

**JOURNAL OF THE HOUSE****Sixty-fifth Legislative Assembly**

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**Bismarck, February 16, 2017**

The House convened at 1:00 p.m., with Acting Speaker Devlin presiding.

The prayer was offered by Sister Anna Rose, St. Vincent's Care Center, Bismarck.

The roll was called and all members were present except Representatives Bellew, Kreidt, Marschall, Pyle, and M. Ruby.

A quorum was declared by the Acting Speaker.

**SIXTH ORDER OF BUSINESS**

**ACTING SPEAKER DEVLIN DEEMED** approval of the amendments to HB 1004, HB 1005, HB 1007, HB 1014, HB 1170, HB 1174, HB 1201, HB 1228, HB 1269, HB 1389, HB 1392, and HB 1397.

HB 1004, HB 1005, HB 1007, HB 1014, HB 1170, HB 1174, HB 1201, HB 1228, HB 1269, HB 1389, HB 1392, and HB 1397, as amended, were placed on the Eleventh order of business on today's calendar.

**SECOND READING OF HOUSE BILL**

**HB 1306:** A BILL for an Act to amend and reenact sections 43-23-01 and 43-23-02 of the North Dakota Century Code, relating to the real estate commission; and to provide for application.

**REQUEST**

**REP. LOUSER REQUESTED** that the House divide Engrossed HB 1306, which request was granted.

**DIVISION A:** Section 1

**DIVISION B:** Remainder of Bill

**ROLL CALL**

The question being on the final adoption of Division A of Engrossed HB 1306, the roll was called and there were 0 YEAS, 89 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Kreidt; Marschall; Pyle; Ruby, M.; Speaker Bellew

Division A of Engrossed HB 1306 failed on a recorded roll call vote.

**CONFLICT OF INTEREST**

**REP. LOUSER STATED** that he had a conflict of interest on Engrossed HB 1306.

**MOTION**

**REP. VIGESAA MOVED** that Rep. Louser be allowed to vote on Engrossed HB 1306, which

motion prevailed on a voice vote.

#### ROLL CALL

The question being on the final adoption of Division B of Engrossed HB 1306, the roll was called and there were 67 YEAS, 22 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dobervich; Dockter; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Lefor; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Streyle; Sukut; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Becker, Rich S.; Becker, Rick C.; Damschen; Ertelt; Grueneich; Headland; Johnson, C.; Johnston; Karls; Kasper; Koppelman, K.; Laning; Longmuir; Louser; Magrum; Monson; Olson; Ruby, D.; Seibel; Simons; Skroch; Toman

**ABSENT AND NOT VOTING:** Kreidt; Marschall; Pyle; Ruby, M.; Speaker Bellew

Division B of Engrossed HB 1306 was adopted on a recorded roll call vote.

#### ROLL CALL

The question being on the final passage of the amended bill, which consists of Division B only, which has been read, the roll was called and there were 68 YEAS, 21 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dobervich; Dockter; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Lefor; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Steiner; Streyle; Sukut; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Becker, Rich S.; Becker, Rick C.; Damschen; Ertelt; Grueneich; Headland; Johnson, C.; Johnston; Kasper; Koppelman, K.; Laning; Longmuir; Louser; Magrum; Monson; Olson; Ruby, D.; Schatz; Simons; Skroch; Toman

**ABSENT AND NOT VOTING:** Kreidt; Marschall; Pyle; Ruby, M.; Speaker Bellew

Engrossed HB 1306 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1428:** A BILL for an Act to amend and reenact subsection 2 of section 15.1-23-09 of the North Dakota Century Code, relating to home education standards.

#### 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 58 YEAS, 31 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Headland; Howe; Johnson, C.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Laning; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Monson; Oliver; Olson; Owens; Paur; Porter; Roers Jones; Rohr; Ruby, D.; Satrom; Schatz; Schmidt; Schobinger; Seibel; Simons; Skroch; Steiner; Streyle; Toman; Trottier; Vetter; Vigesaa; Weisz

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Boe; Boschee; Delmore; Dobervich;

Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Johnson, D.; Johnson, M.; Keiser; Klemin; Longmuir; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Pollert; Sanford; Schneider; Schreiber-Beck; Sukut; Westlind; Zubke

**ABSENT AND NOT VOTING:** Kreidt; Marschall; Pyle; Ruby, M.; Speaker Bellew

HB 1428 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1307:** A BILL for an Act to create and enact a new section to chapter 54-44.3 of the North Dakota Century Code, relating to state employee evaluations upon resignation of employment and to provide for a reports to the legislative management.

#### 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 4 YEAS, 85 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Magrum; Schatz; Simons

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

**ABSENT AND NOT VOTING:** Kreidt; Marschall; Pyle; Ruby, M.; Speaker Bellew

HB 1307 failed.

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#### SECOND READING OF HOUSE BILL

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

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 68 YEAS, 21 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

**NAYS:** Boehning; Carlson; Delzer; Dockter; Ertelt; Heinert; Johnston; Karls; Kasper; Koppelman, B.; Laning; Longmuir; Owens; Porter; Rohr; Schobinger; Simons; Steiner; Toman; Trottier; Vetter

**ABSENT AND NOT VOTING:** Kreidt; Marschall; Pyle; Ruby, M.; Speaker Bellew

HB 1398 passed.

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### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3022:** A concurrent resolution urging the State Board of Higher Education to develop a policy and procedures for providing specific, tailored financial aid counseling to recipients of education benefits under the Servicemen's Readjustment Act of 1944, as amended, and to include in the counseling comparisons of those education benefits to other aid packages and financing options available to the recipients.

#### ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 35 YEAS, 54 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Delmore; Devlin; Dobervich; Guggisberg; Hanson; Hogan; Holman; Johnson, M.; Keiser; Kempenich; Klemin; Maragos; Martinson; Meier; Mitskog; Mock; Nelson, J.; Nelson, M.; Paur; Porter; Ruby, D.; Satrom; Schneider; Seibel; Toman; Trottier; Weisz; Zubke

**NAYS:** Anderson, B.; Becker, Rich S.; Becker, Rick C.; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Kiefert; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; McWilliams; Monson; Nathe; O'Brien; Oliver; Olson; Owens; Pollert; Roers Jones; Rohr; Sanford; Schatz; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Streyle; Sukut; Vetter; Vigesaa; Westlind

**ABSENT AND NOT VOTING:** Kreidt; Marschall; Pyle; Ruby, M.; Speaker Bellew

HCR 3022 was declared lost on a recorded roll call vote.

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### SECOND READING OF HOUSE BILL

**HB 1299:** A BILL for an Act to amend and reenact section 39-06-19 of the North Dakota Century Code, relating to the expiration of an operator's license; and to provide for an application.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 70 YEAS, 19 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Bosch; Boschee; Brabandt; Brandenburg; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Longmuir; Louser; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Streyle; Sukut; Toman; Trottier; Vigesaa; Westlind; Zubke

**NAYS:** Boehning; Carlson; Damschen; Delmore; Delzer; Dobervich; Guggisberg; Hanson; Holman; Johnson, M.; Lefor; Magrum; Monson; Porter; Schatz; Schmidt; Steiner; Vetter; Weisz

**ABSENT AND NOT VOTING:** Kreidt; Marschall; Pyle; Ruby, M.; Speaker Bellew

Engrossed HB 1299 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1182:** A BILL for an Act to amend and reenact sections 40-63-02, 40-63-03, and 40-63-04, and subsections 7 and 8 of section 57-38-30.3 of the North Dakota Century Code, relating to renaissance zone tax credits and exemptions; to repeal sections 40-63-06 and 40-63-07 of the North Dakota Century Code, relating to renaissance zone income tax credits; 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 48 YEAS, 41 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Becker, Rich S.; Becker, Rick C.; Boe; Boehning; Brabandt; Carlson; Delzer; Dockter; Ertelt; Grueneich; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Mitskog; Monson; Nelson, M.; Oliver; Olson; Paur; Rohr; Ruby, D.; Satrom; Schatz; Schmidt; Schreiber-Beck; Simons; Skroch; Steiner; Streyle; Toman; Trottier

