

## JOURNAL OF THE HOUSE

## Sixty-sixth Legislative Assembly

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Bismarck, April 5, 2019

The House convened at 12:30 p.m., with Speaker Klemin presiding.

The prayer was offered by Manager Brad Bales, KNDR Radio, Mandan.

The roll was called and all members were present except Representatives Blum, Brandenburg, Damschen, Jones, K. Koppelman, Mock, O'Brien, Paur, and Tveit.

A quorum was declared by the Speaker.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on April 4, 2019, I have signed the following: HB 1054, HB 1101, HB 1124, HB 1175, HB 1203, HB 1354, HB 1401, HB 1422, HB 1507, and HB 1515.

**MOTION**

**REP. LOUSER MOVED** pursuant to House Rule 324, to suspend the rules for the purpose of temporarily amending the deadlines for referrals of Senate bills to the **House Appropriations Committee**, and for reporting bills and resolutions out of committee, which motion prevailed on a voice vote.

**MOTION**

**REP. LOUSER MOVED** that House Rule 509 be amended temporarily to replace sixty-first legislative day with sixty-fourth legislative day for all bills except SB 2148, which motion prevailed on a voice vote.

**MOTION**

**REP. LOUSER MOVED** that House Rule 329(4) be amended temporarily to replace sixty-first legislative day with seventy-first legislative day for SB 2148, which motion prevailed on a voice vote.

**MOTION**

**REP. LOUSER MOVED** that House Rule 509 be amended temporarily to replace sixty-first legislative day with seventy-first legislative day for SB 2148, which motion prevailed on a voice vote.

**MOTION**

**REP. LOUSER MOVED** that SB 2353, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed on a voice vote.

**MOTION**

**REP. LOUSER MOVED** that HB 1395, which is on the Twelfth order, be laid over one legislative day, and that HB 1251, which is on the Twelfth order, be laid over one legislative day, and that HB 1275, which is on the Twelfth order, be laid over one legislative day, and that HB 1259, which is on the Twelfth order, be laid over one legislative day, which motion prevailed on a voice vote.

**CONSIDERATION OF MESSAGES FROM THE SENATE**

**REP. LOUSER MOVED** that the House do not concur in the Senate amendments to HB 1174 as printed on HJ pages 1440-1441, in the Senate amendments to Engrossed HB 1234 as printed on HJ page 1189, and in the Senate amendments to Reengrossed HB 1359 as printed on HJ page 1375 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:

**HB 1174:** Reps. Dockter, Headland, Mitskog.

**Engrossed HB 1234:** Reps. Satrom, Jones, Becker.

**Reengrossed HB 1359:** Reps. D. Anderson, Devlin, Schneider.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**REP. LOUSER MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2037, Engrossed SB 2040, SB 2090, Engrossed SB 2100, Engrossed SB 2245, Engrossed SB 2247, Engrossed SB 2342, and Engrossed SB 2358, which motion prevailed on a voice vote.

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

**Engrossed SB 2037:** Reps. Lefor, Roers Jones, Marschall

**Engrossed SB 2040:** Reps. B. Koppelman, Toman, Eidson

**SB 2090:** Reps. Zubke, Bosch, M. Ruby

**Engrossed SB 2100:** Reps. Zubke, Bosch, Mitskog

**Engrossed SB 2245:** Reps. Damschen, Skroch, Fegley

**Engrossed SB 2247:** Reps. Kiefert, Tveit, Dobervich

**Engrossed SB 2342:** Reps. Heinert, Bosch, Lefor

**Engrossed SB 2358:** Reps. D. Anderson, Zubke, Damschen

#### SIXTH ORDER OF BUSINESS

**SPEAKER KLEMIN DEEMED** approval of the amendments to Engrossed SB 2001, Engrossed SB 2007, Engrossed SB 2014, Engrossed SB 2018, SB 2041, and SB 2264.

Engrossed SB 2001, Engrossed SB 2007, Engrossed SB 2014, Engrossed SB 2018, SB 2041, and SB 2264, as amended, were placed on the Fourteenth order of business on the calendar.

#### SECOND READING OF SENATE BILL

**SB 2362:** A BILL for an Act to amend and reenact section 57-51.1-07 of the North Dakota Century Code, relating to the allocation of oil extraction tax; to provide a contingent appropriation; to provide for a transfer; to provide an effective date; 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 85 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Blum; Brandenburg; Damschen; Jones; Koppelman, K.; Mock; O'Brien; Paur; Tveit

Engrossed SB 2362 passed and the emergency clause was declared carried.

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#### SECOND READING OF SENATE BILL

**SB 2317:** A BILL for an Act to create and enact a new section to chapter 23-16 and a new section to chapter 50-24.4 of the North Dakota Century Code, relating to licensure of pediatric subacute care facilities as nursing facilities and reimbursement of pediatric subacute care facilities; and to amend and reenact section 50-24.4-27 and subdivision a of subsection 24 of section 57-39.2-04 of the North Dakota Century

Code, relating to licensure of pediatric subacute care facilities as nursing facilities.

### 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 81 YEAS, 4 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

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

**NAYS:** Becker; Delzer; Ertelt; Laning

**ABSENT AND NOT VOTING:** Blum; Brandenburg; Damschen; Jones; Koppelman, K.; Mock; O'Brien; Paur; Tveit

Engrossed SB 2317, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2124:** A BILL for an Act to create and enact five new sections to chapter 50-01.1 and chapter 50-35 of the North Dakota Century Code, relating to creation of human service zones; to amend and reenact sections 11-16-01 and 11-23-01, subdivision c of subsection 1 of section 14-02.1-02.1, sections 14-08.1-01, 14-09-06.3, 14-09-06.4, 14-09-12, 14-09-19, 14-10-05, and 14-15-01, subdivision i of subsection 1 of section 14-15-09, sections 14-15-11, 14-15-12, and 14-15-12.1, subsection 3 of section 14-15-13, sections 23-06-03, 23-41-01, 23-41-06, 25-04-08.1, and 25-04-11, subsection 2 of section 25-04-16, sections 26.1-45-13, 27-20-02, 27-20-11, 27-20-20.1, 27-20-30, and 27-20-30.1, subsection 2 of section 27-20-31, sections 27-20-38, 27-20-44, 27-20-45, 27-20-47, 27-20-49, and 27-20-54, subsection 2 of section 27-21-12, section 30-16-04, subsection 1 of section 30.1-26-01, subsection 3 of section 30.1-28-11, subdivision h of subsection 1 of section 40-01.1-04, sections 50-01-01, 50-01-01.1, 50-01-02, 50-01-04, 50-01-13, 50-01-17, 50-01-17.1, 50-01-17.2, 50-01-17.3, 50-01-17.5, 50-01-19, 50-01-21, 50-01-26, 50-01-27, 50-01-28, 50-01-29, 50-01.1-01, 50-01.1-02, 50-01.1-03, 50-01.1-04, 50-01.2-00.1, 50-01.2-01, 50-01.2-02, 50-01.2-03, 50-01.2-03.2, 50-01.2-04, and 50-01.2-05, subsection 4 of section 50-06-01, sections 50-06-01.4, 50-06-01.9, and 50-06-05.1, subsection 3 of section 50-06-05.3, sections 50-06-05.8, 50-06-06.2, 50-06-06.5, 50-06-06.14, 50-06-12, 50-06-20, 50-06.2-01, 50-06.2-02, 50-06.2-03, 50-06.2-04, 50-06.2-06, 50-09-01, 50-09-02, 50-09-02.2, 50-09-03, 50-09-04, 50-09-06, 50-09-07, and 50-09-08, subsections 2, 3, and 4 of section 50-09-08.2, sections 50-09-08.3, 50-09-08.4, and 50-09-09, subsection 1 of section 50-09-14, sections 50-09-29 and 50-09-30, subsection 2 of section 50-11-00.1, sections 50-11.1-02, 50-11.2-01, 50-11.2-02, 50-24.1-03.1, 50-24.1-03.2, and 50-24.5-01, subsection 1 of section 50-24.5-02, sections 50-24.5-03, 50-24.5-07, 50-24.5-09, and 50-24.7-01, subsection 1 of section 50-24.7-02, sections 50-24.7-03 and 50-24.7-06, subsections 6 and 11 of section 50-25.1-02, sections 50-25.1-04.3, 50-25.2-14, 50-29-01, 50-29-02, 50-29-03, and 54-46-13, subsection 3 of section 57-15-01.1, sections 57-15-06.7 and 57-20-07.1, subsection 3 of section 57-20-07.3, subdivision b of subsection 1 of section 57-55-10, and subsection 16 of section 65-01-02 of the North Dakota Century Code, relating to the establishment and operation of human service zone areas, taxing district levy limitations, and property tax statements; to repeal sections 50-01-03, 50-01.1-02.1, 50-01.2-03.1, and 50-01.2-06, chapter 50-03, and sections 50-06-05.7, 50-06-06.1, 50-06-20.1, 50-06.2-05, and 50-25.1-06.1 of the North Dakota Century Code, relating to administration of county social service boards, the county human services fund, and caseload standards; to provide for a report; to

provide a penalty; to provide a contingent appropriation; to provide for the transfer of employees; to provide an effective date; to provide an expiration date; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 3 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

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

**NAYS:** Buffalo; Delzer; Ertelt

**ABSENT AND NOT VOTING:** Blum; Brandenburg; Damschen; Jones; Koppelman, K.; Mock; O'Brien; Paur; Tveit

Engrossed SB 2124, as amended, passed and the emergency clause was declared carried.

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#### SECOND READING OF SENATE BILL

**SB 2041:** A BILL for an Act to create and enact a new subsection to section 21-03-07 of the North Dakota Century Code, relating to the issuance of bonds by the governing body of a park district without voter approval.

#### 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, 13 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, D.; Anderson, P.; Beadle; Bosch; Boschee; Buffalo; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Kempenich; Kiefert; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Monson; Nathe; Nelson, J.; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

**NAYS:** Anderson, B.; Becker; Bellew; Boe; Delzer; Headland; Johnston; Keiser; Koppelman, B.; Marschall; McWilliams; Nelson, M.; Simons

**ABSENT AND NOT VOTING:** Blum; Brandenburg; Damschen; Jones; Koppelman, K.; Mock; O'Brien; Paur; Tveit

SB 2041, as amended, passed.

