

JOURNAL OF THE SENATE

Sixty-sixth Legislative Assembly

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Bismarck, February 14, 2019

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

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

The roll was called and all members were present except Senator Vedaa.

A quorum was declared by the President.

MOTION

SEN. KLEIN MOVED the rules be suspended and HCR 3043 be messaged to the House immediately, and upon receipt of the enrolled measure, that it be immediately signed by the Presiding Officer and returned to the House, which motion prevailed.

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

MR. SPEAKER: The Senate has passed, unchanged: HCR 3043.

CONSIDERATION OF AMENDMENTS

SB 2010: SEN. OEHLKE (Appropriations Committee) MOVED that the amendments on SJ pages 560-571 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2010: A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; to create and enact chapter 23.1-16 and section 26.1-22-03.1 of the North Dakota Century Code, relating to boiler inspections and North Dakota reserve fund use of producers; to amend and reenact sections 18-04-04, 18-04-04.1, and 18-04-05, subsection 2 of section 26.1-01-07, section 26.1-01-09, subsection 1 of section 26.1-03-17, and sections 26.1-21-03, 26.1-21-17, 26.1-22-03, and 26.1-23.1-01 of the North Dakota Century Code, relating to the state fire and tornado fund, the state bonding fund, fees chargeable by the insurance commissioner, the salary of the insurance commissioner, and government self-insurance pools; to repeal chapter 26.1-22.1 of the North Dakota Century Code, relating to boiler inspections; to provide a penalty; to provide a continuing appropriation; and to provide a contingent effective date.

ROLL CALL

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Vedaa

Engrossed SB 2010 passed.

CONSIDERATION OF AMENDMENTS

SB 2055: SEN. HOGUE (Appropriations Committee) MOVED that the amendments on SJ pages 575-576 be adopted and then be placed on the Eleventh order with **DO PASS**,

which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2055: A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to the establishment of the budget section; to amend and reenact sections 15-03-04, 15-10-12.1, 20.1-02-05.1, 20.1-02-16.1, 25-04-02.2, 37-17.1-27, 40-23-22.1, 47-30.1-24.1, 48-01.2-25, subsection 16 of section 50-06-05.1, subsection 18 of section 50-06-05.1, and sections 54-06-37, 54-27-22, 54-27-23, 54-44.1-13.1, 54-59-05, and 65-08.1-02 of the North Dakota Century Code, relating to agency requests for budget section approval; and to repeal section 1 of chapter 67 of the 2013 Session Laws, relating to the authority of the state board of agricultural research and education to sell certain real property.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Vedaa

Engrossed SB 2055 passed.

CONSIDERATION OF AMENDMENTS

SB 2021: SEN. GRABINGER (Appropriations Committee) MOVED that the amendments on SJ pages 573-575 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

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

ROLL CALL

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Vedaa

Engrossed SB 2021 passed.

CONSIDERATION OF AMENDMENTS

SB 2217: SEN. SCHAIBLE (Education Committee) MOVED that the amendments on SJ page 577 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2217: A BILL for an Act to provide for a legislative management study of a teacher incentive for leadership program.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Larsen, O.

ABSENT AND NOT VOTING: Vedaa

Engrossed SB 2217 passed.

MOTION

SEN. KLEIN MOVED that SB 2265, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2004: SEN. OEHLKE (Appropriations Committee) MOVED that the amendments on SJ pages 556-558 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2004: A BILL for an Act to provide an appropriation for defraying the expenses of the state auditor; to amend and reenact section 54-10-10 of the North Dakota Century Code, relating to the salary of the state auditor; to provide for a report; 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 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Davison; Larsen, O.; Lee, J.

ABSENT AND NOT VOTING: Vedaa

Engrossed SB 2004 passed and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2361: SEN. ANDERSON (Human Services Committee) MOVED that the amendments on SJ pages 585-586 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2361: A BILL for an Act to create and enact subsection 8 of section 43-41-11 and three

new sections to chapter 43-41 of the North Dakota Century Code, relating to the licensing of social workers; to amend and reenact subsections 9 and 10 of section 25-01-01, section 43-41-01, subsection 2 of section 43-41-02, subsection 1 of section 43-41-03, and sections 43-41-04, 43-41-05, 43-41-08, 43-41-10, and 43-41-12, of the North Dakota Century Code, relating to the licensing of social workers; and to provide an effective date.

ROLL CALL

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Vedaa

Engrossed SB 2361 passed.

CONSIDERATION OF AMENDMENTS

SB 2233: SEN. KLEIN (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 577-580 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2233: A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to public employees retirement system uniform group insurance coverage of infertility benefits; to provide for a report to the legislative assembly; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 11 YEAS, 35 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bakke; Dotzenrod; Erbele; Grabinger; Heckaman; Hogan; Marcellais; Mathern; Oban; Piepkorn; Robinson

NAYS: Anderson; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dwyer; Elkin; Fors; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Meyer; Myrdal; Oehlke; Osland; Patten; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Vedaa

Engrossed SB 2233 failed.

CONSIDERATION OF AMENDMENTS

SB 2008: SEN. G. LEE (Appropriations Committee) MOVED that the amendments on SJ pages 558-560 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2008: A BILL for an Act to provide an appropriation for defraying the expenses of the public service commission; to amend and reenact sections 49-01-05 and 57-43.2-19 of the North Dakota Century Code, relating to the salary of the commissioners and the transfer, deposit, and distribution of funds in the highway tax distribution fund; to

provide for a report; and to provide for a transfer.

ROLL CALL

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Fors; Vedaa

Engrossed SB 2008 passed.

CONSIDERATION OF AMENDMENTS

SB 2181: SEN. OBAN (Education Committee) MOVED that the amendments on SJ page 576 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2181: A BILL for an Act to amend and reenact sections 15.1-19-17 and 15.1-19-18 of the North Dakota Century Code, relating to cyberbullying of students.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Larsen, O.

