

**JOURNAL OF THE HOUSE**

**Sixty-fifth Legislative Assembly**

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**Bismarck, April 7, 2017**

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

The prayer was offered by Pastor Tom Foisey, Pursuit Church, Minot.

The roll was called and all members were present except Representatives Rick C. Becker, Dobervich, Guggisberg, Kasper, Kreidt, Marschall, Olson, M. Ruby, and Seibel.

A quorum was declared by the Speaker.

**CORRECTION AND REVISION OF THE JOURNAL**

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

Page 1424, lines 41 and 46, remove "SB 2188"

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

**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Reps. Mock, Rich S. Becker, Blum, Delmore, O'Brien, Owens, Sanford, Vetter and Sens. Holmberg, Kreun, Laffen, Meyer introduced:  
(Approved by the Delayed Bills Committee)

**HCR 3035:** A concurrent resolution congratulating the University of North Dakota's hockey team for its outstanding season and its eighth NCAA Division I hockey national championship.

Was read the first time.

**MOTION**

**REP. VIGESAA MOVED** that the rules be suspended, that HCR 3035 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. Mock, Rich S. Becker, Blum, Delmore, O'Brien, Owens, Sanford, Vetter and Sens. Holmberg, Kreun, Laffen, Meyer introduced:  
(Approved by the Delayed Bills Committee)

**HOUSE CONCURRENT RESOLUTION NO. 3035**

A concurrent resolution congratulating the University of North Dakota's hockey team for its outstanding season and its eighth NCAA Division I hockey national championship.

**WHEREAS**, on April 9, 2016, the University of North Dakota's hockey team captured the NCAA Division I hockey national championship with a dominating 5-1 victory over Quinnipiac University; and

**WHEREAS**, the 2015-16 University of North Dakota hockey team was the champion of the National Collegiate Hockey Conference regular season as well as the NCAA Division I hockey national champion, finishing the season with an impressive record of 34 wins, 6 losses, and 4 ties; and

**WHEREAS**, the leadership of Coach Brad Berry molded a team of outstanding individual athletes into a cohesive, unselfish team with balanced and explosive offense, unyielding defense, and stalwart goaltending; and

**WHEREAS**, the 2015-16 team, which proudly claimed the eighth University of North Dakota hockey national championship, is an exemplar of the hockey program's enduring fighting spirit and its opulent, unwavering, and extraordinary heritage;

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

That the Sixty-fifth Legislative Assembly takes great pride in extending to all members and coaches of the University of North Dakota hockey team its heartiest congratulations for winning the 2016 NCAA Division I hockey national championship; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward enrolled copies of this resolution to each member of the 2015-16 University of North Dakota hockey team, to each of the team's coaches, and to the President of the University of North Dakota.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3035:** A concurrent resolution congratulating the University of North Dakota's hockey team for its outstanding season and its eighth NCAA Division I hockey national championship.

#### **REQUEST**

**REP. VIGESAA REQUESTED** a recorded roll call vote on the adoption of HCR 3035, which request was granted.

#### **ROLL CALL**

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 86 YEAS, 0 NAYS, 0 EXCUSED, 8 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; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Streye; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Olson; Ruby, M.; Seibel

HCR 3035 was declared adopted on a recorded roll call vote.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. VIGESAA MOVED** that the House do not concur in the Senate amendments to HB 1300 as printed on HJ pages 1434-1436 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

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

**HB 1300:** Reps. Klemin, K. Koppelman, Hanson.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**REP. VIGESAA MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2042, SB 2161, Engrossed SB 2316, and SB 2321, which motion prevailed.

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

**Engrossed SB 2042:** Reps. Porter, Westlind, P. Anderson

**SB 2161:** Reps. Klemin, Magrum, Hanson

**Engrossed SB 2316:** Reps. Rich S. Becker, Longmuir, Simons

**SB 2321:** Reps. Owens, Heinert, Guggisberg

#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. KLEMIN MOVED** that the House do concur in the Senate amendments to Engrossed HB 1418 as printed on HJ pages 1227-1228, which motion prevailed on a voice vote.

Engrossed HB 1418, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1418:** A BILL for an Act to provide for a legislative management study of statements of interests.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, the roll was called and there were 81 YEAS, 5 NAYS, 0 EXCUSED, 8 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; Dockter; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Ertelt; Koppelman, B.; Schatz; Simons; Skroch

**ABSENT AND NOT VOTING:** Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Olson; Ruby, M.; Seibel

Engrossed HB 1418, as amended, passed.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. K. KOPPELMAN MOVED** that the House do concur in the Senate amendments to Engrossed HB 1183 as printed on HJ page 1101, which motion prevailed on a voice vote.

Engrossed HB 1183, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1183:** A BILL for an Act to amend and reenact section 12.1-20-12.1, subsection 2 of section 12.1-20-12.2, and subsection 4 of section 12.1-27.2-01 of the North Dakota Century Code, relating to indecent exposure toward minors, surreptitious intrusion, and sexual performances by children; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, the roll was called and there were 79 YEAS, 7 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

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

**NAYS:** Becker, Rick C.; Johnston; Magrum; Monson; Schatz; Simons; Vetter

**ABSENT AND NOT VOTING:** Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Olson; Ruby, M.; Seibel

Engrossed HB 1183, as amended, passed.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. D. JOHNSON MOVED** that the House do concur in the Senate amendments to Engrossed HB 1433 as printed on HJ pages 1195-1196, which motion prevailed on a verification vote.

Engrossed HB 1433, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1433:** A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century Code, relating to the direct sale of food by the producer to a consumer; to amend and reenact sections 19-07-01 and 36-24-06 of the North Dakota Century Code, relating to the sale and production of animal-based products.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, the roll was called and there were 58 YEAS, 29 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Becker, Rick C.; Blum; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Hanson; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, C.; Johnston; Jones; Kading; Karls; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; McWilliams; Meier; Mock; Nelson, M.; Oliver; Olson; Paur; Pollert; Pyle; Rohr; Ruby, D.; Satrom; Schatz; Schmidt; Schneider; Schobinger; Simons; Skroch; Steiner; Sukut; Toman; Trottier; Vetter; Zubke

**NAYS:** Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Bosch; Carlson; Delmore; Grueneich; Holman; Johnson, D.; Johnson, M.; Keiser; Maragos; Mitskog; Monson; Nathe; Nelson, J.; O'Brien; Owens; Porter; Roers Jones; Sanford; Schreiber-Beck; Streyle; Vigasaa; Weisz; Westlind; Speaker Bellew

**ABSENT AND NOT VOTING:** Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Ruby, M.; Seibel

Engrossed HB 1433, as amended, passed.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WEISZ MOVED** that the House do concur in the Senate amendments to HB 1096 as printed on HJ page 865, which motion prevailed on a voice vote.

HB 1096, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1096:** A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to the advanced practice registered nurse licensure compact; and to amend and reenact section 43-12.1-09.1 of the North Dakota Century Code, relating to criminal history record checks.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, the roll was called and there were 87 YEAS, 0 NAYS, 0 EXCUSED, 7 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; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind;

Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Ruby, M.; Seibel

HB 1096, as amended, passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. K. KOPPELMAN MOVED** that the House do concur in the Senate amendments to Engrossed HB 1060 as printed on HJ page 943, which motion prevailed on a voice vote.

Engrossed HB 1060, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1060:** A BILL for an Act to create and enact two new subdivisions to subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks requested by the department of commerce for volunteers and employees providing services through the department and by the state court administrator for guardians ad litem.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 69 YEAS, 18 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Becker, Rich S.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dockter; Grueneich; Hanson; Hatlestad; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemm; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; Meier; Mitskog; Mock; Nathe; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Sukut; Trottier; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Beadle; Becker, Rick C.; Boe; Delzer; Ertelt; Headland; Johnston; McWilliams; Monson; Nelson, J.; Olson; Ruby, D.; Schatz; Simons; Steiner; Streyle; Toman; Vetter

**ABSENT AND NOT VOTING:** Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Ruby, M.; Seibel

Reengrossed HB 1060 passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. K. KOPPELMAN MOVED** that the House do concur in the Senate amendments to Reengrossed HB 1195 as printed on HJ page 1009, which motion prevailed on a voice vote.

Reengrossed HB 1195, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1195:** A BILL for an Act to create and enact a new section to chapter 12.1-32 of the North Dakota Century Code, relating to imprisonment of minors; to amend and reenact subsection 4 of section 12.1-20-03, relating to gross sexual imposition; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 87 YEAS, 0 NAYS, 0 EXCUSED, 7 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; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Ruby, M.; Seibel

Reengrossed HB 1195 passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. OWENS MOVED** that the House do concur in the Senate amendments to Engrossed HB 1318 as printed on HJ page 1436.

#### REQUEST

**REP. MOCK REQUESTED** a verification vote, which request was granted.

The question being on the motion to concur in the Senate amendments to Engrossed HB 1318, the motion prevailed on a verification vote.

Engrossed HB 1318, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1318:** A BILL for an Act to provide for a legislative management study of the state aid funding formula for elementary and secondary education.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 56 YEAS, 31 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Boschee; Carlson; Damschen; Dockter; Grueneich; Hatlestad; Headland; Heinert; Hogan; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Kiefert; Klemin; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Maragos; Martinson; McWilliams; Mitskog; Mock; Monson; Nelson, J.; O'Brien; Oliver; Olson; Owens; Porter; Pyle; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Sukut; Toman; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Anderson, P.; Boe; Bosch; Brabandt; Brandenburg; Delmore; Delzer; Devlin; Ertelt; Hanson; Holman; Howe; Johnston; Karls; Keiser; Kempenich; Koppelman, B.; Magrum; Meier; Nathe; Nelson, M.; Paur; Pollert; Roers Jones; Rohr; Ruby, D.; Simons; Skroch; Streyle; Trottier; Speaker Bellew

**ABSENT AND NOT VOTING:** Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Ruby, M.; Seibel

Reengrossed HB 1318 passed.

