

**JOURNAL OF THE HOUSE**

**Sixty-fifth Legislative Assembly**

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**Bismarck, February 9, 2017**

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

The prayer was offered by Sam Handsche, Crisis Care Chaplaincy, Bismarck.

The roll was called and all members were present except Representatives Kreidt, Louser, and Pyle.

A quorum was declared by the Speaker.

**REPORT OF STANDING COMMITTEE**

**HB 1115: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1115 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new subsection to section 50-24.4-15 of the North Dakota Century Code, relating to actual allowable historical property costs; to"

Page 1, line 1, replace the second "and" with a comma

Page 1, line 2, after "23-16-01.1" insert ", subsection 3 of section 50-24.4-06; subsection 6 of section 50-24.4-07; section 50-24.4-10; and subsection 1 of 50-24.4-19"

Page 1, line 3, after "capacity" insert "and ratesetting for nursing homes"

Page 1, after line 20, insert:

"d. The state department of health and the department of human services grant a short-term license to allow an individual to transition from an assisted living bed to a basic care bed at the same facility: "

Page 1, line 21, overstrike "d." and insert immediately thereafter "e."

Page 2, after line 11, insert:

**"SECTION 3. AMENDMENT.** Subsection 3 of section 50-24.4-06 of the North Dakota Century Code is amended and reenacted as follows:

3. For purposes of determining rates, the department shall:
  - a. Include, contingent upon approval of the medicaid state plan by the centers for medicare and medicaid services, allowable bad debt expenses in an amount not to exceed one hundred eighty days of resident care per year or an aggregate of three hundred sixty days of resident care for any one individual; and
  - b. Include allowable bad debt expenses in the property indirect care cost category in the report year in which the bad debt is determined to be uncollectible with no likelihood of future recovery.
  - c. Notwithstanding section 50-24.4-07, include as an allowable cost any tax paid by a basic care or nursing facility due to provisions of the federal Patient Protection and Affordable Care Act [Pub. L. 111-148], as amended by the Health Care and Education Reconciliation Act of 2010 [Pub. L. 111-152].

**SECTION 4. AMENDMENT.** Subsection 6 of section 50-24.4-07 of the North Dakota Century Code is amended and reenacted as follows:

6. The facility shall report the education expense separately on the facility's cost report. The expense is allowed as a ~~passthrough~~ in the indirect care cost category and is limited only by the fifteen thousand dollar maximum per individual.

**SECTION 5. AMENDMENT.** Section 50-24.4-10 of the North Dakota Century Code is amended and reenacted as follows:

**50-24.4-10. Operating costs.**

1. The department shall establish procedures for determining per diem reimbursement for operating costs.
2. The department shall analyze and evaluate each nursing home's cost report of allowable operating costs incurred by the nursing home during the reporting year immediately preceding the rate year for which the payment rate becomes effective.
3. The department shall establish limits on actual allowable historical operating cost per diems based on cost reports of allowable operating costs taking into consideration relevant factors including resident needs, nursing hours necessary to meet resident needs, size of the nursing home, and the costs that must be incurred for the care of residents in an efficiently and economically operated nursing home. For the rate year beginning 2006, the department shall establish limits for cost categories using the June 30, 2003, cost report year as the base period. The limits may not fall below the median of the most recent cost report. Until a new base period is established, the department shall adjust the limits annually by the inflation rate for nursing home services used to develop the legislative appropriation for the department. In determining allowable historical operating cost per diems for purposes of setting limits and nursing home payment rates, the department shall divide the allowable historical operating costs by the actual number of resident days, except that when a nursing home is occupied at less than ninety percent of licensed capacity days, the department may establish procedures to adjust the computation of the indirect care cost per diem to an imputed occupancy level at or below ninety percent. To encourage the development of home and community-based services as an alternative to nursing home care, the department may waive the imputed occupancy level requirements for a nursing home that the department determines to be providing significant home and community-based services in coordination with home and community-based service providers to avoid duplicating existing services. The department shall establish efficiency incentives for indirect care costs. The department may establish efficiency incentives for different operating cost categories. The department shall consider establishing efficiency incentives in care-related cost categories.
4. Each nursing home shall receive an operating cost payment rate equal to the sum of the nursing home's operating cost payment rates for each operating cost category. The operating cost payment rate for an operating cost category must be the lesser of the nursing home's historical operating cost in the category increased by the inflation rate for nursing home services used to develop the legislative appropriation for the department for the operating cost category plus an efficiency incentive established pursuant to subsection 3 or the limit for the operating cost category increased by the same inflation rate. If a nursing home's actual historic operating costs are greater than the prospective payment rate for that rate year, there may be no retroactive cost settle-up. In establishing payment rates for one or more operating cost categories, the department may establish separate rates for different classes of residents based on their relative care needs.

5. ~~The efficiency incentives to be established by the department, pursuant to subsection 3 for a facility with an actual rate below the limit rate for,~~ shall establish an indirect care costs must include the lesser of two-dollars and sixty cents per resident day or the amount determined by multiplying seventy percent times the difference between the actual rate, exclusive of inflation rates, and the limit rate, exclusive of current inflation rates cost category incentive for a nursing home with an actual indirect care cost rate below the limit rate for indirect care costs, within the limits of legislative appropriations. The efficiency incentive must be included as a part of the indirect care cost rate, and calculated as follows:
  - a. The base year for each nursing home's indirect care limit rate is the 2016 reporting year;
  - b. Annually, the base year limit must be adjusted by the inflation rate for nursing home services used to develop the legislative appropriation for the department; and
  - c. The incentive is equal to half of the difference between the nursing home's indirect care limit rate and the nursing home's actual indirect care cost per diem that is under the nursing home's limit rate.
6. Each nursing home must receive an operating margin of at least three percent based upon the lesser of the actual ~~direct care and other direct care costs~~ and the limit rate prior to inflation. The operating margin will then be added to the rate for ~~direct care and other direct care cost categories~~category.
7. ~~A~~Except as provided in subsections 5 and 8, a new base period must be established at least every four years beginning with the cost report period June 30, 2006.
8. The department, pursuant to subsection 3, shall establish a direct care cost category incentive based on nursing salaries and benefits and contract nursing staffing costs within the direct care cost category for a nursing home with an actual rate below the limit rate for direct care costs, within the limits of legislative appropriations, and calculated as follows:
  - a. The base year for each nursing home's staffing limit rate is the 2016 reporting year;
  - b. Annually, the base year limit must be adjusted by the inflation rate for nursing home services used to develop the legislative appropriation for the department;
  - c. The incentive is equal to half of the difference between the nursing home's staffing limit rate and the nursing home's actual staffing rate that is under the nursing home's limit rate; and
  - d. The direct care operating margin will be added to the direct care cost category rate.
9. The department, pursuant to subsection 3, shall establish a direct care operating margin incentive of three and one-half percent for nursing homes that are under the direct care limit before inflation. The direct care operating margin will be added to the direct care cost category rate.

**SECTION 6.** A new subsection to section 50-24.4-15 of the North Dakota Century Code is created and enacted as follows:

For rate years beginning after December 31, 2017, the limitation on actual allowable historical property costs per diem is sixty dollars for a nursing home licensed before July 1, 2017. The limitation on actual allowable historical property costs per diem is forty dollars for a nursing home first licensed after June 30, 2017. Annually, the department shall

adjust the limits by the inflation rate for nursing home services used to develop the legislative appropriation for the department.