ABSENT AND NOT VOTING: Fors; Vedaa

Engrossed SB 2181 passed.

CONSIDERATION OF AMENDMENTS

SB 2017: SEN. OEHLKE (Appropriations Committee) MOVED that the amendments on SJ pages 571-573 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2017: A BILL for an Act to provide an appropriation for defraying the expenses of the game and fish department; and to amend and reenact section 20.1-02-16.1 of the North Dakota Century Code, relating to the game and fish fund.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Grabinger; Heckaman; Hogan; Hogue; Holmberg;

Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Larsen, O.

ABSENT AND NOT VOTING: Fors; Veda

Engrossed SB 2017 passed.

CONSIDERATION OF AMENDMENTS

SB 2257: SEN. COOK (Finance and Taxation Committee) MOVED that the amendments on SJ pages 580-581 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2257: A BILL for an Act to create and enact chapter 57-39.10 of the North Dakota Century Code, relating to state-tribal agreements for the administration and collection of the alcoholic beverage wholesale tax, tobacco products wholesale tax, and alcoholic beverages gross receipts tax within the exterior boundaries of the Fort Berthold Reservation, Lake Traverse Reservation, Spirit Lake Reservation, Standing Rock Reservation, or Turtle Mountain Reservation; to repeal chapter 57-39.8 of the North Dakota Century Code, relating to a state-tribal agreement with the Standing Rock Sioux Tribe; to provide a continuing appropriation; to provide for application; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Fors; Veda

Engrossed SB 2257 passed and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2258: SEN. COOK (Finance and Taxation Committee) MOVED that the amendments on SJ pages 581-582 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2258: A BILL for an Act to create and enact chapter 57-39.9 of the North Dakota Century Code, relating to state-tribal agreements for the administration and collection of sales, use, and gross receipts taxes within the boundaries of the Fort Berthold Reservation, Lake Traverse Reservation, Spirit Lake Reservation, Standing Rock Reservation, or Turtle Mountain Reservation; to repeal chapter 57-39.8 of the North Dakota Century Code, relating to a state-tribal agreement with the Standing Rock Sioux Tribe; to provide a continuing appropriation; to provide for application; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Fors; Vedaa

Engrossed SB 2258 passed and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2186: SEN. RUST (Education Committee) MOVED that the amendments on SJ pages 576-577 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2186: A BILL for an Act to create and enact a new section to chapter 15.1-19 of the North Dakota Century Code, relating to providing schools with information regarding school safety and awareness issues to be posted in school common areas.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Larsen, O.

ABSENT AND NOT VOTING: Fors; Vedaa

Engrossed SB 2186 passed.

CONSIDERATION OF AMENDMENTS

SB 2320: SEN. OBAN (Education Committee) MOVED that the amendments on SJ pages 584-585 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2320: A BILL for an Act to create and enact chapter 15-10.4 of the North Dakota Century Code, relating to free speech at institutions under the control of the state board of higher education.

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 35 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Grabinger; Heckaman; Hogan; Holmberg; Klein; Krebsbach; Larsen, O.; Lee, J.; Luick; Mathern; Meyer; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Wanzek; Wardner

NAYS: Anderson; Erbele; Hogue; Kannianen; Kreun; Larson, D.; Lee, G.; Marcellais; Myrdal; Unruh

ABSENT AND NOT VOTING: Fors; Vedaa

Engrossed SB 2320 passed.

CONSIDERATION OF AMENDMENTS

SB 2341: SEN. DAVISON (Education Committee) MOVED that the amendments on SJ page 585 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2341: A BILL for an Act to create and enact a new section to chapter 54-60 of the North Dakota Century Code, relating to the apprenticeship training program; and to amend and reenact sections 54-60-17 and 54-60-17.1 of the North Dakota Century Code, relating to apprenticeships and uses of the internship fund.

ROLL CALL

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Fors; Robinson; Vedaa

Engrossed SB 2341 passed.

CONSIDERATION OF AMENDMENTS

SB 2313: SEN. J. LEE (Human Services Committee) MOVED that the amendments on SJ pages 582-584 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2313: A BILL for an Act to create and enact a new subsection to section 50-06-05.1 and two new sections to chapter 50-06 of the North Dakota Century Code, relating to duties of the department of human services, creation of a children's cabinet, and creation of a commission on juvenile justice; to repeal section 50-06-43 of the North Dakota Century Code, relating to the children's behavioral health task force; to provide a report to the legislative management; and to provide an expiration date.

ROLL CALL

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Fors; Robinson; Vedaa

Engrossed SB 2313 passed.

SECOND READING OF SENATE BILL

SB 2204: A BILL for an Act to create and enact a new section to chapter 54-07 of the North Dakota Century Code, relating to establishing a commission on children's health and well-being; to provide a report to the legislative management; and to provide an expiration date.

ROLL CALL

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

NAYS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Fors; Robinson; Vedaa

SB 2204 failed.

SECOND READING OF SENATE BILL

SB 2211: A BILL for an Act to create and enact a new subsection to section 61-33.1-03 of the North Dakota Century Code, relating to the determination of the ordinary high water mark; and to amend and reenact sections 61-33.1-04 and 61-33.1-05 of the North Dakota Century Code, relating to the ownership of mineral rights of land inundated by Pick-Sloan Missouri basin project dams.

ROLL CALL

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Fors; Robinson; Vedaa

Engrossed SB 2211 passed.

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 a penalty; to provide a contingent appropriation; 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 43 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Kannianen

ABSENT AND NOT VOTING: Fors; Robinson; Vedaa

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

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

MR. PRESIDENT: Your signature is respectfully requested on: HCR 3043.

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

MR. SPEAKER: The President has signed: HCR 3043.

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

MR. PRESIDENT: The Speaker has signed: HCR 3043.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2002, SB 2005, SB 2006, SB 2018, SB 2149, SB 2282, SB 2284, SB 2300, SB 2317, SB 2359, SCR 4002, SCR 4010.

