 19-24.1-20 and 19-24.1-33:

1. A registered qualifying patient is not subject to arrest or prosecution or the denial of any right or privilege, including a civil penalty or disciplinary action by a court or occupational or professional regulating entity for the acquisition, use, or possession of usable marijuana or related supplies under this chapter.
2. A registered designated caregiver is not subject to arrest or prosecution or the denial of any right or privilege, including a civil penalty or

- disciplinary action by a court or occupational or professional regulating entity:
- a. For assisting a registered qualifying patient with the acquisition, use, or possession of usable marijuana or related supplies under this chapter, if the registered designated caregiver is connected to the registered qualifying patient through the department's registration process.
 - b. For receiving compensation for costs associated with assisting a registered qualifying patient with the acquisition, use, or possession of usable marijuana or related supplies under this chapter, if the registered designated caregiver is connected to the registered qualifying patient through the department's registration process.
3. It is presumed a registered qualifying patient is engaged in, or a registered designated caregiver is assisting with, the acquisition, use, or possession of usable marijuana or related supplies in accordance with this chapter if the registered qualifying patient or registered designated caregiver is in possession of a valid registry identification card and is not in possession of usable marijuana in an amount that exceeds what is authorized under this chapter. This presumption may be rebutted by evidence the conduct related to acquisition, use, or possession of usable marijuana or related supplies was not for the purpose of treating or alleviating the registered qualifying patient's debilitating medical condition under this chapter.
4. A person is not subject to arrest or prosecution or the denial of any right or privilege, including a civil penalty or disciplinary action by a court or occupational or professional regulating entity, for being in the presence or vicinity of the medical use of marijuana authorized under this chapter.
5. A manufacturing facility is not subject to prosecution, search or inspection, or seizure, except by the department or a department designee, under this chapter for acting under this chapter to:
- a. Produce or process or to conduct related activities for the sole purpose of selling usable marijuana to a dispensary; or
 - b. Transfer, transport, or deliver marijuana or usable marijuana to and from a department designee or manufacturing facility in accordance with this chapter.
6. A dispensary is not subject to prosecution, search or inspection, or seizure, except by the department or a department designee, under this chapter for acting under this chapter to:
- a. Purchase usable marijuana from a manufacturing facility and conducting related activities for the sole purpose of dispensing usable marijuana, selling related supplies, and and providing educational materials to registered qualifying patients and designated caregivers; or
 - b. Transfer usable marijuana to and from a department designee or related marijuana facility in accordance with this chapter.
7. A registered compassion center agent is not subject to arrest or prosecution or the denial of any right or privilege, including a civil penalty or disciplinary action by a court or occupational or professional regulating entity, for working or volunteering for a compassion center if the action performed by the compassion center agent on behalf of the compassion center is authorized under this chapter.
8. The sale and possession of marijuana paraphernalia by a dispensary is lawful if in accordance with this chapter.

9. The medical use of marijuana by a registered cardholder or the producing and processing and the dispensing of usable marijuana by a compassion center is lawful if in accordance with this chapter.
10. A health care provider is not subject to arrest or prosecution or the denial of any right or privilege, including a civil penalty or disciplinary action by a court or occupational or professional regulating entity, solely for providing a written certification or for otherwise stating in the health care provider's professional opinion a patient is likely to receive therapeutic or palliative benefit from the medical use of usable marijuana to treat or alleviate the patient's debilitating medical condition or for refusing to provide written certification or a statement. This chapter does not release a health care provider from the duty to exercise a professional standard of care for evaluating or treating a patient's medical condition.
11. A cardholder or registered compassion center is not subject to arrest or prosecution for use of drug paraphernalia or possession with intent to use drug paraphernalia in a manner consistent with this chapter.
12. A person in possession of medical marijuana waste in the course of transporting or disposing of the waste under this chapter and rules adopted under this chapter may not be subject to arrest or prosecution for that possession or transportation.
13. A person in possession of marijuana or medical marijuana in the course of performing laboratory tests as provided under this chapter and rules adopted under this chapter may not be subject to arrest or prosecution for that possession or testing.

19-24.1-33. Limitations.

This chapter does not authorize a person to engage in, and does not prevent the imposition of any civil liability or criminal liability or other penalties for engaging in the following conduct:

1. Undertaking an activity under the influence of marijuana if doing so would constitute negligence or professional malpractice.
2. Possessing or consuming usable marijuana:
 - a. On a school bus or school van that is used for school purposes;
 - b. On the grounds of any public or private school;
 - c. At any location while a public or private school sanctioned event is occurring at that location;
 - d. On the grounds of a correctional facility; or
 - e. On the grounds of a child care facility or licensed home day care, unless authorized under rules adopted by the department of human services.
3. Undertaking any activity prohibited by section 23-12-09, 23-12-10, 23-12-10.2, 23-12-10.4, 23-12-10.5, or 23-12-11.
4. Using a combustible delivery form of usable marijuana or vaporizing usable marijuana under this chapter if the smoke or vapor would be inhaled by a minor who is not the registered qualifying patient for whom the usable marijuana is intended.
5. Operating, navigating, or being in actual physical control of a motor vehicle, aircraft, train, or motorboat, while under the influence of marijuana. However, a registered qualifying patient may not be considered to be under the influence of marijuana solely because of the

presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment.

19-24.1-34. Acts not prohibited - Acts not required.

1. This chapter does not require:
 - a. A government medical assistance program or private insurer to reimburse a person for costs associated with the medical use of marijuana;
 - b. A person in lawful possession of property to allow a guest, client, customer, or other visitor to possess or consume usable marijuana on or in that property;
 - c. A landlord to allow production or processing on rental property; or
 - d. A health care provider to provide a written certification or otherwise recommend marijuana to a patient.
2. This chapter does not prohibit an employer from disciplining an employee for possessing or consuming usable marijuana in the workplace or for working while under the influence of marijuana.

19-24.1-35. Facility restrictions.

1. A basic care facility, nursing facility, assisted living facility, adult day care facility, or adult foster care home licensed in the state may adopt reasonable restrictions on the medical use of marijuana by residents or individuals receiving inpatient services, including:
 - a. The facility will not store or maintain the registered qualifying patient's supply of usable marijuana.
 - b. The facility, caregivers, or hospice agencies serving the facility's residents are not responsible for providing the usable marijuana for registered qualifying patients or assisting with the medical use of marijuana.
 - c. Usable marijuana can be consumed by a method other than vaporizing or combustion.
 - d. Consumption of usable marijuana is limited to a place specified by the facility.
2. A facility listed in subsection 1 may not unreasonably limit a registered qualifying patient's medical use of marijuana as authorized under this chapter unless failing to do so would cause the facility to lose a monetary or licensing-related benefit under federal law or regulations.

19-24.1-36. Health council - Rules.

1. The health council shall adopt rules as necessary for the implementation and administration of this chapter, including transportation and storage of marijuana and usable marijuana, advertising, packaging and labeling, standards for testing facilities, inventory management, and accurate record keeping.
2. The health council may adopt rules regarding the operation and governance of additional categories of registered medical marijuana establishments.
3. The health council shall adopt rules to establish requirements for reporting incidents of individuals not authorized to possess marijuana or usable marijuana under this chapter and who are found in possession of

marijuana or usable marijuana. The rules must identify professionals required to report, the information the reporter is required to report, and actions the reporter shall take to secure the marijuana or usable marijuana.

4. The health council shall adopt rules to establish requirements for law enforcement officials and health care professionals to report to the department incidents involving overdose or adverse reaction related to the use of usable marijuana.

19-24.1-37. Confidentiality.

1. Data in a registration application or renewal and supporting data submitted by a qualifying patient, designated caregiver, compassion center, proposed compassion center, or compassion center agent, including data on designated caregivers and health care providers, is confidential.
2. Data kept or maintained by the department may be disclosed for:
 - a. The verification of registration certificates and registry identification cards under this chapter;
 - b. Submission of the annual report required by this chapter;
 - c. Submission to the North Dakota prescription drug monitoring program;
 - d. Notification of state or local law enforcement of apparent criminal violation of this chapter;
 - e. Notification of state and local law enforcement about falsified or fraudulent information submitted for purposes of obtaining or renewing a registry identification card; or
 - f. Notification of the North Dakota board of medicine or North Dakota board of nursing if there is a reason to believe a health care provider provided a written certification and the department has reason to believe the health care provider otherwise violated this chapter.
3. Upon a cardholder's written request, the department may confirm the cardholder's status as a registered qualifying patient or a registered designated caregiver to a third party, such as a landlord, school, medical professional, or court.
4. Data submitted to a local government to demonstrate compliance with any security requirements required by local zoning ordinances or regulations is confidential.

19-24.1-38. Advisory board.