**NAYS:** Anderson, D.; Anderson, P.; Beadle; Blum; Bosch; Boschee; Brandenburg; Damschen; Delmore; Devlin; Dobervich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, M.; Keiser; Klemin; Meier; Mock; Nathe; Nelson, J.; O'Brien; Owens; Pollert; Porter; Roers Jones; Sanford; Schneider; Schobinger; Seibel; Sukut; Vetter; Vigesaa; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Kreidt; Marschall; Pyle; Ruby, M.; Speaker Bellew

Engrossed HB 1182 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1340:** A BILL for an Act to amend and reenact section 19-03.1-22.3, subsections 1 and 7 of section 19-03.1-23, section 19-03.1-23.1, subsection 3 of section 19-03.4-03, section 19-03.4-04, and subsection 29 of section 40-05-02 of the North Dakota Century Code, relating to manufacturing, delivering, inhaling, ingesting, and possessing marijuana and using and possessing marijuana paraphernalia; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 35 YEAS, 54 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boschee; Delmore; Devlin; Dobervich; Ertelt; Guggisberg; Hanson; Hatlestad; Hogan; Johnson, M.; Johnston; Kading; Koppelman, B.; Louser; Magrum; McWilliams; Mock; Nelson, M.; O'Brien; Olson; Paur; Schneider; Schobinger; Simons; Skroch; Toman; Vetter; Weisz; Zubke

**NAYS:** Anderson, B.; Anderson, D.; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Grueneich; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, K.; Laning; Lefor; Longmuir; Maragos; Martinson; Meier; Mitskog; Monson; Nathe; Nelson, J.; Oliver; Owens; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schreiber-Beck; Seibel; Steiner; Streyle; Sukut; Trottier; Vigesaa; Westlind

**ABSENT AND NOT VOTING:** Kreidt; Marschall; Pyle; Ruby, M.; Speaker Bellew

Engrossed HB 1340 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1197:** A BILL for an Act to create and enact a new chapter to title 32 of the North Dakota Century Code, relating to asbestos bankruptcy trust transparency; 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, 6 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

**NAYS:** Boschee; Delmore; Dobervich; Guggisberg; Hogan; Johnson, M.

**ABSENT AND NOT VOTING:** Damschen; Kreidt; Marschall; Pyle; Ruby, M.; Speaker Bellew

Engrossed HB 1197 passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1216:** A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to electronic pull tabs; and to amend and reenact section 53-06.1-01, subsection 4 of section 53-06.1-01.1, subsection 1 of section 53-06.1-06, subsection 5 of section 53-06.1-11, and section 53-06.1-14 of the North Dakota Century Code, relating to the use of electronic pull tabs and electronic pull tab devices.

**ROLL CALL**

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

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

**NAYS:** Anderson, B.; Anderson, P.; Delzer; Devlin; Guggisberg; Hogan; Holman; Klemin; McWilliams; Mitskog; Nelson, J.; Nelson, M.; Ruby, D.; Vigesaa

**ABSENT AND NOT VOTING:** Kreidt; Marschall; Pyle; Ruby, M.; Speaker Bellew

Engrossed HB 1216 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1274:** A BILL for an Act to amend and reenact subsection 2 of section 52-04-07 of the North Dakota Century Code, relating to relief from charging of benefits paid to accounts of base-period employers that discharge individuals from employment due to undisclosed court-imposed work restrictions.

**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, 78 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Beadle; Boschee; Brabandt; Hanson; Hogan; Johnston; Koppelman, B.; Laning; Steiner; Vetter

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

**ABSENT AND NOT VOTING:** Kreidt; Marschall; Pyle; Ruby, M.; Speaker Bellew

Engrossed HB 1274 failed.

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**MOTION**

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

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, February 17, 2017, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**HB 1008: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING). HB 1008 was placed on the Sixth order on the calendar.

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

Page 1, line 2, replace "a transfer" with "transfers"

Page 1, replace lines 12 through 23 with:

"Salaries and wages	\$9,643,095	(\$662,102)	\$8,980,993
Operating expenses	1,877,562	(47,736)	1,829,826
Capital assets	26,400	(26,400)	0
Grants	20,000	0	20,000
Abandoned mined lands contractual	8,000,000	(2,000,000)	6,000,000
Rail rate complaint case	900,000	0	900,000
Railroad safety program	523,345	5,743	529,088
Specialized legal services	<u>150,000</u>	<u>580,000</u>	<u>730,000</u>
Total all funds	\$21,140,402	(\$2,150,495)	\$18,989,907
Less estimated income	<u>13,964,575</u>	<u>(1,375,972)</u>	<u>12,588,603</u>
Total general fund	\$7,175,827	(\$774,523)	\$6,401,304

Full-time equivalent positions 46.00 (2.00) 44.00

**SECTION 2. HEALTH INSURANCE INCREASE.** The appropriation in section 1 of this Act includes the sum of \$125,934, of which \$76,487 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,249 per month."

Page 2, replace lines 6 through 9 with:

"Specialized legal services	<u>\$575,624</u>	<u>\$636,000</u>
Total all funds	\$575,624	\$636,000
Total special funds	<u>336,000</u>	<u>636,000</u>
Total general fund	\$239,624	\$0"

Page 2, after line 22, insert:

**"SECTION 5. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line item in section 1 of this Act includes \$300,000, of one-time funding from the strategic investment and improvements fund for specialized legal service costs during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 6. LEGISLATIVE MANAGEMENT STUDY - IMPACT OF WIND ENERGY.**

1. During the 2017-18 interim, the legislative management shall consider studying the impact of wind energy development on the environment, addressing and researching issues common to North Dakota landowners, and identifying potential issues for legislation. The study may include consideration of:
  - a. The impact of wind energy development on the environment, including aesthetic impacts;
  - b. The impact of wind energy development on property values;
  - c. The impact of wind energy development on agriculture;
  - d. The advantages and disadvantages of implementing legislation for pooling or unitization of wind resources similar to that of the oil and gas industry in chapter 38-08; and
  - e. The necessary processes for the decommissioning of a wind energy project.
2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1008 - Public Service Commission - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$9,643,095	(\$662,102)	\$8,980,993
Operating expenses	1,877,562	(47,736)	1,829,826
Capital assets	26,400	(26,400)	
Grants	20,000		20,000
Abandoned mined lands contractual	8,000,000	(2,000,000)	6,000,000
Rail rate complaint case	900,000		900,000
Railroad safety program	523,345	5,743	529,088
Specialized legal services	150,000	580,000	730,000
Total all funds	\$21,140,402	(\$2,150,495)	\$18,989,907
Less estimated income	13,964,575	(1,375,972)	12,588,603



General fund	\$7,175,827	(\$774,523)	\$6,401,304
FTE	46.00	(2.00)	44.00

**Department No. 408 - Public Service Commission - Detail of House Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Health Insurance Increases <sup>2</sup>	Removes 2 FTE Positions <sup>3</sup>	Underfunds Salaries and Wages <sup>4</sup>	Adjusts Base Level Funding <sup>5</sup>	Adds One-Time Funding for Specialized Legal Services <sup>6</sup>
Salaries and wages	(\$21,053)	\$120,191	(\$286,240)	(\$475,000)		
Operating expenses					(47,736)	
Capital assets					(26,400)	
Grants						
Abandoned mined lands contractual					(2,000,000)	
Rail rate complaint case						
Railroad safety program		5,743				
Specialized legal services					(56,000)	636,000
<b>Total all funds</b>	<b>(\$21,053)</b>	<b>\$125,934</b>	<b>(\$286,240)</b>	<b>(\$475,000)</b>	<b>(\$2,130,136)</b>	<b>\$636,000</b>
Less estimated income	(61,419)	49,447	0	0	(2,000,000)	636,000
<b>General fund</b>	<b>\$40,366</b>	<b>\$76,487</b>	<b>(\$286,240)</b>	<b>(\$475,000)</b>	<b>(\$130,136)</b>	<b>\$0</b>
<b>FTE</b>	<b>0.00</b>	<b>0.00</b>	<b>(2.00)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

	Total House Changes
Salaries and wages	(\$662,102)
Operating expenses	(47,736)
Capital assets	(26,400)
Grants	
Abandoned mined lands contractual	(2,000,000)
Rail rate complaint case	
Railroad safety program	5,743
Specialized legal services	580,000
<b>Total all funds</b>	<b>(\$2,150,495)</b>
Less estimated income	(1,375,972)
<b>General fund</b>	<b>(\$774,523)</b>
<b>FTE</b>	<b>(2.00)</b>

<sup>1</sup> Funding is adjusted for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in health insurance premiums from \$1,130 to \$1,249 per month.