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

MR. PRESIDENT: The House has passed, and your favorable consideration is requested on: HB 1005, HB 1006, HB 1008, HB 1009, HB 1064, HB 1099, HB 1111, HB 1158, HB 1159, HB 1256, HB 1279, HB 1280, HB 1320, HB 1334, HB 1384, HB 1424, HB 1496, HB 1520.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1120.

MOTION

SEN. KLEIN MOVED that the absent member be excused, which motion prevailed.

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, February 15, 2019, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2007: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2007 was placed on the Sixth order on the calendar.

Page 1, line 2, after "rights" insert "; and to provide for a report to the legislative assembly"

Page 1, replace lines 10 through 17 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$2,414,984	\$52,167	\$2,467,151
Operating expenses	328,918	71,167	400,085
Total all funds	\$2,743,902	\$123,334	\$2,867,236
Less estimated income	439,916	(199,789)	240,127
Total general fund	\$2,303,986	\$323,123	\$2,627,109
Full-time equivalent positions	14.00	0.00	14.00

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. The following amounts reflect one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Paperless storage system	\$0	\$69,659
Total general fund	\$0	\$69,659

The 2019-21 one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The department of labor and human rights shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2007 - Labor Commissioner - Senate Action**

	<u>Base Budget</u>	<u>Senate Changes</u>	<u>Senate Version</u>
Salaries and wages	\$2,414,984	\$52,167	\$2,467,151
Operating expenses	328,918	71,167	400,085
Total all funds	\$2,743,902	\$123,334	\$2,867,236
Less estimated income	439,916	(199,789)	240,127
General fund	\$2,303,986	\$323,123	\$2,627,109
FTE	14.00	0.00	14.00

Department 406 - Labor Commissioner - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes ¹	Adds Funding for Salary and Benefit Increases ²	Adjust Funding for Salaries and Wages ³	Adjusts Funding for Investigations Related to Housing Claims ⁴	Adds Funding for Microsoft Office 365 Licenses ⁵	Adds One- Time Funding for a Paperless Storage System ⁶
Salaries and wages	(\$74,434)	\$126,601				
Operating expenses					\$1,508	\$69,659
Total all funds	(\$74,434)	\$126,601	\$0	\$0	\$1,508	\$69,659
Less estimated income	25,154	0	15,611	(240,554)	0	0
General fund	(\$99,588)	\$126,601	(\$15,611)	\$240,554	\$1,508	\$69,659
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Total Senate Changes
Salaries and wages	\$52,167
Operating expenses	71,167
Total all funds	\$123,334
Less estimated income	(199,789)
General fund	\$323,123
FTE	0.00

¹ Funding is adjusted for base payroll changes.

² The following funding is added for 2019-21 biennium salary adjustments of 2 percent on July 1, 2019, and 3 percent on July 1, 2020, and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	General Fund
Salary increase	\$68,593
Health insurance increase	58,008
Total	\$126,601

³ Funding of \$15,611 for salaries and wages is adjusted from the general fund to federal funds.

⁴ Funding of \$240,554, of which \$158,709 is for salaries and wages and \$81,845 is for operating expenses, is adjusted from federal funds to the general fund for housing claims investigations.

⁵ Funding is added from the general fund for Microsoft Office 365 licensing expenses.

⁶ One-time funding of \$69,659 is added from the general fund for a paperless storage system. A one-time appropriation of \$56,135 was provided to the department for the 2015-17 biennium for this purpose, but the funding was reduced as a result of the August 2016 special legislative session.

REPORT OF STANDING COMMITTEE

SB 2020: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2020 was placed on the Sixth order on the calendar.

Page 1, line 2, after "commission" insert "; to amend and reenact section 61-02-79 of the North Dakota Century Code, relating to the authorization of a Bank of North Dakota line of credit; to provide for Red River valley water supply requirements; to provide an exemption; to provide for a report to the legislative management; and to provide a statement of legislative intent"

Page 1, replace lines 9 through 17 with:

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	\$19,659,298	\$173,833	\$19,833,131

Operating expenses	58,044,691	(14,188,938)	43,855,753
Capital assets	124,819,442	23,119,316	147,938,758
Project carryover	274,867,897	33,465,921	308,333,818
New projects	169,782,147	(169,782,147)	0
Water supply - grants	0	115,000,000	115,000,000
Rural water supply - grants	0	30,000,000	30,000,000
Flood control - grants	0	145,000,000	145,000,000
General water - grants	0	<u>35,255,000</u>	<u>35,255,000</u>
Total special funds	\$647,173,475	\$198,042,985	\$845,216,460
Full-time equivalent positions	93.00	(3.00)	90.00

SECTION 2. ONE-TIME FUNDING - REPORT TO THE SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the 2019-21 biennium one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Line of credit - Bank of North Dakota	<u>\$75,000,000</u>	<u>\$75,000,000</u>
Total all funds	<u>\$75,000,000</u>	<u>\$75,000,000</u>

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2019-21 biennium. The state water commission shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 1, line 18, after the first boldfaced period insert "**EXEMPTION -**"

Page 1, after line 24, insert:

"SECTION 4. ADDITIONAL INCOME - APPROPRIATION - BUDGET SECTION APPROVAL. In addition to the amounts appropriated in section 1 of this Act, any additional amounts in the resources trust fund and water development trust fund which become available are appropriated, subject to budget section approval, to the state water commission for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2019, and ending June 30, 2021. Before approving any request, the budget section shall determine:

1. Approving additional appropriations will not negatively affect the sixty-seventh legislative assembly's ability to address water-related needs;
2. The proposed use of the additional income complies with legislative intent; and
3. The proposed use of the additional income will not result in future funding commitments.