1. The governor shall appoint six members to serve on an advisory board that:
 - a. Shall advise the department in implementation of the medical marijuana program.
 - b. May receive reports from the department on the status and activities of the medical marijuana program.
 - c. May provide recommendations to the department and the legislative management on the medical marijuana program.
2. The state health officer shall serve as an ex officio voting member and as chairman of the advisory board.

19-24.1-39. Report to legislative management.

Annually, the department shall submit to the legislative management a report that does not disclose any identifying information about registered cardholders, compassion centers, or health care providers, but contains the following information:

1. The number of registry identification card applications and renewals;
2. The number of registered qualifying patients and registered designated caregivers;
3. The nature of the debilitating medical conditions of the registered qualifying patients;
4. The number of registry identification cards revoked;
5. The number of health care providers providing written certifications for qualifying patients;
6. The number of compassionate care centers; and
7. Any expenses incurred and revenues generated by the department from the medical marijuana program.

19-24.1-40. Medical marijuana fund - Continuing appropriation.

The medical marijuana fund is established in the state treasury. The department shall deposit in the fund all fees collected under this chapter. The department shall administer the fund. Moneys in the fund are appropriated to the department on a continuing basis for use in administering this chapter.

SECTION 2. AMENDMENT. Section 54-60-03 of the North Dakota Century Code is amended and reenacted as follows:

54-60-03. Commissioner of commerce - Duties.

With the advice and counsel of the North Dakota development foundation, the governor shall appoint a commissioner to supervise, control, and administer the department. The commissioner serves at the pleasure of the governor and receives a salary set by the governor within the limits of legislative appropriations. The commissioner:

1. Shall file an oath of office in the usual form before commencing to perform the duties of the commissioner;
2. Shall serve as chairman of the cabinet;
3. Shall appoint personnel as may be determined necessary to carry out the duties of the department;
4. Shall manage the operations of the department and oversee each of the divisions;
5. Shall assume central responsibilities to develop, implement, and coordinate a working network of commerce service providers;
6. Shall coordinate the department's services with commerce-related services of other state agencies;
7. Shall advise and cooperate with departments and agencies of the federal government and of other states; private businesses, agricultural organizations, and associations; research institutions; and with any individual or other private or public entity;

8. May enter contracts upon terms and conditions as determined by the commissioner to be reasonable and to effectuate the purposes of this chapter;
9. Shall report between the first and tenth legislative days of each regular legislative session to a standing committee of each house of the legislative assembly as determined by the legislative management and shall report annually to the foundation:
 - a. On the department's goals and objectives since the last report;
 - b. On the department's goals and objectives for the period until the next report;
 - c. On the department's long-term goals and objectives;
 - d. On the department's activities and measurable results occurring since the last report; and
 - e. On commerce benchmarks, including the average annual wage in the state, the gross state product exclusive of agriculture, and the number of primary sector jobs in the state;
10. May not certify as a primary sector business a compassion center registered under chapter 19-24.1;
11. Shall adopt rules necessary to implement this chapter; and
- ~~11-12.~~ May take any actions necessary and proper to implement this chapter.

SECTION 3. AMENDMENT. Paragraph 3 of subdivision a of subsection 15 of section 57-02-08 of the North Dakota Century Code is amended and reenacted as follows:

- (3) Any structure or improvement used primarily in connection with a retail or wholesale business other than farming, any structure or improvement located on platted land within the corporate limits of a city, any structure or improvement used by a manufacturing facility as defined in section 19-24.1-01, or any structure or improvement located on railroad operating property subject to assessment under chapter 57-05 is not exempt under this subsection. For purposes of this paragraph, "business other than farming" includes processing to produce a value-added physical or chemical change in an agricultural commodity beyond the ordinary handling of that commodity by a farmer prior to sale.

SECTION 4. AMENDMENT. Paragraph 2 of subdivision b of subsection 15 of section 57-02-08 of the North Dakota Century Code is amended and reenacted as follows:

- (2) "Farmer" means an individual who normally devotes the major portion of time to the activities of producing products of the soil, with the exception of marijuana grown under chapter 19-24.1; poultry; livestock; or dairy farming in such products' unmanufactured state and has received annual net income from farming activities which is fifty percent or more of annual net income, including net income of a spouse if married, during any of the three preceding calendar years. For purposes of this paragraph, "farmer" includes a:
 - (a) "Beginning farmer", which means an individual who has begun occupancy and operation of a farm within the three preceding calendar years; who normally devotes the major portion of time to the activities of producing

products of the soil, poultry, livestock, or dairy farming in such products' unmanufactured state; and who does not have a history of farm income from farm operation for each of the three preceding calendar years.

- (b) "Retired farmer", which means an individual who is retired because of illness or age and who at the time of retirement owned and occupied as a farmer the residence in which the person lives and for which the exemption is claimed.
- (c) "Surviving spouse of a farmer", which means the surviving spouse of an individual who is deceased, who at the time of death owned and occupied as a farmer the residence in which the surviving spouse lives and for which the exemption is claimed. The exemption under this subparagraph expires at the end of the fifth taxable year after the taxable year of death of an individual who at the time of death was an active farmer. The exemption under this subparagraph applies for as long as the residence is continuously occupied by the surviving spouse of an individual who at the time of death was a retired farmer.

SECTION 5. STATE DEPARTMENT OF HEALTH REPORT - MEDICAL MARIJUANA DEBILITATING MEDICAL CONDITIONS. During the 2017-18 interim, the state department of health shall conduct a study of the feasibility and desirability of adding identified medical conditions or providing for an administrative process to add identified medical conditions to the definitions of "debilitating medical condition" under the medical marijuana program. The department shall include the findings and recommendations of this study, together with any legislation required to implement the recommendations, in the annual reports made to the legislative management under section 19-24.1-39.

SECTION 6. REPEAL. Chapter 19-24 of the North Dakota Century Code is repealed.

SECTION 7. LEGISLATIVE INTENT - MEDICAL MARIJUANA PENALTIES. It is the intent of the sixty-fifth legislative assembly that if future legislative assemblies amend criminal penalties relating to marijuana, the corresponding medical marijuana penalties also be amended in order to retain consistency.

SECTION 8. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

ANNOUNCEMENT

REP. BELLEW ANNOUNCED that the House stand in recess until 1:00 p.m.

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

SIXTH ORDER OF BUSINESS

SPEAKER BELLEW DEEMED approval of the amendments to Engrossed SB 2001, Engrossed SB 2002, Engrossed SB 2005, Engrossed SB 2007, Engrossed SB 2008, Engrossed SB 2009, Engrossed SB 2010, Engrossed SB 2011, Engrossed SB 2012, Engrossed SB 2014, Engrossed SB 2015, Engrossed SB 2016, Engrossed SB 2017, Engrossed SB 2019, Engrossed SB 2022, Engrossed SB 2023, Engrossed SB 2036, and Engrossed SB 2344.

Engrossed SB 2344, as amended, was rereferred to the **Appropriations Committee**.

Engrossed SB 2001, Engrossed SB 2002, Engrossed SB 2005, Engrossed SB 2007,
Engrossed SB 2008, Engrossed SB 2009, Engrossed SB 2010, Engrossed SB 2011,
Engrossed SB 2012, Engrossed SB 2014, Engrossed SB 2015, Engrossed SB 2016,

Engrossed SB 2017, Engrossed SB 2019, Engrossed SB 2022, Engrossed SB 2023, and Engrossed SB 2036, as amended, were placed on the Fourteenth order of business on today's calendar.

MOTION

REP. VIGESAA MOVED that pursuant to HR 329, SB 2344, which had amendments passed on the previous Sixth order, not be rereferred to the Appropriations Committee and be placed on the top of the Fourteenth order of today's calendar, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2344: A BILL for an Act to create and enact chapter 19-24.1 of the North Dakota Century Code, relating to medical marijuana; to amend and reenact section 54-60-03, paragraph 3 of subdivision a of subsection 15 of section 57-02-08, and paragraph 2 of subdivision b of subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to primary sector business certification and property tax exemptions for farm buildings and residences; to repeal chapter 19-24 of the North Dakota Century Code, relating to medical marijuana; to provide a statement of legislative intent; to provide for a report; to provide a penalty; to provide a continuing appropriation; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 13 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, D.; Johnson, M.; Jones; Karls; Kempenich; Kiefert; Klemin; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

NAYS: Becker, Rick C.; Ertelt; Johnson, C.; Johnston; Kading; Keiser; Koppelman, B.; McWilliams; Olson; Paur; Schatz; Simons; Speaker Bellew

ABSENT AND NOT VOTING: Kasper; Marschall

Engrossed SB 2344, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2144: A BILL for an Act to amend and reenact sections 54-60.2-01 and 54-60.2-02 of the North Dakota Century Code, relating to workforce development grants for tribally controlled community colleges; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 80 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut;

Trottier; Vigesaa; Weisz; Westlind; Zubke

NAYS: Becker, Rick C.; Delzer; Ertelt; Johnston; Magrum; Olson; Ruby, D.; Ruby, M.; Simons; Toman; Vetter; Speaker Bellew

ABSENT AND NOT VOTING: Kasper; Marschall

SB 2144, as amended, passed.