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#### ANNOUNCEMENT

**SPEAKER BELLEW ANNOUNCED** that Rep. Porter replace Rep. M. Ruby on the Conference Committee on HB 1025.

#### ANNOUNCEMENT

**SPEAKER BELLEW ANNOUNCED** that Rep. Devlin replace Rep. M. Ruby on the Conference Committee on SB 2047.

**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 3035.

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1060, HB 1096, HB 1183, HB 1195, HB 1318, HB 1418, and HB 1433.

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1300, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1300:** Reps. Klemin; K. Koppelman; Hanson

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

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

**SB 2042:** Reps. Porter; Westlind; P. Anderson

**SB 2161:** Reps. Klemin; Magrum; Hanson

**SB 2316:** Reps. Rich S. Becker; Longmuir; Simons

**SB 2321:** Reps. Owens; Heinert; Guggisberg

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Porter to replace Rep. M. Ruby on the Conference Committee on HB 1025.

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Devlin to replace Rep. M. Ruby on the Conference Committee on SB 2047.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1038, HB 1058, HB 1090, HB 1098, HB 1126, HB 1137, HB 1181, HB 1189, HB 1197, HB 1202, HB 1222, HB 1236, HB 1247, HB 1272, HB 1283, HB 1294, HB 1299, HB 1320, HB 1374, HB 1419.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 7, 2017: HB 1144, HB 1149, HB 1151, HB 1156, HB 1198, HB 1251, HB 1255, HB 1279, HB 1321.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolutions were delivered to the Secretary of State for filing on April 7, 2017: HCR 3011, HCR 3016, HCR 3021, HCR 3027.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1045, as reengrossed:** Your conference committee (Sens. Cook, Laffen, Dotzenrod and Reps. Headland, Dockter, Mitskog) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1164-1172, adopt amendments as follows, and place HB 1045 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1164-1172 of the House Journal and pages 896-904 of the Senate Journal and that Reengrossed House Bill No.1045 be amended as follows:

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

Page 1, line 2, remove ", subsection 5 of section 57-38.5-01, and sections 57-38.5-02, 57-38.5-03,"

Page 1, line 3, remove "57-38.5-04, 57-38.5-05, and 57-38.5-06"

Page 1, line 4, remove "and the seed capital investment tax credit; to repeal section"

Page 1, remove line 5

Page 1, line 6, remove "investment tax credit and the seed capital investment tax credit"

Page 1, line 6, after the first semicolon insert "to provide a penalty;"

Page 1, line 11, after the first boldfaced period insert "**(Effective for investments made before July 1, 2017)**"

Page 1, line 13, replace "April" with "July"

Page 1, line 14, overstrike "created" and insert immediately thereafter "organized before July 1, 2017."

Page 6, after line 6, insert:

**"SECTION 2. AMENDMENT.** Section 57-38-01.26 of the North Dakota Century Code is amended and reenacted as follows:

**57-38-01.26. (Effective for investments made after June 30, 2017) Angel fund investment investor tax credit.**

1. ~~A taxpayer is entitled to a credit against state income tax liability under section 57-38-30 or 57-38-30.3 for an investment made in an angel fund that is a domestic organization created under the laws of this state. The amount of the credit to which a taxpayer is entitled is forty-five percent of the amount remitted by the taxpayer to an angel fund during the taxable year. The aggregate annual credit for which a taxpayer may obtain a tax credit is not more than forty-five thousand dollars. The aggregate lifetime credits under this section that may be obtained by an individual, married couple, passthrough entity and its affiliates, or other taxpayer is five hundred thousand dollars. The investment used to calculate the credit under this section may not be used to calculate any other income tax deduction or credit allowed by law.~~
2. ~~To be eligible for the credit, the investment must be at risk in the angel fund for at least three years. An investment made in a qualified business from the assets of a retirement plan is deemed to be the retirement plan participant's investment for the purpose of this section if a separate account is maintained for the plan participant and the participant directly controls where the account assets are invested. Investments placed in escrow do not qualify for the credit. The credit must be claimed in the taxable year in which the investment in the angel fund was received by the angel fund. The credit allowed may not exceed the liability for tax under this chapter. If the amount of credit determined under this section exceeds the liability for tax under this chapter, the excess may be carried forward to each of the seven succeeding taxable years. A taxpayer claiming a credit under this section may not claim any credit available to the taxpayer as a result of an investment made by the angel fund in a qualified business under chapter 57-38.5 or 57-38.6.~~
3. An angel fund must:
  - a. ~~Be a partnership, limited partnership, corporation, limited liability company, limited liability partnership, limited liability limited partnership, trust, or estate organized on a for-profit basis which is headquartered in this state.~~
  - b. ~~Be organized for the purpose of investing in a portfolio of at least three primary sector companies that are early-stage and mid-stage private, nonpublicly traded enterprises with strong growth potential. For purposes of this section, an early-stage entity means an entity with annual revenues of up to two million dollars and a mid-stage entity means an entity with annual revenues over two million dollars not to exceed ten million dollars. Investments in real estate or real~~



estate holding companies are not eligible investments by certified angel funds. Any angel fund certified before January 1, 2013, which has invested in real estate or a real estate holding company is not eligible for recertification.

- e. Consist of at least six accredited investors as defined by securities and exchange commission regulation D, rule 501.
  - d. Not have more than twenty five percent of its capitalized investment assets owned by an individual investor.
  - e. Have at least five hundred thousand dollars in commitments from accredited investors and that capital must be subject to call to be invested over an unspecified number of years to build a portfolio of investments in enterprises.
  - f. Be member managed or a manager managed limited liability company and the investor members or a designated board that includes investor members must make decisions as a group on which enterprises are worthy of investments.
  - g. Be certified as an angel fund that meets the requirements of this section by the department of commerce.
  - h. Be in compliance with the securities laws of this state.
  - i. Within thirty days after the date on which an investment in an angel fund is made, the angel fund shall file with the tax commissioner and provide to the investor completed forms prescribed by the tax commissioner which show as to each investment in the angel fund the following:
    - (1) The name, address, and social security number or federal employer identification number of the taxpayer or passthrough entity that made the investment;
    - (2) The dollar amount remitted by the taxpayer or passthrough entity; and
    - (3) The date the payment was received by the angel fund for the investment.
  - j. Within thirty days after the end of a calendar year, the angel fund shall file with the tax commissioner a report showing the name and principal place of business of each enterprise in which the angel fund has an investment.
4. The tax commissioner may disclose to the legislative management the reported information described under paragraphs 2 and 3 of subdivision i of subsection 3 and the reported information described under subdivision j of subsection 3.
5. Angel fund investors may be actively involved in the enterprises in which the angel fund invests but the angel fund may not invest in any enterprise if any one angel fund investor owns directly or indirectly more than forty nine percent of the ownership interests in the enterprise. The angel fund may not invest in an enterprise if any one partner, shareholder, or member of a passthrough entity that directly or indirectly owns more than forty nine percent of the ownership interests in the enterprise.
6. Investors in one angel fund may not receive more than five million dollars in aggregate credits under this section during the life of the angel fund but this provision may not be interpreted to limit additional investments in that angel fund.

7.
  - a. ~~A passthrough entity entitled to the credit under this section must be considered to be the taxpayer for purposes of this section, and the amount of the credit allowed must be determined at the passthrough entity level.~~
  - b. ~~For the first two taxable years beginning after December 31, 2010, if a passthrough entity does not elect to sell, transfer, or assign the credit as provided under this subsection and subsection 8, the amount of the total credit determined at the entity level must be passed through to the partners, shareholders, or members in proportion to their respective interests in the passthrough entity.~~
  - c. ~~For the first two taxable years beginning after December 31, 2010, if a passthrough entity elects to sell, transfer, or assign a credit as provided under this subsection and subsection 8, the passthrough entity shall make an irrevocable election to sell, transfer, or assign the credit on the return filed by the entity for the taxable year in which the credit was earned. A passthrough entity that makes a valid election to sell, transfer, or assign a credit shall sell one hundred percent of the credit earned, may sell the credit to only one purchaser, and shall comply with the requirements of this subsection and subsection 8.~~
8. ~~For the first two taxable years beginning after December 31, 2010, a taxpayer may elect to sell, transfer, or assign all of the earned or excess tax credit earned under this section for investment in an angel fund established after July 31, 2011, subject to the following:~~
  - a. ~~A taxpayer's total credit sale, transfer, or assignment under this section may not exceed one hundred thousand dollars over any combination of taxable years. The cumulative credits transferred by all investors in an angel fund may not exceed fifty percent of the aggregate credits under this section during the life of the angel fund under subsection 6.~~
  - b. ~~If the taxpayer elects to sell, assign, or transfer a credit under this subsection, the tax credit transferor and the tax credit purchaser jointly shall file with the tax commissioner a copy of the purchase agreement and a statement containing the names, addresses, and taxpayer identification numbers of the parties to the transfer, the amount of the credit being transferred, the gross proceeds received by the transferor, and the taxable year or years for which the credit may be claimed. The taxpayer and the purchaser also shall file a document allowing the tax commissioner to disclose tax information to either party for the purpose of verifying the correctness of the transferred tax credit. The purchase agreement, supporting statement, and waiver must be filed within thirty days after the date the purchase agreement is fully executed.~~
  - c. ~~The purchaser of the tax credit shall claim the credit beginning with the taxable year in which the credit purchase agreement was fully executed by the parties. A purchaser of a tax credit under this section has only such rights to claim and use the credit under the terms that would have applied to the tax credit transferor. This subsection does not limit the ability of the tax credit purchaser to reduce the tax liability of the purchaser, regardless of the actual tax liability of the tax credit transferor.~~
  - d. ~~A sale, assignment, or transfer of a tax credit under this section is irrevocable and the purchaser of the tax credit may not sell, assign, or otherwise transfer the credit.~~
  - e. ~~If the amount of the credit available under this section is changed as a result of an amended return filed by the transferor, or as the result of an audit conducted by the internal revenue service or the tax~~