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#### SECOND READING OF SENATE BILL

**SB 2264:** A BILL for an Act to amend and reenact subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to the board of university and school lands and exempt administrative agencies.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 0 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Blum; Brandenburg; Damschen; Jones; Koppelman, K.; Mock; O'Brien; Paur; Porter; Tveit

SB 2264, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2018:** A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society; and to provide for a report to the legislative assembly.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 63 YEAS, 21 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Boe; Bosch; Boschee; Buffalo; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kempenich; Kiefert; Kreidt; Laning; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Pollert; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Strinden; Trottier; Vigesaa; Westlind; Zubke; Speaker Klemin

**NAYS:** Becker; Bellew; Delzer; Devlin; Ertelt; Headland; Hoverson; Johnston; Kading; Koppelman, B.; Magrum; Marschall; McWilliams; Paulson; Ruby, D.; Ruby, M.; Simons; Skroch; Toman; Vetter; Weisz

**ABSENT AND NOT VOTING:** Blum; Brandenburg; Damschen; Jones; Koppelman, K.; Mock; O'Brien; Paur; Porter; Tveit

Engrossed SB 2018, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2014:** A BILL for an Act to provide an appropriation for defraying the expenses of the committee on protection and advocacy; and to provide a report to the legislative assembly.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 71 YEAS, 13 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Boe; Bosch; Boschee; Buffalo; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe;

Johnson, C.; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kempenich; Kiefert; Kreidt; Laning; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Pollert; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**NAYS:** Becker; Bellew; Ertelt; Fisher; Johnston; Kading; Koppelman, B.; Magrum; Marschall; McWilliams; Ruby, D.; Ruby, M.; Simons

**ABSENT AND NOT VOTING:** Blum; Brandenburg; Damschen; Jones; Koppelman, K.; Mock; O'Brien; Paur; Porter; Tveit

Engrossed SB 2014, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2007:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of labor and human rights; and to provide for a report to the legislative assembly.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 5 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

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

**NAYS:** Ertelt; Hoverson; Johnston; Magrum; Simons

**ABSENT AND NOT VOTING:** Blum; Brandenburg; Damschen; Jones; Koppelman, K.; Mock; O'Brien; Paur; Porter; Tveit

Engrossed SB 2007, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2001:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the governor; to amend and reenact sections 54-07-04 and 54-08-03 of the North Dakota Century Code, relating to salary of the governor and lieutenant governor; to provide for a report to the legislative assembly; and to provide for a budget section report.

### 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 78 YEAS, 6 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Bellew; Boe; Bosch; Boschee; Buffalo; Delzer; Devlin; Dobervich; Dockter; Eidson; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Monson; Nathe; Nelson, J.;

Nelson, M.; Owens; Paulson; Pollert; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**NAYS:** Becker; Ertelt; Fegley; Magrum; Simons; Toman

**ABSENT AND NOT VOTING:** Blum; Brandenburg; Damschen; Jones; Koppelman, K.; Mock; O'Brien; Paur; Porter; Tveit

Engrossed SB 2001, as amended, passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. PORTER MOVED** that the House do concur in the Senate amendments to HCR 3048 as printed on HJ page 1420, which motion prevailed on a voice vote.

HCR 3048, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3048:** A concurrent resolution directing the Legislative Management to consider studying the feasibility and desirability of establishing a wind reclamation fund and whether the statutorily required minimum wind turbine setback distances provide adequate protections to nonparticipating landowners and their property.

#### ROLL CALL

The question being on the final adoption of the amended resolution, which has been read. The roll was called and there were 51 YEAS, 34 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, P.; Becker; Bellew; Bosch; Buffalo; Dobervich; Dockter; Eidson; Ertelt; Fegley; Hager; Hatlestad; Hoverson; Johnson, C.; Johnson, M.; Johnston; Kading; Karls; Kasper; Keiser; Kiefert; Koppelman, B.; Lefor; Louser; Magrum; Marschall; Martinson; McWilliams; Mitskog; Nelson, J.; Owens; Paulson; Richter; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Schneider; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Speaker Klemin

**NAYS:** Anderson, D.; Beadle; Boe; Boschee; Delzer; Devlin; Fisher; Grueneich; Guggisberg; Hanson; Headland; Heinert; Holman; Howe; Johnson, D.; Kempenich; Kreidt; Laning; Longmuir; Meier; Monson; Nathe; Nelson, M.; Pollert; Pyle; Roers Jones; Rohr; Sanford; Schmidt; Schobinger; Vigesaa; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Blum; Brandenburg; Damschen; Jones; Koppelman, K.; Mock; O'Brien; Paur; Porter

Engrossed HCR 3048 was declared adopted on a recorded roll call vote.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. PORTER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1246 as printed on HJ page 1419, which motion prevailed on a voice vote.

Engrossed HB 1246, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1246:** A BILL for an Act to amend and reenact section 20.1-03-11 of the North Dakota Century Code, relating to gratis tags for hunting big game; and to provide for a legislative management study.

#### ROLL CALL

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

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

**NAYS:** Delzer; Hoverson

**ABSENT AND NOT VOTING:** Blum; Brandenburg; Damschen; Jones; Koppelman, K.; Mock; O'Brien; Paur; Porter

Reengrossed HB 1246 passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. DELZER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1005 as printed on HJ pages 1418-1419, which motion prevailed on a voice vote.

Engrossed HB 1005, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1005:** A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 84 YEAS, 1 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

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

**NAYS:** Buffalo

**ABSENT AND NOT VOTING:** Blum; Brandenburg; Damschen; Jones; Koppelman, K.; Mock; O'Brien; Paur; Porter

Reengrossed HB 1005 passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. ROERS JONES MOVED** that the House do concur in the Senate amendments to Engrossed HB 1256 as printed on HJ page 1441, which motion prevailed on a voice vote.

Engrossed HB 1256, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1256:** A BILL for an Act to create and enact chapter 12-60.1 of the North Dakota Century Code, relating to sealing of criminal records; and to amend and reenact subsection 1 of section 12.1-41-14, subsection 4 of section 50-09-32, and subdivision e of

subsection 1 of section 62.1-04-03 of the North Dakota Century Code, relating to sealing of criminal records.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 77 YEAS, 8 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

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

**NAYS:** Bellew; Buffalo; Delzer; Ertelt; Karls; Magrum; Rohr; Schatz

**ABSENT AND NOT VOTING:** Blum; Brandenburg; Damschen; Jones; Koppelman, K.; Mock; O'Brien; Paur; Porter

Reengrossed HB 1256 passed.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2362.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2001, SB 2007, SB 2014, SB 2018, SB 2041, SB 2264, SB 2317.

#### 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 2124.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1388.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1006, HB 1008, HB 1009, HB 1010, HB 1016, HB 1017, HB 1019, HB 1022, HB 1023, HB 1333.

### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1006

Page 1, line 2, after "commission" insert "; and to provide an exemption"

Page 1, replace lines 12 through 19 with:

"Salaries and wages	\$1,431,222	\$95,106	\$1,526,328
Operating expenses	2,204,190	(199,436)	2,004,754
Capital assets	100,000	(100,000)	0
Grants	<u>7,150,000</u>	<u>45,650,000</u>	<u>52,800,000</u>
Total all funds	\$10,885,412	\$45,445,670	\$56,331,082
Less estimated income	<u>9,985,412</u>	<u>45,845,670</u>	<u>55,831,082</u>
Total general fund	\$900,000	(\$400,000)	\$500,000
Full-time equivalent positions	7.00	0.00	7.00"

Page 2, replace lines 2 and 3 with:

"Airport grants	\$0	\$27,000,000
Total special funds	\$0	\$27,000,000"

Page 2, line 9, remove "ENERGY IMPACT"

Page 2, line 10, replace "\$5,000,000" with "\$27,000,000"

Page 2, line 11, remove "energy impact"

Page 2, after line 12, insert:

**"SECTION 4. AIRPORT INFRASTRUCTURE FUND - AIRPORT GRANTS - EXEMPTION.** The estimated income line item in section 1 of this Act includes \$20,000,000 from the airport infrastructure fund for the aeronautics commission to provide grants to airports during the biennium beginning July 1, 2019, and ending June 30, 2021. Section 54-44.1-11 does not apply to this funding and any funds not spent by June 30, 2021, must be continued into the biennium beginning July 1, 2021, and ending June 30, 2023, and may be expended only for providing grants to airports."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1006 - Aeronautics Commission - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$1,431,222	\$1,520,679	\$5,649	\$1,526,328
Operating expenses	2,204,190	2,004,754		2,004,754
Capital assets	100,000			
Grants	7,150,000	10,800,000	42,000,000	52,800,000
Total all funds	\$10,885,412	\$14,325,433	\$42,005,649	\$56,331,082
Less estimated income	9,985,412	13,825,433	42,005,649	55,831,082
General fund	\$900,000	\$500,000	\$0	\$500,000
FTE	7.00	7.00	0.00	7.00

**Department 412 - Aeronautics Commission - Detail of Senate Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Adds Funding for Airport Infrastructure Grants <sup>2</sup>	Adds Funding for Airport Grants <sup>3</sup>	Total Senate Changes
Salaries and wages	\$5,649			\$5,649
Operating expenses				
Capital assets				
Grants		\$20,000,000	\$22,000,000	42,000,000
Total all funds	\$5,649	\$20,000,000	\$22,000,000	\$42,005,649
Less estimated income	5,649	20,000,000	22,000,000	42,005,649
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

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

<sup>2</sup> Funding of \$20 million is added from funds available in the airport infrastructure fund, which was created in House Bill No. 1066, for the Aeronautics Commission to provide grants to airports. The House version did not include this appropriation.

<sup>3</sup> One-time funding from the strategic investment and improvements fund is added to provide a total of \$27 million for grants to airports. The House provided one-time funding of \$5 million from the strategic investment and improvements fund for energy impact grants to airports.

This amendment also:

- Includes a section to identify \$27 million in the estimated income line item from the strategic investment and improvements fund. The House version identified \$5 million

from the strategic investment and improvements fund.

- Adds a section to identify \$20 million in the estimated income line item from the airport infrastructure fund for grants to airports, and provides an exemption to allow the funds to be continued into the 2021-23 biennium. The House version did not include this section.

### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1008

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

Page 1, replace lines 11 through 15 with:

"Salaries and wages	\$6,813,840	\$208,815	\$7,022,655
Operating expenses	1,576,072	517,145	2,093,217
Contingency	20,000	0	20,000
Total special funds	\$8,409,912	\$725,960	\$9,135,872
Full-time equivalent positions	30.00	1.00	31.00"

Page 1, line 16, after "FUNDING" insert "- REPORT TO LEGISLATIVE ASSEMBLY"

Page 1, replace lines 20 and 21 with:

"Website redesign	\$0	\$451,305
Total special funds	\$0	\$451,305"

ReNUMBER accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1008 - Department of Financial Institutions - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$6,813,840	\$6,996,642	\$26,013	\$7,022,655
Operating expenses	1,576,072	1,693,217	400,000	2,093,217
Contingency	20,000	20,000		20,000
Total all funds	\$8,409,912	\$8,709,859	\$426,013	\$9,135,872
Less estimated income	8,409,912	8,709,859	426,013	9,135,872
General fund	\$0	\$0	\$0	\$0
FTE	30.00	31.00	0.00	31.00

#### Department 413 - Department of Financial Institutions - Detail of Senate Changes

	Adjusts Funding for Salary Increases <sup>1</sup>	Increases Funding for Operating Expenses <sup>2</sup>	Adds Funding for Website Redesign <sup>3</sup>	Total Senate Changes
Salaries and wages	\$26,013			\$26,013
Operating expenses		\$300,000	\$100,000	400,000
Contingency				
Total all funds	\$26,013	\$300,000	\$100,000	\$426,013
Less estimated income	26,013	300,000	100,000	426,013
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

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

<sup>2</sup> Funding for operating expenses is increased to provide a total of \$1,993,217. The House included total funding for operating expenses of \$1,693,217.