SECOND READING OF SENATE BILL

SB 2150: A BILL for an Act to amend and reenact subsection 2 of section 15.1-36-06 of the North Dakota Century Code, relating to school construction loans.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 2 YEAS, 90 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Boschee; Martinson

NAYS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Kasper; Marschall

SB 2150 failed.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. Klemin, Chairman)** has carefully examined the Journal of the Sixtieth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1297, remove lines 32-34

REP. KLEMIN MOVED that the report be adopted, which motion prevailed on a voice vote.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 3, 2017, I have signed the following: HB 1128, HB 1249, and HB 1428.

CONSIDERATION OF MESSAGES FROM THE SENATE

REP. VIGESAA MOVED that the House do not concur in the Senate amendments to Engrossed HB 1201 as printed on HJ page 1277 and in the Senate amendments to Engrossed HB 1403 as printed on HJ pages 1226-1227 and that a conference committee be appointed to meet with a like committee from the Senate on each of these measures, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed HB 1201: Reps. Sukut, Lefor, Boschee.

Engrossed HB 1403: Reps. D. Ruby, Louser, Boschee.

APPOINTMENT OF CONFERENCE COMMITTEE

REP. VIGESAA MOVED that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2047, Engrossed SB 2135, Engrossed SB 2166, Engrossed SB 2183, Engrossed SB 2216, Engrossed SB 2253, Engrossed SB 2264, SB 2270, SB 2303, and Engrossed SB 2313, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed SB 2047: Reps. D. Anderson, Seibel, M. Ruby
Engrossed SB 2135: Reps. B. Koppelman, Olson, P. Anderson
Engrossed SB 2166: Reps. Olson, Howe, Grueneich
Engrossed SB 2183: Reps. Laning, Beadle, P. Anderson
Engrossed SB 2216: Reps. Karls, Roers Jones, M. Nelson
Engrossed SB 2253: Reps. Beadle, Pyle, Toman
Engrossed SB 2264: Reps. Hatlestad, M. Johnson, Guggisberg
SB 2270: Reps. Devlin, Marschall, Bosch
SB 2303: Reps. Jones, Roers Jones, Hanson
Engrossed SB 2313: Reps. Lefor, Seibel, Roers Jones

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to Engrossed HB 1144 as printed on HJ page 1085, which motion prevailed on a voice vote.

Engrossed HB 1144, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1144: A BILL for an Act to create and enact section 49-22-08.2 and chapter 49-22.1 of the North Dakota Century Code, relating to gas and liquid energy conversion, gas and liquid transmission facility siting, and combining application; to amend and reenact sections 11-09.1-04, 17-05-09, and 32-15-21, subsection 18 of section 38-08-02, sections 49-07-01.1, 49-22-03, 49-22-04, 49-22-05.1, 49-22-07, and 49-22-07.2, subsection 1 of section 49-22-08, sections 49-22-08.1, 49-22-09, 49-22-09.1, 49-22-14, 49-22-16, 49-22-17, 49-22-19, 49-22-20, and 49-22-21, subdivision e of subsection 1 of section 49-22-22, subsection 2 of section 49-22-22, subsection 1 of section 54-17.7-08, and section 61-24.3-03 of the North Dakota Century Code, relating to energy conversion and transmission facility siting; to repeal sections 49-22-01 and 49-22-16.3 of the North Dakota Century Code, relating to energy conversion short title and route adjustment before or during construction for gas or liquid transmission line; to provide a continuing appropriation; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Damschen; Kasper; Marschall

Reengrossed HB 1144 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. RUBY MOVED that the House do concur in the Senate amendments to Engrossed HB 1255 as printed on HJ page 1216, which motion prevailed on a voice vote.

Engrossed HB 1255, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1255: A BILL for an Act to create and enact a new chapter to title 24 and a new subsection to section 39-12-05.3 of the North Dakota Century Code, relating to the creation of a large truck primary highway network and the permitting of increased vehicle weights.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Kasper; Marschall

Reengrossed HB 1255 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. RUBY MOVED that the House do concur in the Senate amendments to HB 1321 as printed on HJ page 1289, which motion prevailed on a voice vote.

HB 1321, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1321: A BILL for an Act to amend and reenact subsection 4 of section 39-12-05.3 of the North Dakota Century Code, relating to weight limitations for vehicles on highways other than the interstate system.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Anderson, P.; Becker, Rick C.; Ertelt; Guggisberg; Holman; Nelson, M.

ABSENT AND NOT VOTING: Kasper; Marschall

Engrossed HB 1321 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HEADLAND MOVED that the House do concur in the Senate amendments to Reengrossed HB 1354 as printed on HJ page 1046, which motion prevailed on a voice vote.

Reengrossed HB 1354, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1354: A BILL for an Act to create and enact a new subsection to section 57-01-02 of the North Dakota Century Code, relating to the ability of the tax commissioner to make disclosures regarding taxpayers receiving tax deductions or credits; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Kasper; Marschall

Reengrossed HB 1354 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to Reengrossed HB 1367 as printed on HJ page 983, which motion prevailed on a voice vote.

Reengrossed HB 1367, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1367: A BILL for an Act amend and reenact sections 20.1-13-07 and 20.1-13-10 of the North Dakota Century Code, relating to personal watercraft and towing an individual on water skies or similar devices; to provide a penalty; and to declare an emergency.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider;

Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Beadle; Keiser; Magrum; Simons; Vetter

ABSENT AND NOT VOTING: Kasper; Marschall

Reengrossed HB 1367 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to Reengrossed HB 1395 as printed on HJ page 1105, which motion prevailed on a voice vote.

Reengrossed HB 1395, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1395: A BILL for an Act to amend and reenact subsections 1 and 7 of section 62.1-01-01, subsection 1 of section 62.1-02-04, subdivision m of subsection 2 of section 62.1-02-05, and section 62.1-04-04 of the North Dakota Century Code, relating to dangerous weapons and retired law enforcement officers; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Kasper; Marschall

Reengrossed HB 1395 passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to Engrossed HCR 3027 as printed on HJ page 1087, which motion prevailed on a voice vote.

Engrossed HCR 3027, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3027: A concurrent resolution directing the Legislative Management to consider studying the estimated fiscal impact to the state of refracturing existing oil wells.

ROLL CALL

The question being on the final adoption of the resolution, which has been read. The roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe;

Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Kasper; Marschall

Reengrossed HCR 3027 was declared adopted on a recorded roll call vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to Reengrossed HCR 3011 as printed on HJ page 1087, which motion prevailed on a voice vote.

Reengrossed HCR 3011, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3011: A concurrent resolution extending appreciation to the President of the United States for expediting the approval of the easement required for the completion of the Dakota Access Pipeline, and requesting the federal government reimburse the state of North Dakota for all expenses incurred as a result of the Dakota Access Pipeline protests and permitting delays.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Anderson, P.; Dobervich; Hanson; Hogan; Schneider

ABSENT AND NOT VOTING: Kasper; Marschall

Reengrossed HCR 3011 was declared adopted on a recorded roll call vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to Engrossed HCR 3021 as printed on HJ page 961, which motion prevailed on a voice vote.

Engrossed HCR 3021, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3021: A concurrent resolution urging Congress and the President of the United States to fulfill the federal government's promises to North Dakota, allow the utilization of the Garrison Diversion Unit facilities, including the McClusky Canal and the Snake Creek pumping plant, as a water supply for eastern and central North Dakota, irrigation, and for all other authorized project purposes, not deauthorize or repurpose

any part of the Garrison Diversion Unit, and to allow the continuation of the Garrison Diversion project canal system to aid the delivery of water to the Red River Valley.

ROLL CALL

The question being on the final adoption of the resolution, which has been read. The roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Grueneich; Kasper; Marschall

Reengrossed HCR 3021 was declared adopted on a recorded roll call vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. K. KOPPELMAN MOVED that the House do concur in the Senate amendments to Engrossed HB 1415 as printed on HJ page 1104, which motion prevailed on a voice vote.

Engrossed HB 1415, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1415: A BILL for an Act to amend and reenact subsection 12 of section 53-06.1-01, subsections 1 and 4 of section 53-06.1-01.1, subsections 2 and 3 of section 53-06.1-03, subsections 1 and 3 of section 53-06.1-06, subsection 1 of section 53-06.1-10.2, subsection 1 of section 53-06.1-11, subsection 3 of section 53-06.1-14, and subsection 8 of section 53-06.1-15.1 of the North Dakota Century Code, relating to games of chance.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 79 YEAS, 13 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

NAYS: Anderson, B.; Delzer; Guggisberg; Hogan; Holman; Laning; McWilliams; Nelson, M.; Ruby, D.; Satrom; Schneider; Streyle; Speaker Bellew

ABSENT AND NOT VOTING: Kasper; Marschall

Reengrossed HB 1415 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LOUSER MOVED that the House do concur in the Senate amendments to

Engrossed HB 1398 as printed on HJ pages 1086-1087, which motion prevailed on a voice vote.