~~commissioner, the transferor shall report to the purchaser the adjusted credit amount within thirty days of the amended return or within thirty days of the final determination made by the internal revenue service or the tax commissioner. The tax credit purchaser shall file amended returns reporting the additional tax due or claiming a refund as provided in section 57-38-38 or 57-38-40, and the tax commissioner may audit these returns and assess or issue refunds, even though other time periods prescribed in these sections may have expired for the purchaser.~~

- ~~f. Gross proceeds received by the tax credit transferor must be assigned to North Dakota. The amount assigned under this subsection cannot be reduced by the taxpayer's income apportioned to North Dakota or any North Dakota net operating loss of the taxpayer.~~
  - ~~g. The tax commissioner has four years after the date of the credit assignment to audit the returns of the credit transferor and the purchaser to verify the correctness of the amount of the transferred credit and if necessary assess the credit purchaser if additional tax is found due. This subdivision does not limit or restrict any other time period prescribed in this chapter for the assessment of tax.~~
  - ~~h. The tax commissioner may adopt rules to establish necessary administrative provisions for the credit under this section, including provisions to permit verification of the validity and timeliness of the transferred tax credit.~~
1. For investments made after June 30, 2017, an angel investor is entitled to a credit against the income tax liability under section 57-38-30.3 for investments made by a certified angel fund into an in-state qualified business or an out-of-state qualified business. The credit is equal to thirty-five percent of the amount invested by the angel fund on behalf of the angel investor in an in-state qualified business during the taxable year and twenty-five percent of the amount invested by the angel fund on behalf of the angel investor in an out-of-state qualified business during the taxable year.
- a. The aggregate amount of credits allowed to an angel investor in a taxable year is limited to forty-five thousand dollars. The aggregate amount of credits allowed to an angel investor for investments made in all taxable years is five hundred thousand dollars. The limitation under this subdivision does not apply to the angel fund but applies to each angel investor.
  - b. The credit must be claimed in the taxable year in which the investment is made in an in-state qualified business or an out-of-state qualified business. The credit allowed may not exceed the liability for tax under this chapter. If the amount of the credit determined under this section exceeds the liability for tax under this chapter, the excess may be carried forward to each of the five succeeding taxable years.
  - c. The investment used to calculate the credit under this section may not be used to calculate any other income tax deduction or credit allowed by law.
  - d. Angel investors may not receive more than five million dollars in aggregate credits under this section during the life of an angel fund but this provision may not be interpreted to limit additional investments in that angel fund.
  - e. Investments placed in escrow do not qualify for the credit.

- f. A passthrough entity entitled to the credit under this section must be considered to be the taxpayer for purposes of calculating the credit. The amount of the allowable credit must be determined at the passthrough entity level. The total credit determined at the entity level must be passed through to the partners, shareholders, or members in proportion to their respective interests in the passthrough entity. An individual taxpayer may take the credit passed through under this section against the individual's state income tax liability under section 57-38-30.3.
2. For purposes of this section:
- a. "Early-stage entity" means an entity with annual revenues of up to two million dollars.
- b. "In-state qualified business" means an early-stage or mid-stage private, nonpublicly traded enterprise that:
- (1) Is created, or its satellite operation is created, as a for-profit entity under the laws of this state.
  - (2) Has its principal office in this state and has the majority of its business activity performed in this state, except sales activity, or has a significant operation in this state that has or is projected to have more than ten employees in this state.
  - (3) Relies on research or the development of new products and processes in its plans for growth and profitability.
  - (4) Is in compliance with state and federal securities laws.
  - (5) Is not an entity or enterprise which is engaged in real estate development, is a real estate holding company, derives income from the selling or leasing of residential or commercial real estate, or carries on operations in the hotel, restaurant, convention, or hospitality industries, or makes any other similar use of real estate.
  - (6) Is certified as an in-state qualified business that meets the requirements of this section by the department of commerce.
- c. "Investment" means a cash investment in an in-state qualified business or out-of-state qualified business that is made in exchange for common stock, a partnership or membership interest, preferred stock, debt with a mandatory conversion to equity, or an equivalent ownership interest as determined by the tax commissioner.
- d. "Mid-stage entity" means an entity with annual revenues over two million dollars not to exceed ten million dollars.
- e. "Out-of-state qualified business" means an early-stage or mid-stage private, nonpublicly traded enterprise that:
- (1) Is created as a for-profit entity.
  - (2) Relies on research or the development of new products and processes in its plans for growth and profitability.
  - (3) Is in compliance with state and federal securities laws.
  - (4) Is not an entity or enterprise engaged in real estate development, is a real estate holding company, derives income from the selling or leasing of residential or commercial real estate, or carries on operations in the hotel, restaurant,

convention, or hospitality industries, or makes any other similar use of real estate.

(5) Is certified as an out-of-state qualified business that meets the requirements of this section by the department of commerce.

3. An angel fund must:

- a. Be a passthrough entity organized after June 30, 2017, as a domestic for-profit entity under the laws of this state, and have its headquarters in this state.
- b. Not have invested, or intend on investing during its certification period, in real estate or real estate activities as described under subdivision e of subsection 2.
- c. Consist of at least six accredited investors as defined in regulation D, rule 501 of the federal Securities Act of 1933.
- d. Not have more than twenty-five percent of its capitalized investment assets owned by any one investor.
- e. Have at least five hundred thousand dollars in commitments from accredited investors which are subject to call to be invested over an unspecified number of years to build a portfolio of investments in enterprises.
- f. Be member-managed or a manager-managed limited liability company and the investor members or a designated board that includes investor members must make decisions as a group on which enterprises are worthy of investments.
- g. Be certified as an angel fund that meets the requirements of this subsection by the department of commerce.
- h. Be in, and remain in, compliance with state and federal securities laws, and invest only in in-state qualified businesses or an out-of-state qualified business that are issuing securities in compliance with state and federal securities laws.

4. On or before December 31, 2019, and every two calendar years thereafter, a minimum of fifty percent of an angel fund's investments, as defined under subdivision b of subsection 2, must be invested into an in-state qualified business.

5. An angel fund shall hold the investment in an in-state qualified business or an out-of-state qualified business for at least three years from the date of investment. The three-year period does not apply if, before the end of the three-year period:

- a. The investment becomes worthless;
- b. Eighty percent or more of the assets of the in-state qualified business or out-of-state qualified business are sold;
- c. The in-state qualified business or out-of-state qualified business is sold;
- d. The common stock of the in-state qualified business or out-of-state qualified business begins trading on a public exchange; or
- e. A partner, shareholder, or member of the angel fund dies, in which case the exception to the three-year holding period only applies to the deceased individual's portion of the investment and related credit.

6. Within thirty days after the date on which an angel fund makes an investment in an in-state qualified business or an out-of-state qualified business, the angel fund shall report the investment to the tax commissioner on forms and in the manner prescribed by the tax commissioner. The report must contain:
  - a. The name, address, and federal employer identification number of the angel fund;
  - b. The total amount of the investment from all angel investors investing in the in-state qualified business or out-of-state qualified business;
  - c. The name, address, and social security or federal identification number of each angel investor investing in the in-state qualified business or out-of-state qualified business;
  - d. The amount invested by each angel investor in the in-state qualified business or out-of-state qualified business;
  - e. The type of security received by the angel fund in exchange for the investment;
  - f. The name, address, and federal employer identification number of the in-state qualified business or out-of-state qualified business;
  - g. The type of industry in which the in-state qualified business or out-of-state qualified business is engaged; and
  - h. Any other information the tax commissioner determines is necessary for administration of this section.
7. An angel fund is subject to a penalty of one thousand dollars per month for each month, or fraction thereof, the report under subsection 6 is not filed. The tax commissioner, for good cause shown, may waive all or part of the penalty imposed under this subsection.
8. By January thirty-first of each year, the angel fund shall file with the tax commissioner a report showing:
  - a. The name and address of each in-state qualified business or out-of-state qualified business in which the angel fund has made an investment;
  - b. The principal place of business for each in-state qualified business or out-of-state qualified business reported under subdivision a;
  - c. The total amount invested in each in-state qualified business or out-of-state qualified business; and
  - d. Any other information the tax commissioner determines is necessary for administration of this section.
9. For an angel fund certified before July 1, 2017, within thirty days after the end of each calendar year, the angel fund shall file with the tax commissioner a report showing the name and principal place of business of each enterprise in which the angel fund has an investment and the amount of the investment.
10. Upon receipt of a written request from the chairman of the legislative management or the chairman of a standing committee of the legislative assembly, the tax commissioner shall disclose any information described under subsections 6, 8, and 9. This subsection does not authorize disclosure of the angel investor's name, social security number or federal employer identification number, address, or any other information prohibited from disclosure under this chapter.