<sup>3</sup> Two FTE positions and funding of \$286,240 is removed.

<sup>4</sup> General fund salaries and wages are underfunded.

<sup>5</sup> Base level funding is adjusted as follows:

	General Fund	Other Funds	Total
Reduces funding for operating expenses	(\$47,736)		(\$47,736)
Removes funding for capital assets	(26,400)		(26,400)
Reduces federal funds		(2,000,000)	(2,000,000)
Reduces funding for specialized legal services	(56,000)		(56,000)
<b>Total</b>	<b>(\$130,136)</b>	<b>(\$2,000,000)</b>	<b>(\$2,130,136)</b>

<sup>6</sup> One-time funding of \$636,000 is added for specialized legal services of which \$300,000 is from the strategic investment and improvements fund.

This amendment also:

- Adds a section identifying the cost of the health insurance premium increase.
- Provides for a Legislative Management study regarding the impact of wind energy development.

- Adds a section identifying the funding provided from the strategic investment and improvements fund.

#### REPORT OF STANDING COMMITTEE

**HB 1009: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1009 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 2, replace "transfers" with "a transfer; and to amend and reenact sections 4.1-16-06 and 4.1-16-07 of the North Dakota Century Code, relating to beekeeper license fees"

Page 1, replace lines 12 through 24 with:

"Salaries and wages	\$12,534,265	(\$146,594)	\$12,387,671
Operating expenses	6,419,121	1,025,215	7,444,336
Capital assets	8,000	5,000	13,000
Grants	8,392,774	545,000	8,937,774
Board of animal health	1,006,773	(141,055)	865,718
Wildlife services	1,401,257	6,743	1,408,000
Crop harmonization board	75,000	0	75,000
Pipeline restoration and reclamation oversight program	<u>400,000</u>	<u>(200,000)</u>	<u>200,000</u>
Total all funds	\$30,237,190	\$1,094,309	\$31,331,499
Less estimated income	<u>20,276,053</u>	<u>1,938,380</u>	<u>22,214,433</u>
Total general fund	\$9,961,137	(\$844,071)	\$9,117,066
Full-time equivalent positions	77.00	(4.00)	73.00

**SECTION 2. HEALTH INSURANCE INCREASE.** The appropriation in section 1 of this Act includes the sum of \$208,923, of which \$114,802 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,249 per month."

Page 2, replace lines 4 through 7 with:

"Information technology analysis	\$100,222	\$0
Department web redesign	50,000	0
National genomics center	711,138	120,000
Federal environmental law impact review	0	<u>1,000,000</u>
Total all funds	\$861,360	\$1,120,000
Less estimated income	0	<u>1,120,000</u>
Total general fund	\$861,360	\$0

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

Page 2, line 13, replace "\$6,403,714" with "\$6,446,503"

Page 2, line 18, replace "\$499,585" with "\$614,430"

Page 2, line 22, replace "\$250,000" with "\$125,000"

Page 2, after line 24, insert:

**"SECTION 8. WATERBANK PROGRAM - MATCHING FUNDS.** The salaries and wages line item in section 1 of this Act includes \$50,000 from the general fund for matching funds for the North Dakota outdoor heritage fund grant provided for the waterbank program.

**SECTION 9. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - FEDERAL ENVIRONMENTAL LAW IMPACT REVIEW**

**FUND - ESTIMATED INCOME.** The estimated income line item in section 1 of this Act includes a sum of \$1,000,000, which the office of management and budget shall transfer from the strategic investment and improvements fund to the federal environmental law impact review fund for the use by the agriculture commissioner, for the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 10. ESTIMATED INCOME - PIPELINE RESTORATION AND RECLAMATION.** The estimated income line item in section 1 of this Act includes the sum of \$200,000 from the abandoned oil and gas well plugging and site reclamation fund for the purpose of defraying the expenses of the pipeline restoration and reclamation program, for the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 11. AMENDMENT.** Section 4.1-16-06 of the North Dakota Century Code is amended and reenacted as follows:

**4.1-16-06. License fee.**

The fee for a beekeeper's license is five dollars. All fees collected must be deposited in the agriculture commissioner operating fund.

**SECTION 12. AMENDMENT.** Section 4.1-16-07 of the North Dakota Century Code is amended and reenacted as follows:

**4.1-16-07. Colony assessment.**

In addition to the license fee required by section 4.1-16-06, an applicant for a license must submit a colony assessment in an amount equal to fifteen cents multiplied by the maximum number of colonies listed in the application. All fees collected must be deposited in the agriculture commissioner operating fund."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1009 - Department of Agriculture - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$12,534,265	(\$146,594)	\$12,387,671
Operating expenses	6,419,121	1,025,215	7,444,336
Capital assets	8,000	5,000	13,000
Grants	8,392,774	545,000	8,937,774
State Board of Animal Health	1,006,773	(141,055)	865,718
Wildlife services	1,401,257	6,743	1,408,000
Crop Harmonization Board	75,000		75,000
Pipeline restoration and reclamation	400,000	(200,000)	200,000
Total all funds	\$30,237,190	\$1,094,309	\$31,331,499
Less estimated income	20,276,053	1,938,380	22,214,433
General fund	\$9,961,137	(\$844,071)	\$9,117,066
FTE	77.00	(4.00)	73.00

**Department No. 602 - Department of Agriculture - Detail of House Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Health Insurance Increases <sup>2</sup>	Restores Funding for Salaries <sup>3</sup>	Removes 4 FTE Positions <sup>4</sup>	Adjusts Base Level Funding <sup>5</sup>	Adjusts Funding for Waterbank Program <sup>6</sup>
Salaries and wages	(\$233,687)	\$208,923	\$312,936	(\$653,028)	\$81,500	
Operating expenses					(138,023)	
Capital assets					5,000	
Grants					125,000	300,000
State Board of Animal Health					(140,300)	
Wildlife services					16,143	
Crop Harmonization Board						
Pipeline restoration and reclamation						
	(\$233,687)	\$208,923	\$312,936	(\$653,028)	(\$50,680)	\$300,000

Total all funds						
Less estimated income	109,507	94,121	0	(52,724)	277,631	300,000
General fund	(\$343,194)	\$114,802	\$312,936	(\$600,304)	(\$328,311)	\$0
FTE	0.00	0.00	0.00	(4.00)	0.00	0.00
	<b>Reduces Funding for Pipeline Restoration Program<sup>7</sup></b>	<b>Reduces Water Commission Transfer for Wildlife Services<sup>8</sup></b>	<b>Adjusts Game and Fish Transfer for Wildlife Services<sup>9</sup></b>	<b>Adds Funding for Bee Program<sup>10</sup></b>	<b>Adds Funding for Industrial Hemp Program<sup>11</sup></b>	<b>Adds One-Time Funding for Environmental Law Impact Review<sup>12</sup></b>
Salaries and wages				\$102,762	\$34,000	
Operating expenses				77,238	86,000	1,000,000
Capital assets						
Grants						
State Board of Animal Health			(755)			
Wildlife services		(125,000)	115,600			
Crop Harmonization Board						
Pipeline restoration and reclamation	(200,000)					
Total all funds	(\$200,000)	(\$125,000)	\$114,845	\$180,000	\$120,000	\$1,000,000
Less estimated income	(200,000)	(125,000)	114,845	180,000	120,000	1,000,000
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	<b>Adds One-Time Funding for Genomics Center<sup>13</sup></b>	<b>Total House Changes</b>
Salaries and wages		(\$146,594)
Operating expenses		1,025,215
Capital assets		5,000
Grants	120,000	545,000
State Board of Animal Health		(141,055)
Wildlife services		6,743
Crop Harmonization Board		
Pipeline restoration and reclamation		(200,000)
Total all funds	\$120,000	\$1,094,309
Less estimated income	120,000	1,938,380
General fund	\$0	(\$844,071)
FTE	0.00	(4.00)

<sup>1</sup> Funding is adjusted for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in health insurance premiums from \$1,130 to \$1,249 per month.