<sup>3</sup> The Senate increased one-time funding by \$100,000, from \$351,305 to \$451,305, to continue the department's website redesign project started during the 2017-19 biennium. The House version included one-time funding of \$351,305.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1009**

Page 1, replace lines 11 and 12 with:

Premiums	<u>\$515,665</u>	<u>\$54,335</u>	<u>\$570,000</u>
Total general fund	<u>\$515,665</u>	<u>\$54,335</u>	<u>\$570,000"</u>

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1009 - State Fair Association - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Premiums	<u>\$515,665</u>	<u>\$515,665</u>	<u>\$54,335</u>	<u>\$570,000</u>
Total all funds	\$515,665	\$0	\$54,335	\$54,335
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General fund	<u>\$515,665</u>	<u>\$0</u>	<u>\$54,335</u>	<u>\$54,335</u>
FTE	0.00	0.00	0.00	0.00

**Department 665 - State Fair Association - Detail of Senate Changes**

	Increases Funding for Premiums <sup>1</sup>	Total Senate Changes
Premiums	<u>\$54,335</u>	<u>\$54,335</u>
Total all funds	\$54,335	\$54,335
Less estimated income	<u>0</u>	<u>0</u>
General fund	<u>\$54,335</u>	<u>\$54,335</u>
FTE	0.00	0.00

<sup>1</sup> Funding is increased for premiums to provide a total of \$570,000. The House provided \$515,665 of funding for premiums.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1010**

Page 1, replace lines 11 through 17 with:

"Salaries and wages	\$905,453	\$182,821	\$1,088,274
Operating expenses	355,851	(70,077)	285,774
Grants	<u>2,090,494</u>	<u>0</u>	<u>2,090,494</u>
Total all funds	\$3,351,798	\$112,744	\$3,464,542
Less estimated income	<u>1,786,922</u>	<u>(48,000)</u>	<u>1,738,922</u>
Total general fund	<u>\$1,564,876</u>	<u>\$160,744</u>	<u>\$1,725,620</u>
Full-time equivalent positions	5.00	1.00	6.00"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1010 - Council on the Arts - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$905,453	\$957,100	\$131,174	\$1,088,274
Operating expenses	355,851	277,851	7,923	285,774
Grants	<u>2,090,494</u>	<u>2,090,494</u>		<u>2,090,494</u>
Total all funds	\$3,351,798	\$3,325,445	\$139,097	\$3,464,542
Less estimated income	<u>1,786,922</u>	<u>1,738,918</u>	<u>4</u>	<u>1,738,922</u>
General fund	<u>\$1,564,876</u>	<u>\$1,586,527</u>	<u>\$139,093</u>	<u>\$1,725,620</u>
FTE	5.00	5.00	1.00	6.00

## Department 709 - Council on the Arts - Detail of Senate Changes

	Adjusts Funding for Salary Increases <sup>1</sup>	Adds One Administrative FTE Position <sup>2</sup>	Restores Funding for Operating Expenses <sup>3</sup>	Adds Funding for New Software Costs <sup>4</sup>	Total Senate Changes
Salaries and wages	\$4,391	\$126,783			\$131,174
Operating expenses			\$113	\$7,810	7,923
Grants					
Total all funds	\$4,391	\$126,783	\$113	\$7,810	\$139,097
Less estimated income	0	0	4	0	4
General fund	\$4,391	\$126,783	\$109	\$7,810	\$139,093
FTE	0.00	1.00	0.00	0.00	1.00

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

<sup>2</sup> One FTE administrative position and related funding is added.

<sup>3</sup> A portion of funding removed by the House for operating expenses is restored to provide for a total operating expenses reduction of \$29,887. The House reduced funding for operating expenses by \$30,000.

<sup>4</sup> Funding from the general fund is added for new software costs.

## SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1016

Page 1, replace lines 12 through 21 with:

"Salaries and wages	\$27,155,566	\$3,416,655	\$30,572,221
Operating expenses	11,501,255	6,339,640	17,840,895
Capital assets	20,000	0	20,000
Grants	5,458,571	707,541	6,166,112
Reed Act - unemployment insurance computer modernization	11,209,557	(122,591)	11,086,966
Total all funds	\$55,344,949	\$10,341,245	\$65,686,194
Less estimated income	54,899,156	10,356,414	65,255,570
Total general fund	\$445,793	(\$15,169)	\$430,624
Full-time equivalent positions	181.61	(9.00)	172.61"

Page 2, after line 19, insert:

**"SECTION 4. APPROPRIATION.** All federal funds received by job service North Dakota in excess of those funds appropriated in section 1 of this Act are appropriated to job service North Dakota for the biennium beginning July 1, 2019, and ending June 30, 2021."

ReNUMBER accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

## House Bill No. 1016 - Job Service North Dakota - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$27,155,566	\$30,352,222	\$219,999	\$30,572,221
Operating expenses	11,501,255	17,840,895		17,840,895
Capital assets	20,000	20,000		20,000
Grants	5,458,571	6,166,112		6,166,112
Reed Act - Computer modernization	11,209,557	11,086,966		11,086,966
Total all funds	\$55,344,949	\$65,466,195	\$219,999	\$65,686,194
Less estimated income	54,899,156	65,035,774	219,796	65,255,570
General fund	\$445,793	\$430,421	\$203	\$430,624
FTE	181.61	172.61	0.00	172.61

**Department 380 - Job Service North Dakota - Detail of Senate Changes**

	Adds Funding for Salary and Benefit Increases <sup>1</sup>	Total Senate Changes
Salaries and wages	\$219,999	\$219,999
Operating expenses		
Capital assets		
Grants		
Reed Act - Computer modernization		
<b>Total all funds</b>	<b>\$219,999</b>	<b>\$219,999</b>
Less estimated income	219,796	219,796
General fund	\$203	\$203
<b>FTE</b>	<b>0.00</b>	<b>0.00</b>

<sup>1</sup> Funding of \$219,999, of which \$203 is from the general fund and \$219,796 is from federal funds, is added for 2019-21 biennium salary increases of 2 percent with a minimum monthly increase of \$120 and a maximum monthly increase of \$200 on July 1, 2019, and 2.5 percent on July 1, 2020 to provide a total of \$893,168 for state employee salary increases. The House approved 2019-21 biennium salary increases of 2 percent per year to provide a total of \$673,169 for state employee salary increases.

This amendment also adds a section appropriating all federal funds received by Job Service North Dakota in excess of those funds appropriated in section 1 for the 2019-21 biennium.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1017**

Page 1, replace lines 10 through 13 with:

Salaries and wages	\$1,191,850	\$56,480	\$1,248,330
Operating expenses	<u>1,726,784</u>	<u>(144,450)</u>	<u>1,582,334</u>
Total special funds	\$2,918,634	(\$87,970)	\$2,830,664
Full-time equivalent positions	5.00	0.00	5.00"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1017 - Office of Administrative Hearings - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$1,191,850	\$1,243,942	\$4,388	\$1,248,330
Operating expenses	<u>1,726,784</u>	<u>1,582,334</u>		<u>1,582,334</u>
<b>Total all funds</b>	<b>\$2,918,634</b>	<b>\$2,826,276</b>	<b>\$4,388</b>	<b>\$2,830,664</b>
Less estimated income	<u>2,918,634</u>	<u>2,826,276</u>	4,388	<u>2,830,664</u>
General fund	\$0	\$0	\$0	\$0
<b>FTE</b>	<b>5.00</b>	<b>5.00</b>	<b>0.00</b>	<b>5.00</b>

**Department 140 - Office of Administrative Hearings - Detail of Senate Changes**

	Adds Funding for Salary Increases <sup>1</sup>	Total Senate Changes
Salaries and wages	\$4,388	\$4,388
Operating expenses		
<b>Total all funds</b>	<b>\$4,388</b>	<b>\$4,388</b>
Less estimated income	4,388	4,388
General fund	\$0	\$0
<b>FTE</b>	<b>0.00</b>	<b>0.00</b>

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

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1019**

Page 1, line 2, remove "create and enact sections 15-20.1-26 and 15-20.1-27 of the"

Page 1, replace lines 3 through 7 with "provide a statement of legislative intent; and to provide for a report to the sixty-seventh legislative assembly."

Page 1, remove lines 17 through 24

Page 2, replace lines 1 through 6 with:

"Salaries and wages	\$4,699,975	\$112,790	\$4,812,765
Operating expenses	1,240,589	1,117,207	2,357,796
Grants	30,106,356	(20,899,007)	9,207,349
Grants - secondary	0	24,937,780	24,937,780
Marketplace for kids	0	300,000	300,000
Grants - postsecondary	296,207	(39,225)	256,982
Adult farm management	579,822	1,564,427	2,144,249
Workforce training	2,000,000	0	2,000,000
Center for distance education	0	9,751,188	9,751,188
Total all funds	\$38,922,949	\$16,845,160	\$55,768,109
Less estimated income	<u>9,616,666</u>	<u>5,086,455</u>	<u>14,703,121</u>
Total general fund	\$29,306,283	\$11,758,705	\$41,064,988
Full-time equivalent positions	24.50	27.80	52.30"

Page 2, remove lines 15 through 30

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 30

Page 5, replace lines 1 through 17 with:

**"SECTION 3. CENTER FOR DISTANCE EDUCATION - FUNDING DESIGNATION - LEGISLATIVE INTENT - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.**

Section 1 of this Act includes the sum of \$9,751,188, of which \$6,701,188 is from the general fund and \$3,050,000 is from other funds for the center for distance education for the biennium beginning July 1, 2019, and ending June 30, 2021. The general fund appropriation of \$6,701,188 includes a sum of \$502,759 that may only be used for new enrollments during the biennium beginning July 1, 2019, and ending June 30, 2021. It is the intent of the sixty-sixth legislative assembly that the center for distance education develop a fee structure during the 2019-20 interim to become self-sustaining beginning in the biennium beginning July 1, 2021, and ending June 30, 2023. The department of career and technical education shall report to the appropriations committees of the sixty-seventh legislative assembly regarding the development of the new center for distance education fee structure."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1019 - Dept. of Career and Technical Education - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$4,699,975	\$4,793,318	\$19,447	\$4,812,765
Operating expenses	1,240,589	2,315,589	42,207	2,357,796
Grants	30,106,356	9,065,142	142,207	9,207,349
Grants - Postsecondary	296,207	341,396	(84,414)	256,982
Adult farm management	579,822	1,794,242	350,007	2,144,249
Workforce training	2,000,000	2,000,000		2,000,000
Educational Technology Council		770,978	(770,978)	
Grants - Secondary		22,537,780	2,400,000	24,937,780
Center for Distance Education		8,994,167	757,021	9,751,188
Marketplace for Kids		300,000		300,000
Total all funds	\$38,922,949	\$52,912,612	\$2,855,497	\$55,768,109
Less estimated income	9,616,666	15,203,121	(500,000)	14,703,121

General fund	\$29,306,283	\$37,709,491	\$3,355,497	\$41,064,988
FTE	24.50	52.80	(0.50)	52.30