**SECTION 7. AMENDMENT.** Subsection 1 of section 50-24.4-19 of the North Dakota Century Code is amended and reenacted as follows:

1. Charging private-paying residents rates for similar services which exceed those rates which are approved by the department for medical assistance recipients, as determined by the prospective desk audit rate, except under the following circumstances: the nursing home may charge private-paying residents a property rate that does not exceed the actual allowable historical property costs less the property costs reimbursable under section 6 of this Act; and the nursing home may charge private-paying residents a higher rate for a private room and charge for special services which are not included in the daily rate if medical assistance residents are charged separately at the same rate for the same services in addition to the daily rate paid by the department of human services. Services covered by the payment rate must be the same regardless of payment source. Special services, if offered, must be offered to all residents and charged separately at the same rate. Residents are free to select or decline special services. Special services must not include services which must be provided by the nursing home in order to comply with licensure or certification standards and that if not provided would result in a deficiency or violation by the nursing home. Services beyond those required to comply with licensure or certification standards must not be charged separately as a special service if they were included in the payment rate for the previous reporting year. A nursing home that charges a private-paying resident a rate in violation of this chapter is subject to an action by the state or any of its subdivisions or agencies for civil damages. A private-paying resident or the resident's legal representative has a cause of action for civil damages against a nursing home that charges the resident rates in violation of this chapter. The damages awarded shall include three times the payments that result from the violation, together with costs and disbursements, including reasonable attorney's fees or their equivalent."

Renumber accordingly

#### SIXTH ORDER OF BUSINESS

**SPEAKER BELLEW DEEMED** approval of the amendments to HB 1038, HB 1040, HB 1115, HB 1226, HB 1236, HB 1259, HB 1270, HB 1275, HB 1334, HB 1366, HB 1424, and HB 1434.

HB 1038, HB 1040, HB 1115, HB 1259, and HB 1434, as amended, were rereferred to the **Appropriations Committee**.

HB 1226, HB 1236, HB 1270, HB 1275, HB 1334, HB 1366, and HB 1424, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Carlson, Hogan, Mock, Porter, Vigasaa and Sens. Heckaman, Wardner introduced: (Approved by the Delayed Bills Committee)

**HCR 3023:** A concurrent resolution declaring February 9, 2017, as "Giving Hearts Day". Was read the first time.

#### MOTION

**REP. VIGESAA MOVED** that the rules be suspended, that HCR 3023 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed on a voice vote.

Reps. Carlson, Hogan, Mock, Porter, Vigasaa and Sens. Heckaman, Wardner introduced: (Approved by the Delayed Bills Committee)

**HOUSE CONCURRENT RESOLUTION NO. 3023**

A concurrent resolution declaring February 9, 2017, as "Giving Hearts Day".

**WHEREAS**, Giving Hearts Day was started in 2008 by the Dakota Medical Foundation and Impact Foundation as the first one-day "virtual" fundraising event of its kind in the region; and

**WHEREAS**, in 2014 the Alex Stern Family Foundation joined Dakota Medical Foundation and Impact Foundation as a cohost; and

**WHEREAS**, this twenty-four hour fundraising event in North Dakota and western Minnesota is dedicated to inspiring donations for charities at givingheartsday.org; and

**WHEREAS**, the Dakota Medical Foundation, Impact Foundation, and the Alex Stern Family Foundation jointly support givingheartsday.org to create a powerful regional, user-friendly website for donors to find and connect with charities, and for nonprofits to receive donations and recruit volunteers; and

**WHEREAS**, last year, \$8.3 million was raised from 14,538 donors, directly benefiting 326 charities, and since its start, over \$30.9 million has been raised; and

**WHEREAS**, Giving Hearts Day 2017 includes over 360 nonprofit organizations and spans the entire state of North Dakota and western Minnesota; and

**WHEREAS**, up to \$50,000 in new donor incentives will be awarded by Dakota Medical Foundation to randomly selected participating charities throughout the day including two \$10,000 "boost" awards to charities announced at 6:00 p.m. and 10:00 p.m. on February 9, 2017; and

**WHEREAS**, North Dakota citizens are encouraged to support Giving Hearts Day and to invite a friend to match their commitment to make financial donations to local charities that improve quality of life across the state;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Sixty-fifth Legislative Assembly declares February 9, 2017, as "Giving Hearts Day"; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward a copy of this resolution to the Dakota Medical Foundation, the Impact Foundation, and the Alex Stern Family Foundation.

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3023:** A concurrent resolution declaring February 9, 2017, as "Giving Hearts Day".

The question being on the final adoption of the resolution, which has been read.

HCR 3023 was declared adopted on a voice vote.

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**SECOND READING OF HOUSE BILL**

**HB 1429:** A BILL for an Act to amend and reenact sections 15.1-23-06, 15.1-23-11, and 15.1-23-13 of the North Dakota Century Code, relating to home education standards; and to repeal sections 15.1-23-12, 15.1-23-14, and 15.1-23-15 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 28 YEAS, 63 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Becker, Rick C.; Boehning; Brabandt; Devlin; Ertelt; Johnston; Kading; Karls; Kasper; Koppelman, B.; Koppelman, K.; Laning; Lefor; Magrum; McWilliams; Meier; Nelson, M.; Olson; Rohr; Ruby, M.; Satrom; Schatz; Simons; Skroch; Steiner; Toman; Trottier; Weisz

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Keiser; Kempenich; Kiefert; Klemin; Longmuir; Maragos; Marschall; Martinson; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Roers Jones; Ruby, D.; Sanford; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Streyle; Sukut; Vetter; Vigasaa; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Louser; Pyle

HB 1429 failed.

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### SECOND READING OF HOUSE BILL

**HB 1341:** A BILL for an Act to amend and reenact subsections 3 and 7 of section 19-03.1-23 and subsection 1 of section 19-03.1-23.1 of the North Dakota Century Code, relating to the elimination of enhanced penalties for manufacturing, delivering, or possessing controlled substances near schools.

### ROLL CALL

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

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

**NAYS:** Damschen; Heinert; Karls; Kiefert; Westlind; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Louser; Pyle

Engrossed HB 1341 passed.

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### SECOND READING OF HOUSE BILL

**HB 1333:** A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to exempting information regarding individuals applying for certain positions under the authority 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 56 YEAS, 35 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Bosch; Boschee; Damschen; Delmore; Dobervich; Grueneich; Guggisberg; Hanson; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Kasper; Keiser; Klemin; Laning; Lefor; Longmuir; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Roers Jones; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Streyle; Trottier; Zubke

**NAYS:** Anderson, B.; Anderson, D.; Becker, Rick C.; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Dockter; Ertelt; Hatlestad; Headland; Johnston; Karls; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Magrum; Pollert; Porter; Rohr; Ruby, D.; Schatz; Seibel; Simons; Skroch; Sukut; Toman; Vetter; Vigasaa; Weisz; Westlind; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Louser; Pyle

Engrossed HB 1333 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1358:** A BILL for an Act to provide for a legislative management study of the use of open educational resources in the elementary and secondary school system.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 12 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Delzer; Devlin; Ertelt; Headland; Kasper; Koppelman, B.; McWilliams; Meier; Monson; Rohr; Vigesaa; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Louser; Pyle

Engrossed HB 1358 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1365:** A BILL for an Act to amend and reenact subsection 4 of section 30.1-28-12 of the North Dakota Century Code, relating to powers and duties of a guardian regarding medical decisions; 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 87 YEAS, 4 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Keiser; Paur; Ruby, D.; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Louser; Pyle

Engrossed HB 1365 passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1378:** A BILL for an Act to create and enact a new section to chapter 49-22 of the North Dakota Century Code, relating to aircraft detection lighting systems on wind generators.