<sup>3</sup> Funding is added for salaries reduced due to 2015-17 budget reductions.

<sup>4</sup> The following FTE positions and related funding are removed:

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Administrative assistant I	(1.00)	(\$109,268)	\$0	(\$109,268)
Public information specialist I	(1.00)	(123,023)	(52,724)	(175,747)
Senior agriculture program inspector	(1.00)	(217,332)	0	(217,332)
Agriculture marketing specialist I	(1.00)	(150,681)	0	(150,681)
Total	(4.00)	(\$600,304)	(\$52,724)	(\$653,028)

<sup>5</sup> Base level funding is adjusted as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Increases federal funding for the food and drug residue program	\$0	\$229,500	\$229,500
Adjusts funding for information technology operating expenses	(296,836)	67,225	(229,611)
Adjusts funding for other operating expenses	10,525	(141,094)	(130,569)
Reduces funding for energy development oil mediation expenses	(50,000)	0	(50,000)
Removes funding for computer scanner	0	(8,000)	(8,000)

Adds funding for copier	8,000	5,000	13,000
Adjusts funding for grants, including an increase in specialty crop block grants of \$156,500	0	<u>125,000</u>	<u>125,000</u>
Total	(\$328,311)	\$277,631	(\$50,680)

<sup>6</sup> Funding is adjusted for the waterbank program. Section 8 identifies \$50,000 from the general fund in the salaries and wages line item for matching funds for the North Dakota outdoor heritage fund grant provided for the waterbank program.

<sup>7</sup> Funding is reduced by \$200,000 for the pipeline restoration and reclamation program to provide a total appropriation of \$200,000 from the abandoned oil and gas well plugging and site reclamation fund.

<sup>8</sup> Funding is reduced by \$125,000 for the State Water Commission transfer to the Agriculture Commissioner for wildlife services to provide a total transfer of \$125,000.

<sup>9</sup> Funding is adjusted for the Game and Fish Department transfer to the Agriculture Commissioner for wildlife services to provide a total transfer of \$614,430.

<sup>10</sup> Funding is added for bee programs. Sections 11 and 12 amend North Dakota Century Code Sections 4.1-16-06 and 4.1-16-07 to require beekeeper fees and colony assessment fees collected to be deposited in the Agriculture Commissioner operating fund.

<sup>11</sup> Funding is added for the industrial hemp program for salaries and operating expenses from the Agriculture Commissioner operating fund.

<sup>12</sup> One-time funding is added for environmental law impact review from the federal environmental law impact review fund.

<sup>13</sup> One-time funding is added for the National Agricultural Genotyping Center from the environment and rangeland protection fund.

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This amendment also:

- Adds Section 2 detailing the amount of funding provided to the agency for employee health insurance premium increases.
- Adjusts Section 5 to provide the estimated income line in Section 1 includes \$6,446,503 from the environment and rangeland protection fund for agriculture programs during the 2017-19 biennium.
- Adjusts Section 6 to increase the transfer from the Game and Fish Department operating fund by \$114,845 to a total of \$614,430 for agriculture programs during the 2017-19 biennium.
- Adjusts Section 7 to decrease the transfer from the State Water Commission by \$125,000 to a total of \$125,000 for the wildlife services program.
- Adds Section 8 to provide the salaries and wages line item in Section 1 includes \$50,000 from the general fund for matching funds for the North Dakota outdoor heritage fund grant provided by the waterbank program.
- Adds Section 9 to require the Office of Management and Budget to transfer \$1 million from the strategic investment and improvements fund to the federal environmental law impact review fund for operating expenses.
- Adds Section 10 to provide the estimated income line item in Section 1 includes \$200,000 from the abandoned oil and gas well plugging and site reclamation fund for the pipeline restoration and reclamation oversight program.
- Adds Sections 11 and 12 to amend Sections 4.1-16-06 and 4.1-16-07 to require fees collected on beekeeper's licenses and bee colony assessments be deposited in the Agriculture Commissioner operating fund. These changes will result in a decrease in 2017-19 estimated general fund revenues of \$180,000.

#### REPORT OF STANDING COMMITTEE

HB 1011: Appropriations Committee (Rep. Delzer, Chairman) recommends

**AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). HB 1011 was placed on the Sixth order on the calendar.

Page 1, replace lines 11 through 15 with:

"Salaries and wages	\$1,801,279	\$49,254	\$1,850,533
Operating expenses	<u>459,502</u>	<u>46,545</u>	<u>506,047</u>
Total all funds	\$2,260,781	\$95,799	\$2,356,580
Less estimated income	<u>170,000</u>	<u>0</u>	<u>170,000</u>
Total general fund	\$2,090,781	\$95,799	\$2,186,580"

Page 1, after line 16, insert:

**"SECTION 2. HEALTH INSURANCE INCREASE.** The salaries and wages line item in section 1 of this Act includes the sum of \$25,758 from the general fund for increases in employee health insurance premiums from \$1,130 to \$1,249 per month."

Re-number accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1011 - Securities Department - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$1,801,279	\$49,254	\$1,850,533
Operating expenses	<u>459,502</u>	<u>46,545</u>	<u>506,047</u>
Total all funds	\$2,260,781	\$95,799	\$2,356,580
Less estimated income	<u>170,000</u>	<u>0</u>	<u>170,000</u>
General fund	\$2,090,781	\$95,799	\$2,186,580
FTE	9.00	0.00	9.00

#### Department No. 414 - Securities Department - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Health Insurance Increase <sup>2</sup>	Restores Funding for Operating Expenses <sup>3</sup>	Total House Changes
Salaries and wages	\$23,496	\$25,758		\$49,254
Operating expenses			46,545	46,545
Total all funds	\$23,496	\$25,758	\$46,545	\$95,799
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General fund	\$23,496	\$25,758	\$46,545	\$95,799
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in health insurance premiums from \$1,130 to \$1,249 per month.

<sup>3</sup> Funding is added for operating expenses to restore \$46,545 of the \$146,545 in funding reduced during the 2015-17 biennium as a result of general fund budget reductions.

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

**REPORT OF STANDING COMMITTEE**

**HB 1016: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). HB 1016 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 2, after "transfer" insert "; and to provide exemptions"

Page 1, remove lines 14 through 24

Page 2, replace lines 1 and 2 with:

"Salaries and wages	\$6,640,086	\$33,075	\$6,673,161
Operating expenses	3,685,547	(192,613)	3,492,934
Capital assets	249,046	32,975,000	33,224,046
Grants	509,514	(190,961)	318,553
Civil air patrol	311,773	(11,986)	299,787
Tuition, recruiting, and retention	2,517,500	100,000	2,617,500
Air guard contract	8,054,554	35,249	8,089,803
Army guard contract	59,870,605	(2,167,524)	57,703,081
Veterans' cemetery	811,486	70,835	882,321
Reintegration program	<u>1,903,743</u>	<u>(641,115)</u>	<u>1,262,628</u>
Total all funds	\$84,553,854	\$30,009,960	\$114,563,814
Less estimated income	<u>66,864,852</u>	<u>31,330,595</u>	<u>98,195,447</u>
Total general fund	\$17,689,002	(\$1,320,635)	\$16,368,367"

Page 2, replace lines 7 through 14 with:

"Salaries and wages	\$12,441,232	\$24,695	\$12,465,927
Operating expenses	8,905,310	(1,616,859)	7,288,451
Capital assets	740,000	(171,000)	569,000
Grants	18,673,247	(1,784,088)	16,889,159
Disaster costs	<u>108,165,484</u>	<u>(56,718,692)</u>	<u>51,446,792</u>
Total all funds	\$148,925,273	(\$60,265,944)	\$88,659,329
Less estimated income	<u>137,518,175</u>	<u>(58,217,448)</u>	<u>79,300,727</u>
Total general fund	\$11,407,098	(\$2,048,498)	\$9,358,602"

Page 2, replace lines 19 through 22 with:

"Grand total general fund	\$29,096,100	(\$3,369,131)	\$25,726,969
Grand total special funds	<u>204,383,027</u>	<u>(26,886,853)</u>	<u>177,496,174</u>
Grand total all funds	\$233,479,127	(\$30,255,984)	\$203,223,143
Full-time equivalent positions	234.00	(0.00)	234.00

**SECTION 2. HEALTH INSURANCE INCREASE.** The appropriation in section 1 of this Act includes the sum of \$638,219, of which \$253,000 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,249 per month."