**Department 270 - Dept. of Career and Technical Education - Detail of Senate Changes**

	Adjusts Funding for Salary and Benefit Increases <sup>1</sup>	Removes Funding for the Educational Technology Council <sup>2</sup>	Line Item Transfers <sup>3</sup>	Restores Funding for Adult Farm Management Grants <sup>4</sup>	Adds Funding to Maintain Reimbursement Rates <sup>5</sup>	Adds Funding for New and Expanding Programs <sup>6</sup>
Salaries and wages	\$19,447					
Operating expenses			\$42,207			
Grants			142,207			
Grants - Postsecondary			(84,414)			
Adult farm management				\$350,007		
Workforce training						
Educational Technology Council		(\$770,978)				
Grants - Secondary			(100,000)		\$1,000,000	\$1,500,000
Center for Distance Education	34,262					
Marketplace for Kids						
<b>Total all funds</b>	\$53,709	(\$770,978)	\$0	\$350,007	\$1,000,000	\$1,500,000
Less estimated income	0	(500,000)	0	0	0	0
<b>General fund</b>	\$53,709	(\$270,978)	\$0	\$350,007	\$1,000,000	\$1,500,000
<b>FTE</b>	0.00	(0.50)	0.00	0.00	0.00	0.00

	Adds Funding for the Center for Distance Education <sup>7</sup>	Total Senate Changes
Salaries and wages		\$19,447
Operating expenses		42,207
Grants		142,207
Grants - Postsecondary		(84,414)
Adult farm management		350,007
Workforce training		
Educational Technology Council		(770,978)
Grants - Secondary		2,400,000
Center for Distance Education	\$722,759	757,021
Marketplace for Kids		
<b>Total all funds</b>	\$722,759	\$2,855,497
Less estimated income	0	(500,000)
<b>General fund</b>	\$722,759	\$3,355,497
<b>FTE</b>	0.00	(0.50)

<sup>1</sup> Funding of \$53,709 from the general fund is added for 2019-21 biennium salary increases of 2 percent with a minimum monthly increase of \$120 and a maximum monthly increase of \$200 on July 1, 2019, and 2.5 percent on July 1, 2020. The House approved 2019-21 biennium salary increases of 2 percent per year.

<sup>2</sup> Funding of \$770,978 for the Educational Technology Council is removed, of which \$270,978 is from the general fund and \$500,000 is from federal funds. Of the amount removed, \$82,412 was for salaries, \$103,566 was for operating expenses, \$85,000 was for grants, and \$500,000 was for capital assets. A 0.50 FTE administrative assistant II position related to the \$82,412 of salaries is also removed.

<sup>3</sup> Funding of \$184,414 from the general fund is transferred between the following line items:

Line Item Transfer	General Fund
Grants - secondary line item to the grants line item	\$100,000
Grants - postsecondary line item to the grants line item	42,207
Grants - postsecondary line item to the operating expenses line item	42,207
<b>Total</b>	<b>\$184,414</b>

<sup>4</sup> Funding of \$350,007 is restored for adult farm management grants to provide a total appropriation of \$2,144,249 from the general fund. The House approved \$1,794,242 of funding from the general fund for this program.

<sup>5</sup> Funding of \$1 million is added from the general fund for the cost to continue and to

maintain current reimbursement rates for Department of Career and Technical Education center expenditures, including instructor salaries and supplies. The House did not provide funding for the cost to continue and to maintain reimbursement rates.

<sup>6</sup> Funding of \$1.5 million is added from the general fund for new and expanding Department of Career and Technical Education secondary programs. The House did not provide funding for new and expanding programs.

<sup>7</sup> Funding of \$722,759 is added from the general fund for the Center for Distance Education, of which \$502,759 may be used only for new enrollments during the 2019-21 biennium. The Senate provided a total appropriation of \$9,751,188 for the Center for Distance Education, of which \$6,701,188 is from the general fund and \$3,050,000 is from the independent study operating fund, including 28.80 FTE positions. The House provided a total of \$8,994,167 for the Center of Distance Education, of which \$5,944,167 is from the general fund and \$3,050,000 is from the independent study operating fund, including 28.80 FTE positions.

This amendment also:

- Removes sections amending statutory provisions related to the Center for Distance Education and the Educational Technology Council.
- Adds a section requiring \$502,759 of funding from the general fund provided for the Center for Distance Education be used only for new enrollments. The section also provides a statement of legislative intent that the Center for Distance Education develop a fee structure during the 2019-20 interim to become self-sustaining beginning in the 2021-23 biennium.

#### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1022

Page 1, replace lines 12 through 16 with:

"Commission on legal counsel for indigents	<u>\$19,903,623</u>	<u>\$471,039</u>	<u>\$20,374,662</u>
Total all funds	\$19,903,623	\$471,039	\$20,374,662
Less estimated income	<u>1,919,747</u>	<u>10,288</u>	<u>1,930,035</u>
Total general fund	\$17,983,876	\$460,751	\$18,444,627"

Page 1, after line 22, insert:

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

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### House Bill No. 1022 - Commission on Legal Counsel for Indigent - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Comm. on Legal Counsel for Indigents	<u>\$19,903,623</u>	<u>\$20,274,076</u>	\$100,586	<u>\$20,374,662</u>
Total all funds	\$19,903,623	\$20,274,076	\$100,586	\$20,374,662
Less estimated income	<u>1,919,747</u>	<u>1,929,581</u>	454	<u>1,930,035</u>
General fund	\$17,983,876	\$18,344,495	\$100,132	\$18,444,627
FTE	40.00	40.00	0.00	40.00

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

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

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

<sup>2</sup> Funding of \$60,000 from the general fund is added to provide salary equity funding for attorney positions located in Williams County.

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

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1023**

Page 1, replace lines 12 through 16 with:

"Racing commission	\$542,178	\$22,859	\$565,037
Total all funds	\$542,178	\$22,859	\$565,037
Less estimated income	162,557	3,408	165,965
Total general fund	\$379,621	\$19,451	\$399,072
Full-time equivalent positions	2.00	0.00	2.00"

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1023 - Racing Commission - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Racing Commission	\$542,178	\$563,019	\$2,018	\$565,037
Total all funds	\$542,178	\$563,019	\$2,018	\$565,037
Less estimated income	162,557	165,810	155	165,965
General fund	\$379,621	\$397,209	\$1,863	\$399,072
FTE	2.00	2.00	0.00	2.00

**Department 670 - Racing Commission - Detail of Senate Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Total Senate Changes
Racing Commission	\$2,018	\$2,018
Total all funds	\$2,018	\$2,018
Less estimated income	155	155
General fund	\$1,863	\$1,863
FTE	0.00	0.00

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

### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1333

In lieu of the amendments adopted by the Senate as printed on pages 869 and 870 of the Senate Journal, Engrossed House Bill No. 1333 is amended as follows:

Page 1, line 2, replace "loan" with "grant"

Page 1, line 3, replace "loan" with "grant"

Page 1, line 10, replace "loan" with "grant"

Page 1, line 22, replace "**loan**" with "**grant**"

Page 1, line 24, replace "loan" with "grant"

Page 2, line 1, after "designee" insert ", and the commissioner of the department of commerce or the commissioner's designee."

Page 2, line 2, replace "the chairperson" with "co-chairpersons"

Page 2, line 2, replace "is a" with "are"

Page 2, line 2, replace "member" with "members"

Page 2, line 5, remove ", who must be appointed by the president of the Bank of North"

Page 2, line 6, remove "Dakota"

Page 2, line 7, remove ", who"

Page 2, line 8, remove "must be appointed by the president of the Bank of North Dakota"

Page 2, line 10, remove ", who must be appointed by the commissioner of the department of"

Page 2, line 11, remove "commerce"

Page 2, line 12, after "2." insert "The members of the committee must be appointed by the president of the Bank of North Dakota and the commissioner of the department of commerce."

Page 2, remove line 14

Page 2, line 15, replace "appointed by the commissioner of the department of commerce expire" with "under subdivisions b and c of subsection 1 expires"

Page 2, line 15, after "year" insert ", and so that no more than one of the members' terms appointed under subdivision d of subsection 1 expires each year"

Page 2, line 17, replace "appointing entity" with "president of the Bank of North Dakota and commissioner of the department of commerce"

Page 2, line 19, replace "loan" with "grant"

Page 2, line 20, remove "The committee shall select a vice chairperson."

Page 2, line 20, after "member" insert "appointed under subdivision b of subsection 1"

Page 2, line 21, replace "qualify as a member of the appointing entity" with "represent an active venture capital firm, private entity, or angel capital fund"

Page 2, line 22, replace "appointing entity" with "president of the Bank of North Dakota and the commissioner of the department of commerce"

Page 2, line 28, replace "loan" with "grant"

Page 3, line 1, replace "**loan**" with "**grant**"

Page 3, line 2, replace "**loan**" with "**grant**"

Page 3, line 3, replace "loan" with "grant"

Page 3, line 4, replace "loans" with "grants"

Page 3, line 8, after the underscored period insert "Program guidelines relating to ownership of intellectual property, inventions, and discoveries must address activities and issues unique to technologies, patents, and companies created as a result of a legacy innovation technology grant."

Page 3, line 9, replace "**loans**" with "**grants**"

Page 3, line 11, replace "loan" with "grant"

Page 3, remove lines 24 through 29

Page 4, line 1, replace "**loan**" with "**grant**"

Page 4, line 2, replace "loan" with "grant"

Page 4, line 5, replace "loans" with "grants"

Page 4, line 5, remove "The Bank shall deposit in the innovation loan"

Page 4, remove line 6

Page 4, line 7, remove "fund."

Page 4, line 8, replace "**loan**" with "**grant**"

Page 4, line 9, replace "Loan" with "Grant"

Page 4, line 9, replace "loan" with "grant"

Page 4, line 11, replace "loan" with "grant"

Page 4, line 15, replace "loan" with "grant"

Page 4, line 16, remove "loan no longer conducts its"

Page 4, remove line 17

Page 4, line 18, replace "North Dakota loan" with "grant discontinues its activities in the state within three years of receiving the grant, the grant recipients shall return all funding received"

Page 4, line 19, replace "**loan**" with "**grant**"

Page 4, line 21, replace "loan" with "grant"

Page 5, line 1, replace "loan" with "grant"

Page 5, line 3, replace "**LOAN**" with "**GRANT**"

Page 5, line 5, replace "\$3,000,000" with "\$15,000,000"

Page 5, line 6, replace "loan" with "grant"

Page 5, line 7, replace "loans" with "grants"

Renumber 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 1004, HB 1007.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1004**

Page 1, remove lines 14 through 23

Page 2, replace line 1 with:

"Salaries and wages	\$36,371,434	\$2,199,120	\$38,570,554
Operating expenses	27,714,187	6,293,893	34,008,080
Capital assets	2,188,491	1,839,322	4,027,813
Grants	46,441,941	9,715,351	56,157,292
Tobacco prevention	13,646,704	(744,640)	12,902,064
Women, infants, and children food payments	20,200,000	(420,000)	19,780,000
Medical marijuana	<u>1,465,704</u>	<u>(1,465,704)</u>	<u>0</u>
Total all funds	\$148,028,461	\$17,417,342	\$165,445,803
Less estimated income	<u>115,278,152</u>	<u>13,807,061</u>	<u>129,085,213</u>
Total general fund	\$32,750,309	\$3,610,281	\$36,360,590"

Page 2, replace line 11 with:

"Microbiology laboratory technology upgrades	0	483,000"
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Page 2, replace lines 13 and 14 with:

"Total all funds	\$3,254,286	\$2,057,554
Less estimated income	<u>3,254,286</u>	<u>1,967,554"</u>

Page 2, line 21, replace "\$1,250,000" with "\$1,125,000"

Page 3, after line 31, insert:

**"SECTION 7. LEGISLATIVE INTENT - ELECTRONIC ACCESS TO VITAL RECORDS - REPORT TO LEGISLATIVE MANAGEMENT.** It is the intent of the sixty-sixth legislative assembly that the state department of health implement a program of electronic access to vital records through web access or kiosk in cooperation with other state agencies in at least eight locations around the state. The state department of health shall report to the legislative management before July 1, 2020, regarding the implementation of electronic access to vital records."