**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 74 YEAS, 17 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Boe; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Johnson, D.; Kempenich; Magrum; Monson; Owens; Pollert; Vigesaa; Weisz; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Louser; Pyle

Engrossed HB 1378 passed.

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**MOTION**

**REP. VIGESAA MOVED** that HB 1274, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1342:** A BILL for an Act to amend and reenact sections 4.1-16-05, 4.1-16-09, and 4.1-16-11 of the North Dakota Century Code, relating to beekeeping.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 4 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**NAYS:** Brabandt; Ertelt; Nelson, M.; Simons

**ABSENT AND NOT VOTING:** Kreidt; Louser; Pyle; Vetter

HB 1342 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1348:** A BILL for an Act to amend and reenact section 36-21.2-05 of the North Dakota Century Code, relating to the seizure of animals.

**ROLL CALL**

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



recommendation of DO PASS, the roll was called and there were 82 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Boschee; Delzer; Devlin; Hogan; Johnston; Laning; Mock; Ruby, D.; Weisz

**ABSENT AND NOT VOTING:** Kreidt; Louser; Pyle

HB 1348 passed.

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### SECOND READING OF HOUSE BILL

**HB 1317:** A BILL for an Act to create and enact a new section to chapter 54-27 of the North Dakota Century Code, relating to a transfer of legacy fund earnings.

### 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, 87 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Ertelt; Schobinger; Steiner; Toman

**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; 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; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schreiber-Beck; Seibel; Simons; Skroch; Streyle; Sukut; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Louser; Pyle

HB 1317 failed.

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### SECOND READING OF HOUSE BILL

**HB 1107:** A BILL for an Act to amend and reenact section 37-17.1-22 of the North Dakota Century Code, relating to disaster and emergency response and recovery costs; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 91 NAYS, 0 EXCUSED, 3 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; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Louser; Pyle

HB 1107 failed.

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### SECOND READING OF HOUSE BILL

**HB 1103:** A BILL for an Act to amend and reenact section 54-16-13 of the North Dakota Century Code, relating to borrowing of funds during a disaster or emergency.

### 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 3 YEAS, 87 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Delmore; Guggisberg; Hanson

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; 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; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Louser; Pyle; Simons

HB 1103 failed.

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### SECOND READING OF HOUSE BILL

**HB 1188:** A BILL for an Act to create and enact a new subsection to chapter 54-21.3-03 of the North Dakota Century Code, relating to disclosure of known radon hazards.

### 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 15 YEAS, 76 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Boe; Delmore; Dobervich; Guggisberg; Hanson; Hogan; Holman; Meier; Mitskog; Mock; Nelson, J.; Nelson, M.; Paur; Schneider

**NAYS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Magrum; Maragos; Marschall; Martinson; McWilliams; Monson; Nathe; O'Brien; Oliver; Olson; Owens; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel;

Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Louser; Pyle

HB 1188 failed.

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### SECOND READING OF HOUSE BILL

**HB 1346:** A BILL for an Act to amend and reenact section 39-04-11 of the North Dakota Century Code, relating to the display of number plates on a motorcycle.

### ROLL CALL

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

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

**NAYS:** Boe; Delzer; Devlin; Holman; Nelson, M.

**ABSENT AND NOT VOTING:** Kreidt; Louser; Pyle

HB 1346 passed.

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### 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: HCR 3023.

### MOTION

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

### MOTION

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, February 10, 2017, which motion prevailed.

### REPORT OF STANDING COMMITTEE

**HB 1045, as engrossed: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1045 was placed on the Sixth order on the calendar.

Page 6, line 4, remove "a. An angel fund certified before April 1, 2017, shall pay a one-time surcharge of"

Page 6, remove lines 5 through 20

Page 6, line 21, remove "9."

Page 8, line 3, remove the overstrike over "er"

Page 8, line 3, remove "at least two employees and"

Page 11, line 1, remove "unless the angel fund pays the surcharge under subsection 8 of section"

Page 11, line 2, remove "57-38-01.26."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1182: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1182 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact 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.

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

**SECTION 1. AMENDMENT.** Section 40-63-02 of the North Dakota Century Code is amended and reenacted as follows:

##### **40-63-02. Eligibility - Local zone authority designation.**

Any incorporated city may apply to the department of commerce division of community services to designate a portion of the city as a renaissance zone. Any individual, partnership, limited partnership, limited liability company, trust, or corporation may apply for a ~~tax credit or exemption under sections 40-63-04 through 40-63-07~~ tax benefits under this chapter. The governing body of a city may designate a local zone authority to implement a development plan on behalf of the city.

**SECTION 2. AMENDMENT.** Section 40-63-03 of the North Dakota Century Code is amended and reenacted as follows:

##### **40-63-03. Renaissance zones.**

1. A city may apply to the department of commerce division of community services to designate a portion of that city as a renaissance zone if the following criteria are met:
  - a. The geographic area proposed for the renaissance zone is located wholly within the boundaries of the city submitting the application.
  - b. The application includes a development plan.
  - c. The proposed renaissance zone is not more than thirty-four square blocks, except in a city with a population of greater than five thousand the renaissance zone may exceed thirty-four square blocks at the rate of one additional block for each additional five thousand population to a maximum size of forty-nine blocks. Population is based upon the most recent federal decennial census or federal census estimate.

If a city finds that renaissance zone projects have satisfactorily completed one or more blocks within the renaissance zone, the city may apply for and the department of commerce division of community services may approve withdrawal of those blocks from the renaissance zone and replacement of those blocks with other blocks that otherwise meet the requirements of this chapter.

- d. Except as provided under subdivision g, the proposed renaissance zone has a continuous boundary and all blocks are contiguous.
  - e. The proposed land usage includes both commercial and residential property.
  - f. The application includes the proposed duration of renaissance zone status, not to exceed fifteen years. Upon application by the city, the department of commerce division of community services may extend the duration of renaissance zone status in increments of up to five years.
  - g. The proposed renaissance zone may have a single exception to the continuous boundary and contiguous block requirements under subdivision d if the area of the excepted noncontiguous blocks does not exceed three square blocks.
2. The department of commerce division of community services shall:
    - a. Review all applications for renaissance zone designation against the criteria established in this section and designate zones.
    - b. Approve or reject the duration of renaissance zone status as submitted in an application.
    - c. Approve or reject the geographic boundaries and total area of the renaissance zone as submitted in an application.
    - d. Promote the renaissance zone program.
    - e. Monitor the progress of the designated renaissance zones against submitted plans in an annual plan review.
    - f. Report on renaissance zone progress to the governor and the legislative management on an annual basis until all designated zones expire.
  3. The department of commerce division of community services shall consider the following criteria in designating a renaissance zone:
    - a. The viability of the development plan.
    - b. The incorporation and enhancement of unique natural and historic features into the development plan.
    - c. Whether the development plan is creative and innovative in comparison to other applications.
    - d. Public and private commitment to and other resources available for the proposed renaissance zone, including the provisions for a renaissance fund organization.
    - e. How renaissance zone designation would relate to a broader plan for the community as a whole.
    - f. How the local regulatory burden, in particular that burden associated with the renovation of historic properties and that burden associated with mixed use development, will be eased for developers and investors in the renaissance zone.
    - g. The strategies for the promotion, development, and management of the zone, including the use of a local zone authority if designated.
    - h. Any other information required by the office.