Page 3, replace lines 6 through 9 with:

"Flood mitigation	2,000,000	0
National guard readiness center	0	33,000,000
Emergency response equipment	0	569,000
Mobile repeaters and programming radios	0	<u>300,000</u>
Total all funds	\$5,614,172	\$33,869,000
Total other funds	<u>3,769,500</u>	<u>33,869,000</u>
Total general fund	\$1,844,672	\$0"

Page 3, after line 22, insert:

**"SECTION 6. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line item in subdivision 2 of section

1 of this Act includes \$300,000 of one-time funding from the strategic investment and improvements fund for mobile repeaters and programming radios.

**SECTION 7. EXEMPTION.** Any amounts carried over in the radio communications line item for the state radio tower package, in section 11 of chapter 50 of the 2015 Session Laws are not subject to section 54-44.1-11 and any unexpended funds are available for completing these projects during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 8. EXEMPTION.** The amount appropriated in the tuition, recruiting, and retention line item in subdivision 1 of section 1 of chapter 50 of the 2015 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used to provide tuition assistance, recruiting, and retention incentives to eligible members of the North Dakota national guard during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 9. EXEMPTION.** The amount appropriated in the tuition, recruiting, and retention line item in section 15 of chapter 50 of the 2015 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used to provide tuition assistance to eligible members of the North Dakota national guard, during the biennium beginning July 1, 2017, and ending June 30, 2019, contingent upon the adjutant general certifying to the office of management and budget that the national guard has received a new assignment in association with the Grand Forks air force base.

**SECTION 10. EXEMPTION.** Any amounts carried over pursuant to section 16 of chapter 50 of the 2015 Session Laws which are unexpended as of June 30, 2017, are not subject to section 54-44.1-11 and are available for payment of adjusted compensation to veterans. Any unexpended funds from this appropriation must be transferred to the veterans' cemetery trust fund during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 11. EXEMPTION.** The amount appropriated in the grants line item in subdivision 1 of section 1 of chapter 50 of the 2015 Session Laws for payment of adjusted compensation to veterans is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for payment of adjusted compensation to veterans. Any unexpended funds from this appropriation must be transferred to the veterans' cemetery trust fund during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 12. EXEMPTION.** Any amounts carried over in the radio communications line item for the state radio tower package pursuant to section 17 of chapter 50 of the 2015 Session Laws are not subject to section 54-44.1-11. Any unexpended funds are available for completing these projects during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 13. EXEMPTION.** Any amounts carried over in the disaster costs line for grants to political subdivisions for amounts required to match federal dollars on road grade raising projects and federal emergency relief funding pursuant to section 18 of chapter 50 of the 2015 Session Laws which are unexpended as of June 30, 2017, are not subject to section 54-44.1-11. Any unexpended funds from this appropriation are available for these purposes during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 14. EXEMPTION.** The amounts appropriated for radio tower redundancy and next generation 911 in the radio communications line item in subdivision 2 of section 1 of chapter 50 of the 2015 Session Laws which are unexpended as of June 30, 2017, are not subject to section 54-44.1-11. Any unexpended funds are available for completing these projects during the biennium beginning July 1, 2017, and ending June 30, 2019."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**



**House Bill No. 1016 - Summary of House Action**

	Base Budget	House Changes	House Version
Adjutant General			
Total all funds	\$84,553,854	\$30,009,960	\$114,563,814
Less estimated income	66,864,852	31,330,595	98,195,447
General fund	\$17,689,002	(\$1,320,635)	\$16,368,367
Department of Emergency Services			
Total all funds	\$148,925,273	(\$60,265,944)	\$88,659,329
Less estimated income	137,518,175	(58,217,448)	79,300,727
General fund	\$11,407,098	(\$2,048,496)	\$9,358,602
Bill total			
Total all funds	\$233,479,127	(\$30,255,984)	\$203,223,143
Less estimated income	204,383,027	(26,886,853)	177,496,174
General fund	\$29,096,100	(\$3,369,131)	\$25,726,969

**House Bill No. 1016 - Adjutant General - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$6,640,086	\$33,075	\$6,673,161
Operating expenses	3,685,547	(192,613)	3,492,934
Capital assets	249,046	32,975,000	33,224,046
Grants	509,514	(190,961)	318,553
Civil air patrol	311,773	(11,986)	299,787
Tuition, recruiting, and retention	2,517,500	100,000	2,617,500
Air guard contract	8,054,554	35,249	8,089,803
Army guard contract	59,870,605	(2,167,524)	57,703,081
Veterans' Cemetery	811,486	70,835	882,321
Reintegration program	1,903,743	(641,115)	1,262,628
Total all funds	\$84,553,854	\$30,009,960	\$114,563,814
Less estimated income	66,864,852	31,330,595	98,195,447
General fund	\$17,689,002	(\$1,320,635)	\$16,368,367
FTE	155.00	0.00	155.00

**Department No. 540 - Adjutant General - Detail of House Changes**

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Health Insurance Increases <sup>2</sup>	Adjusts Funding for Salaries and Wages <sup>3</sup>	Reduces Funding for Operating Expenses <sup>4</sup>	Increases Funding for Recruitment <sup>5</sup>	Adjusts Funding for Veterans' Cemetery <sup>6</sup>
Salaries and wages	\$20,797	\$91,584	(\$79,306)			
Operating expenses				(192,613)		
Capital assets						
Grants						
Civil air patrol	8,152	2,862		(23,000)		
Tuition, recruiting, and retention					100,000	
Air guard contract	64,390	85,859		(115,000)		
Army guard contract	181,099	208,927	72,644	(330,000)		
Veterans' Cemetery	56,525	14,310				
Reintegration program	57,788	17,172		(716,075)		
Total all funds	\$388,751	\$420,714	(\$6,662)	(\$1,376,688)	\$100,000	\$0
Less estimated income	293,717	287,072	0	0	0	50,000
General fund	\$95,034	\$133,642	(\$6,662)	(\$1,376,688)	\$100,000	(\$50,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Reduces Grant Funding for Armories <sup>7</sup>	Reduces Funding for Capital Assets <sup>8</sup>	Adds One-Time Funding for National Guard Readiness Center Project <sup>9</sup>	Total House Changes
Salaries and wages				\$33,075
Operating expenses				(192,613)
Capital assets		(25,000)	33,000,000	32,975,000
Grants	(190,961)			(190,961)
Civil air patrol				(11,986)
Tuition, recruiting, and retention				100,000
Air guard contract				35,249
Army guard contract		(2,300,194)		(2,167,524)
Veterans' Cemetery				70,835
Reintegration program				(641,115)

Total all funds	(\$190,961)	(\$2,325,194)	\$33,000,000	\$30,009,960
Less estimated income	0	(2,300,194)	33,000,000	31,330,595
General fund	(\$190,961)	(\$25,000)	\$0	(\$1,320,635)
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in health insurance premiums from \$1,130 to \$1,249 per month.

<sup>3</sup> Funding from the general fund is reduced by \$140,000 for temporary custodial maintenance staff. Funding of \$60,694 removed to meet August 2016 special legislative session budget reductions is restored for an administrative staff officer temporary position. Funding of \$72,644 removed to meet August 2016 special legislative session budget reductions is restored for a human resources technician position.

<sup>4</sup> Funding is reduced from the general fund for operating expenses, including travel, maintenance, and repairs.

<sup>5</sup> Funding from the general fund is increased for National Guard recruitment to provide a total of \$2,617,500.

<sup>6</sup> Funding for the Veterans' Cemetery is adjusted to reduce funding from the general fund by \$50,000 and increase funding from special funds by \$50,000.

<sup>7</sup> Grant funding from the general fund for armories is reduced by \$190,961 to provide a total of \$318,553.

<sup>8</sup> Capital funding is reduced for equipment, land and buildings, and motor vehicles.