Engrossed HB 1398, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1398: A BILL for an Act to amend and reenact section 49-02-01.1 of the North Dakota Century Code, relating to the jurisdiction of the public service commission.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 76 YEAS, 16 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, K.; Kreidt; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Pyle; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schreiber-Beck; Seibel; Skroch; Steiner; Sukut; Vigesaa; Weisz; Westlind; Zubke

NAYS: Becker, Rich S.; Delzer; Devlin; Ertelt; Koppelman, B.; Laning; Porter; Rohr; Schatz; Schobinger; Simons; Streytle; Toman; Trotter; Vetter; Speaker Bellew

ABSENT AND NOT VOTING: Kasper; Marschall

Reengrossed HB 1398 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DOCKTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1363 as printed on HJ pages 996-997, which motion prevailed on a voice vote.

Engrossed HB 1363, as amended, was placed on the Eleventh order of business.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. K. KOPPELMAN MOVED that the House do concur in the Senate amendments to Engrossed HB 1345 as printed on HJ page 931, which motion prevailed on a voice vote.

Engrossed HB 1345, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1345: A BILL for an Act to create and enact subsections 12 and 13 of section 44-04-18, subsection 6 of section 44-04-18.1, and section 11 of section 44-04-19.1 of the North Dakota Century Code, relating to open record and meeting laws; to amend and reenact subsection 11 of section 12.1-34-02, section 12.1-35-03, subsection 9 of section 44-04-17.1, subsections 2, 4, and 7 of section 44-04-18, subsection 2 of section 44-04-18.1, subsection 6 of section 44-04-18.7, section 44-04-18.20, subsections 5, 6, and 9 of section 44-04-19.1, subsections 3 and 5 of section 44-04-20, section 44-04-21.1, and subsection 4 of section 57-40.6-07 of the North Dakota Century Code, relating to open record and meeting laws; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe;

Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Nelson, J.

ABSENT AND NOT VOTING: Kasper; Marschall

Engrossed HB 1345, as amended, passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LEFOR MOVED that the House do concur in the Senate amendments to Engrossed HB 1279 as printed on HJ page 1138, which motion prevailed on a voice vote.

Engrossed HB 1279, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1279: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to possession of a firearm; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Kasper; Marschall

Engrossed HB 1279, as amended, passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to Engrossed HB 1251 as printed on HJ page 982, which motion prevailed on a voice vote.

Engrossed HB 1251, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1251: A BILL for an Act to provide for a legislative management study of the creation of an inmate housing construction program.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Kasper; Marschall

Engrossed HB 1251, as amended, passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to Engrossed HB 1198 as printed on HJ page 943, which motion prevailed on a voice vote.

Engrossed HB 1198, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1198: A BILL for an Act to amend and reenact section 26.1-39-23 of the North Dakota Century Code, relating to property and casualty insurance binders.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Simons

ABSENT AND NOT VOTING: Kasper; Marschall

Engrossed HB 1198, as amended, passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to Engrossed HB 1156 as printed on HJ page 929, which motion prevailed on a voice vote.

Engrossed HB 1156, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1156: A BILL for an Act to amend and reenact section 65-01-02, subsection 8 of section 65-05-07, and section 65-05-08 of the North Dakota Century Code, relating to the definition of medical marijuana and prohibiting the payment of workers' compensation benefits for medical marijuana; and to provide for application.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 83 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Anderson, P.; Dobervich; Guggisberg; Hanson; Holman; Mitskog; Nelson, M.; Schneider; Vetter

ABSENT AND NOT VOTING: Kasper; Marschall

Engrossed HB 1156, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1363: A BILL for an Act to create and enact subsection 3 of section 16.1-04-01 of the North Dakota Century Code, relating to election precincts; to amend and reenact section 1-08-09, subsections 2 and 5 of section 16.1-01-01, sections 16.1-04-02 and 16.1-05-01, subsection 3 of 16.1-05-07, section 16.1-05-08, subsection 2 of 16.1-06-16, and sections 16.1-07-15, 16.1-10-06, 16.1-11-20, 40-02-10, 44-02-05, 44-02-07, and 44-02-08 of the North Dakota Century Code, relating to election polling places and filling vacancies in elective offices; to repeal section 16.1-04-03 of the North Dakota Century Code, relating to election administration; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Delzer; Ertelt; Paur

ABSENT AND NOT VOTING: Kasper; Marschall

Reengrossed HB 1363 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LANING MOVED that the House do concur in the Senate amendments to HB 1149 as printed on HJ page 982, which motion prevailed on a voice vote.

HB 1149, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1149: A BILL for an Act to amend and reenact section 54-10-27 of North Dakota Century Code, relating to audits of occupational and professional boards.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 82 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kiefert; Klemin; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Steiner; Streyle; Sukut; Toman; Trotter; Vigesaa; Weisz; Westlind; Zubke

NAYS: Beadle; Delzer; Headland; Johnston; Kempenich; Koppelman, B.; Koppelman, K.; Skroch; Vetter; Speaker Bellew

ABSENT AND NOT VOTING: Kasper; Marschall

HB 1149, as amended, passed.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2144.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2344.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass, unchanged: SB 2150.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1216, HB 1378.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1216

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 53-06.1-01, subsection 4 of section 53-06.1-01.1, subsection 1 of section 53-06.1-06, subsection 5 of section 53-06.1-11, and section 53-06.1-14 of the North Dakota Century Code, relating to the use of electronic pull tabs and electronic pull tab devices.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 53-06.1-01 of the North Dakota Century Code is amended and reenacted as follows:

53-06.1-01. Definitions.

As used in this chapter:

1. "Adjusted gross proceeds" means gross proceeds less cash prizes, cost of merchandise prizes, gaming tax, and federal excise tax imposed under section 4401 of the Internal Revenue Code [26 U.S.C. 4401].
2. "Charitable organization" means an organization whose primary purpose is for relief of poor, distressed, underprivileged, diseased, elderly, or

- abused persons, prevention of cruelty to children or animals, or similar condition of public concern.
3. "Civic and service organization" means an organization whose primary purpose is to promote the common good and social welfare of a community as a sertoma, lion, rotary, jaycee, kiwanis, or similar organization.
 4. "Closely related organization" means an organization that controls, is controlled by, or is under common control with another organization. Control exists when an organization has the authority or ability to elect, appoint, or remove a majority of the officers or directors of another organization or, by policy, contract, or otherwise, has the authority or ability to directly or indirectly direct or cause the direction of the management or policies of another organization.
 5. "Distributor" means a person that sells, markets, or distributes equipment designed for use in the conduct of games.
 6. "Educational organization" means a nonprofit public or private elementary or secondary school, two-year or four-year college, or university.
 7. "Electronic pull tab device" means a device, approved by the attorney general, which electronically displays pull tabs.
 8. "Eligible organization" means a veterans, charitable, educational, religious, fraternal, civic and service, public safety, or public-spirited organization domiciled in North Dakota or authorized by the secretary of state as a foreign corporation under chapter 10-33, incorporated as a nonprofit organization, and which has been regularly and actively fulfilling its primary purpose within this state during the two immediately preceding years. However, an educational organization does not need to be incorporated or be in existence for two years. An organization's primary purpose may not involve the conduct of games. The organization may be issued a license by the attorney general. For purposes of this section, a foreign corporation authorized under chapter 10-33 is not an eligible organization unless authorized to conduct a raffle under chapter 20.1-04 or 20.1-08 and may not conduct a game other than a raffle under chapter 20.1-04 or 20.1-08.
 - ~~8-9.~~ "Fraternal organization" means an organization, except a school fraternity, which is a branch, lodge, or chapter of a national or state organization and exists for the common business, brotherhood, or other interests of its members. The organization must have qualified for exemption from federal income tax under section 501(c)(8) or 501(c)(10) of the Internal Revenue Code.
 - ~~9-10.~~ "Games" means games of chance.
 - ~~10-11.~~ "Gross proceeds" means all cash and checks received from conducting games.
 - ~~11-12.~~ "Licensed organization" means an eligible organization licensed by the attorney general.
 - ~~12-13.~~ "Manufacturer" means, for a pull tab or bingo card, a person who designs, prints, assembles, or produces the product. For a pull tab or bingo card dispensing device or bingo card marking device, a manufacturer means the person who directly controls and manages development of and owns the rights to the proprietary software encoded on a processing chip that enables the device to operate.
 - ~~13-14.~~ "Net income" means gross proceeds less cash prizes, cost of merchandise prizes, and expenses to conduct the gaming activity.