11. Angel investors may be actively involved in the in-state qualified businesses or out-of-state qualified businesses in which the angel fund invests but the angel fund may not invest in any in-state qualified business or out-of-state qualified business if any one angel investor owns directly or indirectly more than forty-nine percent of the ownership interests in the in-state qualified business or out-of-state qualified business. The angel fund may not invest in an in-state qualified business or an out-of-state qualified business if any one angel investor is a partner, shareholder, or member of another passthrough entity that directly or indirectly owns more than forty-nine percent of the ownership interests in the in-state qualified business or out-of-state qualified business.
12. Failure to comply with any provision of this section is cause to revoke the certification of an angel fund or an in-state qualified business or an out-of-state qualified business, or disallow the credit attributable to the noncompliance.
  - a. Notice of the revocation of the angel fund or an in-state qualified business's or out-of-state qualified business's certification must be provided to the angel fund or the in-state qualified business or out-of-state qualified business by the tax commissioner, department of commerce, or securities commissioner. Within thirty days of receipt of the notice, the angel fund shall provide a copy of the notice to each of its angel investors.
  - b. The angel fund's investors shall file an amended return for each taxable year in which the disallowed credit reduced the investor's income tax liability and pay the amount due. The amended return, if required, must be filed within ninety days after the date of the written notice given to the angel fund.
  - c. If the amended return is not timely filed, the tax commissioner shall disallow the credit and assess any tax due. An assessment of tax made under this subsection is final and irrevocably fixed.
  - d. If an amended return is filed as required under subdivision b, the tax commissioner has two years after the amended return is filed in which to audit and assess any tax due attributable to the revocation of the credit, even though other time periods for assessment under this chapter have expired. This subdivision does not limit or restrict any other time period for assessment under this chapter that has not expired.
13. An angel fund or a representative of the fund that knowingly makes, or causes to be made, any material false statement or representation in any application, report, or other document required to be filed under any provision of this section, or omits to state any material statement or fact in any such application, report, or other document required to be filed under any provision of this section, or fails to file the report required in subsection 8 or 9, and after thirty days' notice to file is given by the tax commissioner, is subject to a penalty of ten thousand dollars.
14. Notwithstanding any other provision of law, the tax commissioner, securities commissioner, and the department of commerce may exchange any information obtained under this section to the extent necessary to administer this section."

Page 6, line 13, remove the overstrike over "Seed"

Page 6, line 13, remove "Angel investor seed"

Page 6, line 14, remove "(effective for the first three taxable years beginning after December 31, 2016)"

Page 6, line 21, replace "three taxable years" with "taxable year"

Page 7, after line 4, insert:

"r. Angel investor tax credit under section 57-38-01.26."

Page 7, remove lines 5 through 30

Page 8, remove lines 1 through 29

Page 9, remove lines 1 through 31

Page 10, remove lines 1 through 31

Page 11, remove lines 1 through 10

Page 11, line 11, replace "Section 9 of this" with "This"

Page 11, line 12, remove "2019, and sections 2 through 8 of this Act are effective for taxable"

Page 11, line 13, remove "years beginning after December 31,"

ReNUMBER accordingly

Reengrossed HB 1045 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1339, as engrossed:** Your conference committee (Sens. D. Larson, Anderson, J. Lee and Reps. B. Koppelman, C. Johnson, Rohr) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1068, adopt amendments as follows, and place HB 1339 on the Seventh order:

That the Senate recede from its amendments as printed on page 1068 of the House Journal and page 814 of the Senate Journal and that Engrossed House Bill No. 1339 be amended as follows:

Page 1, line 14, after "notice" insert "of the hearing in an envelope clearly marked  
"ASSESSMENT NOTICE""

Page 2, line 5, replace "fifteen" with "twenty"

ReNUMBER accordingly

Engrossed HB 1339 was placed on the Seventh order of business on the calendar.

#### ANNOUNCEMENT

**SPEAKER BELLEW ANNOUNCED** that the House stand in recess until 12:30 p.m.

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

#### MOTION

**REP. VIGESAA MOVED** that the rules be suspended for the remainder of this regular legislative session and the Majority Leader be authorized to replace any members of a conference committee who are unable to attend a regularly scheduled meeting, which motion prevailed on a voice vote.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

**REP. KLEMIN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1001 as printed on HJ pages 1271-1272, in the Senate amendments to Engrossed HB 1002 as printed on HJ pages 1432-1434, in the Senate amendments to Engrossed HB 1003 as printed on HJ pages 1492-1509, in the Senate amendments to Engrossed HB 1004 as printed on HJ pages 1277-1278, in the Senate amendments to Engrossed HB 1007 as printed on HJ pages 1272-1274, in the Senate amendments to Engrossed HB 1008 as printed on HJ pages 1190-1192, in the Senate amendments to Engrossed HB 1010 as printed on HJ pages 1274-1275, in the Senate amendments to Engrossed HB 1013 as printed on HJ pages 1439-1445, in the Senate amendments to Engrossed HB 1014 as printed on HJ pages 1192-1193, in the Senate amendments to



Engrossed HB 1016 as printed on HJ pages 1280-1282, in the Senate amendments to Engrossed HB 1018 as printed on HJ pages 1276-1277, in the Senate amendments to Engrossed HB 1019 as printed on HJ pages 1292-1295, in the Senate amendments to Engrossed HB 1020 as printed on HJ pages 1445-1455, and in the Senate amendments to Engrossed HB 1022 as printed on HJ pages 1163-1164 and that a conference committee be appointed to meet with a like committee from the Senate on each of these measures, which motion prevailed on a voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEES

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

**Engrossed HB 1001:** Reps. Brandenburg, Kempenich, Brabandt.

**Engrossed HB 1002:** Reps. Sanford, Schatz, Boe.

**Engrossed HB 1003:** Reps. Kempenich, Brandenburg, Delmore.

**Engrossed HB 1004:** Reps. Nathe, Brabandt, Boehning.

**Engrossed HB 1007:** Reps. Boehning, Brabandt, Delmore.

**Engrossed HB 1008:** Reps. Schmidt, Schatz, Boe.

**Engrossed HB 1010:** Reps. Vigesaa, Kempenich, Delmore.

**Engrossed HB 1013:** Reps. Monson, Schmidt, Boe.

**Engrossed HB 1014:** Reps. Kading, Pollert, Holman.

**Engrossed HB 1016:** Reps. Brandenburg, Kempenich, Delmore.

**Engrossed HB 1018:** Reps. Schatz, Streyle, Schmidt.

**Engrossed HB 1019:** Reps. Streyle, Schatz, Schmidt.

**Engrossed HB 1020:** Reps. Schmidt, Streyle, Boe.

**Engrossed HB 1022:** Reps. Boehning, Brabandt, Vigesaa.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**REP. VIGESAA MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2001, Engrossed SB 2009, Engrossed SB 2010, Engrossed SB 2011, Engrossed SB 2012, Engrossed SB 2014, Engrossed SB 2015, Reengrossed SB 2025, SB 2090, and SB 2224, which motion prevailed on a voice vote.

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

**Engrossed SB 2001:** Reps. Vigesaa, Boehning, Delmore

**Engrossed SB 2009:** Reps. Schmidt, Schatz, Boe

**Engrossed SB 2010:** Reps. Meier, Kading, Holman

**Engrossed SB 2011:** Reps. Nathe, Brabandt, Boehning

**Engrossed SB 2012:** Reps. Brandenburg, Kempenich, Delmore

**Engrossed SB 2014:** Reps. Brandenburg, Kempenich, Delmore

**Engrossed SB 2015:** Reps. J. Nelson, Pollert, Holman

**Reengrossed SB 2025:** Reps. J. Nelson, Kading, Holman

**SB 2090:** Reps. Kiefert, D. Anderson, McWilliams

**SB 2224:** Reps. Pollert, Nathe, Holman

#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. DELZER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1009 as printed on HJ pages 1278-1280, which motion prevailed on a voice vote.

Engrossed HB 1009, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1009:** A BILL for an Act to provide an appropriation for defraying the expenses of the agriculture commissioner; to provide for 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.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 80 YEAS, 5 NAYS, 0 EXCUSED, 9 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; Delzer; Dockter; Grueneich; Hanson; Hatlestad; Headland; Heinert;

Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; 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; Pyle; Roers Jones; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Devlin; Ertelt; Johnston; Simons; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Rohr; Ruby, M.; Seibel

Reengrossed HB 1009 passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. DELZER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1011 as printed on HJ pages 1160-1161, which motion prevailed on a voice vote.

Engrossed HB 1011, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1011:** A BILL for an Act to provide an appropriation for defraying the expenses of the securities department.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 81 YEAS, 4 NAYS, 0 EXCUSED, 9 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; Delzer; Devlin; Dockter; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; 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; Pyle; Roers Jones; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

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

**ABSENT AND NOT VOTING:** Boe; Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Rohr; Ruby, M.; Seibel

Reengrossed HB 1011 passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. BRANDENBURG MOVED** that the House do concur in the Senate amendments to Engrossed HB 1017 as printed on HJ pages 1161-1162, which motion prevailed on a voice vote.

Engrossed HB 1017, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1017:** A BILL for an Act to provide an appropriation for defraying the expenses of the game and fish department.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called

and there were 72 YEAS, 13 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

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

**NAYS:** Becker, Rick C.; Delzer; Ertelt; Johnston; Kiefert; Koppelman, B.; Magrum; McWilliams; Oliver; Olson; Schatz; Simons; Skroch

**ABSENT AND NOT VOTING:** Boe; Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Rohr; Ruby, M.; Seibel

Reengrossed HB 1017 passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. DELZER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1021 as printed on HJ pages 1162-1163, which motion prevailed on a voice vote.

Engrossed HB 1021, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1021:** A BILL for an Act to provide an appropriation for defraying the expenses of workforce safety and insurance.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 78 YEAS, 7 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; 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; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Anderson, P.; Becker, Rick C.; Ertelt; Johnston; Magrum; Oliver; Simons

**ABSENT AND NOT VOTING:** Boe; Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Rohr; Ruby, M.; Seibel

Engrossed HB 1021, as amended, passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. K. KOPPELMA MOVED** that the House do concur in the Senate amendments to Engrossed HB 1387 as printed on HJ page 1086, which motion prevailed on a voice vote.

Engrossed HB 1387, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1387:** A BILL for an Act to create and enact section 31-04-04.2 of the North Dakota

Century Code, relating to use of audiovisual equipment for the testimony of a minor or disabled adult witness.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 85 YEAS, 0 NAYS, 0 EXCUSED, 9 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; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Rohr; Ruby, M.; Seibel

Engrossed HB 1387, as amended, passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. K. KOPPELMA** **MOVED** that the House do concur in the Senate amendments to Engrossed HB 1043 as printed on HJ pages 929-930, which motion prevailed on a voice vote.