4. The department of commerce division of community services may not designate a portion of a city as a renaissance zone unless, as a part of the application, the city provides a resolution from the governing body of the city that states if the renaissance zone designation is granted, persons and property within the renaissance zone are exempt from taxes as provided in sections ~~40-63-04 through 40-63-07~~this chapter.
5. A city may not propose or be part of more than one renaissance zone.
6. ~~A parcel of property may be exempted from property taxes under section 40-63-05 only once, but during the five taxable years of eligibility for that exemption, the property tax exemption transfers with the transfer of the property to a qualifying user. The ownership or lease of, or investment in, a parcel of property may qualify for exemption or credit under section 40-63-04 only once, but during the five taxable years of eligibility for that exemption or credit, the exemption or credit under section 40-63-04 transfers with the transfer of the property to a qualified user and with respect to the year in which the transfer is made must be prorated for use of the property during that year.~~
7. A city may apply to the department of commerce division of community services at any time during the duration of a zone to expand a previously approved renaissance zone that is less than the maximum size allowed under subdivision c of subsection 1. If the expansion is approved by the department of commerce division of community services, the blocks in the expansion are eligible for up to fifteen years of renaissance zone status.
- ~~8-7.~~ The use of grant funds as the sole source of investment in the purchase of a building or space in a building does not qualify a taxpayer for any tax exemption or credit available under the chapter, and grant funds may not be counted in determining if the cost of rehabilitation meets or exceeds the current true and full value of the building.
- ~~9-8.~~ If a portion of an approved renaissance zone is not progressing, the city may request the department of commerce division of community services to permit deleting that portion and to make an adjustment of the boundaries to add another equal, contiguous area to the original zone.
- ~~10-9.~~ If within a renaissance zone there is property that is included in a tax increment financing district, the city in which the property is located shall provide the department of commerce an annual report regarding any such property at the time requested by the department of commerce. The report required under this subsection must identify the property, provide the expected duration of inclusion of the property in the tax increment financing district and the renaissance zone, and identify any property and income tax benefits of the property and the expected duration of those benefits. The department of commerce shall deliver an annual report compiling the information required under this subsection to the legislative management interim committee on taxation issues or upon request of any other interim committee of the legislative management.

**SECTION 3. AMENDMENT.** Section 40-63-04 of the North Dakota Century Code is amended and reenacted as follows:

**40-63-04. (Effective for the first five taxable years beginning after December 31, 2017) Income tax exemptions.**

1. An individual taxpayer who purchases or rehabilitates single-family residential property for the individual's primary place of residence as a zone project before January 1, 2018, is exempt from up to ten thousand dollars of personal income tax liability as determined under section 57-38-30.3 for five taxable years beginning with the date of occupancy or completion of rehabilitation.

2. A taxpayer that purchases, leases, rehabilitates, or makes leasehold improvements to residential, public utility infrastructure, or commercial property for any business or investment purpose as a zone project before January 1, 2018, is exempt from tax on income derived from the business or investment locations within the zone for five taxable years, beginning with the date of purchase, lease, or completion of rehabilitation.
  - a. The maximum amount of income that a taxpayer may exempt from tax under this subsection for any taxable year is five hundred thousand dollars. The limitation in this subdivision applies to the sum of the exempt income derived from the taxpayer's business and investment interests in all zone projects.
  - b. If a zone project consists of a physical expansion of an existing building owned and used by the taxpayer for business or investment purposes, the amount of income exempt from tax under this subsection is limited to an amount equal to the income derived from the business, or from the investment use of the building, during the taxable year multiplied by a ratio equal to the square footage added by the expansion divided by the total square footage of the building after expansion.
3. If the cost of a new business purchase, leasehold improvement, or expansion of an existing business, approved as a zone project, exceeds seventy-five thousand dollars, and the business is located in a city with a population of not more than two thousand five hundred, an individual taxpayer may, in lieu of the exemption provided in subsection 2, elect to take an income tax exemption of up to two thousand dollars of individual income tax liability as determined under section 57-38-30.3. The election must be made on the taxpayer's return as originally and timely filed. The election is irrevocable and binding for the duration of the exemptions provided in subsection 2 or this subsection. If an election is not made on the original return, the taxpayer is only eligible for the exemption provided in subsection 2.
4. If a property owner not participating in a renaissance zone project is required to make changes in utility services or in a building structure before January 1, 2018, because of changes made to property that is part of a zone project, the owner of the nonparticipating property is entitled to state income tax credits equal to the total amount of the investment necessary to complete the required changes. The credit must be approved by the local renaissance zone authority. The credit must be claimed in the taxable year in which the related project was completed. The credit may not exceed the taxpayer's tax liability, and an unused credit may be carried forward up to five taxable years.
5. The ownership or lease of, or investment in, a parcel of property may qualify for an exemption or credit under this section only once, but during the five taxable years of eligibility for that exemption or credit, the exemption or credit under this section transfers with the transfer of the property to a qualified user and with respect to the year in which the transfer is made must be prorated for use of the property during that year.
6. The exemptions provided by this section do not eliminate any duty to file a return or to report income as required under chapter 57-38.

**SECTION 4. AMENDMENT.** Subsection 7 of section 57-38-30.3 of the North Dakota Century Code is amended and reenacted as follows:

7. A taxpayer filing a return under this section is entitled to the following tax credits:
  - a. Family care tax credit under section 57-38-01.20.

- b. Renaissance zone tax credits under ~~sections~~section 40-63-04, ~~40-63-06, and 40-63-07~~ (effective for the first five taxable years beginning after December 31, 2017).
- c. Agricultural business investment tax credit under section 57-38.6-03.
- d. Seed capital investment tax credit under section 57-38.5-03.
- e. Planned gift tax credit under section 57-38-01.21.
- f. Biodiesel fuel or green diesel fuel tax credits under sections 57-38-01.22 and 57-38-01.23.
- g. Internship employment tax credit under section 57-38-01.24.
- h. Workforce recruitment credit under section 57-38-01.25.
- i. Angel fund investment tax credit under section 57-38-01.26.
- j. Microbusiness tax credit under section 57-38-01.27.
- k. Marriage penalty credit under section 57-38-01.28.
- l. Homestead income tax credit under section 57-38-01.29.
- m. Commercial property income tax credit under section 57-38-01.30.
- n. Research and experimental expenditures under section 57-38-30.5.
- o. Geothermal energy device installation credit under section 57-38-01.8.
- p. Long-term care partnership plan premiums income tax credit under section 57-38-29.3.
- q. Employer tax credit for salary and related retirement plan contributions of mobilized employees under section 57-38-01.31.
- r. Automating manufacturing processes tax credit under section 57-38-01.33 (effective for the first five taxable years beginning after December 31, 2012).
- s. Income tax credit for passthrough entity contributions to private education institutions under section 57-38-01.7.