- ~~14-15.~~ "Net proceeds" means adjusted gross proceeds less allowable expenses and gaming tax.
- ~~15-16.~~ "Permit" means a local permit or charity local permit issued by a governing body of a city or county to a nonprofit organization or group of people domiciled in North Dakota.
- ~~16-17.~~ "Person" means any person, partnership, corporation, limited liability company, association, or organization.
- ~~17-18.~~ "Prize board" means a board used with pull tabs to award cash or merchandise prizes.
- ~~18-19.~~ "Public safety organization" means an organization whose primary purpose is to provide firefighting, ambulance service, crime prevention, or similar emergency assistance.
- ~~19-20.~~ "Public-spirited organization" means an organization whose primary purpose is for scientific research, amateur sports competition, safety, literary, arts, preservation of cultural heritage, educational activities, educational public service, youth, economic development, tourism, community medical care, community recreation, or similar organization, which does not meet the definition of any other type of eligible organization. However, a nonprofit organization or a group of people recognized as a public-spirited organization by a governing body of a city or county for obtaining a permit does not need to meet this definition.
- ~~20-21.~~ "Pull tab" means a folded or banded ticket or jar ticket, a pull tab card with break-open tabs, or an electronic pull tab displaying concealed numbers or symbols or combinations of concealed numbers and symbols which are exposed by a player to determine the outcome. The terms "pull tab" and "jar ticket" are used interchangeably unless otherwise stated. A winning pull tab contains certain symbols, numbers, or combinations of symbols and numbers and may contain multiple winning symbols, numbers, or combinations of symbols and numbers which have been previously designated as winning symbols or numbers.
- ~~22.~~ "Religious organization" means a church, body of communicants, or group gathered in common membership whose primary purpose is for advancement of religion, mutual support and edification in piety, worship, and religious observances.
- ~~21-23.~~ "Veterans organization" means any congressionally chartered post organization, or any branch or lodge or chapter of a nonprofit national or state organization whose membership consists of individuals who are or were members of the armed services or forces of the United States. The organization must have qualified for exemption from federal income tax under section 501(c)(19) of the Internal Revenue Code.

SECTION 2. AMENDMENT. Subsection 4 of section 53-06.1-01.1 of the North Dakota Century Code is amended and reenacted as follows:

4. The commission shall adopt rules in accordance with chapter 28-32, to administer and regulate the gaming industry, including methods of conduct, play, and promotion of games; minimum procedures and standards for recordkeeping and internal control; requiring tax returns and reports from organizations or distributors; methods of competition and doing business by distributors and manufacturers; acquisition and use of gaming equipment; quality standards or specifications for the manufacture of pull tabs, paper bingo cards, electronic pull tab devices, pull tab and bingo card dispensing devices, and bingo card marking devices; to ensure that net proceeds are used for educational, charitable, patriotic, fraternal, religious, or public-spirited uses; to protect and promote the public interest; to ensure fair and honest games; to ensure

that fees and taxes are paid; and to prevent and detect unlawful gambling activity.

SECTION 3. AMENDMENT. Subsection 1 of section 53-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

1. No person, except a member, volunteer, an employee of a licensed organization or an organization that has a permit, or an employee of a temporary employment agency who provides services to a licensed organization, may manage, control, or conduct any game. "Member" includes a member of an auxiliary organization. In conducting pull tabs, prize boards, or bingo through a dispensing device, selling pull tabs through a pull tab device, selling raffle tickets, or conducting sports pools, the attorney general may allow an employee of an alcoholic beverage establishment to provide limited assistance to an organization.

SECTION 4. AMENDMENT. Subsection 5 of section 53-06.1-11 of the North Dakota Century Code is amended and reenacted as follows:

5. For a site where bingo is not the primary game:
 - a. If twenty-one or paddlewheels is conducted, the monthly rent may not exceed two hundred dollars multiplied by the necessary number of tables based on criteria prescribed by gaming rule. For each twenty-one table with a wager greater than five dollars, an additional amount up to one hundred dollars may be added to the monthly rent. If pull tabs is also conducted involving only a jar bar, the monthly rent for pull tabs may not exceed an additional one hundred seventy-five dollars. If pull tabs is conducted involving only a dispensing device, electronic pull tab device, or ~~both~~ a jar bar and dispensing device or electronic pull tab device, the monthly rent for pull tabs may not exceed an additional three hundred twenty-five dollars.
 - b. If twenty-one and paddlewheels are not conducted but pull tabs is conducted involving either a jar bar or dispensing device, or ~~both~~ electronic pull tab device, or any combination, the monthly rent may not exceed four hundred dollars.

SECTION 5. AMENDMENT. Section 53-06.1-14 of the North Dakota Century Code is amended and reenacted as follows:

53-06.1-14. Distributors and manufacturers.

1. A manufacturer of pull tabs, bingo cards, electronic pull tab devices, or bingo card marking devices shall apply annually for a license and pay a license fee of four thousand dollars. A manufacturer of pull tab dispensing devices shall apply annually for a license and pay a license fee of one thousand dollars. A manufacturer of fifty-fifty raffle systems shall apply annually for a license and pay a license fee of five hundred dollars. A distributor shall apply annually for a license and pay a license fee of one thousand five hundred dollars. Application must be made before the first day of April in each year on a form prescribed by the attorney general.
2. A licensed distributor may not sell, market, or distribute gaming equipment except to a licensed distributor, licensed organization, organization that has a permit, or other person authorized by gaming rule or the attorney general. A manufacturer of a pull tab dispensing device, pull tab, electronic pull tab device, bingo card marking device, bingo card, or fifty-fifty raffle system may only sell, market, or distribute the manufacturer's pull tab dispensing device and processing chip encoded with proprietary software, pull tab, electronic pull tab device, bingo card marking device, bingo card, or fifty-fifty raffle system to a licensed distributor. A licensed distributor may purchase or acquire a pull tab dispensing device and processing chip encoded with proprietary software, pull tab, electronic pull tab device, bingo card marking device,

- bingo card, or fifty-fifty raffle system only from a licensed manufacturer or licensed distributor. However, a distributor may purchase or acquire a used pull tab dispensing device or electronic pull tab device from a licensed organization. A distributor may not duplicate a manufacturer's processing chip encoded with proprietary software. No gaming equipment or prize may be sold or leased at an excessive price.
3. A licensed distributor shall affix a North Dakota gaming stamp to each deal of pull tabs and bingo cards, raffle board, punchboard, sports pool board, calcutta board, and series of paddlewheel ticket cards sold or otherwise provided to a licensed organization and shall purchase the stamps from the attorney general for thirty-five cents each. Ten cents of each stamp sold by the attorney general, up to thirty-six thousand dollars per biennium, must be credited to the attorney general's operating fund to defray the costs of issuing and administering the gaming stamps.
 4. A licensed organization, organization that has a permit, licensed manufacturer, or North Dakota wholesaler of liquor or alcoholic beverages may not be a distributor or stockholder of a distributor. A distributor may not be a stockholder of a manufacturer.
 5. In addition to the license fee, the attorney general may require advance payment of any fee necessary to pay the cost of a record check of an applicant according to subdivision c of subsection 5 of section 53-06.1-06.
 6. A licensed manufacturer may not refuse to sell deals of pull tabs, paper bingo cards, or gaming equipment to a licensed distributor unless:
 - a. A specific deal of pull tabs is sold on an exclusive basis;
 - b. The manufacturer does not sell deals of pull tabs, paper bingo cards, or gaming equipment to any distributor in the state;
 - c. A gaming law or rule prohibits the sale;
 - d. The distributor has not provided the manufacturer with proof of satisfactory credit or is delinquent on any payment owed to the manufacturer; or
 - e. The distributor has not met the manufacturer's standard minimum order quantity and freight terms."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1378

Page 1, line 2, replace "aircraft detection lighting systems on wind generators" with "light-mitigating technology systems on wind energy conversion facilities"

Page 1, line 6, replace "**Aircraft detection lighting**" with "**Light-mitigating technology**"

Page 1, after line 6 insert:

- "1. The commission shall adopt rules by January 1, 2019, relating to the implementation of light-mitigating technology systems on wind energy conversion facilities which must include service and maintenance requirements and safety standards and lighting system requirements, and which are consistent with the federal aviation administration regulations [14 CFR 1.1 et seq.]

2."

Page 1, line 7, remove "generator, designed for or capable of wind energy"

Page 1, remove line 8

Page 1, line 9, replace "aircraft detection lighting system in accordance" with "energy conversion facility for which the commission issued a certificate of site compatibility after June 5, 2016, must be equipped with a functioning light-mitigating technology system that complies"

Page 1, line 9, remove "The"

Page 1, remove lines 10 and 11

Page 1, line 12, replace "standards, and lighting system requirements." with:

"3. The commission shall require the installation of light-mitigating technology systems that comply with rules adopted by the commission as soon as technically feasible and if economically feasible for wind energy conversion facilities for which a certificate of site compatibility was issued before June 5, 2016.