SECTION 5. LEGISLATIVE INTENT - FARGO FLOOD CONTROL PROJECT FUNDING. It is the intent of the sixty-sixth legislative assembly that the state provide a portion of the local cost-share of Fargo flood control projects, including constructing a federally authorized Fargo flood control project, and that total Fargo flood control project funding to be provided by the state not exceed \$703,000,000, which includes \$120,000,000 originally designated for Fargo interior flood control. It is the intent of the sixty-sixth legislative assembly that the \$332,500,000 yet to be designated by the state for the Fargo flood control project be made available in equal installments over the next five bienniums, beginning July 1, 2019.

SECTION 6. LEGISLATIVE INTENT - RED RIVER VALLEY WATER SUPPLY PROJECT - REPORT TO LEGISLATIVE MANAGEMENT. It is the intent of the sixty-sixth legislative assembly that the state water commission provide, in the form of a grant, up to \$50,000,000 to the Garrison Diversion Conservancy District for the Red River valley water supply project, for the biennium beginning July 1, 2019, and ending June 30, 2021. It is further the intent of the sixty-sixth legislative

assembly that the state water commission provide state funding at an eighty percent state cost-share to the Garrison Diversion Conservancy District for the Red River valley water supply project after June 30, 2021. The Garrison Diversion Conservancy District shall report on a regular basis to the legislative management's water topics overview committee during the 2019-20 interim regarding the progress of the Red River valley water supply project.

SECTION 7. RED RIVER VALLEY WATER SUPPLY PROJECT - REPORT TO LEGISLATIVE MANAGEMENT - BUDGET SECTION APPROVAL. Any funding received by the Garrison Diversion Conservancy District from the state water commission for the Red River valley water supply project during the 2017-19 biennium and the biennium beginning July 1, 2019, and ending June 30, 2021, is subject to the following requirements:

1. Any funding received for the completion of the planning and permitting process of the Red River valley water supply project must result in the following accomplishments:
 - a. The completed Red River valley water supply plan document, which will be the basis and justification for project construction, must include alternative selection, water supply needs, projected project costs, easement acquisitions, environmental regulation compliance to include issuance of a final national pollutant discharge elimination system permit, and acquisition of all other state and federal permits required for the construction of any project features intended to be constructed with funding provided during the 2017-19 biennium and the 2019-21 biennium;
 - b. A signed bureau of reclamation water service contract agreeing to a minimum of one hundred sixty-five cubic feet per second over a minimum of forty years or equivalent to ensure an adequate water source for the project's needs;
 - c. Prioritized project features for phase one construction; and
 - d. A recommendation of funding options for all phases of the Red River valley water supply project.
2. The state water commission shall review any associated appeals or litigation before releasing any funds for the project.
3. Any funding received to initiate construction of phase one prioritized project features identified in subsection 1 may be spent and construction of phase one may begin only after the budget section receives and approves certification from the state water commission and the state engineer that all items listed in subsection 1 have been accomplished.
4. Quarterly progress reports on the Red River valley water supply project from the Garrison Diversion Conservancy District to the water topics overview committee of the legislative management, during the 2019-21 interim.

SECTION 8. AMENDMENT. Section 61-02-79 of the North Dakota Century Code is amended and reenacted as follows:

61-02-79. Bank of North Dakota - Line of credit.

The Bank of North Dakota shall extend a line of credit not to exceed seventy-five million dollars at a rate of one and one-half percent over the three month London interbank offered rate, but may not exceed three percent to the state water commission. The state water commission shall repay the line of credit from funds available in the resources trust fund, water development trust fund, or other funds, as appropriated by the legislative assembly. The state water commission may access the line of credit, as necessary, to provide funding as authorized by the

legislative assembly for water supply projects approved before June 30, 2019~~2021~~,
and flood control projects that have approval for funding before June 30, 2019~~2021~~."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$19,659,298	\$173,833	\$19,833,131
Operating expenses	58,044,691	(14,188,938)	43,855,753
Capital assets	124,819,442	23,119,316	147,938,758
Project carryover	274,867,897	33,465,921	308,333,818
New projects	169,782,147	(169,782,147)	
Water supply - Grants		115,000,000	115,000,000
Rural water supply - Grants		30,000,000	30,000,000
Flood control - Grants		145,000,000	145,000,000
General water - Grants		35,255,000	35,255,000
Total all funds	\$647,173,475	\$198,042,985	\$845,216,460
Less estimated income	647,173,475	198,042,985	845,216,460
General fund	\$0	\$0	\$0
FTE	93.00	(3.00)	90.00

Department 770 - State Water Commission - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes ¹	Adds Funding for Salary and Benefit Increases ²	Removes 4 Unspecified FTE Positions ³	Adds Risk Mapping FTE Position ⁴	Adjusts Base Level Funding ⁵	Adds Funding for Microsoft Office 365 ⁶
Salaries and wages	(\$285,707)	\$979,326	(\$693,912)	\$174,126		
Operating expenses					(\$14,257,138)	\$68,200
Capital assets					(51,880,684)	
Project carryover					33,465,921	
New projects					(169,782,147)	
Water supply - Grants						
Rural water supply - Grants						
Flood control - Grants						
General water - Grants						
Total all funds	(\$285,707)	\$979,326	(\$693,912)	\$174,126	(\$202,454,048)	\$68,200
Less estimated income	(285,707)	979,326	(693,912)	174,126	(202,454,048)	68,200
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	(4.00)	1.00	0.00	0.00

	Adds Funding for Water Supply - Grants ⁷	Adds Funding for Rural Water Supply - Grants ⁸	Adds Funding for Flood Control - Grants ⁹	Adds Funding for General Water - Grants ¹⁰	Adds Funding from Bank of North Dakota Line of Credit ¹¹	Total Senate Changes
Salaries and wages						\$173,833
Operating expenses						(14,188,938)
Capital assets					\$75,000,000	23,119,316
Project carryover						33,465,921
New projects						(169,782,147)
Water supply - Grants	\$115,000,000					115,000,000
Rural water supply - Grants		\$30,000,000				30,000,000
Flood control - Grants			\$145,000,000			145,000,000
General water - Grants				\$35,255,000		35,255,000
Total all funds	\$115,000,000	\$30,000,000	\$145,000,000	\$35,255,000	\$75,000,000	\$198,042,985
Less estimated income	115,000,000	30,000,000	145,000,000	35,255,000	75,000,000	198,042,985
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	(3.00)

¹ Funding is adjusted for base payroll changes.