Page 4, line 1, replace "\$450,000" with "\$483,000"

Page 4, line 2, replace "and" with a comma

Page 4, line 2, replace "other funds" with "federal funds, and \$33,000 is from special funds from fee revenue"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1004 - State Department of Health - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$36,371,434	\$37,514,606	\$1,055,948	\$38,570,554
Operating expenses	27,714,187	32,753,080	1,255,000	34,008,080
Capital assets	2,188,491	3,834,813	193,000	4,027,813
Grants	46,441,941	53,057,292	3,100,000	56,157,292
Tobacco prevention	13,646,704	12,894,208	7,856	12,902,064

WIC food payments	20,200,000	19,780,000		19,780,000
Medical marijuana	1,465,704			
Total all funds	\$148,028,461	\$159,833,999	\$5,611,804	\$165,445,803
Less estimated income	115,278,152	123,781,185	5,304,028	129,085,213
General fund	\$32,750,309	\$36,052,814	\$307,776	\$36,360,590
FTE	211.50	204.00	0.00	204.00

### Department 301 - State Department of Health - Detail of Senate Changes

	Adjusts Funding for Salary Increases <sup>1</sup>	Adds Funding for Federal Opioid Grant <sup>2</sup>	Increases Funding for Sexual Violence Primary Prevention Program <sup>3</sup>	Increases One- Time Funding for Microbiology Laboratory Technology Upgrades <sup>4</sup>	Total Senate Changes
Salaries and wages	\$204,968	\$850,980			\$1,055,948
Operating expenses		1,255,000			1,255,000
Capital assets		160,000		\$33,000	193,000
Grants		2,900,000	\$200,000		3,100,000
Tobacco prevention	7,856				7,856
WIC food payments					
Medical marijuana					
Total all funds	\$212,824	\$5,165,980	\$200,000	\$33,000	\$5,611,804
Less estimated income	105,048	5,165,980	0	33,000	5,304,028
General fund	\$107,776	\$0	\$200,000	\$0	\$307,776
FTE	0.00	0.00	0.00	0.00	0.00

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

<sup>2</sup> Funding from federal funds is added for expenditures related to an anticipated federal opioid grant.

<sup>3</sup> Funding for sexual violence primary prevention program grants is increased to provide a total of \$2.45 million, of which \$2.11 million is from the general fund.

<sup>4</sup> Funding from fee revenue is provided to increase the one-time appropriation for microbiology laboratory technology upgrades to provide a total of \$483,000, of which \$90,000 is from the general fund, \$360,000 is from federal funds, and \$33,000 is from special funds from fee revenue.

This amendment also adds a section to provide legislative intent that the department implement a program of electronic access to vital records through web access or kiosk in cooperation with other state agencies in at least eight locations around the state. In addition, the section requires the department report to the Legislative Management by July 1, 2020, regarding the implementation of electronic access to vital records.

### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1007

Page 1, line 2, remove "and"

Page 1, line 2, after "report" insert "; to provide for a transfer; to provide for an exemption; and to declare an emergency"

Page 1, replace lines 11 through 18 with:

"Salaries and wages	\$18,684,490	\$530,516	\$19,215,006
Operating expenses	5,454,239	(345,508)	5,108,731
Capital assets	411,303	285,030	696,333
Administrator's residence	0	233,450	233,450
Total all funds	\$24,550,032	\$703,488	\$25,253,520
Less estimated income	18,598,593	975,603	19,574,196

Total general fund	\$5,951,439	(\$272,115)	\$5,679,324
Full-time equivalent positions	120.72	0.00	120.72"

Page 2, replace lines 1 through 9 with:

"Equipment	\$44,500	\$99,400
Health information exchange software	15,000	0
Nurse call system upgrade	82,500	0
Strategic plan	0	25,000
Flooring project	0	138,700
Administrator's residence demolition	0	233,450
Security system upgrades	0	52,500
Total all funds	\$142,000	\$549,050
Less estimated income	142,000	524,050
Total general fund	\$0	\$25,000"

Page 2, line 20, replace "\$485,350" with "\$524,050"

Page 2, line 21, replace "\$100,000" with "\$138,700"

Page 2, after line 23, insert:

**"SECTION 5. EXEMPTION - LINE ITEM TRANSFER - 2017-19 BIENNIUM - NURSE CALL SYSTEM UPGRADE.** Notwithstanding section 54-16-04, at the request of the veterans' home administrator during the 2017-19 biennium, the office of management and budget shall transfer the sum of \$68,000 of estimated income from the soldiers' home fund from the operating expenses line item to the capital assets line item of the veterans' home for the purpose of the nurse call system upgrade authorized by the 65<sup>th</sup> legislative assembly. The \$68,000 of funding transferred in this section and the \$82,500 from the soldiers' home fund appropriated in section 1 of chapter 32 of the 2017 Session Laws for the nurse call system upgrade, for a total of \$150,500, are not subject to section 54-44.1-11 and any unexpended funds are available for the nurse call system upgrade during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. EMERGENCY.** Section 5 of this Act is declared to be an emergency measure."

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1007 - Veterans' Home - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$18,684,490	\$18,710,119	\$504,887	\$19,215,006
Operating expenses	5,454,239	5,083,731	25,000	5,108,731
Capital assets	411,303	657,633	38,700	696,333
Administrator's residence		233,450		233,450
Total all funds	\$24,550,032	\$24,684,933	\$568,587	\$25,253,520
Less estimated income	18,598,593	19,080,649	493,547	19,574,196
General fund	\$5,951,439	\$5,604,284	\$75,040	\$5,679,324
FTE	120.72	120.72	0.00	120.72

## Department 313 - Veterans' Home - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases <sup>1</sup>	Restores Funding for 2 FTE Positions <sup>2</sup>	Adds One-Time Funding for a Strategic Plan <sup>3</sup>	Adds One-Time Funding for a Flooring Project <sup>4</sup>	Total Senate Changes
Salaries and wages	\$215,804	\$289,083			\$504,887
Operating expenses			\$25,000		25,000
Capital assets				\$38,700	38,700
Administrator's residence					
Total all funds	\$215,804	\$289,083	\$25,000	\$38,700	\$568,587
Less estimated income	165,764	289,083	0	38,700	493,547
General fund	\$50,040	\$0	\$25,000	\$0	\$75,040
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding of \$215,804, of which \$50,040 is from the general fund and \$165,764 is from other funds, is added for 2019-21 biennium salary adjustments of 2 percent with a minimum monthly increase of \$120 and a maximum monthly increase of \$200 on July 1, 2019, and 2.5 percent on July 1, 2020, to provide total salary increases of \$564,418, of which \$134,514 is from the general fund and \$429,904 is from other funds, during the 2019-21 biennium. The House approved salary adjustments of 2 percent per year to provide total salary increases of \$348,614, of which \$84,474 is from the general fund and \$264,140 is from other funds.

<sup>2</sup> Funding of \$289,083 is added from the soldiers' home fund for a 0.90 FTE licensed practical nurse position, a 0.60 FTE resident living specialist position, and a 0.50 FTE resident living specialist position, which were unfunded by the House. Of this amount, \$13,386 relates to increases in health insurance premiums from \$1,241 to \$1,427 per month. Of the remaining \$275,697 of funding restored for the positions, \$134,230 is for a 0.90 FTE licensed practical nurse position, which was funded from the general fund during the 2017-19 biennium. The House removed \$839,040 of funding for 6.00 FTE positions, of which \$355,309 was from the general fund and \$483,731 was from the soldiers' home fund.

<sup>3</sup> One-time funding of \$25,000 is added from the general fund for a strategic plan. The House did not provide funding for a strategic plan.

<sup>4</sup> One-time funding of \$38,700 is added from the soldiers' home fund for a flooring project in the skilled nursing areas of the Veterans' Home to provide a total of \$138,700 for the project. The House provided total funding of \$100,000 from the soldiers' home fund.

This amendment also:

- Amends a section to update the total one-time funding appropriated from the soldiers' home fund from \$485,350 to \$524,050.
- Adds a section authorizing a line item transfer of \$68,000 of soldiers' home funds from the operating expenses line item to the capital assets line item during the 2017-19 biennium for the nurse call system upgrade. The \$68,000 transfer is in addition to the \$82,500 of one-time funding from the soldiers' home fund appropriated by the 2017 Legislative Assembly for the upgrade. The section also provides an exemption to allow the Veterans' Home to continue the entire \$150,500 for the nurse call system upgrade into the 2019-21 biennium. This section is declared an emergency measure.

**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 1005, HB 1246, HB 1256, and HCR 3048.

**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 1174, HB 1234, and HB 1359, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1174:** Reps. Dockter; Headland; Mitskog

**HB 1234:** Reps. Satrom; Jones; Becker

**HB 1359:** Reps. D. Anderson; Devlin; Schneider

**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 1040:** Sens. Patten; Kannianen; Dotzenrod

**HB 1056:** Sens. Davison; Meyer; Marcellais

**HB 1067:** Sens. D. Larson; Anderson; J. Lee

**HB 1095:** Sens. K. Roers; Vedaa; Oban

**HB 1171:** Sens. Schaible; Davison; Oban

**HB 1205:** Sens. Unruh; Kannianen; Patten

**HB 1230:** Sens. Patten; Rust; Bakke

**HB 1249:** Sens. Elkin; Rust; Oban

**HB 1356:** Sens. J. Lee; Burckhard; Dotzenrod

**HB 1368:** Sens. Elkin; Vedaa; Marcellais

**HB 1374:** Sens. J. Lee; Anderson; Hogan

**HB 1382:** Sens. Anderson; Clemens; Hogan

**HB 1474:** Sens. Meyer; Unruh; Dotzenrod

**HB 1502:** Sens. Vedaa; Burckhard; Piepkorn

**HB 1533:** Sens. Cook; Kannianen; Dotzenrod

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2106, SB 2268, and SB 2273.

**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 2037:** Reps. Lefor; Roers Jones; Marschall

**SB 2040:** Reps. B. Koppelman; Toman; Eidson

**SB 2090:** Reps. Zubke; Bosch; M. Ruby

**SB 2100:** Reps. Zubke; Bosch; Mitskog

**SB 2245:** Reps. Damschen; Skroch; Fegley

**SB 2247:** Reps. Kiefert; Tveit; Dobervich

**SB 2342:** Reps. Heinert; Bosch; Lefor

**SB 2358:** Reps. D. Anderson; Zubke; Damschen

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1082, HB 1394, HCR 3058.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2036, SB 2046, SB 2047, SB 2061, SB 2073, SB 2110, SB 2113, SB 2120, SB 2121, SB 2162, SB 2176, SB 2181, SB 2185, SB 2212, SB 2278, SB 2281, SB 2340.