Engrossed HB 1043, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1043:** A BILL for an Act to amend and reenact section 1-02-12, subsection 10 of section 11-31-03, subsection 1 of section 14-20-12, subsection 1 of section 15.1-21-02.1, section 24-02-30, subsection 1 of section 25-02-01.1, sections 50-06-06.2 and 52-10-04, subsection 4 of section 52-10-05, section 52-10-07, subsection 3 of section 54-44.7-03, subsection 17 of section 54-52-01, subsection 3 of section 54-52-05, sections 57-15-06 and 57-15-08, subsection 1 of section 57-34-03, subsection 7 of section 57-38-30.3, section 57-51.1-03.1, and subsection 19 of section 58-03-07 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; to repeal sections 54-40.3-03, 57-15-10.2, 57-38-01.29, and 57-38-01.30 of the North Dakota Century Code, relating to obsolete provisions; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 85 YEAS, 0 NAYS, 0 EXCUSED, 9 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; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Rohr; Ruby, M.; Seibel

Engrossed HB 1043, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. ROERS JONES MOVED** that the conference committee report on Engrossed HB 1204 as printed on HJ page 1425 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1204 was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1204:** A BILL for an Act to amend and reenact section 20.1-03-01.5 and subdivision a of subsection 1 of section 20.1-03-11 of the North Dakota Century Code, relating to youth hunting; and to repeal section 20.1-04-05 of the North Dakota Century Code, relating to the protection of bald eagles.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, the roll was called and there were 83 YEAS, 2 NAYS, 0 EXCUSED, 9 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; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; 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; Pyle; Roers Jones; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Hanson; Keiser

**ABSENT AND NOT VOTING:** Boe; Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Rohr; Ruby, M.; Seibel

Engrossed HB 1204 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. OLSON MOVED** that the conference committee report on Engrossed SB 2188 as printed on HJ page 1510 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. WESTLIND MOVED** that the conference committee report on Engrossed SB 2239 as printed on HJ page 1510 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. D. RUBY MOVED** that the conference committee report on Reengrossed SB 2311 as printed on HJ page 1510 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. K. KOPPELMAN MOVED** that the conference committee report on Engrossed HB 1339 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1339, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1339:** A BILL for an Act to amend and reenact sections 61-16.1-22, 61-16.1-23, and 61-16.1-26 of the North Dakota Century Code, relating to notice, appeals, and refunds of special assessments.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, the roll was called

and there were 75 YEAS, 9 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

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

**NAYS:** Boschee; Delmore; Hanson; Hogan; Howe; Johnson, M.; Mock; Pyle; Zubke

**ABSENT AND NOT VOTING:** Boe; Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Rohr; Ruby, M.; Schobinger; Seibel

Engrossed HB 1339 passed.

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#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. HEADLAND MOVED** that the conference committee report on Reengrossed HB 1045 be adopted, which motion prevailed on a verification vote.

Reengrossed HB 1045, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE BILL**

**HB 1045:** A BILL for an Act to amend and reenact section 57-38-01.26 and subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to the angel fund investment tax credit; to provide a penalty; to provide an effective date; and to provide an expiration date.

#### **ROLL CALL**

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

**YEAS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hanson; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; 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; Pyle; Roers Jones; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schreiber-Beck; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Speaker Bellew

**NAYS:** Anderson, P.; Hatlestad; Keiser; Magrum; Zubke

**ABSENT AND NOT VOTING:** Boe; Dobervich; Guggisberg; Kasper; Kreidt; Marschall; Rohr; Ruby, M.; Schobinger; Seibel

Reengrossed HB 1045 passed.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HCR 3035.

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1009, HB 1011, HB 1017, HB 1021, HB 1043, and HB 1387.

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1001, HB 1002, HB 1003, HB 1004, HB 1007, HB 1008, HB 1010, HB 1013, HB 1014, HB 1016, HB 1018, HB 1019, HB 1020, and HB 1022, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1001:** Reps. Brandenburg; Kempenich; Brabandt

**HB 1002:** Reps. Sanford; Schatz; Boe

**HB 1003:** Reps. Kempenich; Brandenburg; Delmore

**HB 1004:** Reps. Nathe; Brandenburg; Boehning

**HB 1007:** Reps. Boehning; Brabandt; Delmore

**HB 1008:** Reps. Schmidt; Schatz; Boe

**HB 1010:** Reps. Vigesaa; Kempenich; Delmore

**HB 1013:** Reps. Monson; Schmidt; Boe

**HB 1014:** Reps. Kading; Pollert; Holman

**HB 1016:** Reps. Brandenburg; Kempenich; Delmore

**HB 1018:** Reps. Schatz; Streyle; Schmidt

**HB 1019:** Reps. Streyle; Schatz; Schmidt

**HB 1020:** Reps. Schmidt; Streyle; Boe

**HB 1022:** Reps. Boehning; Brabandt; Vigesaa

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

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

**HB 1341:** Sens. Armstrong; D. Larson; Nelson

**HB 1378:** Sens. Unruh; Cook; Roers

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2002, SB 2005, SB 2007, SB 2008, SB 2017, SB 2022, and SB 2023.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2016, SB 2018, SB 2019, SB 2020, and SB 2119, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2016:** Sens. Krebsbach; Oehlke; Mathern

**SB 2018:** Sens. Holmberg; Oehlke; Robinson

**SB 2019:** Sens. Erbele; Holmberg; Robinson

**SB 2020:** Sens. Bowman; Erbele; Grabinger

**SB 2119:** Sens. Krebsbach; Oehlke; Mathern

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

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

**SB 2001:** Reps. Vigesaa; Boehning; Delmore

**SB 2009:** Reps. Schmidt; Schatz; Boe

**SB 2010:** Reps. Meier; Kading; Holman

**SB 2011:** Reps. Nathe; Brabandt; Boehning

**SB 2012:** Reps. Brandenburg; Kempenich; Delmore

**SB 2014:** Reps. Brandenburg; Kempenich; Delmore

**SB 2015:** Reps. J. Nelson; Pollert; Holman

**SB 2025:** Reps. J. Nelson; Kading; Holman

**SB 2090:** Reps. Kiefert; D. Anderson; McWilliams

**SB 2224:** Reps. Pollert; Nathe; Holman

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: SB 2188, SB 2239, SB 2311.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1045, HB 1204, HB 1339.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report on: SB 2216.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report on: HB 1037.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2223, SB 2303.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1194.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** Your signature is respectfully requested on: SB 2006, SB 2029, SB 2163, SB 2191, SB 2231, SB 2250, SB 2272, SB 2276, SB 2298, SB 2335, SB 2340, SB 2343.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HB 1038, HB 1058, HB 1090, HB 1098, HB 1126, HB 1137, HB 1181, HB 1189, HB 1197, HB 1202, HB 1222, HB 1236, HB 1247, HB 1272, HB 1283, HB 1294, HB 1299, HB 1320, HB 1374, HB 1419.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: SB 2006, SB 2029, SB 2163, SB 2191, SB 2231, SB 2250, SB 2272, SB 2276, SB 2298, SB 2335, SB 2340, SB 2343.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2006, SB 2029, SB 2163, SB 2191, SB 2231, SB 2250, SB 2272, SB 2276, SB 2298, SB 2335, SB 2340, SB 2343.

#### MOTION

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

#### MOTION

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Monday, April 10, 2017, which motion prevailed on a voice vote.

#### REPORT OF STANDING COMMITTEE

**SB 2004, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2004 was placed on the Sixth order on the calendar.

Page 1, line 2, after "reenact" insert "sections 43-28.1-01 and 43-28.1-03 and"

Page 1, line 3, after the first "to" insert "the dentists loan repayment program, criteria to be used in selecting qualified dentists, and"

Page 1, line 4, after the semicolon insert "to provide a statement of legislative intent; to provide for a report to the legislative management;"

Page 1, line 14, remove lines 14 through 23

Page 2, replace lines 1 and 2 with:

"Salaries and wages	\$62,805,918	\$443,903	\$63,249,821
Operating expenses	40,598,335	(2,959,050)	37,639,285
Capital assets	2,895,232	551,508	3,446,740



Grants	57,096,760	2,787,181	59,883,941
Tobacco prevention	6,910,177	6,736,527	13,646,704
Women, infants, and children food payments	20,200,000	0	20,200,000
Medical marijuana	<u>0</u>	<u>1,560,770</u>	<u>1,560,770</u>
Total all funds	\$190,506,422	\$9,120,839	\$199,627,261
Less estimated income	<u>141,970,854</u>	<u>14,373,200</u>	<u>156,344,054</u>
Total general fund	\$48,535,568	(\$5,252,361)	\$43,283,207
Full-time equivalent positions	365.00	(3.00)	362.00

**SECTION 2. HEALTH INSURANCE INCREASE.** The salaries and wages line item, tobacco prevention line item, and medical marijuana line item in section 1 of this Act include the sum of \$1,002,131, of which \$529,839 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 2, replace lines 11 through 14 with:

"Medical marijuana	<u>0</u>	<u>95,066</u>
Total all funds	\$2,536,110	\$1,834,286
Less estimated income	<u>2,200,110</u>	<u>1,834,286</u>
Total general fund	\$336,000	\$0"

Page 3, line 5, replace "\$11,078,195" with "\$12,878,195"

Page 3, after line 6, insert:

**"SECTION 9. STATEMENT OF LEGISLATIVE INTENT - MEDICAL MARIJUANA.** It is the intent of the sixty-fifth legislative assembly that chapter 19-24.1 of the North Dakota Century Code, as created in Senate Bill No. 2344, be treated as an amendment to initiated measure No. 5 as adopted at the general election in 2016, and therefore an amendment to or repeal of chapter 19-24.1 before December 8, 2023, is subject to the requirements of section 8 of article III of the Constitution of North Dakota.