² The following funding is added for 2019-21 biennium salary adjustments of 2 percent on July 1, 2019, and 3 percent on July 1, 2020, and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	<u>Other Funds</u>
Salary increase	\$559,891
Health insurance increase	419,435
Total	\$979,326

³ Four FTE unspecified positions and related funding are removed.

⁴ One FTE risk mapping position and related funding from federal funds (\$174,126) is added.

⁵ Base level funding is adjusted as follows:

	<u>Other Funds</u>
Operating expenses	(\$14,257,138)
Capital assets	(51,880,684)
Project carryover	33,465,921
New projects	(169,782,147)
Total	(\$202,454,048)

⁶ Funding for Microsoft Office 365 license expense is added.

⁷ Funding is identified for water supply grants.

⁸ Funding is identified for rural water supply grants.

⁹ Funding is identified for flood control grants.

¹⁰ Funding is identified for general water grants.

¹¹ Funding from proceeds received from a Bank of North Dakota line of credit is added. A section is also added to amend North Dakota Century Code Section 61-02-79 relating to a Bank of North Dakota line of credit, to continue authorization for a \$75 million Bank of North Dakota line of credit for the 2019-21 biennium.

This amendment also adds sections to:

- Appropriate any additional amounts in the resources trust fund and water development trust fund which become available to the State Water Commission, subject to Budget Section approval.
- Provide legislative intent that the state provide a portion of the local cost-share of the Fargo flood control project not to exceed \$703 million and that the \$332.5 million yet to be designated by the state be provided in equal installments over the next 5 bienniums.
- Provide legislative intent that the State Water Commission provide, in the form of a grant, up to \$50 million to the Garrison Diversion Conservancy District for the Red River Valley Water Supply Project during the 2019-21 biennium and that the State Water Commission provide state funding at an 80 percent state cost-share after June 30, 2021.
- Identify requirements the Garrison Diversion Conservancy District must meet regarding the planning and permitting process and provide the district must obtain certification from the State Water Commission and the State Engineer that those items are complete. The section also requires approval from the Budget Section of the certification and construction to begin before the funding can be provided to the Garrison Diversion Conservancy District for the Red River Valley Water Supply Project.

REPORT OF STANDING COMMITTEE

SB 2037: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2037 was placed on the Sixth order on the calendar.

Page 8, line 20, after "commission" insert ", consistent with existing law and rules."

Page 10, line 11, after the underscored period insert "A permanent marker is to be erected and maintained over the disposal site."

Page 10, line 14, remove "If the commission requires a bond to be"

Page 10, line 15, replace "furnished, the" with "The"

Page 10, line 22, after "application" insert "; monitoring and inspection of the exploration site; monitoring and inspection of the facility; and environmental and monetary impact of the facility"

Page 10, line 23, after "rendered" insert "and impact to the state and local area"

Page 10, line 23, after "the" insert "annual operating"

Page 10, line 24, remove "permit to operate a"

Page 10, line 24, after "facility" insert "permit"

Page 10, line 25, replace "eight hundred thousand" with "one million"

Page 11, line 13, after the underscored period insert:

"2. A notice of opportunity for a position paper from the commissioners of the county must be attached to the permit application.

3."

Page 11, line 14, after the underscored period insert "Notice must be provided in accordance with Rule 3 of the North Dakota Rules of Civil Procedure.

4."

Page 11, line 16, after "location" insert ", the county commissioners and mayor of any municipality within thirty miles [48.28 kilometers], and publish a notice in the official county newspaper and any county newspaper within thirty miles [48.28 kilometers] of the proposed location"

Page 11, line 16, after the underscored period insert:

"5."

Page 11, line 18, replace "forty-five" with "sixty"

Page 11, line 20, replace "2." with "6."

Page 12, line 5, replace "3." with "7."

Page 12, line 10, replace "4." with "8."

Page 12, line 13, replace "5." with "9."

Page 12, line 16, replace "6." with "10."

Page 13, line 2, remove "from the"

Page 13, line 3, remove "federal government"

Page 13, line 12, remove ", and three members"

Page 13, line 13, remove "appointed by the governor"

Page 13, line 14, replace "The" with "Additional"

Page 13, line 14, replace "appointed by the governor must be" with "on the council are"

Page 13, line 15, after "government" insert ", appointed by the governor"

Page 13, line 16, after "government" insert ", appointed by the governor"

Page 13, line 16, remove "and"

Page 13, line 17, after "community" insert ". appointed by the governor:

- d. One senator, appointed by the majority leader of the senate of the legislative assembly; and
- e. One representative, appointed by the majority leader of the house of representatives of the legislative assembly"

Page 13, line 28, replace ". if requested by" with "to"

Page 14, line 5, after "prohibit" insert "a high-level radioactive waste disposal exploratory drilling permit or"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2044: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2044 was placed on the Sixth order on the calendar.

Page 2, line 1, replace "If an" with "An"

Page 2, line 1, replace "is found to be a conspirator" with "that has pled guilty or been convicted of a violation under section 12.1-06-04 for conspiring"

Page 2, line 1, replace "found to have violated" with "who has pled guilty or been convicted under"

Page 2, line 2, replace ". the court shall assess on the conspiring organization" with "must be assessed"

Page 2, line 2, remove "ten times the"

Page 2, line 3, replace "amount of the fine" with "equivalent to the penalty"

Page 2, line 3, after "2" insert "for each individual who has pled guilty or been convicted under subsection 1, not to exceed one hundred thousand dollars"

Page 2, line 12, after the third underscored comma insert "ground water monitoring well, water well,"

Page 2, line 16, replace "A telecommunications central switching office" with "Wireline telecommunications and internet infrastructure, including central offices, fiber optic lines, cable lines, and all additional equipment associated with the provision of broadband or telecommunication services"

Page 2, line 28, after "gas" insert "transmission or"

Page 2, line 29, after the second underscored comma insert "below or"

Page 3, line 4, after "Any" insert "below or"

Page 3, line 5, remove "and"

Page 3, line 6, after "r." insert "An oil and gas production site; and

s."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2062: Government and Veterans Affairs Committee (Sen. Davison, Chairman)

recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2062 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2095: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2095 was placed on the Sixth order on the calendar.