4."

Page 1, line 12, replace "cost" with "costs"

Page 1, line 12, after "with" insert "the"

Page 1, line 13, replace "these systems" with "light-mitigating technology systems"

Page 1, line 13, replace "a turbine" with "the wind energy conversion facility"

Re-number accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1025, HB 1390.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1025

In lieu of the amendments as printed on page 896 of the Senate Journal, Engrossed House Bill No. 1025 is amended as follows:

Page 1, line 1, after "enact" insert "section 20.1-04-07.1 and"

Page 1, line 2, after the first "to" insert "wild turkey hunting licenses for veterans receiving hunting expeditions from a nonprofit organization and"

Page 4, after line 4, insert:

"SECTION 3. Section 20.1-04-07.1 of the North Dakota Century Code is created and enacted as follows:

20.1-04-07.1. Spring wild turkey licenses for certain veterans.

The director shall issue four spring wild turkey licenses and permits to hunt wild turkeys to veterans residing in North Dakota and who are selected by a nonprofit organization that provides outdoor recreation activities to veterans to help improve their health and well-being and to reduce the rate of suicide among veterans. The organization shall provide each veteran a hunting expedition during the spring wild turkey season designed to achieve the purpose of the organization during which the veteran may use the veteran's wild turkey license."

Page 5, line 15, remove "and the rocky mountain elk foundation"

Page 5, line 17, remove "and the"

Page 5, line 18, remove "rocky mountain elk foundation"

Page 5, line 21, remove "Fifty percent of all net"

Page 5, remove lines 22 and 23

Page 5, line 24, replace "foundation policies and objectives. All remaining" with "The"

Page 5, line 24, after "proceeds" insert "distributed to the North American wildlife enforcement memorial museum and educational center"

Page 5, line 27, remove "and the"

Page 5, line 28, remove "rocky mountain elk foundation"

Page 6, line 1, remove "and the North American"

Page 6, line 2, remove "wildlife enforcement memorial museum and educational center"

Page 6, line 4, remove "and the North American wildlife enforcement memorial"

Page 6, line 5, remove "museum and educational center"

Page 6, line 7, remove "and fifty percent of all"

Page 6, line 8, replace "net proceeds" with ". The net proceeds distributed to the rocky mountain elk foundation"

Page 6, line 10, remove "All remaining net proceeds must be used for"

Page 6, remove line 11

Page 6, line 12, remove "museum and educational center located at the international peace garden."

Page 6, line 13, remove "and the North American wildlife enforcement memorial"

Page 6, line 14, remove "museum and educational center"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1390

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 61-16-08 and 61-32-03.1 of the North Dakota Century Code, relating to water resource board members and subsurface water management system permits; to provide for a legislative management study; to provide for a penalty; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 61-16-08 of the North Dakota Century Code is amended and reenacted as follows:

61-16-08. Eligibility for appointment to board - Term of office - Removal - Filling vacancies - Compensation of managers.

1. When a water resource district has been created, any resident landowner in the district, except a county commissioner, is eligible, subject to the provisions of this section, for appointment to the water resource board. After June 30, 1985, when the term of office of a district manager has expired, the manager's successor shall hold office for three years from the first day of January next following the date of the successor's appointment. The term of office of a manager does not terminate until the successor in office is appointed and qualified. In case the office of any district manager becomes vacant, the manager appointed to fill the vacancy shall serve the unexpired term of the manager whose office

- became vacant. Within three months after the start of an individual's term as a district manager, the individual shall attend a course on water management, and each district manager shall attend a course on water management every three years during the manager's term.
2. Each member of a water resource board shall receive the sum of at least seventy-five dollars but not more than one hundred thirty-five dollars per day while performing duties as a member of the board, and an allowance for meals and lodging expenses at the same rate and under the same conditions as provided for state officials and employees. The allowance for travel expenses shall be at the same rate as provided by section 11-10-15 and shall be evidenced by a subvoucher or receipt as provided by section 21-05-01.
 3. A manager may be removed from the board by the board of county commissioners after it appears to the board of county commissioners by competent evidence, and after a public hearing, if so requested by the manager subject to removal, at which hearing the manager must be apprised of and allowed ample opportunity to repudiate the evidence, that the manager has been guilty of misconduct, malfeasance, crime in office, neglect of duty in office, habitual drunkenness, gross incompetency, or inability to perform the duties of office for reasons of health.

SECTION 2. AMENDMENT. Section 61-32-03.1 of the North Dakota Century Code is amended and reenacted as follows:

61-32-03.1. Permit to drain subsurface waters required - Permit form - Penalty.

1.
 - a. ~~Installation of an artificial subsurface drainage~~ subsurface water management system comprising eighty acres [32.37 hectares] of land area or more requires a permit. The watershed area drained by a subsurface water management system may not be used to determine whether the system requires a permit under this section.
 - b. Subsurface water management systems that use surface intakes must be permitted exclusively under this section if the system will have a drainage coefficient of three-eighths of an inch [0.95 centimeters] or less. Subsurface water management systems that use surface intakes must be permitted exclusively under section 61-32-03 if the system will have a drainage coefficient exceeding three-eighths of an inch [0.95 centimeters].
 - c. Installation of a subsurface water management system comprising less than eighty acres [32.37 hectares] of land area does not require a permit.
2.
 - a. ~~The state engineer shall develop an application form for a permit for subsurface drainage of water required under this section. A person seeking to construct an artificial subsurface drainage system~~ subsurface water management system that requires a permit under this section must submit a completed application to the water resource district board within which is found a majority of the land area for consideration and approval. Water resource districts may attach any necessary conditions to an approved permit, but may not deny an application unless the water resource district determines the application is of statewide significance or the proposed drainage will flood or adversely affect lands of downstream landowners within one mile [1.61 kilometers] of the proposed subsurface drainage. The water resource district board may charge permit applicants a fee up to one hundred fifty dollars. Water resource districts must ~~shall~~ forward copies of all approved permits to the state engineer. ~~Water resource districts shall determine if the application proposes drainage of statewide significance. If so, the application must be~~

- c. A water resource district may attach reasonable conditions to an approved permit for a subsurface water management system that outlets directly into a legal assessment drain or public highway right of way. For purposes of this subsection, "reasonable conditions" means conditions that address the outlet location, proper erosion control, reseeding of disturbed areas, installation of riprap or other ditch stabilization, and conditions that require all work to be done in a neat and professional manner. Any condition to locate the project a minimum distance from rural water supply lines may not extend beyond an existing easement for lines, or no greater than twenty feet [6.1 meters] from either side of the water line if the rural water line was installed under a blanket easement.
 - d. A water resource district may require a subsurface water management system granted a permit under this section to incorporate a control structure at the outlet into the design of the system and may require the control structure be closed during critical flood periods.
 - e. A water resource district board may not deny a completed permit application under this section unless the board determines, based on technical evidence submitted by a landowner notified under subsection 2, the proposed water management system will flood or unreasonably harm land of a notified landowner, and a notarized letter of approval required by the board has not been obtained by the applicant. For purposes of this section, "unreasonable harm" is limited to hydraulic impacts, including erosion or other adverse impacts that degrade the physical integrity of a roadway or real property within one mile [1.61 kilometers] downstream of the system's outlet. The board shall include a written explanation of the reasons for a denial of a completed application and notify, by certified mail, the applicant and all landowners notified under subsection 2 of the approval or denial.
 - f. The board may not deny a permit more than sixty days after receipt of the completed application for the permit. If the board fails to deny the permit application within sixty days of receipt, the permit application is deemed approved.
- 4. A denial of a completed permit application by a water resource district board may be appealed, under section 28-34-01, to the district court of the county in which the permit application was filed. The court may approve a completed permit application denied by a water resource district board or the state engineer if the application meets the requirements of this section.
 - 5. A water resource district board may not be held liable to any person for issuing a permit under this section.
 - 6. A person that installs a subsurface water management system requiring a permit under this section without first securing the permit is liable for all damages sustained by a person caused by the subsurface water management system.
 - 7. A person that installs a subsurface water management system requiring a permit under this section without first securing the permit is guilty of an infraction.

SECTION 3. LEGISLATIVE MANAGEMENT STUDY - NUTRIENT MANAGEMENT PLAN. During the 2017-18 interim, the legislative management shall consider studying and monitoring the nutrient management plan developed by the state department of health. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly.

SECTION 4. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1343.

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1144, HB 1149, HB 1156, HB 1198, HB 1251, HB 1255, HB 1321, HB 1354, HB 1363, HB 1367, HB 1398, HB 1415, HCR 3011, HCR 3021, and HCR 3027.