**SECTION 10. AMENDMENT.** Section 43-28.1-01 of the North Dakota Century Code is amended and reenacted as follows:

**43-28.1-01. Loan repayment program - Dentists - Defined need - Maximum amount of funds.**

~~Each year~~Annually, the state health council shall select, from a pool of applicants, dentists who ~~shall~~will provide dental services in cities or surrounding areas, or both, in this state which the state health council identifies as having a defined need for dental services. ~~The dentists selected from this pool of applicants may include dentists who will~~shall agree to accept medical assistance patients and assignments or provide dental services in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic. ~~The dentists are~~A selected dentist who agrees to the terms of this program is eligible to receive funds for the repayment of ~~their~~the dentist's education loans. The funds, which are payable over a five-year period, may not exceed one hundred thousand dollars per applicant. If the state health council accepts any gifts, grants, or donations under this chapter, the council may select additional dentists for participation in the loan repayment program under this chapter.

**SECTION 11. AMENDMENT.** Section 43-28.1-03 of the North Dakota Century Code is amended and reenacted as follows:

**43-28.1-03. Criteria.**

1. The health council shall establish criteria to be used in selecting qualified dentists and in identifying cities or surrounding areas, or both, that have a defined need for dental services. The criteria must include consideration of:

- a. The number of dentists already providing dental services in the city or surrounding areas, or both;
  - b. Access to dental services in the city and the surrounding areas;
  - c. How the dentist will provide dental services to individuals on medical assistance or in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic; and
  - d. The dentist's training in general dentistry or in a dental specialty and the extent to which such services are needed in the identified city or surrounding areas, or both.
2. As a term of receipt of funds under this chapter, a dentist shall accept medical assistance patients and assignments or provide dental services in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic. For purposes of a dentist selected for loan payment under this chapter who practices within fifteen miles [24.14 kilometers] of the city limits of one of the three largest cities in the state, to qualify to receive a yearly disbursement under this chapter during that year of obligated service, the dentist must have:
    - a. Received dental medical payments of at least twenty thousand dollars in the form of medical assistance reimbursement; or
    - b. Practiced at least two full workdays per week at a public health clinic or at a nonprofit dental clinic that uses a sliding fee schedule to bill the nonprofit dental clinic's patients.
  3. The health council may consult with public and private sector entities in establishing criteria and evaluating needs based on the criteria."

Page 4, after line 3, insert:

**"SECTION 14. COMPREHENSIVE TOBACCO CONTROL ADVISORY COMMITTEE RECORDS TRANSFER.** As of July 1, 2017, all business-related records belonging to the comprehensive tobacco control advisory committee must be transferred to the state department of health. The comprehensive tobacco control advisory committee shall allow the state department of health to have access to the business-related records of the committee before July 1, 2017, as necessary, for the purpose of transitioning operations to the state department of health.

**SECTION 15. STATEWIDE TOBACCO PREVENTION AND CONTROL PLAN - IMPLEMENTATION - EVALUATION - REPORT TO LEGISLATIVE MANAGEMENT.** By July 31, 2017, the state department of health shall develop a statewide tobacco prevention and control plan that is consistent with the five components of the centers for disease control and prevention best practices for comprehensive tobacco control programs. At least once during the 2017-19 biennium, the state department of health shall provide for an independent review of the tobacco prevention and control plan to evaluate the effectiveness of the plan and its implementation. Any costs related to the independent review are provided in the tobacco prevention line item in section 1 of this Act and may be paid from the tobacco prevention and control trust fund. The department shall report the results of the independent review to the legislative management."

Page 4, line 5, after "1" insert "and section 14"

Page 4, line 5, replace "is" with "are"

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

## Senate Bill No. 2004 - State Department of Health - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$62,805,918	\$64,416,107	(\$1,166,286)	\$63,249,821
Operating expenses	40,598,335	38,394,458	(755,173)	37,639,285
Capital assets	2,895,232	3,446,740		3,446,740
Grants	57,096,760	56,135,670	3,748,271	59,883,941
Tobacco prevention	6,910,177	12,147,741	1,498,963	13,646,704
WIC food payments	20,200,000	20,200,000		20,200,000
Medical marijuana		6,236,376	(4,675,606)	1,560,770
Total all funds	\$190,506,422	\$200,977,092	(\$1,349,831)	\$199,627,261
Less estimated income	141,970,854	155,888,204	455,850	156,344,054
General fund	\$48,535,568	\$45,088,888	(\$1,805,681)	\$43,283,207
FTE	365.00	377.00	(15.00)	362.00

## Department No. 301 - State Department of Health - Detail of House Changes

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Removes 8 FTE Positions Agencywide <sup>2</sup>	Reduces Funding for Operating Expenses Agencywide <sup>3</sup>	Removes 7 FTE Medical Marijuana Positions and Adjusts Funding <sup>4</sup>	Adds Funding for Federal Ebola Grant <sup>5</sup>	Adds Funding for Volkswagon Corporation Settlement Proceeds <sup>6</sup>
Salaries and wages	(\$98,894)	(\$1,067,392)				
Operating expenses			(850,000)		94,827	
Capital assets						
Grants					948,271	2,500,000
Tobacco prevention	(1,037)					
WIC food payments						
Medical marijuana	(21,278)			(4,654,328)		
Total all funds	(\$121,209)	(\$1,067,392)	(\$850,000)	(\$4,654,328)	\$1,043,098	\$2,500,000
Less estimated income	(66,608)	(433,077)	(680,000)	(3,707,563)	1,043,098	2,500,000
General fund	(\$54,601)	(\$634,315)	(\$170,000)	(\$946,765)	\$0	\$0
FTE	0.00	(8.00)	0.00	(7.00)	0.00	0.00

	Adds Funding for Domestic Violence Offender Treatment Grants <sup>7</sup>	Adds Funding for Tobacco Cessation Products <sup>8</sup>	Adds Funding for Local Public Health Unit Tobacco Prevention and Control Grants <sup>9</sup>	Total House Changes
Salaries and wages				(\$1,166,286)
Operating expenses				(755,173)
Capital assets				
Grants	300,000			3,748,271
Tobacco prevention		500,000	1,000,000	1,498,963
WIC food payments				
Medical marijuana				(4,675,606)
Total all funds	\$300,000	\$500,000	\$1,000,000	(\$1,349,831)
Less estimated income	300,000	500,000	1,000,000	455,850
General fund	\$0	\$0	\$0	(\$1,805,681)
FTE	0.00	0.00	0.00	(15.00)

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

<sup>2</sup> Eight FTE positions are removed, including related funding for salaries and wages.

<sup>3</sup> Funding for operating expenses is reduced agencywide.

<sup>4</sup> Seven FTE medical marijuana positions are removed and funding is adjusted based on the fiscal note for Senate Bill No. 2344, as approved by the House, to provide a total of 6 FTE positions and total funding of \$1,560,770, of which \$723,270 is from the general fund and \$837,500 is from the compassionate care fund.

<sup>5</sup> Funding is added for a federal Ebola grant anticipated to be received by the department.

<sup>6</sup> Funding is added for grants from special funds resulting from a settlement agreement between the United States Department of Justice and the Volkswagen Corporation related to emissions. The State Department of Health has been designated to receive the funds by the Governor's office.

<sup>7</sup> Funding is provided from the tobacco prevention and control trust fund for domestic violence offender treatment grants.

<sup>8</sup> Funding is provided from the tobacco prevention and control trust fund for tobacco cessation products.

<sup>9</sup> Funding is provided from the tobacco prevention and control trust fund for grants to local public health units for tobacco prevention and control programs to provide a total of \$6.5 million for tobacco prevention grants to local public health units.

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This amendment also:

- Adds a section to identify additional funding provided for health insurance increases.
- Amends the section related to funding from the tobacco prevention and control trust fund to provide \$12,878,195 from the tobacco prevention and control trust fund to the State Department of Health for tobacco prevention and related health programs.
- Adds a section of legislative intent that Chapter 19-24.1 related to medical marijuana, as created by Senate Bill No. 2344, be subject to the requirements of Section 8 of Article III of the Constitution of North Dakota until December 8, 2023.
- Adds a section to require, as of July 1, 2017, all business-related records belonging to the Comprehensive Tobacco Control Advisory Committee shall be transferred to the State Department of Health. The State Department of Health to have access to the business-related records of the Comprehensive Tobacco Control Advisory Committee prior to July 1, 2017, for the purposes of transitioning the operations to the State Department of Health.
- Adds a section to provide that by July 31, 2017, the State Department of Health develop a statewide tobacco prevention and control plan that is consistent with the five components of the Centers for Disease Control and Prevention Best Practices for Comprehensive Tobacco Control Programs. At least once during the 2017-19 biennium, the State Department of Health must provide for an independent review of the tobacco prevention and control plan to evaluate the effectiveness of the plan and its implementation. Any costs related to the independent review are included in the tobacco prevention control line item and may be paid from the tobacco prevention and control trust fund. The department must report the results of the review to the Legislative Management.
- Adds sections to amend North Dakota Century Code Sections 43-28.1-01 and 43-28.1-03 related to the dentists loan repayment program and criteria to be used in selecting qualified dentists.
- Provides the section related to the transfer of records from the Comprehensive Tobacco Control Advisory Committee to the State Department of Health is an emergency measure.