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

**MR. SPEAKER:** The President has signed: HB 1082, HB 1394, HCR 3058.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1033, HB 1058, HB 1064, HB 1098, HB 1115, HB 1126, HB 1161, HB 1179, HB 1195, HB 1199, HB 1248, HB 1279, HB 1332, HB 1345, HB 1347, HB 1362, HB 1369, HB 1406, HB 1444, HB 1462, HB 1471, HCR 3005, HCR 3035.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1113, HB 1125, HB 1190, HB 1252, HB 1334, HB 1339, HB 1418, HB 1432, HB 1434, HB 1477, HB 1501, HB 1534, HB 1546, HCR 3018, HCR 3019, HCR 3047.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2043, SB 2044, SB 2072, SB 2149, SB 2150, SB 2203, SB 2217, SB 2222, SB 2239, SB 2241, SB 2328, SCR 4004.

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

**MR. SPEAKER:** The President has signed: SB 2043, SB 2044, SB 2072, SB 2149, SB 2150, SB 2203, SB 2217, SB 2222, SB 2239, SB 2241, SB 2328, SCR 4004.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 5, 2019: HB 1033, HB 1058, HB 1064, HB 1098, HB 1115, HB 1126, HB 1161, HB 1179, HB 1195, HB 1199, HB 1248, HB 1279, HB 1332, HB 1345, HB 1347, HB 1362, HB 1369, HB 1406, HB 1444, HB 1462, HB 1471.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

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**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolutions were delivered to the Secretary of State for filing on April 5, 2019: HCR 3005, HCR 3035.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolutions were delivered to the Secretary of State for filing on April 5, 2019: HCR 3018, HCR 3019, HCR 3047.

**MOTION**

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

**MOTION**

**REP. LOUSER MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, April 8, 2019, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**SB 2019, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2019 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "and"

Page 1, line 4, after "exemption" insert "; to authorize conveyance of real property owned by the state of North Dakota; and to declare an emergency"

Page 1, replace lines 17 through 23 with:

"Administration	\$2,668,728	(\$63,729)	\$2,604,999
Park operations and maintenance	20,570,558	3,355,161	23,925,719
Recreation	<u>7,039,554</u>	<u>2,284,006</u>	<u>9,323,560</u>
Total all funds	\$30,278,840	\$5,575,438	\$35,854,278
Less estimated income	<u>17,389,561</u>	<u>5,968,174</u>	<u>23,357,735</u>
Total general fund	\$12,889,279	(\$392,736)	\$12,496,543
Full-time equivalent positions	62.50	(1.00)	61.50"

Page 2, replace lines 4 through 7 with:

"International Peace Garden	<u>\$876,329</u>	<u>\$5,000,000</u>	<u>\$5,876,329</u>
Total all funds	\$876,329	\$5,000,000	\$5,876,329
Less estimated income	<u>0</u>	<u>5,000,000</u>	<u>5,000,000</u>
Total general fund	\$876,329	\$0	\$876,329"

Page 2, replace lines 12 through 15 with:

"Lewis and Clark interpretive center	\$1,250,687	\$233,688	\$1,484,375
Total all funds	\$1,250,687	\$233,688	\$1,484,375
Less estimated income	<u>362,019</u>	<u>(27,901)</u>	<u>334,118</u>
Total general fund	\$888,668	\$261,589	\$1,150,257"

Page 2, replace lines 20 through 22 with:

"Grand total general fund	\$14,654,276	(\$131,147)	\$14,523,129
Grand total special funds	<u>17,751,580</u>	<u>10,940,273</u>	<u>28,691,853</u>
Grand total all funds	\$32,405,856	\$10,809,126	\$43,214,982"

Page 2, remove lines 28 through 31

Page 3, replace lines 1 through 10 with:

"Double ditch historic site repairs grant	\$500,000	\$0
Recreational opportunities on sovereign lands grant	500,000	0
Pipeline protest law enforcement support	200,000	0
Electronic payment processing system loan proceeds	88,000	0
Extraordinary repairs	0	634,126
Capital projects	0	1,755,000
International Peace Garden capital projects	0	5,000,000
Additional equipment	0	622,000
State park survey	0	150,000
Recreation mapping	0	75,000
Traffic counters	<u>0</u>	<u>75,000</u>
Total all funds	\$1,288,000	\$8,311,126
Less estimated income	<u>1,288,000</u>	<u>8,311,126</u>
Total general fund	\$0	\$0"

Page 4, after line 18, insert:

**"SECTION 9. REQUIREMENTS - MATCHING FUNDS - GRANTS.** Of the funds continued in section 1 of chapter 18 of the 2017 Session Laws as referenced in section 5 of chapter 18 of the 2017 Session Laws, the parks and recreation department shall provide a grant of up to \$250,000 to a nonprofit organization for the development of a community event space and visitor center in an area previously affected by river flooding. An entity receiving a grant pursuant to this section must provide one dollar of matching funds from nonstate sources for every dollar of grant funding received."

Page 4, line 21, replace "\$2,000,000" with "\$5,000,000"

Page 4, line 29, replace "\$2,000,000" with "\$5,000,000"

Page 5, after line 13, insert:

**"SECTION 13. TRANSFER OF LAND AUTHORIZED.** The state of North Dakota, by and through the department of corrections and rehabilitation, shall convey certain real property consisting of approximately 250 acres in the northwest quarter and northeast quarter of section 29, township 138, range 80 west, Burleigh County, North Dakota, described as part of government lots 1, 2, 3, and 4, and the northwest quarter of the northeast quarter of section 29, and what is described as auditor's lot "A" in the plat recorded with the Burleigh County recorder as document 851887 and as exhibit A to document number 851886; and that part of the northeast quarter and the northwest quarter of section 30, township 138 north, range 80 west, Burleigh County, North Dakota, and what is now described as auditor's lot "A" in the plat recorded with the Burleigh County recorder as document number 851888 and as exhibit B to document number 851886 (the State Property), but subject to any designated sovereign lands within the ordinary high water mark of the Missouri River in accordance with section 61-33-03 of the North Dakota Century Code to the North Dakota parks and recreation department. The department of corrections and rehabilitation shall provide public access to the described land in this section. Sections 54-01-05.2 and 54-01-05.5 do not apply to the transfer authorized by this section.

**SECTION 14. EMERGENCY.** Section 9 of this Act is declared to be an emergency measure."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2019 - Parks and Recreation Department - House Action**

	Base Budget	Senate Version	House Changes	House Version
Administration	\$2,668,728	\$2,603,605	\$1,394	\$2,604,999
Park operations and maintenance	20,570,558	23,910,920	14,799	23,925,719
Recreation	7,039,554	9,324,299	(739)	9,323,560
International Peace Garden	876,329	2,876,329	3,000,000	5,876,329
Lewis and Clark Interpretive Center	1,250,687	1,301,704	182,671	1,484,375
Total all funds	\$32,405,856	\$40,016,857	\$3,198,125	\$43,214,982
Less estimated income	17,751,580	25,691,408	3,000,445	28,691,853
General fund	\$14,654,276	\$14,325,449	\$197,680	\$14,523,129
FTE	62.50	61.50	0.00	61.50

**Department 750 - Parks and Recreation Department - Detail of House Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Adds One-Time Funding for Capital Projects <sup>2</sup>	Adds Funding for Lewis and Clark Interpretive Center Operations <sup>3</sup>	Total House Changes
Administration	\$1,394			\$1,394
Park operations and maintenance	14,799			14,799
Recreation	(739)			(739)
International Peace Garden		\$3,000,000		3,000,000
Lewis and Clark Interpretive Center	2,671		\$180,000	182,671
Total all funds	\$18,125	\$3,000,000	\$180,000	\$3,198,125
Less estimated income	445	3,000,000	0	3,000,445
General fund	\$17,680	\$0	\$180,000	\$197,680
FTE	0.00	0.00	0.00	0.00

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

<sup>2</sup> One-time funding of \$3 million is added from the strategic investment and improvements fund for International Peace Garden capital projects. The Senate provided \$2 million from the strategic investment and improvements funding for the project. The total fund for International Peace Garden capital projects provided by the House is \$5 million.

<sup>3</sup> Funding of \$180,000 is added from the general fund for Lewis and Clark Interpretive Center operations.

This amendment also:

- Adds a section directing the Parks and Recreation Department to grant up to \$250,000 to the Fort Abraham Lincoln Foundation for heritage river landing and requires a dollar-for-dollar matching of funds from nonstate sources.
- Amends the section identifying funding from the strategic investment and improvements fund for International Peace Garden projects and park capital projects.
- Adds a section authorizing conveyance of real property owned by the state of North Dakota and requiring the Department of Corrections and Rehabilitation to provide public access to the real property.
- Adds a section declaring the grant of \$250,000 to the Fort Abraham Lincoln Foundation to be an emergency measure.

**REPORT OF STANDING COMMITTEE**

**SB 2021, 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 2021 was placed on the Sixth order on the calendar.

Page 1, replace lines 10 through 13 with:

"Workforce safety and insurance operations	<u>\$63,473,062</u>	<u>\$5,274,780</u>	<u>\$68,747,842</u>
Total special funds	\$63,473,062	\$5,274,780	\$68,747,842
Full-time equivalent positions	260.14	0.00	260.14"

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2021 - Workforce Safety and Insurance - House Action

	Base Budget	Senate Version	House Changes	House Version
WSI operations	<u>\$63,473,062</u>	<u>\$68,671,755</u>	\$76,087	<u>\$68,747,842</u>
Total all funds	\$63,473,062	\$68,671,755	\$76,087	\$68,747,842
Less estimated income	<u>63,473,062</u>	<u>68,671,755</u>	<u>76,087</u>	<u>68,747,842</u>
General fund	\$0	\$0	\$0	\$0
FTE	260.14	248.14	12.00	260.14

#### Department 485 - Workforce Safety and Insurance - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases <sup>1</sup>	Adjusts Funding for IT Unification <sup>2</sup>	Total House Changes
WSI operations	<u>\$206,128</u>	<u>(\$130,041)</u>	\$76,087
Total all funds	\$206,128	(\$130,041)	\$76,087
Less estimated income	<u>206,128</u>	<u>(130,041)</u>	<u>76,087</u>
General fund	\$0	\$0	\$0
FTE	0.00	12.00	12.00

<sup>1</sup> The following funding is adjusted for the 2019-21 biennium salary adjustments of 2 percent with a minimum monthly increase of \$120 and a maximum monthly increase of \$200 on July 1, 2019, and a 2.5 percent increase on July 1, 2020, and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	Other Funds
Salary increase	\$152,584
Health insurance increase	53,544
Total	\$206,128

Funding adjusted for state employee salary increases results in total salary increases proposed by the House of \$1,435,111. The Senate proposed salary increases of 2 percent on July 1, 2019, and 3 percent on July 1, 2020, to provide total salary increases of \$1,282,527. Funding of \$53,544 is added for increases in health insurance premiums for 12 FTE positions the Senate transferred to the Information Technology Department for the information technology unification initiative. The House has not approved the information technology unification initiative and restored the 12 FTE positions transferred by the Senate.