Page 1, line 12, remove "Agencies appropriated funding from the state disaster relief"

Page 1, remove line 13

Page 1, line 14, remove "the appropriation."

Page 1, after line 14, insert "Before any expenditure is made from the fund, the agency authorized to make the expenditure shall provide information on the purpose and payee of the expenditure to the appropriations committees of the house of representatives and senate or, if the legislative assembly is not in session, to the budget section."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2148: Special Committee on Ethics (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2148 was placed on the Sixth order on the calendar.

Page 1, line 1, after "enact" insert "a new subsection to section 16.1-08.1-01, a new section to chapter 16.1-08.1, and"

Page 1, line 2, after "to" insert "disclosures of expenditures,"

Page 1, line 4, after "sections" insert "16.1-08.1-04.1,"

Page 1, line 6, remove "28-32-14,"

Page 1, line 6, after the third comma insert "and"

Page 1, line 6, remove "28-32-17, 28-32-18, and 28-32-18.1,"

Page 1, line 7, after "to" insert "the prohibition on personal use of campaign contributions and the"

Page 1, line 8, remove "to provide for"

Page 1, line 9, remove "a legislative management study;"

Page 1, after line 10, insert:

"SECTION 1. A new subsection to section 16.1-08.1-01 of the North Dakota Century Code is created and enacted as follows:

"Ultimate and true source" means the person who knowingly contributed over two hundred dollars, adjusted for inflation, to influence a statewide election or an election for the legislative assembly.

SECTION 2. AMENDMENT. Section 16.1-08.1-04.1 of the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-04.1. Personal use of contributions prohibited.

1. A candidate may not use any contribution received by the candidate, the candidate's candidate committee, or a multicandidate political committee to:
 4. a. Give a personal benefit to the candidate or another person;
 2. b. Make a loan to another person;
 3. c. Knowingly pay more than the fair market value for goods or services purchased for the campaign; or
 4. d. Pay a criminal fine or civil penalty.
2. The secretary of state may impose a fine of up to five thousand dollars or two times the value of the contribution used in violation of this section, whichever is higher, upon any person who violates this section.

SECTION 3. A new section to chapter 16.1-08.1 of the North Dakota Century Code is created and enacted as follows:

Ultimate and true source of funds - Required identification.

In any report under this chapter which requires the identification of a contributor or subcontributor, the ultimate and true source of funds must be identified."

Page 6, line 24, remove "ethics commission or an"

Page 6, line 24, after the second comma insert "or the ethics commission"

Page 14, remove lines 16 through 30

Page 16, remove lines 9 through 31

Page 17, remove lines 1 through 31

Page 18, remove lines 1 through 31

Page 19, remove lines 1 through 24

Page 20, after line 14, insert:

"For purposes of this chapter and article XIV of the Constitution of North Dakota, unless the context otherwise requires:"

Page 20, line 26, after the underscored period insert "'Gift' does not mean:

- a. Purely informational material;
- b. A campaign contribution; and
- c. To advance opportunities for state residents to meet with public officials in educational and social settings in the state, any item, service, or thing of value given under conditions that do not raise ethical concerns as set forth in rules adopted by the ethics commission."

Page 21, after line 14, insert:

- "9. "Ultimate and true source" means the person that knowingly contributed over two hundred dollars, adjusted for inflation, to lobby or influence state government action."

Page 23, line 15, replace "Burleigh County" with "the county where the accused individual resides"

Page 23, line 25, after "2." insert "Information relating to or created as part of an informal resolution of a complaint is confidential except the information may be disclosed by the complainant and the accused individual."

3."

Page 23, line 25, after "who" insert "knowingly"

Page 23, line 27, after "A" insert "knowing"

Page 23, line 28, replace "ten" with "one"

Page 23, line 29, after "that" insert "knowingly"

Page 24, line 2, after "A" insert "knowing"

Page 24, line 3, replace "ten thousand" with "five hundred"

Page 24, line 4, after "that" insert "knowingly"

Page 24, line 5, replace "fifty" with "one"

Page 24, line 5, remove "for each violation of the subsection"

Page 24, line 5, replace "that violates" with "for a second or subsequent knowing violation of"

Page 24, line 6, remove "more than once within a twelve-month period"

Page 24, line 8, after "commission" insert ", unless the ethics commission objects to the representation by the attorney general in a specific matter"

Page 24, replace lines 12 through 17 with:

"54-66-14. Disclosure of ultimate and true source of funds.

A person who expends an amount greater than two hundred dollars, adjusted for inflation, to lobby or influence state government, other than to influence a statewide election or election for the legislative assembly, shall report the ultimate and true source of funds for the expenditure to the secretary of state.

54-66-15. Lobbyist gifts - Penalty.

A lobbyist may not give, offer, solicit, initiate, or facilitate a gift to a public official knowingly, and a public official may not accept a gift from a lobbyist knowingly. For the first violation, the secretary of state may impose a fine of up to five hundred dollars upon any person who violates this section. For a second and subsequent violation of this section, the person is guilty of an infraction.

54-66-16. Lobbyist requirements.

A person who meets the definition of a lobbyist under this chapter and article XIV of the Constitution of North Dakota is not required to comply with the requirements of chapter 54-05.1, unless the person also meets the definition of a lobbyist under section 54-05.1-02."