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1279, HB 1345, and HB 1395.

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1201 and HB 1403, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1201: Reps. Sukut; Lefor; Boschee

HB 1403: Reps. D. Ruby; Louser; Boschee

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

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

SB 2047: Reps. D. Anderson; M. Ruby; Seibel

SB 2135: Reps. P. Anderson; B. Koppelman; Olson

SB 2166: Reps. Grueneich; Howe; Olson

SB 2183: Reps. Laning; Beadle; P. Anderson

SB 2216: Reps. Karls; M. Nelson; Roers Jones

SB 2253: Reps. Beadle; Pyle; Toman

SB 2264: Reps. Guggisberg; Hatlestad; M. Johnson

SB 2270: Reps. Bosch; Devlin; Marschall

SB 2303: Reps. Hanson; Jones; Roers Jones

SB 2313: Reps. Lefor; Roers Jones; Seibel

MOTION

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

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Wednesday, April 5, 2017, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

SB 2018, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2018 was placed on the Sixth order on the calendar.

Page 1, line 2, after the third semicolon insert " to provide for a report;"

Page 1, replace lines 12 through 22 with:

| | | | |
|---------------------|--------------|-------------|--------------|
| "Salaries and wages | \$13,015,999 | (\$20,211) | \$12,995,788 |
| Operating expenses | 16,384,623 | (1,107,001) | 15,277,622 |
| Grants | 48,134,795 | 4,175,621 | 52,310,416 |
| Discretionary funds | 784,152 | 715,848 | 1,500,000 |

| | | | |
|--|-------------------|-------------------|-------------------|
| Flood impact grants/loans | 0 | 5,201,752 | 5,201,752 |
| Agricultural products utilization commission | 3,118,611 | 34,304 | 3,152,915 |
| North Dakota trade office | 2,556,694 | (775,196) | 1,781,498 |
| Partner programs | 2,173,829 | (233,984) | 1,939,845 |
| Entrepreneurship grants and vouchers | <u>1,500,000</u> | <u>(750,000)</u> | <u>750,000</u> |
| Total all funds | \$87,668,703 | \$7,241,133 | \$94,909,836 |
| Less estimated income | <u>53,809,604</u> | <u>11,176,054</u> | <u>64,985,658</u> |
| Total general fund | \$33,859,099 | (\$3,934,921) | \$29,924,178" |

Page 1, after line 23, insert:

"SECTION 2. HEALTH INSURANCE INCREASE. The salaries line item in section 1 of this Act includes the sum of \$172,554, of which \$135,102 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 2, replace line 6 with:

| | | |
|----------------------------|------------|------------|
| "Flood impact grants/loans | 12,859,869 | 5,201,752" |
|----------------------------|------------|------------|

Page 2, replace line 9 with:

| | | |
|------------------------|-----------|----------|
| "Base retention grants | 1,500,000 | 200,000" |
|------------------------|-----------|----------|

Page 2, replace line 11 with:

| | | |
|---------------------------|-----------|------------|
| "Enhanced use lease grant | 7,500,000 | 2,000,000" |
|---------------------------|-----------|------------|

Page 2, replace lines 20 through 22 with:

| | | |
|-----------------------|-------------------|------------------|
| "Total all funds | \$40,023,129 | \$9,401,752 |
| Less estimated income | <u>21,359,869</u> | <u>9,401,752</u> |
| Total general fund | \$18,663,260 | \$0" |

Page 3, remove lines 9 through 12

Page 3, line 14, replace "\$1,275,000" with "\$750,000"

Page 3, line 19, replace "\$1,000,000" with "\$200,000"

Page 3, line 22, after the period insert "The department may award grants to each community with an air force base or air national guard facilities."

Page 3, line 30, replace "\$3,000,000" with "\$2,000,000"

Page 3, line 31, remove "for the operations of the"

Page 4, line 1, remove "unmanned aircraft systems test site"

Page 4, line 10, replace "\$2,281,498" with "\$1,781,498"

Page 4, line 11, replace "seventy" with "fifty"

Page 4, line 19, replace "\$1,500,000" with "\$750,000"

Page 4, line 19, replace "\$1,350,000" with "\$600,000"

Page 4, after line 28, insert:

"SECTION 13. NORTH DAKOTA TOURISM PROGRAM - RESEARCH NORTH DAKOTA FUND. Notwithstanding section 54-65-08, the estimated income line item in section 1 of this Act includes \$500,000 from the research North Dakota fund for the North Dakota tourism program.

SECTION 14. TRANSFER - RESEARCH NORTH DAKOTA FUND TO THE GENERAL FUND. Notwithstanding section 54-65-08, the office of management and budget shall transfer \$4,000,000 from the research North Dakota fund to the general fund, for the biennium beginning July 1, 2017, and ending June 30, 2019."

Page 4, line 29, replace "\$1,275,000" with "\$750,000"

Page 4, line 30, replace "section" with "sections"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2018 - Department of Commerce - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|--------------------------------------|---------------------|---------------------|----------------------|---------------------|
| Salaries and wages | \$13,015,999 | \$13,008,851 | (\$13,063) | \$12,995,788 |
| Operating expenses | 16,384,623 | 14,987,622 | 290,000 | 15,277,622 |
| Grants | 48,134,795 | 60,427,212 | (8,116,796) | 52,310,416 |
| Discretionary funds | 784,152 | 814,840 | 685,160 | 1,500,000 |
| Ag. Products Utilization Commission | 3,118,611 | 3,153,330 | (415) | 3,152,915 |
| North Dakota Trade Office | 2,556,694 | 2,281,498 | (500,000) | 1,781,498 |
| Entrepreneurship grants and vouchers | 1,500,000 | 1,500,000 | (750,000) | 750,000 |
| Partner programs | 2,173,829 | 1,939,845 | | 1,939,845 |
| Flood impact grants/loans | | | 5,201,752 | 5,201,752 |
| Total all funds | \$87,668,703 | \$98,113,198 | (\$3,203,362) | \$94,909,836 |
| Less estimated income | 53,809,604 | 66,288,583 | (1,302,925) | 64,985,658 |
| General fund | \$33,859,099 | \$31,824,615 | (\$1,900,437) | \$29,924,178 |
| FTE | 69.40 | 66.40 | 0.00 | 66.40 |

Department No. 601 - Department of Commerce - Detail of House Changes

| | Adjusts Funding for Health Insurance Increases ¹ | Adjusts Funding for Grants ² | Adds Funding for North Dakota Tourism ³ | Reduces Funding for Operation Intern ⁴ | Reduces Funding for Prekindergarten Community Grants ⁵ | Reduces Funding for the North Dakota Trade Office ⁶ |
|--------------------------------------|---|---|--|---|---|--|
| Salaries and wages | (\$13,063) | | | | | |
| Operating expenses | | | 815,000 | (525,000) | | |
| Grants | | (929,970) | | | (185,074) | |
| Discretionary funds | | 685,160 | | | | |
| Ag. Products Utilization Commission | (415) | | | | | |
| North Dakota Trade Office | | | | | | (500,000) |
| Entrepreneurship grants and vouchers | | | | | | |
| Partner programs | | | | | | |
| Flood impact grants/loans | | | | | | |
| Total all funds | (\$13,478) | (\$244,810) | \$815,000 | (\$525,000) | (\$185,074) | (\$500,000) |
| Less estimated income | (2,925) | 0 | 500,000 | 0 | 0 | 0 |
| General fund | (\$10,553) | (\$244,810) | \$315,000 | (\$525,000) | (\$185,074) | (\$500,000) |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

| | Reduces Funding for Entrepreneurship Grants ⁷ | Transfers One-Time Funding for Flood Impact Grants ⁸ | Reduces One-Time Funding for Base Retention Grants ⁹ | Reduces One-Time Funding for Enhanced Use Lease Grants ¹⁰ | Total House Changes |
|--------------------------------------|--|---|---|--|---------------------|
| Salaries and wages | | | | | (\$13,063) |
| Operating expenses | | | | | 290,000 |
| Grants | | (5,201,752) | (800,000) | (1,000,000) | (8,116,796) |
| Discretionary funds | | | | | 685,160 |
| Ag. Products Utilization Commission | | | | | (415) |
| North Dakota Trade Office | | | | | (500,000) |
| Entrepreneurship grants and vouchers | (750,000) | | | | (750,000) |
| Partner programs | | | | | |
| Flood impact grants/loans | | 5,201,752 | | | 5,201,752 |
| | (\$750,000) | \$0 | (\$800,000) | (\$1,000,000) | (\$3,203,362) |

| | | | | | |
|-----------------------|-------------|------|-----------|-------------|---------------|
| Total all funds | | | | | |
| Less estimated income | 0 | 0 | (800,000) | (1,000,000) | (1,302,925) |
| General fund | (\$750,000) | \$0 | \$0 | \$0 | (\$1,900,437) |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Funding of \$929,970 from the general fund is removed for the grant programs listed below and \$685,160 from the general fund is added to the discretionary funds line item.