<sup>2</sup> The House has not approved the information technology unification initiative previously approved by the Senate, resulting in the following adjustments to funding and FTE positions:

	FTE	Other Funds
Restores 12 FTE positions	12.00	\$2,532,319
Restores 1 temporary position	0.00	99,840
Removes funding for IT operating expenses	<u>0.00</u>	<u>(2,762,200)</u>
Total	12.00	(\$130,041)

#### REPORT OF STANDING COMMITTEE

**SB 2023, 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 2023

was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 17 with:

"Salaries and wages	\$6,316,169	\$126,499	\$6,442,668
Operating expenses	2,692,221	(235,309)	2,456,912
Capital assets	0	190,000	190,000
Contingencies	<u>250,000</u>	<u>0</u>	<u>250,000</u>
Total special funds	\$9,258,390	\$81,190	\$9,339,580
Full-time equivalent positions	34.50	(1.00)	33.50"

Page 2, after line 11, insert:

**"SECTION 4. PUBLIC EMPLOYEES RETIREMENT SYSTEM - HOSPITAL AND MEDICAL BENEFITS COVERAGE - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.** During the 2019-21 interim, the public employees retirement system board shall solicit and receive bids for the 2021-23 biennium hospital benefits coverage and medical benefits coverage for state employees under section 54-52.1-04. The request for proposal must include an option for coverage through a self-insurance plan. The board may not enter a contract for hospital benefits coverage or medical benefits coverage for the 2021-23 biennium until the board reports to and receives input from the sixty-seventh legislative assembly. The report must provide comparative information and the board's evaluation of the bids received, including information on the self-insurance option."

Re-number accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2023 - Public Employees Retirement System - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$6,316,169	\$6,666,052	(\$223,384)	\$6,442,668
Operating expenses	2,692,221	2,483,592	(26,680)	2,456,912
Capital assets		190,000		190,000
Contingencies	<u>250,000</u>	<u>250,000</u>		<u>250,000</u>
Total all funds	\$9,258,390	\$9,589,644	(\$250,064)	\$9,339,580
Less estimated income	<u>9,258,390</u>	<u>9,589,644</u>	<u>(250,064)</u>	<u>9,339,580</u>
General fund	\$0	\$0	\$0	\$0
FTE	34.50	34.50	(1.00)	33.50

#### Department 192 - Public Employees Retirement System - Detail of House Changes

	Reduces Funding for Temporary Employee Salaries <sup>1</sup>	Adjusts Funding for Salary and Benefit Increases <sup>2</sup>	Removes Undesignated FTE Position <sup>3</sup>	Total House Changes
Salaries and wages	(\$89,402)	\$4,814	(\$138,796)	(\$223,384)
Operating expenses			(26,680)	(26,680)
Capital assets				
Contingencies				
Total all funds	(\$89,402)	\$4,814	(\$165,476)	(\$250,064)
Less estimated income	<u>(89,402)</u>	<u>4,814</u>	<u>(165,476)</u>	<u>(250,064)</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	(1.00)	(1.00)

<sup>1</sup> Funding for temporary employee salaries is reduced by \$89,402.

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

<sup>3</sup> Funding of \$165,476, including 1 FTE undesignated position is removed, of which \$138,796 is for salaries and wages and \$26,680 is for related operating expenses. The Senate did not remove any FTE positions from the base budget.

This amendment also:

- Adds a section requiring the Public Employees Retirement System Board to solicit and receive bids for hospital benefits coverage and medical benefits coverage for state employees. An option for coverage through a self-insurance plan must be requested in the proposal. The board may not enter into a contract until it receives input from the 67th Legislative Assembly.

**REPORT OF STANDING COMMITTEE**

**SB 2261, as engrossed: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2261 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 amend and reenact subsection 5 of section 49-22-08 of the North Dakota Century Code, relating to conditions imposed on the designation of sites, corridors, and routes.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Subsection 5 of section 49-22-08 of the North Dakota Century Code is amended and reenacted as follows:

5. The commission may designate a site or corridor for a proposed facility following the study and hearings provided for in this chapter. Any designation shall be made in accordance with the evidence presented at the hearings, an evaluation of the information provided in the application, the criteria established pursuant to section 49-22-05.1, and the considerations set out in section 49-22-09 in a finding with reasons for the designation, and shall be made in a timely manner no later than six months after the filing of a completed application for a certificate of site compatibility or no later than three months after the filing of a completed application for a certificate of corridor compatibility. The time for designation of a site or corridor may be extended by the commission for just cause. The failure of the commission to act within the time limits provided in this section shall not operate to divest the commission of jurisdiction in any certification proceeding. The commission shall indicate the reasons for any refusal of designation. Upon designation of a site or corridor, the commission shall issue a certificate of site compatibility or a certificate of corridor compatibility with such terms, conditions, or modifications deemed necessary. The commission may not condition the issuance of a certificate or permit on the applicant providing a mitigation payment assessed or requested by another state agency or entity to offset a negative impact on wildlife habitat.

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2269, as engrossed: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2269 was placed on the Sixth order on the calendar.

Page 1, line 23, remove "The term does"

Page 1, line 24, remove "not include whole, uncut fresh fruits and vegetables"

Page 2, line 8, after the underscored period insert: "Food means an article used for food or drink for human consumption.

9."

Page 2, line 9, replace "9." with "10."

Page 2, line 12, replace "10." with "11."

Page 2, line 14, replace "11." with "12."

Page 2, line 17, replace "12." with "13."

Page 2, line 23, replace "13." with "14."

Page 2, line 26, replace "14." with "15."

Page 2, line 30, replace "15." with "16."

Page 3, line 1, replace "16." with "17."

Page 3, after line 4, insert:

"18. Whole, uncut fresh fruits and vegetables" means a fruit or vegetable in its raw or natural state, including all fruits and vegetables that are washed, colored, or otherwise treated in an unpeeled natural form before marketing."

Page 4, after line 29, insert:

"7. Except for whole, uncut fresh fruits and vegetables, food prepared by a cottage food operator may not be sold or used for commercial consumption."

Page 5, line 14, remove "or"

Page 5, line 15, after "products" insert "are dehydrated or are freeze dried and the products"

Page 5, line 15, after "level" insert: ";"

c. The products are blanched and frozen; or

d. The products are low-acid foods processed using a pressure canner"

Page 5, line 19, after "chapter" insert "must be labeled in accordance with the requirements of this chapter and"

Page 5, line 20, replace "If" with "Except as provided under subdivision b, if"

Page 5, line 20, after "transported" insert "by the cottage food operator"

Page 5, line 20, replace "frozen" with "at a temperature of forty degrees Fahrenheit [4.4 degrees Celsius] or less"

Page 5, line 22, replace "and" with "or"

Page 5, line 23, replace "Must be labeled in accordance with the requirements of this chapter" with "Except for washed shell eggs, if a period of four hours or more occurs between transportation by the cottage food operator and delivery, must be maintained frozen by the cottage food operator"

Page 5, line 25, remove "in a baked good"

Page 5, line 26, remove "Garlic in oil."

Page 5, remove lines 27 through 31

Page 6, remove lines 1 and 2

Page 6, line 3, remove "9."

Page 6, line 4, replace "10." with "6."

Page 6, line 5, replace "11." with "7."

Page 6, line 24, after "Handled" insert "Refrigerated or"

Page 7, line 1, after the underscored period insert: "If the cottage food is a low-acid food, the label required under this section must:

- a. Be printed on a high visibility color background;
- b. Include the phrase "low-acid food" in bold capital letters; and
- c. Contain the following language: "Improperly canned low-acid food increases your risk of developing foodborne illnesses including botulism or death".

5."

Page 7, after line 4, insert:

"6. The state department of health shall publish a list of high-acid foods that do not require special labeling under this section as a low-acid food."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2320, as engrossed: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2320 was placed on the Sixth order on the calendar.

Page 2, line 12, replace "The" with "By August 27, 2019, the"

Page 2, after line 20, insert:

"Upon adoption of the policies under this section, the state board of higher education shall provide a copy of the policies to the legislative management."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2341, as engrossed: Education Committee (Rep. Owens, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2341 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2345, as engrossed: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2345 was placed on the Sixth order on the calendar.

Page 1, line 1, after the first comma insert "11-33-22,"

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

Page 1, line 2, after "58-03-11.1" insert ", and 58-03-17"

Page 4, line 1, after "subsection" insert "are subject to approval by the agriculture commissioner and"

Page 4, line 1, overstrike "vary by more than fifty"

Page 4, line 2, overstrike "percent from" and insert immediately thereafter "be a greater distance than"

Page 4, line 11, after the underscored period insert "The petition must contain a description of the nature, scope, and location of the proposed animal feeding operation and a site map showing road access, the location of any structure, and the distance from each structure to the nearest section line."

Page 4, line 13, after the underscored period insert "If the county allows animal feeding operations as a conditional use, the county shall inform the applicant of the required procedures upon receipt of the petition, and the conditional use regulations in effect at the time the county receives the petition must control the approval process, except the county shall make a decision on the application within sixty days of the receipt of a complete conditional use permit application."

Page 4, line 16, after "provided" insert "an application is submitted promptly to the state department of health, the department issues a final permit, and"

Page 4, line 17, replace "five" with "three"

Page 4, line 17, remove "of the"

Page 4, line 18, replace "board's determination or failure to object" with "the department issues its final permit and any permit appeals are exhausted. A board of county commissioners may not:

- a. Regulate or impose zoning restrictions or requirements on animal feeding operations or other agricultural operations except as expressly permitted under this section; or
- b. Impose water quality, closure, site security, lagoon, or nutrient plan regulations or requirements on animal feeding operations"

Page 7, line 6, after "subsection" insert "are subject to approval by the agriculture commissioner and"

Page 7, line 6, overstrike "vary by more than fifty"

Page 7, line 7, overstrike "percent from" and insert immediately thereafter "be a greater distance than"

Page 7, line 16, after the underscored period insert "The petition must contain a description of the nature, scope, and location of the proposed animal feeding operation and a site map showing road access, the location of any structure, and the distance from each structure to the nearest section line."

Page 7, line 18, after the underscored period insert "If the county allows animal feeding operations as a conditional use, the county shall inform the applicant of the required procedures upon receipt of the petition, and the conditional use regulations in effect at the time the county receives the petition must control the approval process, except the county shall make a decision on the application within sixty days of the receipt of a complete conditional use permit application."