#### REPORT OF STANDING COMMITTEE

**SB 2021**, as engrossed: **Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2021 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "and" with "to provide appropriations to certain agencies for an electronic payment processing system; to authorize borrowing authority;"

Page 1, line 2, after "transfers" insert "; to provide for a report; to create and enact sections 15-19-01.1, 15-19-01.2, and 15-19-02.1 of the North Dakota Century Code, relating to the centers for distance education; to amend and reenact subsection 1 of section

37-17.3-02.2, section 54-59-31, and subsection 1 of section 54-59-34 of the North Dakota Century Code, relating to the statewide interoperability executive committee, certified electronic health information systems, and the statewide longitudinal data system; and to provide a statement of legislative intent"

Page 1, remove lines 12 through 23

Page 2, replace line 1 with:

"Salaries and wages	\$58,113,215	\$1,246,557	\$59,359,772
Operating expenses	70,927,060	(999,062)	69,927,998
Capital assets	8,850,000	(555,000)	8,295,000
Center for distance education	9,091,690	(12,574)	9,079,116
Statewide longitudinal data system	5,500,661	(1,190,100)	4,310,561
Educational technology council	1,655,947	(534,475)	1,121,472
Edutech	9,052,048	700,719	9,752,767
K-12 wide area network	4,880,862	(346,584)	4,534,278
Geographic information system	1,192,978	(45,262)	1,147,716
Health information technology office	5,354,633	43,516,009	48,870,642
Statewide interoperability radio network	0	13,700,000	13,700,000
Total all funds	\$174,619,094	\$55,480,228	\$230,099,322
Less estimated income	<u>151,213,039</u>	<u>58,353,949</u>	<u>209,566,988</u>
Total general fund	\$23,406,055	(\$2,873,721)	\$20,532,334"

Page 2, after line 2, insert:

**"SECTION 2. HEALTH INSURANCE INCREASE.** The salaries and wages line item in section 1 of this Act includes the sum of \$926,470, of which \$173,819 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 2, after line 11, insert:

"Electronic payment processing system	0	375,000"
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Page 2, replace lines 13 and 14 with:

"Total all funds	\$3,172,090	\$43,930,133
Less estimated income	<u>500,000</u>	<u>43,930,133"</u>

Page 2, after line 24, insert:

**"SECTION 5.** Section 15-19-01.1 of the North Dakota Century Code is created and enacted as follows:

**15-19-01.1. Distance education courses - Course lists to school districts - Notification.**

The center for distance education shall provide, by December thirty-first of each year, a complete list of courses offered by the center to all school districts. Each school district shall notify its students and their parents or guardians of the complete list of courses offered and the school district's policies for course selection and related fees.

**SECTION 6.** Section 15-19-01.2 of the North Dakota Century Code is created and enacted as follows:

**15-19-01.2. Distance education courses - Online courses.**

1. The director of the center for distance education may provide new, online, elective courses for credit meeting the following criteria:
  - a. The course is delivered and controlled by the center for distance education.

- b. The course code limits the delivery and instruction to the center for distance education.
  - c. The course code assignment reflects current department of public instruction code assignment and teacher licensure.
  - d. The course meets or exceeds all applicable course standards.
  - e. The course represents a new and emerging field of study or career.
2. Courses provided under this section are subject to yearly reviews by the superintendent of public instruction.

**SECTION 7.** Section 15-19-02.1 of the North Dakota Century Code is created and enacted as follows:

**15-19-02.1. Distance education clearinghouse.**

The director of the center for distance education shall establish a clearinghouse for online courses delivered to North Dakota schools for the purpose of providing:

1. A list of the online courses and providers for all North Dakota schools to access.
2. Awareness of online courses available in new and emerging careers.
3. A list of comparative prices for online courses and other online services.
4. Awareness of the differences between technological innovation and learning innovation.

**SECTION 8. AMENDMENT.** Subsection 1 of section 37-17.3-02.2 of the North Dakota Century Code is amended and reenacted as follows:

1. The statewide interoperability executive committee consists of:
  - a. The director of state radio or a designee;
  - b. The director of the division of homeland security or a designee;
  - c. The superintendent of the highway patrol or a designee;
  - d. The adjutant general or a designee;
  - e. The director of the department of transportation or a designee;
  - f. A representative of the North Dakota sheriff's and deputies association;
  - g. A representative of the North Dakota emergency managers association;
  - h. A representative of the North Dakota fire chiefs association;
  - i. A representative of the North Dakota emergency medical services association;
  - j. A representative of the North Dakota police chiefs association;
  - k. A representative of the North Dakota peace officers association;
  - l. A representative of the North Dakota 911 association; and
  - m. The North Dakota chief information officer or a designee;

- n. The North Dakota Indian affairs commission executive director or a designee; and
- o. One member of the North Dakota house of representatives and one member of the North Dakota senate appointed by the legislative management.

**SECTION 9. AMENDMENT.** Section 54-59-31 of the North Dakota Century Code is amended and reenacted as follows:

**54-59-31. Certified electronic health records systems.**

1. An executive branch state agency, an institution of higher education, and any health care provider or other person participating in the health information exchange may use only an electronic health record system for use in the exchange which is certified under rules adopted by the office of the national coordinator for health information technology.
2. Subsection 1 does not apply if:
  - a. The office of the national coordinator for health information technology does not require certification of the electronic health record system for that type of provider; or
  - b. The North Dakota health information technology director waives the certification requirement.

**SECTION 10. AMENDMENT.** Subsection 1 of section 54-59-34 of the North Dakota Century Code is amended and reenacted as follows:

1. The statewide longitudinal data system committee shall manage a statewide longitudinal data system that:
  - a. Provides for the dissemination of management information to stakeholders and partners of state education, training, and employment systems; ~~and~~
  - b. Is required to provide on an annual basis to education and workforce development programs, to the extent permitted by federal law, the wage record interchange system 2 data sharing agreement, and the state wage interchange system data sharing agreement, state performance reports that measure the aggregate outcomes of participants in the workforce and continuing education programs, including private workforce and education programs that request the reports; and
  - c. Uses data from educational and workforce systems as central sources of statewide longitudinal data.

**SECTION 11. LOAN AUTHORIZATION - APPROPRIATION - ELECTRONIC PAYMENT PROCESSING SYSTEM.** The state agencies named in this section shall borrow from the Bank of North Dakota, the amounts listed below, or so much of the amounts as may be necessary, which are appropriated to the respective agency for the purpose of defraying the expenses of implementing a new electronic payment system for the biennium beginning July 1, 2017, and ending June 30, 2019.

<u>Agency</u>	<u>Amount</u>
Department of transportation	\$147,000
Secretary of state's office	93,000
Parks and recreation department	42,000
Game and fish department	36,000
Workforce safety and insurance	36,000
Highway patrol	<u>21,000</u>
Total	\$375,000

**SECTION 12. LOAN REPAYMENT - APPROPRIATION - ELECTRONIC PAYMENT PROCESSING SYSTEM.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from additional revenue received as a result of the implementation of a new electronic payment processing system to the agencies named below for the purpose of repaying the Bank of North Dakota loans authorized in section 11 of this Act, plus interest for the biennium beginning July 1, 2017, and ending June 30, 2019.

<u>Agency</u>	<u>Amount</u>
Department of transportation	\$159,000
Secretary of state's office	101,000
Parks and recreation department	46,000
Game and fish department	39,000
Workforce safety and insurance	39,000
Highway patrol	<u>23,000</u>
Total	\$407,000

**SECTION 13. LEGISLATIVE INTENT - STATE GOVERNMENT**

**EFFICIENCIES.** It is the intent of the sixty-fifth legislative assembly that during the 2017-18 interim, the governor achieve efficiencies and budgetary savings within the information technology department and other state agencies through the use of innovative ideas and solutions relating to information technology and related services. It is also the intent of the sixty-fifth legislative assembly that the governor submit proposed legislation necessary to implement any ideas and solutions for state government efficiencies and budgetary savings which cannot be implemented during the 2017-18 interim to the sixty-sixth legislative assembly."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2021 - Summary of House Action**

	<u>Base Budget</u>	<u>Senate Version</u>	<u>House Changes</u>	<u>House Version</u>
Secretary of State				
Total all funds	\$0	\$0	\$194,000	\$194,000
Less estimated income	<u>0</u>	<u>0</u>	<u>194,000</u>	<u>194,000</u>
General fund	\$0	\$0	\$0	\$0
Information Technology Department				
Total all funds	\$174,619,094	\$216,155,754	\$13,943,568	\$230,099,322
Less estimated income	<u>151,213,039</u>	<u>195,609,843</u>	<u>13,957,145</u>	<u>209,566,988</u>
General fund	\$23,406,055	\$20,545,911	(\$13,577)	\$20,532,334
Workforce Safety and Insurance				
Total all funds	\$0	\$0	\$75,000	\$75,000
Less estimated income	<u>0</u>	<u>0</u>	<u>75,000</u>	<u>75,000</u>
General fund	\$0	\$0	\$0	\$0
Highway Patrol				
Total all funds	\$0	\$0	\$44,000	\$44,000
Less estimated income	<u>0</u>	<u>0</u>	<u>44,000</u>	<u>44,000</u>
General fund	\$0	\$0	\$0	\$0
Game and Fish Department				
Total all funds	\$0	\$0	\$75,000	\$75,000
Less estimated income	<u>0</u>	<u>0</u>	<u>75,000</u>	<u>75,000</u>
General fund	\$0	\$0	\$0	\$0
Parks and Recreation Department				
Total all funds	\$0	\$0	\$88,000	\$88,000
Less estimated income	<u>0</u>	<u>0</u>	<u>88,000</u>	<u>88,000</u>
General fund	\$0	\$0	\$0	\$0
Department of Transportation				
Total all funds	\$0	\$0	\$306,000	\$306,000
Less estimated income	<u>0</u>	<u>0</u>	<u>306,000</u>	<u>306,000</u>
General fund	\$0	\$0	\$0	\$0
Bill total				
Total all funds	\$174,619,094	\$216,155,754	\$14,725,568	\$230,881,322
Less estimated income	<u>151,213,039</u>	<u>195,609,843</u>	<u>14,739,145</u>	<u>210,348,988</u>