<sup>9</sup> One-time funding from other funds, including \$32 million from federal funds and \$1 million from the National Guard military grounds fund, is added for the National Guard readiness center project.

### House Bill No. 1016 - Department of Emergency Services - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$12,441,232	\$24,695	\$12,465,927
Operating expenses	8,905,310	(1,616,859)	7,288,451
Capital assets	740,000	(171,000)	569,000
Grants	18,673,247	(1,784,088)	16,889,159
Disaster costs	108,165,484	(56,718,692)	51,446,792
Total all funds	\$148,925,273	(\$60,265,944)	\$88,659,329
Less estimated income	137,518,175	(58,217,448)	79,300,727
General fund	\$11,407,098	(\$2,048,496)	\$9,358,602
FTE	79.00	0.00	79.00

### Department No. 542 - Department of Emergency Services - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Health Insurance Increases <sup>2</sup>	Reduces Funding for Salaries and Wages <sup>3</sup>	Reduces Funding for Operating Expenses <sup>4</sup>	Adjusts Funding for State Radio <sup>5</sup>	Reduces Funding for Grants <sup>6</sup>
Salaries and wages	\$20,310	\$204,385	(\$200,000)			
Operating expenses				(1,916,859)		
Capital assets						
Grants						(1,784,088)
Disaster costs	(656,812)	13,120				(56,000,000)
Total all funds	(\$636,502)	\$217,505	(\$200,000)	(\$1,916,859)	\$0	(\$57,784,088)
Less estimated income	(685,507)	98,147	0	0	100,000	(57,784,088)
	\$49,005	\$119,358	(\$200,000)	(\$1,916,859)	(\$100,000)	\$0

General fund						
FTE	0.00	0.00	0.00	0.00	0.00	0.00
	Reduces Funding for Capital Assets <sup>7</sup>	Adds One-Time Funding for Emergency Response Equipment <sup>8</sup>	Adds One-Time Funding for Emergency Medical Services <sup>9</sup>	Total House Changes		
Salaries and wages				\$24,695		
Operating expenses			300,000	(1,616,859)		
Capital assets	(740,000)	569,000		(171,000)		
Grants				(1,784,088)		
Disaster costs	(75,000)			(56,718,692)		
Total all funds	(\$815,000)	\$569,000	\$300,000	(\$60,265,944)		
Less estimated income	(815,000)	569,000	300,000	(58,217,448)		
General fund	\$0	\$0	\$0	(\$2,048,496)		
FTE	0.00	0.00	0.00	0.00		

<sup>1</sup> Funding is adjusted for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in health insurance premiums from \$1,130 to \$1,249 per month.

<sup>3</sup> Funding is reduced by \$200,000 from the general fund for Department of Emergency Services salaries and wages.

<sup>4</sup> Funding is reduced from the general fund for operating expenses as follows:

General Fund Reductions	
Miscellaneous operating expenses	(\$1,153,908)
Mortuary response training	(191,900)
Additional reduction, including IT equipment and other equipment	(218,051)
Base map maintenance	(100,000)
WebEOC resource manager	(7,200)
Electronic communications contract	(115,000)
Software upgrades	(118,800)
CAD training	(12,000)
Total	(\$1,916,859)

<sup>5</sup> Funding for state radio is adjusted to reduce funding from the general fund by \$100,000 and increase funding from the radio communications fund by \$100,000.

<sup>6</sup> Funding is reduced from federal and special funds relating primarily to emergency management, hazard mitigation, and public assistance grants.

<sup>7</sup> Funding is reduced for capital assets, including equipment and information technology equipment and software.

<sup>8</sup> One-time funding from federal funds is added for emergency response equipment.

<sup>9</sup> One-time funding from the strategic investment and improvements fund is added for mobile repeaters and programming radios for emergency medical services.

This amendment also:

- Adds a new section to identify the amount of funding included in the bill for the increase in employee health insurance premiums.
- Adds a new section to designate \$300,000 of one-time funding from the strategic investment and improvements fund for mobile repeaters and programming radios for emergency medical services.
- Adds a new section to allow funds appropriated for the 2015-17 biennium for radio tower redundancy and next generation 911 to be continued and expended during the

2017-19 biennium.

**REPORT OF STANDING COMMITTEE**

**HB 1019: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1019 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first semicolon insert "to amend and reenact sections 55-08-06 and 55-08-07.1 of the North Dakota Century Code, relating to permits for motor vehicles and the parks and recreation concession revolving fund;"

Page 1, line 2, replace "and" with "to authorize the transfer of Dakota institute inventory;"

Page 1, line 3, after "exemptions" insert "; and to declare an emergency"

Page 1, replace lines 16 through 22 with:

"Administration	\$3,043,722	\$625,761	\$3,669,483
Park operations and maintenance	19,877,931	698,124	20,576,055
Recreation	<u>6,407,120</u>	<u>632,865</u>	<u>7,039,985</u>
Total all funds	\$29,328,773	\$1,956,750	\$31,285,523
Less estimated income	<u>14,517,835</u>	<u>3,871,808</u>	<u>18,389,643</u>
Total general fund	\$14,810,938	(\$1,915,058)	\$12,895,880
Full-time equivalent positions	66.00	(3.50)	62.50"

Page 2, replace lines 3 and 4 with:

"International peace garden	<u>\$973,699</u>	<u>(\$97,370)</u>	<u>\$876,329</u>
Total general fund	\$973,699	(\$97,370)	\$876,329"

Page 2, replace lines 9 through 12 with:

"Lewis and Clark interpretive center	<u>\$918,279</u>	<u>\$332,839</u>	<u>\$1,251,118</u>
Total all funds	\$918,279	\$332,839	\$1,251,118
Less estimated income	<u>0</u>	<u>362,450</u>	<u>362,450</u>
Total general fund	\$918,279	(\$29,611)	\$888,668"

Page 2, replace lines 17 through 19 with:

"Grand total general fund	\$16,702,916	(\$2,042,039)	\$14,660,877
Grand total special funds	<u>14,517,835</u>	<u>4,234,258</u>	<u>18,752,093</u>
Grand total all funds	\$31,220,751	\$2,192,219	\$33,412,970

Funding is adjusted for operating expenses, including inflationary increases at state parks for water, garbage, fuel, electricity, propane, insurance, and for operating costs related to adding new buildings and campground loops at various state parks. In addition, funding of \$100,000 from other funds from the Department of Transportation is added for expenses at the Lewis and Clark interpretive center.

**SECTION 2. HEALTH INSURANCE INCREASE.** The appropriation in section 1 of this Act includes the sum of \$188,889, of which \$7,085 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,249 per month.

Page 3, after line 11, insert:

**"SECTION 5. ESTIMATED INCOME - WATER COMMISSION GRANT.** The estimated income line item in section 1 of this Act includes \$1,000,000 of grant funding from the state water commission authorized by the sixty-fourth legislative assembly for the purpose of developing recreation opportunities on sovereign lands in the state.

**SECTION 6. ESTIMATED INCOME - DEPARTMENT OF TRANSPORTATION GRANT.** The estimated income line item includes \$100,000 of

grant funding from the Department of Transportation for the purpose of defraying expenses for the Lewis and Clark interpretive center."

Page 3, after line 26, insert:

**"SECTION 9. EXEMPTION.** Any unexpended funds in the Lewis and Clark interpretive center line item in section 34 of chapter 49 of the 2015 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation may be expended during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 10. EXEMPTION.** Any unexpended funds from the outdoor heritage grant are not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation may be expended during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 11. EXEMPTION.** Up to \$116,000 of Pembina gorge area funding from the general fund included in the natural resources line item contained in section 1 of chapter 53 of the 2015 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation may be expended during the biennium beginning July 1, 2017, and ending June 30, 2019, for renting property in the Pembina gorge area for the purpose of providing office space for employees or individuals responsible for monitoring or patrolling the trail systems in the area, developing a plan for continued monitoring and patrolling of the trail systems, and to determine the feasibility of establishing an interpretive center.