Page 7, line 22, after "provided" insert "an application is submitted promptly to the state department of health, the department issues a final permit, and"

Page 7, line 23, replace "five" with "three"

Page 7, line 23, replace "of the board's determination or failure to object" with "the department issues its final permit and any permit appeals are exhausted. A board of county commissioners may not:

- a. Regulate or impose zoning restrictions or requirements on animal feeding operations or other agricultural operations except as expressly permitted under this section; or
- b. Impose water quality, closure, site security, lagoon, or nutrient plan regulations or requirements on animal feeding operations"

Page 7, after line 23, insert:

**"SECTION 2. AMENDMENT.** Section 11-33-22 of the North Dakota Century Code is amended and reenacted as follows:

**11-33-22. Regulation of ~~concentrated~~ animal feeding operations - Central repository.**

- 1- Any zoning regulation that pertains to a ~~concentrated~~an animal feeding operation, as defined in section 11-33-02.1, and which is promulgated by a county after July 31, 2007, is not effective until filed with the state department of health for inclusion in the central repository established under section 23-01-30. Any zoning regulation that pertains to ~~concentrated~~ animal feeding operations and which was promulgated by a county before August 1, 2007, may not be enforced until the regulation is filed with the state department of health for inclusion in the central repository.
- 2- For purposes of this section:
  - a- ~~"Concentrated animal feeding operation" means any livestock feeding, handling, or holding operation, or feed yard, where animals are concentrated in an area that is not normally used for pasture or for growing crops and in which animal wastes may accumulate, or in an area where the space per animal unit is less than six hundred square feet [55.74 square meters]. The term does not include normal wintering operations for cattle.~~
  - b- ~~"Livestock" includes beef cattle, dairy cattle, sheep, swine, poultry, horses, and fur animals raised for their pelts.~~

**(Contingent effective date - See note) Regulation of ~~concentrated~~ animal feeding operations - Central repository.**

- 1- Any zoning regulation that pertains to a ~~concentrated~~an animal feeding operation and, as defined in section 11-33-02.1, is not effective until filed with the department of environmental quality for inclusion in the central repository established under section 23.1-01-10.
- 2- For purposes of this section:
  - a- ~~"Concentrated animal feeding operation" means any livestock feeding, handling, or holding operation, or feed yard, where animals are concentrated in an area that is not normally used for pasture or for growing crops and in which animal wastes may accumulate, or in an area where the space per animal unit is less than six hundred square feet [55.74 square meters]. The term does not include normal wintering operations for cattle.~~
  - b- ~~"Livestock" includes beef cattle, dairy cattle, sheep, swine, poultry, horses, and fur animals raised for their pelts."~~

Page 12, line 8, after "58-03-11.1" insert ", unless the animal feeding operation is in existence by January 1, 2019, and there is no change in animals or animal units which would result in an increase in the setbacks provided for in this section"

Page 12, line 9, after "additional" insert "odor"

Page 12, line 13, replace "five" with "three"

Page 12, line 13, replace "application is submitted" with "final permit is issued and any permit appeals are exhausted"

Page 12, line 15, after "operation" insert "or there is a change in animal units which would result in an increase in the setbacks under this section"

Page 17, line 8, after "58-03-11.1" insert ", unless the animal feeding operation is in existence by January 1, 2019, and there is no change in animals or animal units which would result in an increase in the setbacks provided for in this section"

Page 17, line 9, after "additional" insert "odor"

Page 19, line 14, replace "23-23-11" with "23-25-11"

Page 20, line 11, after "subsection" insert "are subject to approval by the agriculture commissioner and"

Page 20, line 11, overstrike "vary by more than fifty"

Page 20, line 12, overstrike "percent from" and insert immediately thereafter "be a greater distance than"

Page 20, line 21, after the underscored period insert "The petition must contain a description of the nature, scope, and location of the proposed animal feeding operation and a site map showing road access, the location of any structure, and the distance from each structure to the nearest section line."

Page 20, line 23, after the underscored period insert "If the township allows animal feeding operations as a conditional use, the township shall inform the applicant of the required procedures upon receipt of the petition, and the conditional use regulations in effect at the time the township receives the petition must control the approval process, except the township shall make a decision on the application within sixty days of the receipt of a complete conditional use permit application."

Page 20, line 26, after "provided" insert "an application is submitted promptly to the state department of health, the department issues a final permit, and"

Page 20, line 27, replace "five" with "three"

Page 20, line 27, remove "of the"

Page 20, line 28, replace "board's determination or failure to object" with "the department issues its final permit and any permit appeals are exhausted. A board of township supervisors may not:

- a. Regulate or impose zoning restrictions or requirements on animal feeding operations or other agricultural operations except as expressly permitted under this section; or
- b. Impose water quality, closure, site security, lagoon, or nutrient plan regulations or requirements on animal feeding operations"

Page 21, line 1, overstrike "Concentrated" and insert immediately thereafter "Animal"

Page 21, line 1, overstrike "any livestock feeding, handling, or"

Page 21, overstrike lines 2 through 4

Page 21, line 5, overstrike "cattle" and insert immediately thereafter: "a lot or facility, other than normal wintering operations for cattle and an aquatic animal production facility, where the following conditions are met:

- (1) Animals, other than aquatic animals, have been, are, or will be stabled or confined and fed or maintained for a total of forty-five days or more in any twelve-month period; and
- (2) Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility"

Page 23, line 9, after "subsection" insert "are subject to approval by the agriculture commissioner and"

Page 23, line 9, overstrike "vary by more than fifty"

Page 23, line 10, overstrike "percent from" and insert immediately thereafter "be a greater distance than"

Page 23, line 19, after the underscored period insert "The petition must contain a description of the nature, scope, and location of the proposed animal feeding operation and a site map showing road access, the location of any structure, and the distance from each structure to the nearest section line."

Page 23, line 21, after the underscored period insert "If the township allows animal feeding operations as a conditional use, the township shall inform the applicant of the required procedures upon receipt of the petition, and the conditional use regulations in effect at the time the township receives the petition must control the approval process, except the township shall make a decision on the application within sixty days of the receipt of a complete conditional use permit application."

Page 23, line 25, after "provided" insert "an application is submitted promptly to the state department of health, the department issues a final permit, and"

Page 23, line 26, replace "five" with "three"

Page 23, line 26, remove "of the board's determination or failure to"

Page 23, line 27, replace "object" with "the department issues its final permit and any permit appeals are exhausted. A board of township supervisors may not:

- a. Regulate or impose zoning restrictions or requirements on animal feeding operations or other agricultural operations except as expressly permitted under this section; or
- b. Impose water quality, closure, site security, lagoon, or nutrient plan regulations or requirements on animal feeding operations"

Page 23, after line 27, insert:

**SECTION 6. AMENDMENT.** Section 58-03-17 of the North Dakota Century Code is amended and reenacted as follows:

**58-03-17. Regulation of ~~concentrated~~ animal feeding operations - Central repository.**

- 1- Any zoning regulation that pertains to a ~~concentrated~~ an animal feeding operation, as defined in section 58-03-11.1, and which is promulgated by a township after July 31, 2007, is not effective until filed with the state department of health for inclusion in the central repository established under section 23-01-30. Any zoning regulation that pertains to a concentrated animal feeding operation and which was promulgated by a county or a township before August 1, 2007, may not be enforced until the regulation is filed with the state department of health for inclusion in the central repository.
- 2- ~~For purposes of this section:~~
  - a: ~~"Concentrated animal feeding operation" means any livestock feeding, handling, or holding operation, or feed yard, where animals are concentrated in an area that is not normally used for pasture or for growing crops and in which animal wastes may accumulate, or in an area where the space per animal unit is less than six hundred square feet [55.74 square meters]. The term does not include normal wintering operations for cattle.~~

- b. ~~"Livestock" includes beef cattle, dairy cattle, sheep, swine, poultry, horses, and fur animals raised for their pelts.~~

**(Contingent effective date - See note) Regulation of concentrated animal feeding operations - Central repository.**

1. ~~Any zoning regulation that pertains to a concentrated animal feeding operation and which is promulgated by a township after July 31, 2007, as defined in section 58-03-11.1, is not effective until filed with the department of environmental quality for inclusion in the central repository established under section 23.1-01-10. Any zoning regulation that pertains to a concentrated animal feeding operation and which was promulgated by a county or a township before August 1, 2007, may not be enforced until the regulation is filed with the department of environmental quality for inclusion in the central repository.~~
2. ~~For purposes of this section:~~
- a. ~~"Concentrated animal feeding operation" means any livestock feeding, handling, or holding operation, or feed yard, where animals are concentrated in an area that is not normally used for pasture or for growing crops and in which animal wastes may accumulate, or in an area where the space per animal unit is less than six hundred square feet [55.74 square meters]. The term does not include normal wintering operations for cattle.~~
- b. ~~"Livestock" includes beef cattle, dairy cattle, sheep, swine, poultry, horses, and fur animals raised for their pelts."~~

Page 23, line 29, after "1" insert ", 2, 5,"

Page 23, line 29, replace "4" with "6"

Page 24, line 3, after "1" insert ", 2, 5,"

Page 24, line 3, replace "4" with "6"

Page 24, line 10, after "1" insert ", 2, 5,"

Page 24, line 10, replace "4" with "6"

Renumber accordingly

**REPORT OF CONFERENCE COMMITTEE**

**HB 1366, as engrossed:** Your conference committee (Sens. J. Roers, Kreun, Piepkorn and Reps. D. Anderson, Zubke, Mitskog) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1325, adopt amendments as follows, and place HB 1366 on the Seventh order:

That the Senate recede from its amendments as printed on page 1325 of the House Journal and page 1029 of the Senate Journal and that Engrossed House Bill No. 1366 be amended as follows:

Page 1, line 11, remove "eight"

Page 1, line 11, overstrike "by thirty-two millimeters" and insert immediately thereafter "eight"

Renumber accordingly

Engrossed HB 1366 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1412, as engrossed:** Your conference committee (Sens. Schaible, J. Roers, Piepkorn and Reps. Lefor, Marschall, Eidson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1325-1326, adopt amendments as

follows, and place HB 1412 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1325 and 1326 of the House Journal and pages 1029 and 1030 of the Senate Journal and that Engrossed House Bill No. 1412 be amended as follows:

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

Page 1, line 1, after "20.1-01-08" insert "and 20.1-05-04"

Page 1, line 8, after the first "take" insert an underscored comma

Page 1, line 10, overstrike ". This section does not make it unlawful for an" and insert immediately thereafter "except:

1. An"

Page 1, line 10, overstrike "to" and insert immediately thereafter "may"

Page 1, line 11, remove "digital"

Page 1, line 14, overstrike "person's" and insert immediately thereafter "individual's"

Page 1, line 14, overstrike ". It is"

Page 1, line 15, overstrike "permissible to" and insert immediately thereafter ": and

2. An individual may"

Page 1, line 15, remove "digital"

Page 1, after line 19, insert:

**"SECTION 2. AMENDMENT.** Section 20.1-05-04 of the North Dakota Century Code is amended and reenacted as follows:

**20.1-05-04. Using certain animals and artificial lights in taking big game unlawful.**

~~No person, to hunt, pursue, kill, take, or attempt~~While hunting, pursuing, killing, taking, or attempting to take, or to aid in the hunting or taking of, any big game animal, an individual may not:

1. Use any animal except horses or mules.
2. Use ~~any~~ artificial light, including ~~spotlights and~~ a spotlight or automobile ~~and~~ motorcycle headlights ~~headlight~~.
3. Engage in the practice commonly known as shining for deer. An individual who shines ~~any~~ an area commonly frequented by big game animals with ~~any~~ artificial light, between the hours of sunset and sunrise, is in violation of this section. However, an individual may use a ~~flashlight~~ an artificial light, night vision, thermal vision, or infrared light with a power source of not ~~over~~ more than six volts in the area while hunting afoot to take coyote, fox, raccoon, or beaver."

Renumber accordingly

Engrossed HB 1412 was placed on the Seventh order of business on the calendar.

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

**Buell J. Reich, Chief Clerk**