**SECTION 5. AMENDMENT.** Subsection 8 of section 57-38-30.3 of the North Dakota Century Code is amended and reenacted as follows:

- 8. A taxpayer filing a return under this section is entitled to the exemption provided under section 40-63-04 (effective for the first five taxable years beginning after December 31, 2017).

**SECTION 6. REPEAL.** Sections 40-63-06 and 40-63-07 of the North Dakota Century Code are repealed.

**SECTION 7. EFFECTIVE DATE.** This Act is effective for taxable years beginning after December 31, 2017."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1197: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1197 was placed on the Sixth order on the calendar.



Page 1, line 1, replace "two" with "a"

Page 1, line 1, replace "chapters" with "chapter"

Page 1, line 2, remove "and the prioritization of asbestos and"

Page 1, line 3, remove "silica claims; to provide an effective date"

Page 5, remove lines 8 through 31

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 31

Page 9, remove lines 1 through 31

Page 10, remove lines 1 through 31

Page 11, remove lines 1 through 31

Page 12, remove lines 1 through 31

Page 13, remove lines 1 through 31

Page 14, remove lines 1 through 30

Page 15, remove lines 1 through 29

Page 16, remove lines 1 through 22

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1216: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1216 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to electronic pull tabs; and"

Page 2, line 8, replace "electronically displays pull tabs" with "upon the insertion of cash, dispenses and displays an electronic pull tab in which the player may win credits that can be redeemed for cash or used to purchase more pull tabs. The term does not include a device that directly dispenses coins, cash, tokens, or anything else of value other than a credit ticket voucher"

Page 2, line 31, overstrike the third "or" and insert immediately thereafter an underscored comma

Page 3, line 1, after "device" insert ", or electronic pull tab device"

Page 3, line 24, remove "21. "Pull tab" means a folded or banded ticket or jar ticket, a pull tab card with break-open"

Page 3, remove lines 25 through 31

Page 4, line 1, replace "22." with "21."

Page 4, line 4, replace "23." with "22."

Page 4, line 28, remove "selling pull tabs through"

Page 4, line 29, replace "a" with "electronic pull tabs through an electronic"

Page 4, after line 31, insert:

**"SECTION 4.** A new section to chapter 53-06.1 of the North Dakota Century Code is created and enacted as follows:

**Electronic pull tab and electronic pull tab device requirements.**

1. An electronic pull tab deal also must be available in paper from a distributor.
2. An electronic pull tab device must be located at an organization's licensed site and only may be used for the conduct of electronic pull tabs."

Page 5, line 13, remove "plus an additional one hundred dollars per electronic"

Page 5, remove line 14

Page 5, line 15, remove "any site"

Page 5, line 17, overstrike the first "or" and insert immediately thereafter an underscored comma

Page 5, line 17, overstrike "both" and insert immediately thereafter "electronic pull tab device, or any combination"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1287: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1287 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1289: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1289 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1299: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). HB 1299 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "sixth" with "fourth"

Page 2, line 4, replace "sixth" with "fourth"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1307: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1307 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1340: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1340 was placed on the Sixth order on the calendar.

Page 2, line 24, after "e." insert "Marijuana involving more than one ounce [28.35 grams], is guilty of a class A misdemeanor."

f."

Page 2, line 24, after "Marijuana" insert "involving one ounce [28.35 grams] or less"

Page 5, line 29, remove the overstrike over "a-class"

Page 5, line 29, after "A" insert "B"

Page 5, line 29, remove the overstrike over "-misdemeanor"

Page 5, line 29, remove "an infraction"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1361: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1361 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "and" with "to amend and reenact subsection 4 of section 15.1-27-04.1 of the North Dakota Century Code, relating to determination of school district state aid payments;"

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

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Subsection 4 of section 15.1-27-04.1 of the North Dakota Century Code is amended and reenacted as follows:

4. After determining the product in accordance with subsection 3, the superintendent of public instruction shall:
  - a. Subtract an amount equal to sixty mills multiplied by the taxable valuation of the school district, provided that after ~~2013~~2019, the amount in dollars subtracted for purposes of this subdivision may not exceed the previous year's amount in dollars subtracted for purposes of this subdivision by more than ~~twelvethree~~ twelvethree percent or the percentage increase approved by a majority of the qualified electors of the school district pursuant to subsection 3 of section 57-15-02.2; and
  - b. Subtract an amount equal to seventy-five percent of all revenues listed in paragraphs 1 through 5, and 7 of subdivision f of subsection 1 and one hundred percent of all revenues listed in paragraphs 6, 8, and 9 of subdivision f of subsection 1."

Page 1, line 9, after the underscored period insert "For purposes of this section, "taxing district" means any political subdivision empowered to levy taxes, with the exception of school districts."

Page 3, after line 5, insert:

**"SECTION 3.** Section 57-15-02.2 of the North Dakota Century Code is created and enacted as follows:

**57-15-02.2. Limitation on levies by taxing districts without voter approval.**

1. Notwithstanding that a taxing district may have unused or excess levy authority under any other provision of law, this section supersedes and limits that authority. For purposes of this section, "taxing district" means any political subdivision empowered to levy taxes. This section may not be interpreted as authority to increase any property tax levy authority

otherwise provided by law and must be applied to limit any property tax levy authority to which a taxing district may otherwise be entitled. Property taxes levied in dollars by a taxing district may not exceed the amount the taxing district levied in dollars in the preceding taxable year by more than three percent, except:

- a. When property and improvements to property which were not taxable in the preceding taxable year are taxable in the current year, the amount levied in dollars in the preceding taxable year by the taxing district must be increased for purposes of this section to reflect the taxes that would have been imposed against the additional taxable valuation attributable to that property at the mill rate applied to all property in the preceding taxable year.
  - b. When a property tax exemption existed in the preceding taxable year which has been reduced or no longer exists for the current taxable year, the amount levied in dollars in the preceding taxable year by the taxing district must be increased for purposes of this section to reflect the taxes that would have been imposed against the portion of the taxable valuation of the property which is no longer exempt at the mill rate applied to all property in the preceding taxable year.
  - c. When property that was taxable in the preceding taxable year is not taxable for the current taxable year, the amount levied in dollars in the preceding taxable year by the taxing district must be reduced for purposes of this section by the amount of taxes that were imposed against the taxable valuation of that property in the preceding taxable year.
  - d. When a temporary mill levy increase, excluding an increase under this section, authorized by the electors of the taxing district or mill levy imposition authority under state law existed in the previous taxable year but is no longer applicable or has been reduced, the amount levied in dollars in the previous taxable year by the taxing district must be adjusted to reflect the expired temporary mill levy increase and the eliminated or reduced mill levy under state law before the percentage increase allowable under this subsection is applied.
2. The limitation on the total amount levied by a taxing district under subsection 1 does not apply to:
- a. New or increased property tax levy authority that was not available to the taxing district in the preceding taxable year, including property tax levy authority provided by state law or approved by the electors of the taxing district.
  - b. Any irrepealable tax to pay bonded indebtedness levied under section 16 of article X of the Constitution of North Dakota. Any tax levied for this purpose must be excluded from the mill rate applied under subdivisions a through c of subsection 1.
  - c. The one-mill levy for the state medical center authorized by section 10 of article X of the Constitution of North Dakota. Any tax levied for this purpose must be excluded from the mill rate applied under subdivisions a through c of subsection 1.
3. A levy exceeding the percentage increase limitation under subsection 1 may be imposed upon approval of a ballot measure, stating the percentage of the proposed property tax levy increase percentage compared to the percentage limitation under subsection 1, by a majority of the qualified electors of the taxing district voting on the question at a regular or special election of the taxing district. A levy exceeding the percentage increase limitation under subsection 1 may be approved by electors for not more than one taxable year at a time.