**SECTION 12. AMENDMENT.** Section 55-08-06 of the North Dakota Century Code is amended and reenacted as follows:

**55-08-06. Permits for motor vehicles.**

Unless authorized by the director, a motor vehicle may not enter or be permitted to enter any state park, state recreational area, or reserve unless the operator of the motor vehicle displays upon request a permit issued as provided in this chapter. Permits must be of a size, form, and character as the director prescribes, and the director shall procure permits for each calendar year which by appropriate language must grant permission to use any state park, state recreational area, or reserve. Permits for each calendar year must be provided and placed on sale on or before November first next preceding and used on or at any time after that date until May first of the year following the calendar year for which issued. Permits in each category must be numbered consecutively for each year of issue. Except for senior citizen discounts, a fee of ~~twenty-five~~thirty-five dollars must be charged for each permit issued, except that permits of appropriate special design may be sold individually at a maximum of ~~five~~seven dollars per permit covering the use of state parks, state recreational areas, or reserves under such conditions as the director may prescribe for a designated period of not more than three days. The director may authorize a discount on the sale of annual permits to any resident of North Dakota who is sixty-five years of age or older and who applies for a discount. The fees collected must be deposited in the state park operating fund in the state treasury, unless authorized by the director as follows:

1. The director may allow other agencies or organizations that have leased state parks, state recreational areas, reserves, or facilities to retain entrance and special permit fees collected by the lessee.
2. The director may exempt all or any part of any state park, state recreational area, or reserve from the requirement of the motor vehicle permit and fee, for any activity or period, when in the director's judgment it is desirable to do so; provided, however, that no further exceptions may be made after state park revenue bonds are issued and while the bonds are outstanding.

**SECTION 13. AMENDMENT.** Section 55-08-07.1 of the North Dakota Century Code is amended and reenacted as follows:

**55-08-07.1. State parks and recreation concession revolving fund.**

The director shall maintain a state parks and recreation concession revolving fund to be used for the following:

1. Procurement and maintenance of an inventory of food, nonintoxicating beverages, and other merchandise and supplies of a suitable nature for the operation of concession stands, including payment of costs and travel expenses necessarily incurred to obtain or sell such items.
2. Repair, replacement, construction, and maintenance of concession buildings, facilities, and properties contained therein.

~~The sum of fifty thousand dollars is hereby established in the state parks and recreation concession revolving fund for the purpose provided in this section as a limit on the fund balance after accrued liabilities on June thirtieth of each year. Any surplus in this fund in excess of fifty thousand dollars on June thirtieth of each year must be transferred to the state park operating fund.~~

**SECTION 14. NORTHERN PLAINS NATIONAL HERITAGE AREA GRANTS.** The parks and recreation department may apply for northern plains heritage grants during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 15. TRANSFER OF DAKOTA INSTITUTE INVENTORY.** The parks and recreation department shall transfer the name Dakota institute and all rights, title, interests, and copyrights and up to eighty percent of any remaining inventory of any Dakota institute publication, book, or other document or production, regardless of format to Bismarck state college. Bismarck state college may transfer any rights, title, interests, copyrights, inventory of any of the Dakota institute's publications, books, or other documents or productions, regardless of format, to the author or producer of the document or production.

**SECTION 16. EMERGENCY.** The sum of \$1,000,000 for developing recreation opportunities on sovereign lands in the state appropriated in the administration line item in section 1 of this Act is declared to be an emergency measure."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****House Bill No. 1019 - Parks and Recreation Department - House Action**

	Base Budget	House Changes	House Version
Administration	\$3,043,722	\$625,761	\$3,669,483
Park operations and maintenance	19,877,931	698,124	20,576,055
Recreation	6,407,120	632,865	7,039,985
International Peace Garden	973,699	(97,370)	876,329
Lewis and Clark Interpretive Center	918,279	332,839	1,251,118
Total all funds	\$31,220,751	\$2,192,219	\$33,412,970
Less estimated income	14,517,835	4,234,258	18,752,093
General fund	\$16,702,916	(\$2,042,039)	\$14,660,877
FTE	66.00	(3.50)	62.50

**Department No. 750 - Parks and Recreation Department - Detail of House Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Health Insurance Increases <sup>2</sup>	Underfunds Salaries and Wages <sup>3</sup>	Removes FTE Positions <sup>4</sup>	Adjusts Funding for Operating Expenses <sup>5</sup>	Adjusts Base Level Funding <sup>6</sup>
Administration	(\$386,351)	\$20,035	(\$22,243)		(\$57,000)	\$71,320
Park operations and maintenance	(138,698)	145,962	(193,375)	(350,625)	1,245,400	(760,540)
Recreation	(2,654)	11,446	(9,237)		265,440	367,870

International Peace Garden Lewis and Clark Interpretive Center	221,884	11,446	(15,104)	(58,437)	(97,370) (1,950)	175,000
Total all funds	(\$305,819)	\$188,889	(\$239,959)	(\$409,062)	\$1,354,520	(\$146,350)
Less estimated income	(18,093)	7,085	0	0	1,569,840	925,426
General fund	(\$287,726)	\$181,804	(\$239,959)	(\$409,062)	(\$215,320)	(\$1,071,776)
FTE	0.00	0.00	0.00	(3.50)	0.00	0.00

	Adds Funding for Grant from State Water Commission <sup>7</sup>	Adds Funding from Park Entrance Fee Increases <sup>8</sup>	Total House Changes
Administration	\$1,000,000		\$625,761
Park operations and maintenance		750,000	698,124
Recreation			632,865
International Peace Garden			(97,370)
Lewis and Clark Interpretive Center			332,839
Total all funds	\$1,000,000	\$750,000	\$2,192,219
Less estimated income	1,000,000	750,000	4,234,258
General fund	\$0	\$0	(\$2,042,039)
FTE	0.00	0.00	(3.50)

<sup>1</sup> Funding is adjusted for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in employee health insurance premiums from \$1,130 to \$1,249 per month.

<sup>3</sup> General fund salaries and wages are underfunded.

<sup>4</sup> Removes 3.50 FTE positions and related funding.

<sup>5</sup> Funding is adjusted for operating expenses, including inflationary increases at state parks for water, garbage, fuel, electricity, propane, insurance, and for operating costs related to adding new buildings and campground loops at various state parks. In addition, funding of \$100,000 from other funds from the Department of Transportation is added for expenses at the Lewis and Clark Interpretive enter.

<sup>6</sup> Base level funding is adjusted as follows:

	General Fund	Other Funds	Total
Reduction of seasonal salaries and benefits	(\$586,406)		(\$586,406)
Adjustment of gift fund authority		230,930	230,930
Adjustment for health insurance requirements for temporary staff	15,338	10,375	25,713
Adjustment for bond payment	52		52
Adjustment for extraordinary repairs	(150,760)	(55,879)	(206,639)
Adjustment for equipment	(350,000)	740,000	390,000
Total	(\$1,071,776)	\$925,426	(\$146,350)

<sup>7</sup> Funding is added to authorize the expenditure, beginning with the effective date of the Act, a grant provided by the State Water Commission during the 2015-17 biennium for developing recreation opportunities on sovereign lands in the state.

<sup>8</sup> Funding from park income is added due to increasing the annual park entrance fee from \$25 to \$35 and the daily park entrance fee from \$5 to \$7.

This amendment also adds Sections to:

1. Identify the funding increases for the health insurance premium increase.
2. Identify \$1,000,000 of funding in Section 1 as funding from a grant from the State Water Commission.
3. Identify \$100,000 of funding in Section 1 of the bill as a grant from the Department of Transportation for the Lewis and Clark Interpretive Center.
4. Exempt \$500,000 of community grants funding from the general fund in the recreation line item included in Section 34 of

- Chapter 49 of the 2015 Session Laws, from provisions of North Dakota Century Code Section 54-44.1-11, relating to cancellation of unexpended funds.
5. Exempt any funds included in the International Peace Garden line item for repair of the Peace Tower in Section 30 of Chapter 15 of the 2013 Session Laws, from provisions of Section 54-44.1-11, relating to cancellation of unexpended funds.
  6. Allow the Parks and Recreation Department to apply for the Northern Plains National Heritage Area grant.
  