Page 24, replace line 24, with:

"Salaries and expenses \$214,800"

Page 24, replace line 26, with:

"Total general fund \$422,000"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2154: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2154 was placed on the Sixth order on the calendar.

Page 1, line 8, remove ""Aftercare assistance" means assistance provided by a lay caregiver to a patient"

Page 1, remove lines 9 through 12

Page 1, line 13, remove "2."

Page 1, line 15, replace "3." with "2."

Page 1, line 15, replace "Lay" with "Informal"

Page 1, line 15, replace "old" with "of age"

Page 1, line 16, after "designates" insert "at admission"

Page 1, line 17, replace "aftercare assistance" with "posthospital care"

Page 1, replace lines 19 and 20 with:

"3. "Posthospital care" means care directly related to a patient's condition at the time of discharge and which is provided by an informal caregiver to the patient in the patient's residence."

Page 1, line 21, replace "5." with "4."

Page 2, line 1, replace "Aftercare assistance policies - Designation of lay caregiver" with "Patient and caregiver discharge planning, involvement, and documentation"

Page 2, line 2, replace "evidence-based" with "a written"

Page 2, line 2, after "discharge" insert "planning process, including"

Page 2, line 3, after "procedures" insert ", which applies to all patients"

Page 2, remove lines 4 through 15

Page 2, line 16, remove "A hospital may not give a legal representative who is an agent under a durable power"

Page 2, remove lines 17 through 31

Page 3, replace lines 1 through 11 with "At an early stage of hospitalization, a hospital shall identify patients who are likely to suffer adverse health consequences if discharged without adequate discharge planning. A hospital shall involve a patient throughout the discharge planning process. As appropriate, a hospital shall involve the patient's informal caregiver or legal representative in the discharge planning process. A hospital shall:

- a. Document the patient's discharge plan in the patient's medical record.
- b. As appropriate, communicate the plan to the patient, the patient's informal caregiver, or the patient's representative.
- c. Document the arrangements made for initial implementation of the patient's discharge plan in the patient's medical record, including any

training or materials provided to the patient, the patient's informal caregiver, or the patient's representative."

Page 3, line 12, replace "**Notification of transfer or discharge**" with "**Posthospital care training**"

Page 3, remove lines 13 through 30

Page 4, replace lines 1 through 23 with:

- "1. As appropriate, a hospital shall educate or train a patient, the patient's informal caregiver, or the patient's representative to prepare the patient for posthospital care.
2. The education or training provided by hospital staff to a patient, the patient's informal caregiver, or the patient's representative must be tailored to the patient's identified needs, including medications, treatment modalities, physical and occupational therapies, psychosocial needs, appointments, or other posthospital care.
3. Education and training provided by a hospital may include repeated review of the training and materials with a patient, the patient's informal caregiver, or the patient's representative."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2163: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2163 was placed on the Sixth order on the calendar.

Page 1, line 2, after "programs" insert "; and to provide an effective date"

Page 1, line 7, after the underscored comma insert "at the time of licensure application or renewal, an owner or operator of"

Page 1, replace lines 8 through 12 with:

"provide proof liability insurance is carried by the early childhood program to insure against bodily injury and property damage."

Page 1, line 13, replace "insurance carrier that certifies a liability policy under subsection 1" with "owner or operator of an early childhood program"

Page 1, line 14, replace "certified" with "liability"

Page 1, line 15, remove "by filing with the department a notice of cancellation or termination of"

Page 1, line 16, remove "the certified insurance policy"

Page 1, after line 16, insert:

"SECTION 2. EFFECTIVE DATE. This Act becomes effective January 1, 2020."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2212: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2212 was placed on the Sixth order on the calendar.

Page 2, line 12, replace the second "and" with ", the board shall send a letter to"

Page 2, line 12, remove "does"

Page 2, line 13, replace "not make the records" with "requesting the information necessary to conduct the board's audit together with the information"

Page 2, line 13, replace "available to" with ". The letter must be sent by registered mail, return receipt requested. If the requested information is not received by"

Page 2, line 13, replace "thirty" with "ninety"

Page 2, line 14, replace "receiving notice from the board" with "the date of receipt of the letter"

Page 2, line 14, replace "five" with "one"

Page 2, line 15, after "day" insert ", as determined by the board pursuant to board policies."

Page 2, line 15, after the underscored period insert "Each day's violation is a separate offense. The board, for good cause shown, may waive all or any part of the penalty provided by this subsection. A penalty paid under this section must be deposited in the common schools trust fund."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2227, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2227 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2236: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2236 was placed on the Sixth order on the calendar.

Page 14, line 29, replace "regulations" with "licensure"

Page 15, line 21, after "**license**" insert "**- Expedited**"

Page 15, line 21, after the second boldfaced period insert:

"1."

Page 15, after line 24, insert:

"2. The board shall establish an expedited procedure for licensure of an applicant who is certified by a professional organization identified by the board by rule or who holds a valid license or certificate of registration in another jurisdiction. The board may grant a provisional license to an expedited licensure applicant while the expedited license application is pending."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2256: Government and Veterans Affairs Committee (Sen. Davison, Chairman) recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2256 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2261: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2261 was placed

on the Sixth order on the calendar.

Page 1, line 2, remove "direct and"

Page 1, line 3, remove "indirect"

Page 1, line 7, remove "**direct and indirect**"

Page 1, line 8, remove "1."

Page 1, line 8, after "commission" insert "or any state agency with jurisdiction over any aspect of a proposed site, corridor, route, or facility."

Page 1, line 9, after "adverse" insert "direct or"

Page 1, remove lines 11 through 16

Page 1, line 19, remove "**direct and indirect**"

Page 1, line 20, remove "1."

Page 1, line 20, after "commission" insert "or any state agency with jurisdiction over any aspect of a proposed site, corridor, route, or facility."