4. A city or county may not supersede or modify the application of the provisions of this section under home rule authority."

Page 3, line 6, after "DATE" insert "- EXPIRATION DATE"

Page 3, line 6, replace "This" with "Section 2 of this"

Page 3, line 6, after "for" insert "the first two"

Page 3, line 7, after "2017" insert ", and is thereafter ineffective. Sections 1 and 3 of this Act are effective for taxable years beginning after December 31, 2019"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1386: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1386 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1389: Education Committee (Rep. Owens, Chairman)** recommends **DO NOT PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1389 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1398: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1398 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1428: Education Committee (Rep. Owens, Chairman)** recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1428 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3010: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3010 was placed on the Tenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3012: Education Committee (Rep. Owens, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3012 was placed on the Tenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3013: Education Committee (Rep. Owens, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3013 was placed on the Tenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3021: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3021 was placed on the Tenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3022: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HCR 3022 was placed on the Eleventh order on the calendar.

#### FIRST READING OF SENATE BILLS

**SB 2026:** A BILL for an Act to create and enact chapters 4.1-01, 4.1-15, 4.1-19, 4.1-54, 4.1-55, 11-38, 11-39, and 15-12.1, a new section to chapter 19-02.1, and chapter 54-60.3 of the North Dakota Century Code, relating to revisions of agriculture laws

regarding the agriculture commissioner, the northern crops institute, eggs, miscellaneous agriculture laws, the state fair association, county extension agents, the county fair association, agricultural experiment stations, and the agricultural products utilization commission; to amend and reenact subsection 2 of section 57-15-06.7 of the North Dakota Century Code, relating to counties levying taxes to fund extension agents; to authorize the legislative council to make certain statutory redesignations; to repeal chapters 4-01, 4-02, 4-02.1, 4-05.1, 4-08, 4-11.1, 4-13.2, 4-14, 4-14.1, 4-14.2, 4-19, 4-21.1, 4-21.2, 4-22, 4-23, 4-24, 4-30, 4-32, 4-33, 4-35, 4-35.1, 4-35.2, 4-36, 4-37, 4-40, 4-41, 4-43, and 19-07 of the North Dakota Century Code, relating to the agriculture commissioner, agricultural fair associations, the state fair association, agricultural experiment stations, county agents, potato production contracts, the poultry division, unfair discrimination in the purchase of farm products, the agriculturally derived fuel tax fund, the northern crops institute, forestry and tree distribution, nurseries and nursery stock, the trees for North Dakota program, soil conservation districts, agricultural conservation and adjustment, miscellaneous agriculture laws, dairy products regulations, the interstate pest control compact, plant pests, the pesticide act, chemigation regulation, pesticide and pesticide container disposal, the agricultural development act, agriculture in the classroom, crop production products, industrial hemp, meatpacking plant assistance, and eggs; to provide a penalty; and to provide an effective date.

Was read the first time and referred to the **Agriculture Committee**.

**SB 2027:** A BILL for an Act to create and enact chapters 4.1-23, 4.1-33, 4.1-34, 4.1-35, 4.1-36, 4.1-37, 4.1-38, 4.1-39, and 4.1-40 of the North Dakota Century Code, relating to revisions of agriculture laws regarding plant pests, pesticides, chemigation regulation, pesticide container disposal, anhydrous ammonia facilities, anhydrous ammonia risk management, crop protection products, and the fertilizer and soil conditioner law; and to provide a penalty.

Was read the first time and referred to the **Agriculture Committee**.

**SB 2028:** A BILL for an Act to create and enact chapters 4.1-25, 4.1-27, 4.1-28, 4.1-30, 4.1-31, 4.1-32, 4.1-41, and 4.1-53 of the North Dakota Century Code, relating to revisions of agriculture laws regarding dairy products regulation, livestock auction markets, satellite video livestock auction markets, the purchase of livestock by packing plants, meat inspection, rendering plants, commercial feed laws, and livestock medicine; to amend and reenact sections 23-01-25, 36-21-01, 36-21-10, 36-21-11, 36-21-12, 36-21-13, 36-21-15, 36-21-18, and 36-21-19 of the North Dakota Century Code, relating to general livestock provisions; to repeal chapters 19-13.1, 19-14, 36-05, 36-05.1, 36-06, 36-07, section 36-21-05, and chapter 36-24 of the North Dakota Century Code, relating to commercial feed laws, livestock medicine, livestock auction markets, satellite video livestock auction markets, the purchase of livestock by packing plants, rendering plants, general livestock provisions, and meat inspection; and to provide a penalty.

Was read the first time and referred to the **Agriculture Committee**.

**SB 2029:** A BILL for an Act to create and enact chapters 4.1-18, 4.1-20, 4.1-21, 4.1-22, and 4.1-48 of the North Dakota Century Code, relating to revisions of agriculture laws regarding industrial hemp, soil conservation districts laws, forestry and tree distribution, nurseries, and potato production contracts; to amend and reenact section 57-38-34.6 of the North Dakota Century Code, relating to optional contributions to the trees for North Dakota program trust; and to provide a penalty.

Was read the first time and referred to the **Agriculture Committee**.

**SB 2030:** A BILL for an Act to amend and reenact subsection 14 of section 10-04-05, subsection 14 of section 10-04-06, subdivision b of subsection 12 of section 15-39.1-04, subdivision a of subsection 1 of section 15-39.1-05.1, subsection 3 of section 15.1-01-01, subdivision e of subsection 2 of section 15.1-02-21, and subdivision b of subsection 5 of section 15.1-06-18 of the North Dakota Century Code, relating to updating statutory references to the North Dakota education association; and to repeal section 15.1-32-23 of the North Dakota Century Code, relating to the credentialing process for special education teachers.

Was read the first time and referred to the **Education Committee**.

**SB 2032:** A BILL for an Act to amend and reenact subsection 10 of section 4-05.1-19, section 54-59-19, and subsection 7 of section 57-38-30.3 of the North Dakota

Century Code, relating to reporting requirements for the state board of agricultural research and education, reporting requirements for the information technology department, and individual, estate, and trust income tax credits; and to repeal section 54-23.3-09, chapter 54-56, and sections 57-38-01.29 and 57-38-01.30, relating to reporting of new department of corrections and rehabilitation programs, the children's services coordinating committee, the homestead income tax credit, and the commercial property income tax credit.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2034:** A BILL for an Act to create and enact chapter 43-12.4 of the North Dakota Century Code, providing for a nursing faculty student loan repayment program.

Was read the first time and referred to the **Human Services Committee**.

**SB 2039:** A BILL for an Act to create and enact section 50-06-06.14 of the North Dakota Century Code, relating to the placement of children in the least restrictive environment; to amend and reenact subsection 5 of section 14-09-08.4, subsections 4 and 5 of section 50-01.2-03, sections 50-06-01, 50-06-01.4, 50-06-05.1, 50-06-05.2, 50-06-05.3, 50-06-05.4, 50-06-06.2, and 50-06-06.5, and subsection 1 of section 50-06-20 of the North Dakota Century Code, relating to the structure and duties of the department of human services with respect to behavioral health; to repeal chapter 25-10 and sections 25-02-02, 50-06-01.2, and 50-06-23 of the North Dakota Century Code, relating to mental health services, the additional location for a hospital for the mentally ill, and the assumption of duties by the department of human services; to provide for transition; and to provide an effective date.