  7. Exempt any funds included in the Lewis and Clark Interpretive Center line item included in Section 34 of Chapter 49 of the 2015 Session Laws, from provisions of Section 54-44.1-11, relating to cancellation of unexpended funds.
  8. Exempt \$116,000 of Pembina Gorge area project funding from the general fund in the natural resources line item in Section 10 of Chapter 53 of the 2015 Session Laws from provisions of Section 54-44.1-11, relating to cancellation of unexpended funds.
  9. Exempt any funds received from the outdoor heritage grant from provisions of Section 54-44.1-11, relating to cancellation of unexpended funds.
  
  10. Amend Section 55-08-06 relating to permits for motor vehicles to change the annual park entrance fee from \$25 to \$35 and the daily park entrance fee from \$5 to \$7. These changes are estimated to generate an additional \$750,000 of park income for the 2017-19 biennium.
  11. Amend Section 55-08-07.1 relating to the state parks and recreation concession revolving fund to remove the requirement that any surplus in excess of \$50,000 must be transferred to the state park operating fund.
  12. Provide for transferring the name Dakota Institute and the rights, title, interests, copyrights of Dakota Institute publications, books, or other documents or productions to Bismarck State College.
  13. A section to declare the \$1 million of grant funding from the State Water Commission an emergency measure.

**REPORT OF STANDING COMMITTEE**

**HB 1021: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1021 was placed on the Sixth order on the calendar.

Page 1, replace lines 10 through 13 with:

"Workforce safety and insurance operations	<u>\$61,865,170</u>	<u>\$10,597,707</u>	<u>\$72,462,877</u>
Total special funds	\$61,865,170	\$10,597,707	\$72,462,877
Full-time equivalent positions	260.14	0.00	260.14

**SECTION 2.** The appropriation in Section 1 of this Act includes the sum of \$775,925 for increases in employee health insurance premiums from \$1,130 to \$1,249 per month."

Page 1, line 14, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY**"

Page 1, line 15, replace "as adjusted for the 2015-17 biennium" with "for the 2015-17 biennium and the 2017-19 one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace lines 17 through 19 with:

"Computer software replacement project	\$6,000,000	\$8,120,097
Litigation costs	1,000,000	0
Extranet enhancement	0	538,500
Internal reporting system	<u>0</u>	<u>275,000</u>
Total other funds	\$7,000,000	\$8,933,597

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

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1021 - Workforce Safety and Insurance - House Action**

	Base Budget	House Changes	House Version
WSI operations	\$61,865,170	\$10,597,707	\$72,462,877
	\$61,865,170	\$10,597,707	\$72,462,877



Total all funds			
Less estimated income	61,865,170	10,597,707	72,462,877
General fund	\$0	\$0	\$0
FTE	260.14	0.00	260.14

**Department No. 485 - Workforce Safety and Insurance - Detail of House Changes**

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Health Insurance Increases <sup>2</sup>	Reduces Funding for Salaries <sup>3</sup>	Adjusts Base Level Funding <sup>4</sup>	Adds One-Time Funding <sup>5</sup>	Total House Changes
WSI operations	\$1,368,799	\$775,925	(\$480,534)	(\$80)	\$8,933,597	\$10,597,707
Total all funds	\$1,368,799	\$775,925	(\$480,534)	(\$80)	\$8,933,597	\$10,597,707
Less estimated income	1,368,799	775,925	(480,534)	(80)	8,933,597	10,597,707
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in health insurance premiums from \$1,130 to \$1,249 per month.

<sup>3</sup> Funding for salaries and wages is reduced by \$480,534, including a \$122,592 reduction relating to salary equity funding and a \$357,942 reduction relating to temporary salaries.

<sup>4</sup> Base level funding is adjusted as follows:

	<u>Other Funds</u>
Increases funding for operating expenses, including professional service fees and information technology data processing	\$1,199,920
Removes funding for credit card fees	(1,200,000)
Total	(\$80)

<sup>5</sup> Funding is added for the following one-time projects:

	<u>Other Funds</u>
Claims and policy system	\$8,120,097
Extranet enhancement	538,500
Internal reporting system	275,000
Total	\$8,933,597

This amendment also adds a section detailing the amount of funding provided to the agency for employee health insurance premium increases.

**REPORT OF STANDING COMMITTEE**

**HB 1022: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING). HB 1022 was placed on the Sixth order on the calendar.

"Salaries and wages	\$4,340,551	\$88,959	\$4,429,510
Operating expenses	990,874	(200,847)	790,027
Contingencies	<u>82,000</u>	<u>(30,000)</u>	<u>52,000</u>
Total special funds	\$5,413,425	(\$141,888)	\$5,271,537"

Page 1, after line 14, insert:

**"SECTION 2. HEALTH INSURANCE INCREASE.** The salaries and wages line item in Section 1 of this Act includes the sum of \$54,376 from special funds for increases in employee health insurance premiums from \$1,130 to \$1,249 per month."

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1022 - Retirement and Investment Office - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$4,340,551	\$88,959	\$4,429,510
Operating expenses	990,874	(200,847)	790,027
Contingencies	<u>82,000</u>	<u>(30,000)</u>	<u>52,000</u>
Total all funds	\$5,413,425	(\$141,888)	\$5,271,537
Less estimated income	<u>5,413,425</u>	<u>(141,888)</u>	<u>5,271,537</u>
General fund	\$0	\$0	\$0
FTE	19.00	0.00	19.00

#### Department No. 190 - Retirement and Investment Office - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Health Insurance Increases <sup>2</sup>	Reduces Funding for Operating Expenses <sup>3</sup>	Reduces Funding for Contingencies <sup>4</sup>	Total House Changes
Salaries and wages	\$34,583	\$54,376			\$88,959
Operating expenses			(200,847)		(200,847)
Contingencies				(30,000)	(30,000)
Total all funds	\$34,583	\$54,376	(\$200,847)	(\$30,000)	(\$141,888)
Less estimated income	<u>34,583</u>	<u>54,376</u>	<u>(200,847)</u>	<u>(30,000)</u>	<u>(141,888)</u>
General fund	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in employee health insurance premiums from \$1,130 to \$1,249 per month.

<sup>3</sup> Funding for operating expenses, including travel and professional development, is reduced by \$200,847 to provide total operating expenses funding of \$790,027.

<sup>4</sup> Funding for contingencies is reduced by \$30,000 to provide total contingencies funding of \$52,000.

This amendment also adds a section detailing the amount of funding provided to the agency for employee health insurance premium increases.

#### REPORT OF STANDING COMMITTEE

**HB 1041, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (16 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1041**

was placed on the Sixth order on the calendar.

Page 9, line 27, overstrike ", or within"

Page 9, line 27, remove "five hundred"

Page 9, line 27, overstrike "feet"

Page 9, line 28, overstrike the opening bracket

Page 9, line 28, remove "152.4"

Page 9, line 28, overstrike "meters] of"

Page 9, line 29, overstrike "or a public career and technical education"

Page 9, line 30, overstrike "school,"

Page 9, line 30, overstrike "one"

Page 9, line 31, overstrike "ounce [28.35 grams] or less of"

Page 10, line 1, overstrike "one ounce [28.35 grams] or less of"

Page 10, line 22, overstrike ", or within"

Page 10, line 22, remove "five"

Page 10, line 23, remove "hundred"

Page 10, line 23, overstrike "feet ["

Page 10, line 23, remove "152.4"

Page 10, line 23, overstrike "meters] of,"

Page 10, line 24, overstrike the first comma and insert immediately thereafter "or a"

Page 10, line 24, overstrike ", public career"

Page 10, line 25, overstrike "and technical education school, or a public or private college or university"

Page 12, line 19, remove the overstrike over "~~Nothing in this~~"

Page 12, line 19, remove "This"

Page 12, line 19, remove the overstrike over "~~may be construed to~~"

Page 12, line 19, remove "does not"

Page 12, line 21, after "individual" insert "is providing addiction treatment or counseling and"

Page 12, line 22, overstrike "title or by"

Page 12, line 22, after "in" insert "the practice of licensed"

Page 12, line 23, remove "A licensed clinical psychologist, a doctoral candidate in psychology, a"

Page 12, remove lines 24 through 27

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1425: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO PASS** (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1425 was placed on the Eleventh order on the calendar.

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

**Buell J. Reich, Chief Clerk**