Page 1, line 21, after "adverse" insert "direct or"

Page 2, remove lines 1 through 6

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2266: Education Committee (Sen. Schaible, Chairman) recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2266 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2269: Agriculture Committee (Sen. Luick, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2269 was placed on the Sixth order on the calendar.

Page 5, line 6, remove "raises and"

Page 5, line 19, remove "must be"

Page 5, line 20, replace "Transported and" with "If transported, must be"

Page 5, line 20, after "for" insert "washed"

Page 5, line 23, replace "Labeled" with "Must be labeled"

Page 6, line 29, after "For" insert "washed"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2275, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2275 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "political subdivisions" with "counties"

Page 3, line 28, remove "for political subdivision utility and transportation projects"

Page 4, line 13, remove "for political subdivision water projects"

Page 5, line 29, after the second "the" insert "transferred"

Page 5, line 31, after "6-09-49" insert "and to use the transferred proceeds to support the resources trust fund"

Page 6, line 6, replace "department of transportation" with "Bank"

Page 6, line 11, replace "department of transportation" with "Bank"

Page 9, line 10, remove "Legacy "

Page 9, line 11, replace "fund earnings" with "Resources trust fund"

Page 9, line 14, after "fund" insert "and the resources trust fund"

Page 11, line 8, overstrike "subsections 1" and insert immediately thereafter "subdivisions a"

Page 11, line 9, overstrike "5" and insert immediately thereafter "e"

Page 12, line 9, replace "Bank of North Dakota" with "state water commission"

Page 12, line 17, after "fund" insert "and the resources trust fund"

Page 12, line 18, after the period insert "Of the total evidences of indebtedness issued by the public finance authority, an amount equal to the transfer under section 10 of this Act must be used to support the resources trust fund, and the remaining amount must be used to support the infrastructure revolving loan fund."

Page 12, line 19, after "years" insert ". The public finance authority may issue bond anticipation notes for the purpose of financing loans under the infrastructure revolving loan fund prior to a bond issuance"

Page 12, remove lines 20 through 29

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment expands the bonding authorization to allow the bond proceeds to be used to support the resources trust fund, authorizes the public finance authority to issue bond anticipation notes, and provides other minor corrections.

REPORT OF STANDING COMMITTEE

SB 2286: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2286 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2307: Government and Veterans Affairs Committee (Sen. Davison, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2307 was placed on the Sixth order on the calendar.

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

Page 1, remove line 3

Page 1, line 4, after "16.1-02-12" insert a comma

Page 1, line 5, remove "requirements for petition signatures,"

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 21

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2308: Government and Veterans Affairs Committee (Sen. Davison, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2308 was placed on the Sixth order on the calendar.

Page 1, line 3, after the second comma insert "section 16.1-12-07,"

Page 1, line 21, replace "before" with "within forty-eight hours after"

Page 1, line 21, replace "16.1-11-11" with "16.1-11-06"

Page 4, after line 16, insert:

"SECTION 4. AMENDMENT. Section 16.1-12-07 of the North Dakota Century Code is amended and reenacted as follows:

16.1-12-07. If nominee declines - Certificate void.

Any person intending to decline a nomination shall do so by filing written notice of that intention with the officer with whom the certificate nominating the person is filed. If the written notice is filed with the appropriate officer before within forty-eight hours after four p.m. on the sixty-fourth day before the election, the nomination is void. If written notice is mailed, it must be in the physical possession of the appropriate officer before within forty-eight hours after four p.m. on the sixty-fourth day before the election."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2316: Education Committee (Sen. Schaible, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2316 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2328: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2328 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2329: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2329 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2333: Government and Veterans Affairs Committee (Sen. Davison, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2333 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2346: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2346 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2358: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends

DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2358 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 provide for a legislative management study regarding the use of the term "watercourse" in the North Dakota Century Code.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - USE OF "WATERCOURSE" IN STATUTES. During the 2019-20 interim, the legislative management shall consider studying the use of the term "watercourse" throughout the North Dakota Century Code. The study must include consideration of the different meanings of the term and the contexts in which the term is used. The purpose of the study is to develop information that will be useful in deciding whether a new definition of "watercourse" in the North Dakota Century Code is necessary and, if so, what the new definition should be. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations to the sixty-seventh legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2360: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2360 was placed on the Sixth order on the calendar.

Page 2, line 24, replace "federal taxable" with "gross"

Page 2, line 24, replace "computed" with "defined"

Page 2, line 26, remove "federal"

Page 2, line 26, overstrike "taxable" and insert immediately thereafter "gross"

Page 2, line 28, remove "cultivating the soil or raising agricultural"

Page 2, line 29, remove "commodities. The term includes"

Page 2, line 29, overstrike "the following"

Page 2, line 29, remove "amounts"

Page 2, line 29, overstrike the colon

Page 2, line 30, overstrike "(a)"

Page 3, line 1, remove "Income from operating a stock, dairy."

Page 3, line 2, remove "poultry, bee, fruit, or truck farm"

Page 3, line 2, overstrike the period

Page 3, line 3, overstrike "(b)"

Page 3, line 4, remove "Income from a plantation, ranch, nursery."

Page 3, line 5, remove "range, or orchard"

Page 3, line 5, overstrike the period

Page 3, line 6, overstrike "(c)"

Page 3, line 7, remove "Crop shares for the use of the"

Page 3, line 8, replace "farmer's land" with "farming as defined for purposes of determining if an individual is a farmer eligible to use the special estimated income tax payment rules for farmers under section 6654 of the federal Internal Revenue Code [26 U.S.C. 6654]"

Page 3, remove line 9

Page 3, line 10, overstrike "(4)" and insert immediately thereafter "(5)"

Page 3, line 17, overstrike "(5)"

Page 3, line 23, remove the overstrike over "~~(6)~~"

Page 3, line 25, remove the overstrike over "~~(7)~~"

Page 3, line 25, remove "~~(6)~~"

Page 3, line 31, replace "2018" with "2019"

Renumber accordingly

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

Shanda Morgan, Secretary