Was read the first time and referred to the **Human Services Committee**.

**SB 2041:** A BILL for an Act to amend and reenact subsection 1 of section 25-01.2-01 and section 50-24.1-02 of the North Dakota Century Code, relating to Down syndrome and eligibility for medical assistance.

Was read the first time and referred to the **Human Services Committee**.

**SB 2042:** A BILL for an Act to amend and reenact sections 5-01-05.1, 12.1-01-04, 12.1-04-06, 12.1-04.1-02, 12.1-04.1-03, 12.1-04.1-04, 12.1-04.1-05, 12.1-04.1-06, 12.1-04.1-07, 12.1-04.1-08, 12.1-04.1-10, 12.1-04.1-11, 12.1-04.1-12, 12.1-04.1-13, 12.1-04.1-14, 12.1-04.1-15, 12.1-04.1-22, 12.1-04.1-23, 25-01-01, 25-03.1-04, 25-03.1-08, 25-03.1-10, 25-03.1-11, 25-03.1-18.1, and 32-03-48, subdivision b of subsection 1 of section 43-48-15, sections 49-10.1-05, 50-25.1-03, 50-25.2-03, and 62.1-01-01, subdivisions b and c of subsection 1 of section 62.1-02-01, and subdivision b of subsection 1 of section 62.1-02-01.2 of the North Dakota Century Code, relating to references to mental health professionals.

Was read the first time and referred to the **Human Services Committee**.

**SB 2045:** A BILL for an Act to amend and reenact sections 39-12-14.1 and 39-12-20 of the North Dakota Century Code, relating to voluntary settlement of extraordinary road use fee charges and proceeds of sale deposited with the state treasurer; to provide an effective date; and to declare an emergency.

Was read the first time and referred to the **Transportation Committee**.

**SB 2046:** A BILL for an Act to create and enact a new section to chapter 27-21 of the North Dakota Century Code, relating to the establishment of a pilot program for providing state services to juveniles adjudicated in tribal court; to provide for a report to legislative management; and to provide an expiration date.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2047:** A BILL for an Act to amend and reenact subsection 2 of section 61-16.1-09 of the North Dakota Century Code, relating to the authority of water resource boards to exercise the power of quick take eminent domain.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

**SB 2048:** A BILL for an Act to amend and reenact sections 65-02-08 and 65-10-03 of the North Dakota Century Code, relating to workers' compensation attorney's fees and costs; and to provide for application.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2049:** A BILL for an Act to amend and reenact sections 2-05-22, 57-40.5-09, and

57-40.5-11, subsection 1 of section 57-43.3-02, and sections 57-43.3-03 and 57-43.3-07 of the North Dakota Century Code, relating to the aeronautics commission special fund, aircraft excise tax, and aviation fuel tax; and to repeal sections 57-43.3-04 and 57-43.3-06 of the North Dakota Century Code, relating to the aviation fuel tax; and to provide an effective date.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2050:** A BILL for an Act to amend and reenact subsection 1 of section 37-17.3-02.2 of the North Dakota Century Code, relating to the statewide interoperability executive committee.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2051:** A BILL for an Act to amend and reenact subsection 6 of section 53-06.2-11 of the North Dakota Century Code, relating to distributions from the breeders' fund.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2052:** A BILL for an Act to create and enact section 26.1-36-09.15 of the North Dakota Century Code, relating to individual and group health insurance coverage of telehealth services; and to amend and reenact section 54-52.1-04.13 of the North Dakota Century Code, relating to public employees retirement system uniform group insurance coverage of telehealth services.

Was read the first time and referred to the **Human Services Committee**.

**SB 2053:** A BILL for an Act to amend and reenact subsection 4 of section 39-03.1-11.2, sections 54-52-01 and 54-52-06.4, subsections 3 and 4 of section 54-52-17, subsection 4 of section 54-52-28, section 54-52.1-03, subsection 1 of section 54-52.1-03.3, subsection 2 of section 54-52.1-18, section 54-52.6-06, and subsection 2 of section 54-52.6-09 of the North Dakota Century Code, relating to the definitions of retirement and retirement board, decreased employee contributions under the public employees retirement system for peace officers employed by the bureau of criminal investigation, eligibility for disability retirement and early retirement benefits under the public employees retirement system, employee enrollment, billing for the retiree health insurance credit, failure to maintain a health savings account when the high-deductible health plan is elected, payment of administrative expenses of the defined contribution plan, and penalties for employers failing to pay contributions under the defined contribution plan.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2060:** A BILL for an Act to amend and reenact subsection 2 of section 50-11.1-07.8 and subsection 2 of section 50-25.1-11 of the North Dakota Century Code, relating to parental notification of early childhood services investigations.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2087:** A BILL for an Act to amend and reenact sections 50-06-21 and 50-06-22 and subdivision a of subsection 4 of section 53-12.1-09 of the North Dakota Century Code, relating to replacing the term "compulsive gambling" with "gambling disorder."

Was read the first time and referred to the **Human Services Committee**.

**SB 2089:** A BILL for an Act to amend and reenact section 23-34-01 of the North Dakota Century Code, relating to medical peer reviews.

Was read the first time and referred to the **Human Services Committee**.

**SB 2090:** A BILL for an Act create and enact a new subsection to section 50-11.1-06.2 of the North Dakota Century Code, relating to criminal history record checks; to amend and reenact section 50-06-01.9, subsection 25 of section 50-11.1-02, sections 50-11.1-03, 50-11.1-04, and 50-11.1-06, subsection 1 of section 50-11.1-06.2, subsection 1 of section 50-11.1-07.2, and sections 50-11.1-12, 50-11.1-16, and 50-11.1-17 of the North Dakota Century Code, relating to early childhood services criminal record checks, licensing, definitions, registration, applications, and fees; and to provide an effective date.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2091:** A BILL for an Act to amend and reenact subsection 3 of section 15.1-21-02.2, subsection 3 of section 15.1-21-02.4, and subsection 3 of section 15.1-21-02.5 of the North Dakota Century Code, relating to required science units for high school



graduation and scholarships.

Was read the first time and referred to the **Education Committee**.