General fund	\$23,406,055	\$20,545,911	(\$13,577)	\$20,532,334
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**Senate Bill No. 2021 - Secretary of State - House Action**

	Base Budget	Senate Version	House Changes	House Version
Operating expenses			\$194,000	\$194,000
Total all funds	\$0	\$0	\$194,000	\$194,000
Less estimated income	0	0	194,000	194,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

**Department No. 108 - Secretary of State - Detail of House Changes**

	Adds Funding for Electronic Payment Processing System Loan <sup>1</sup>	Adds Funding for Electronic Payment Processing System Loan Repayment <sup>2</sup>	Total House Changes
Operating expenses	\$93,000	\$101,000	\$194,000
Total all funds	\$93,000	\$101,000	\$194,000
Less estimated income	93,000	101,000	194,000
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for a loan from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

<sup>2</sup> Funding is added to repay a loan, including interest accrued, from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

**Senate Bill No. 2021 - Information Technology Department - House Action**

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$58,113,215	\$59,474,408	(\$114,636)	\$59,359,772
Operating expenses	70,927,060	69,552,998	375,000	69,927,998
Capital assets	8,850,000	8,295,000		8,295,000
Center for Distance Education	9,091,690	9,085,544	(6,428)	9,079,116
Statewide longitudinal data system	5,500,661	4,312,013	(1,452)	4,310,561
Educational Technology Council	1,655,947	1,121,887	(415)	1,121,472
EduTech	9,052,048	9,759,403	(6,636)	9,752,767
K-12 wide area network	4,880,862	4,535,107	(829)	4,534,278
Geographic information system	1,192,978	1,147,923	(207)	1,147,716
Health information technology office	5,354,633	48,871,471	(829)	48,870,642
Statewide Interoperability Radio Network			13,700,000	13,700,000
Total all funds	\$174,619,094	\$216,155,754	\$13,943,568	\$230,099,322
Less estimated income	151,213,039	195,609,843	13,957,145	209,566,988
General fund	\$23,406,055	\$20,545,911	(\$13,577)	\$20,532,334
FTE	350.30	344.30	0.00	344.30

**Department No. 112 - Information Technology Department - Detail of House Changes**

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Reduces Funding for Salaries <sup>2</sup>	Adds One-Time Funding for Electronic Payment Processing System <sup>3</sup>	Adds Funding for Statewide Interoperability Radio Network <sup>4</sup>	Total House Changes
Salaries and wages	(\$55,572)	(\$59,064)			(\$114,636)
Operating expenses			375,000		375,000

Capital assets					
Center for Distance Education	(6,428)				(6,428)
Statewide longitudinal data system	(1,452)				(1,452)
Educational Technology Council	(415)				(415)
EduTech	(6,636)				(6,636)
K-12 wide area network	(829)				(829)
Geographic information system	(207)				(207)
Health information technology office	(829)				(829)
Statewide Interoperability Radio Network			13,700,000		13,700,000
Total all funds	(\$72,368)	(\$59,064)	\$375,000	\$13,700,000	\$13,943,568
Less estimated income	(58,791)	(59,064)	375,000	13,700,000	13,957,145
General fund	(\$13,577)	\$0	\$0	\$0	(\$13,577)
FTE	0.00	0.00	0.00	0.00	0.00

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

<sup>2</sup> Funding is further reduced for salaries related to 5 FTE positions removed by the Senate.

<sup>3</sup> One-time funding of \$375,000 is added for developing an electronic payment processing system related to credit card fees for the following state agencies:

- Department of Transportation - \$147,000
- Secretary of State's office - \$93,000
- Parks and Recreation Department - \$42,000
- Game and Fish Department - \$36,000
- Workforce Safety and Insurance - \$36,000
- Highway Patrol - \$21,000

<sup>4</sup> Funding of \$13.7 million of special funds is added for the statewide interoperability radio network (SIRN). This is the estimated amount to be collected by political subdivisions during the 2017-19 biennium due to increased fees on assessed communications services pursuant to House Bill No. 1178. Amounts received by political subdivisions will be remitted to the State Treasurer to be deposited in the SIRN fund to be used by the Information Technology Department for costs of developing the network.

This amendment also:

- Adds a section to identify the amount of funding included in the bill for the increase in employee health insurance premiums.
- Amends North Dakota Century Code Chapter 15-19 to require the Director of the Centers for Distance Education (CDE) to provide all public schools and districts a list of courses offered by CDE, to provide new online elective courses, and to establish a clearinghouse for online courses offered by CDE.
- Amends Section 37-17.3-02.2(1) to expand membership of the statewide interoperable executive committee to include the North Dakota Indian Affairs Commission executive director and, as appointed by Legislative Management, one member of the House and one member of the Senate.
- Amends Section 54-59-31 to allow certain health care providers participating in the health information exchange to use an electronic health records system that is not certified by the office of the National Coordinator for Health Information Technology if that type of provider is not required to be certified.
- Amends Subsection 1 of Section 54-59-34 to require the Statewide Longitudinal Data System Committee to provide annual reports to education and workforce development programs.
- Adds a section authorizing the Department of Transportation, Parks and Recreation Department, Game and Fish Department, Workforce Safety and Insurance, the Secretary of State's office, and Highway Patrol to obtain loans from the Bank of North Dakota for an electronic payment processing system.

- Adds a section providing an appropriation to each agency receiving loans from the Bank of North Dakota for an electronic payment processing system, to provide for repayment of the loans.
- Adds a section providing legislative intent regarding the Governor achieving efficiencies and budgetary savings within the Information Technology Department and other agencies.

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

	Base Budget	Senate Version	House Changes	House Version
Workforce safety and insurance operation			\$75,000	\$75,000
Total all funds	\$0	\$0	\$75,000	\$75,000
Less estimated income	0	0	75,000	75,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

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

	Adds Funding for Electronic Payment Processing System Loan <sup>1</sup>	Adds Funding for Electronic Payment Processing System Loan Repayment <sup>2</sup>	Total House Changes
Workforce safety and insurance operation	\$36,000	\$39,000	\$75,000
Total all funds	\$36,000	\$39,000	\$75,000
Less estimated income	36,000	39,000	75,000
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for a loan from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

<sup>2</sup> Funding is added to repay a loan, including interest accrued, from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

### Senate Bill No. 2021 - Highway Patrol - House Action

	Base Budget	Senate Version	House Changes	House Version
Field operations			\$44,000	\$44,000
Total all funds	\$0	\$0	\$44,000	\$44,000
Less estimated income	0	0	44,000	44,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

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

	Adds Funding for Electronic Payment Processing System Loan <sup>1</sup>	Adds Funding for Electronic Payment Processing System Loan Repayment <sup>2</sup>	Total House Changes
Field operations	\$21,000	\$23,000	\$44,000
Total all funds	\$21,000	\$23,000	\$44,000
Less estimated income	21,000	23,000	44,000
	\$0	\$0	\$0

General fund			
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for a loan from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

<sup>2</sup> Funding is added to repay a loan, including interest accrued, from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

**Senate Bill No. 2021 - Game and Fish Department - House Action**

	Base Budget	Senate Version	House Changes	House Version
Operating expenses			\$75,000	\$75,000
Total all funds	\$0	\$0	\$75,000	\$75,000
Less estimated income	0	0	75,000	75,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

**Department No. 720 - Game and Fish Department - Detail of House Changes**

	Adds Funding for Electronic Payment Processing System Loan <sup>1</sup>	Adds Funding for Electronic Payment Processing System Loan Repayment <sup>2</sup>	Total House Changes
Operating expenses	\$36,000	\$39,000	\$75,000
Total all funds	\$36,000	\$39,000	\$75,000
Less estimated income	36,000	39,000	75,000
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for a loan from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

<sup>2</sup> Funding is added to repay a loan, including interest accrued, from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

**Senate Bill No. 2021 - Parks and Recreation Department - House Action**

	Base Budget	Senate Version	House Changes	House Version
Administration			\$88,000	\$88,000
Total all funds	\$0	\$0	\$88,000	\$88,000
Less estimated income	0	0	88,000	88,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

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

	Adds Funding for Electronic Payment Processing System Loan <sup>1</sup>	Adds Funding for Electronic Payment Processing System Loan Repayment <sup>2</sup>	Total House Changes
Administration	\$42,000	\$46,000	\$88,000
Total all funds	\$42,000	\$46,000	\$88,000

Less estimated income	42,000	46,000	88,000
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for a loan from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

<sup>2</sup> Funding is added to repay a loan, including interest accrued, from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

### Senate Bill No. 2021 - Department of Transportation - House Action

	Base Budget	Senate Version	House Changes	House Version
Operating expenses			\$306,000	\$306,000
Total all funds	\$0	\$0	\$306,000	\$306,000
Less estimated income	0	0	306,000	306,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

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

	Adds Funding for Electronic Payment Processing System Loan <sup>1</sup>	Adds Funding for Electronic Payment Processing System Loan Repayment <sup>2</sup>	Total House Changes
Operating expenses	\$147,000	\$159,000	\$306,000
Total all funds	\$147,000	\$159,000	\$306,000
Less estimated income	147,000	159,000	306,000
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for a loan from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

<sup>2</sup> Funding is added to repay a loan, including interest accrued, from the Bank of North Dakota for the purpose of implementing an electronic payment processing system.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1085, as reengrossed:** Your conference committee (Sens. O. Larsen, Kreun, Anderson and Reps. D. Anderson, B. Anderson, Schneider) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 960 and place HB 1085 on the Seventh order.

Reengrossed HB 1085 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1365, as engrossed:** Your conference committee (Sens. J. Lee, Anderson, Kreun and Reps. Rohr, Skroch, P. Anderson) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1104-1105 and place HB 1365 on the Seventh order.

Engrossed HB 1365 was placed on the Seventh order of business on the calendar.

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

**Buell J. Reich, Chief Clerk**