- Area health education centers grants - (\$200,000)
- Continuum of care grants - (\$75,301)
- Emergency solutions grants - (\$244,669)
- Homeless shelter grants - (\$300,000)
- Self sufficiency grants - (\$110,000)

³ Funding of \$815,000 is added for North Dakota tourism, of which \$315,000 is from the general fund and \$500,000 is from the Research North Dakota fund.

⁴ Funding is reduced for the Operation Intern program by \$525,000 to provide a total appropriation of \$750,000. The Senate approved an appropriation of \$1,275,000. Sections 7 and 16 of the bill are also adjusted to reflect the revised appropriation.

⁵ Funding is reduced for prekindergarten community grants by \$185,074 to provide \$1,500,000 from the general fund. The Senate approved an appropriation of \$1,685,074.

⁶ Funding for the North Dakota Trade Office is reduced by an additional \$500,000 from the general fund. The Senate reduced funding for the Trade Office by \$275,196 from the general fund. The total reduction for the North Dakota Trade Office is \$775,196 from the general fund compared to the base budget. The House also reduced the amount of funding that can be spent without requiring a match from 70 to 50 percent, which is reflected in Section 11 of the bill.

⁷ Funding is reduced for entrepreneurship grants and vouchers, also known as Innovate North Dakota, by \$750,000 to provide a total appropriation of \$750,000, \$600,000 of which is from the general fund. The Senate approved an appropriation of \$1,500,000. Section 12 of the bill is also adjusted to reflect the revised appropriation.

⁸ Federal funds of \$5,201,752 is transferred from the grants line item to a flood impact grants/loans line item. This funding is considered one-time funding.

⁹ One-time funding from the strategic investment and improvements fund for base retention grants is reduced from \$1,000,000 to \$200,000. Section 8 of the bill is also adjusted to reflect the revised appropriation.

¹⁰ Funding is reduced for enhanced use lease grants by \$1 million to provide a total of \$2 million from the strategic investment and improvements fund. The Senate approved an appropriation of \$3 million from the strategic investment and improvements fund. Section 10 of the bill is also adjusted to reflect the revised appropriation.

This amendment also:

- Adds a section to identify the amount of funding included in the bill for the increase in employee health insurance premiums.
- Removes a section allowing the Department of Commerce to continue unexpended 2015-17 funding for prekindergarten community grants into the 2017-19 biennium. This change will result in an estimated \$315,000 of general fund appropriation

authority being canceled at the end of the 2015-17 biennium.

- Adds a section identifying a sum of \$500,000 included in Section 1 of the bill from the Research North Dakota fund for the North Dakota tourism program.
- Adds a section directing a transfer of \$4 million from the Research North Dakota fund to the general fund.

REPORT OF STANDING COMMITTEE

SB 2119, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2119 was placed on the Sixth order on the calendar.

Page 1, line 2, after "sell" insert "or lease"

Page 1, line 2, after the semicolon insert "to provide for a study; to provide a statement of legislative intent; to provide reports to the budget section;"

Page 1, after line 3, insert:

"SECTION 1. STUDY OF PROPERTIES BY JOB SERVICE NORTH DAKOTA - BUDGET SECTION REPORT. During the 2017-18 interim, job service North Dakota shall study the feasibility and desirability of selling its properties in Rolla and Minot and the main office in Bismarck. The study must identify historical data and documentation regarding the purchase price and funding source of each property and provide for an appraisal of each property in accordance with section 54-01-05.2. The study must include a determination of the allowable sales price for each property in accordance with state and federal law. Job service North Dakota shall collaborate with the office of management and budget to develop a proposal for the attorney general's office and highway patrol to lease portions of the Minot property from job service North Dakota, while allowing job service North Dakota to continue occupying a portion of the property necessary for normal business operations. Job service North Dakota shall report its findings and recommendations to the budget section before July 1, 2018.

SECTION 2. LEASE OF PROPERTY BY JOB SERVICE NORTH DAKOTA - ROLLA PROPERTY. Beginning July 1, 2017, job service North Dakota shall lease to Rolette County, Parcel#29 0001 29089 000 00006700 2904000000; city of Rolla OTS Lot 17 Block 7 and Parcel#29 0001 29090 000 00006701 2904000000; city of Rolla OTS Lot 18 Block 7 in the city of Rolla, Rolette County, North Dakota. Job service North Dakota shall lease the property to Rolette County for a sum of one dollar until the property is sold."

Page 1, line 4, after "**DAKOTA**" insert " - **ROLLA PROPERTY - BUDGET SECTION APPROVAL**"

Page 1, line 4, replace "The" with "If a sale of the property is determined feasible based on the study required in section 1 of this Act and subject to budget section approval, the"

Page 1, line 10, after the period insert "Job service North Dakota shall grant Rolette County a right of first refusal for the purchase of this property for the sum of one dollar within one year of the date of budget section approval. If the study in section 1 of this Act determines the one dollar purchase price to be inadequate based on state or federal law, job service North Dakota shall sell and convey the property to Rolette County at ninety percent of current fair market value within one year of the date of budget section approval. If Rolette County does not exercise its right to purchase the property at ninety percent of current fair market value, job service North Dakota may sell and convey the property to another purchaser for the current fair market value."

Page 1, remove lines 15 through 24

Page 2, replace lines 1 through 11 with:

"SECTION 4. LEASE OF PROPERTY BY JOB SERVICE NORTH DAKOTA - BISMARCK PROPERTY - JOB SERVICE NORTH DAKOTA RELOCATION - BUDGET SECTION REPORT. Beginning May 1, 2017, the office of management and budget shall determine the most efficient use of job service North Dakota property Parcel# 0485-010-045; Lot# N.50' of L 3, ALL L 4-6, ALL L 17-19; Block# 10; Addition - TIBESAR'S first in the city of Bismarck, Burleigh County, North Dakota. The office of management and budget shall develop a plan for the most efficient use of the property which may require job service North Dakota to lease all or a portion of the property described in this section to certain state agencies, including the attorney general's office. Based on the plan developed by the office of management and budget, and upon the lease of all or a portion of the property described in this section, job service North Dakota may relocate all or a portion of its central office operations to Parcel# 0729-001-001; Lot# 1; Block# 1; Addition - Wisdom Office Park in the city of Bismarck, Burleigh County, North Dakota. The office of management and budget shall report to the budget section regarding its plan before the leasing of the job service North Dakota central office and subsequent relocation of job service North Dakota to the Bismarck regional office.

SECTION 5. LEGISLATIVE INTENT - MINOT AND BISMARCK JOB SERVICE NORTH DAKOTA PROPERTIES. It is the intent of the sixty-fifth legislative assembly that if, as a result of the study provided for in section 1 of this Act, the sale of job service North Dakota property in Minot and its main office in Bismarck is determined feasible, the office of management and budget request authorization and any necessary funding from the sixty-sixth legislative assembly for the conveyance of the property for use by other state agencies."

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE

HB 1037: Your conference committee (Sens. Davison, Schaible, Vedaa and Reps. Zubke, Longmuir, Guggisberg) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1136-1137 and place HB 1037 on the Seventh order.

HB 1037 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1194: Your conference committee (Sens. Luick, Osland, Nelson and Reps. Klemin, Blum, Hanson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1137-1138, adopt amendments as follows, and place HB 1194 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1137 and 1138 of the House Journal and pages 874 and 875 of the Senate Journal and that House Bill No. 1194 be amended as follows:

Page 1, line 3, replace the second "and" with a comma

Page 1, line 3, after "12.1-34-02" insert ", and subsection 1 of section 12.1-34-06"

Page 2, after line 22, insert:

"SECTION 3. AMENDMENT. Subsection 1 of section 12.1-34-06 of the North Dakota Century Code is amended and reenacted as follows:

1. ~~The information technology department may establish~~office of the attorney general shall maintain a statewide automated victim information and notification system that must:
 - a. Permit a victim to register or update the victim's registration information for the system by calling a toll-free telephone number or accessing a public website.
 - b. Notify a registered victim by telephone, mail, text message, or electronic mail in accordance with this chapter.

- c. Notify a registered victim by telephone, mail, text message, or electronic mail when the offender has a scheduled court proceeding, a parole review, or a change in the status of the offender's parole or probation status, including a change in the offender's address.
- d. Notify a registered victim by telephone, mail, text message, or electronic mail when a protective order requested by the victim has been served upon the respondent.
- e. Permit a victim to receive a status report for an offender under the supervision or in the custody of the department of corrections and rehabilitation or other correctional facility by calling the system on a toll-free telephone number or by accessing the system through a public website."

Page 2, line 27, replace "26" with "25"

Renumber accordingly

HB 1194 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