**SB 2092:** A BILL for an Act to amend and reenact sections 43-25-02 and 43-25-05, subsection 3 of section 43-25-05.1, and sections 43-25-07, 43-25-08, 43-25-09, 43-25-13, and 43-25-18 of the North Dakota Century Code, relating to the licensing and regulation of massage therapy.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2093:** A BILL for an Act to amend and reenact section 65-01-09, subsection 5 of section 65-01-16, and section 65-02-27 of the North Dakota Century Code, relating to subrogation liens, administrative orders, and the decision review office; and to provide for application.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2094:** A BILL for an Act to create and enact section 65-04-04.4 of the North Dakota Century Code, relating to medical expense assessments; to amend and reenact sections 65-04-22, 65-04-26.1, 65-04-32, and subsections 2, 3, and 4 of section 65-04-33 of the North Dakota Century Code, relating to securing premium payments, correct cross references, employer noncompliance, and employer false statements; to repeal section 65-05-07.2 of the North Dakota Century Code, relating to medical expense assessments; and to provide a penalty.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2095:** A BILL for an Act to amend and reenact sections 43-11-21 and 43-11-25 of the North Dakota Century Code, relating to licensure and reciprocity of cosmetologists, manicurists, and estheticians.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2096:** A BILL for an Act to amend and reenact sections 19-03.1-05, 19-03.1-07, 19-03.1-11, and 19-03.1-13 of the North Dakota Century Code, relating to the scheduling of controlled substances; and to declare an emergency.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2097:** A BILL for an Act to create and enact a new subsection to section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol to promote public trust; to amend and reenact section 39-03-05, subsection 3 of section 39-12-02, and subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to the contents of badges issued to patrolmen, interstate permits, and public security personnel possessing dangerous weapons; and to declare an emergency.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2098:** A BILL for an Act to create and enact a new subsection to section 27-20-51 of the North Dakota Century Code, relating to the disclosure of juvenile court records.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2099:** A BILL for an Act to amend and reenact section 23-01-39 of the North Dakota Century Code, relating to the immunization program.

Was read the first time and referred to the **Human Services Committee**.

**SB 2100:** A BILL for an Act to provide for a legislative management study of virtual currency.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2102:** A BILL for an Act to amend and reenact sections 15-02-02, 15-02-05.1, and 54-01-05.5 of the North Dakota Century Code, relating to the commissioner of university and school lands.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2103:** A BILL for an Act to amend and reenact sections 26.1-01-04 and 26.1-01-07 and subsection 2 of section 26.1-15.1-35 of the North Dakota Century Code, relating to fees chargeable by the insurance commissioner.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2104:** A BILL for an Act to amend and reenact subsection 1 of section 54-59-39 of the

North Dakota Century Code, relating to mandatory provisions of information and confidentiality.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2105:** A BILL for an Act to create and enact a new section to chapter 26.1-26 of the North Dakota Century Code, relating to exemption of insurance producer records.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2106:** A BILL for an Act to amend and reenact section 37-17.3-08 of the North Dakota Century Code, relating to the state radio fee system.

Was read the first time and referred to the **Political Subdivisions Committee**.

**SB 2108:** A BILL for an Act to amend and reenact section 39-06-37, subsection 2 of section 39-06.1-10, and section 39-06.1-14 of the North Dakota Century Code, relating to a revoked or suspended operator's license.

Was read the first time and referred to the **Transportation Committee**.

**SB 2109:** A BILL for an Act to amend and reenact section 24-02-02.3 of the North Dakota Century Code, relating to agreements with tribal governments.

Was read the first time and referred to the **Transportation Committee**.

**SB 2110:** A BILL for an Act to amend and reenact section 37-17.1-07.1 of the North Dakota Century Code, relating to hazardous chemical preparedness and response program fees and fines.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2112:** A BILL for an Act to amend and reenact subsection 5 of section 57-39.4-19 and sections 57-39.4-29 and 57-39.4-33.4 of the North Dakota Century Code, relating to uniform tax returns, the taxability matrix, and tax administration practices under the sales and use tax agreement.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2114:** A BILL for an Act to amend and reenact subsection 15 of section 27-20-02, subsection 2 of section 27-20-32.2, subsection 9 of section 50-11-00.1, and section 50-11-03.3 of the North Dakota Century Code, relating to the definition of permanency hearing, reasonable efforts for sibling placement, definition of group home, and liability coverage to foster homes for children.

Was read the first time and referred to the **Human Services Committee**.

**SB 2115:** A BILL for an Act to amend and reenact subsection 1 of section 50-06-32 of the North Dakota Century Code, relating to the members of the autism spectrum disorder task force.

Was read the first time and referred to the **Human Services Committee**.

**SB 2116:** A BILL for an Act to amend and reenact section 50-25.1-03.1 and subsection 3 of section 50-25.1-05 of the North Dakota Century Code, relating to the disclosure of patient records relevant to an assessment of reported child abuse or neglect.

Was read the first time and referred to the **Human Services Committee**.

**SB 2117:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to criminal history record checks for medicaid services applicants, providers, and staff members; to amend and reenact section 50-06-01.9 of the North Dakota Century Code, relating to criminal history record checks for job applicants, department staff, county employees, contractors, and medicaid services applicants, providers, and staff members; to provide an effective date; and to declare an emergency.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2118:** A BILL for an Act to amend and reenact sections 50-06-21 and 50-06-22 and subsection 4 of section 53-12.1-09 of the North Dakota Century Code, relating to gambling disorder prevention, awareness, crisis intervention, rehabilitation, and treatment services.

Was read the first time and referred to the **Human Services Committee**.

**SB 2120:** A BILL for an Act to amend and reenact subsection 4 of section 43-07-01 of the

North Dakota Century Code, relating to the definition for public contracts.  
Was read the first time and referred to the **Political Subdivisions Committee**.

**SB 2122:** A BILL for an Act to amend and reenact section 39-06-02 of the North Dakota Century Code, relating to preventing nonresident, nonlicensed individuals from driving on the highway.  
Was read the first time and referred to the **Transportation Committee**.

**SB 2124:** A BILL for an Act to amend and reenact section 6-09-38.1 of the North Dakota Century Code, relating to the achieving a better life experience plan.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2125:** A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to possession of a firearm or dangerous weapon.  
Was read the first time and referred to the **Judiciary Committee**.

**SB 2126:** A BILL for an Act to amend and reenact sections 39-06-08 and 39-06-09 of the North Dakota Century Code, relating to a minor's application for an operator's license and liability for the negligence of a minor.  
Was read the first time and referred to the **Transportation Committee**.

**SB 2127:** A BILL for an Act to create and enact subsection 8 to section 57-01-02.1 of the North Dakota Century Code, relating to city and county sales and use tax refunds.  
Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2128:** A BILL for an Act to amend and reenact subsection 1 of section 57-39.2-10 and section 57-40.2-09 of the North Dakota Century Code, relating to record retention for sales and use tax purposes.  
Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2129:** A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to refunds for sales, use, farm machinery gross receipts, and alcoholic beverage gross receipts taxes; to amend and reenact subdivision ee of subsection 2 of section 12-60-24, sections 57-01-13 and 57-37.1-06, subsection 2 of section 57-39.2-11, and sections 57-39.2-27, 57-40.2-17, and 57-40.3-09 of the North Dakota Century Code, relating to criminal history record checks, alcoholic beverage gross receipts taxes, estate tax return filing requirements, sales and use taxes, and motor vehicle excise tax credits; to repeal section 57-39.2-24 of the North Dakota Century Code, relating to refunds for sales, use, farm machinery gross receipts, and alcoholic beverage gross receipts taxes; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2132:** A BILL for an Act to amend and reenact section 40-18-15.1 of the North Dakota Century Code, relating to transfer to district court.  
Was read the first time and referred to the **Judiciary Committee**.

**SB 2136:** A BILL for an Act to amend and reenact section 23-11-05 of the North Dakota Century Code, relating to the appointment of housing authority commissioners.  
Was read the first time and referred to the **Political Subdivisions Committee**.

**SB 2140:** A BILL for an Act to amend and reenact subdivision c of subsection 8 of section 26.1-04-03, subsection 2 of section 26.1-04-06, and subsection 2 of section 26.1-25-16 of the North Dakota Century Code, relating to limitations on insurance rebates.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

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

**Buell J. Reich, Chief Clerk**

