

## JOURNAL OF THE SENATE

## Sixty-fifth Legislative Assembly

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Bismarck, April 17, 2017

The Senate convened at 8:00 a.m., with President Sanford presiding.

The prayer was offered by Pastor Paul Herr, Century Baptist Church, Bismarck.

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

A quorum was declared by the President.

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2003.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2003**

Page 1, line 2, after "system" insert "; to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to approval of capital projects requested by institutions under the control of the state board of higher education"

Page 1, line 2, after "sections" insert "15-10-48, 15-10-49,"

Page 2, line 2, after "15-18.2-05" insert ", 54-10-22.1,"

Page 1, line 3, after "to" insert "matching grants for institutions under the control of the state board of higher education,"

Page 1, line 3, after "institutions" insert ", protecting donor records from audits of university and college foundations"

Page 1, line 4, after "appropriations" insert "; to repeal chapter 15-10.2 of the North Dakota Century Code, relating to the midwestern higher education compact"

Page 1, line 5, replace "exemptions" with "an exemption; to authorize the conveyance of real property owned by the state of North Dakota"

Page 1, remove lines 15 through 24

Page 2, remove lines 1 through 30

Page 3, remove lines 1 through 30

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 30

Page 7, replace lines 1 through 5 with:

"Subdivision 1.

## NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Capital assets - bond payments	\$6,901,461	(\$296,135)	\$6,605,326
Competitive research programs	6,588,225	(560,475)	6,027,750
System governance	7,212,636	1,180,602	8,393,238

Title II	1,006,472	0	1,006,472
Core technology services	41,325,593	20,201,754	61,527,347
Student financial assistance grants	23,886,160	(1,968,854)	21,917,306
Professional student exchange program	3,941,754	(242,412)	3,699,342
Academic and technical education scholarship	13,134,096	(1,117,347)	12,016,749
Two-year campus marketing	747,600	(290,100)	457,500
Scholars program	2,113,584	(306,469)	1,807,115
Native American scholarship	649,267	(93,944)	555,323
Tribally controlled community college grants	967,250	(367,250)	600,000
Education incentive programs	3,349,000	(485,607)	2,863,393
Student mental health	308,100	(23,700)	284,400
Veterans' assistance grants	325,000	(47,125)	277,875
Commendation grants	4,486	(4,486)	0
Internal audit pool	280,350	(280,350)	0
Shared campus services	0	500,000	500,000
Two-year campus study	0	40,000	40,000
Total all funds	\$112,741,034	\$15,838,102	\$128,579,136
Less estimated income	2,511,216	23,700,890	26,212,106
Total general fund	\$110,229,818	(\$7,862,788)	\$102,367,030
Full-time equivalent positions	104.39	45.01	149.40

Subdivision 2.

#### BISMARCK STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$34,214,004	\$67,456,030	\$101,670,034
Capital assets	67,732	1,854,829	1,922,561
Total all funds	\$34,281,736	\$69,310,859	\$103,592,595
Less estimated income	0	72,991,998	72,991,998
Total general fund	\$34,281,736	(\$3,681,139)	\$30,600,597
Full-time equivalent positions	133.53	224.82	358.35

Subdivision 3.

#### LAKE REGION STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$14,143,353	\$22,305,695	\$36,449,048
Capital assets	0	362,667	362,667
Total all funds	\$14,143,353	\$22,668,362	\$36,811,715
Less estimated income	0	24,111,092	24,111,092
Total general fund	\$14,143,353	(\$1,442,730)	\$12,700,623
Full-time equivalent positions	50.19	79.42	129.61

Subdivision 4.

#### WILLISTON STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$9,191,151	\$17,762,982	\$26,954,133
Capital assets	197,801	1,064,167	1,261,968
Total all funds	\$9,388,952	\$18,827,149	\$28,216,101
Less estimated income	0	19,855,598	19,855,598
Total general fund	\$9,388,952	(\$1,028,449)	\$8,360,503
Full-time equivalent positions	49.96	50.79	100.75

Subdivision 5.

#### UNIVERSITY OF NORTH DAKOTA

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$146,572,961	\$711,098,824	\$857,671,785
Capital assets	4,411,566	91,000,000	95,411,566
Total all funds	\$150,984,527	\$802,098,824	\$953,083,351
Less estimated income	0	819,870,450	819,870,450
Total general fund	\$150,984,527	(\$17,771,626)	\$133,212,901
Full-time equivalent positions	630.20	1,587.87	2,218.07

Subdivision 6.

## NORTH DAKOTA STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$144,323,680	\$584,579,587	\$728,903,267
Capital assets	2,732,244	82,571,860	85,304,104
Total all funds	\$147,055,924	\$667,151,447	\$814,207,371
Less estimated income	0	689,386,329	689,386,329
Total general fund	\$147,055,924	(\$22,234,882)	\$124,821,042
Full-time equivalent positions	537.10	1,358.56	1,895.66

Subdivision 7.

## NORTH DAKOTA STATE COLLEGE OF SCIENCE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$40,916,239	\$50,386,085	\$91,302,324
Capital assets	0	1,012,379	1,012,379
Total all funds	\$40,916,239	\$51,398,464	\$92,314,703
Less estimated income	0	57,605,613	57,605,613
Total general fund	\$40,916,239	(\$6,207,149)	\$34,709,090
Full-time equivalent positions	168.30	176.74	345.04

Subdivision 8.

## DICKINSON STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$24,527,233	\$22,500,073	\$47,027,306
Capital assets	0	409,078	409,078
Total all funds	\$24,527,233	\$22,909,151	\$47,436,384
Less estimated income	0	29,737,827	29,737,827
Total general fund	\$24,527,233	(\$6,828,676)	\$17,698,557
Full-time equivalent positions	120.26	48.64	168.90

Subdivision 9.

## MAYVILLE STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$15,642,731	\$28,395,030	\$44,037,761
Capital assets	0	358,992	358,992
Total all funds	\$15,642,731	\$28,754,022	\$44,396,753
Less estimated income	0	30,307,148	30,307,148
Total general fund	\$15,642,731	(\$1,553,126)	\$14,089,605
Full-time equivalent positions	66.23	144.30	210.53

Subdivision 10.

## MINOT STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$45,037,266	\$55,564,723	\$100,601,989
Capital assets	499,620	600,000	1,099,620
Total all funds	\$45,536,886	\$56,164,723	\$101,701,609
Less estimated income	0	62,058,916	62,058,916
Total general fund	\$45,536,886	(\$5,894,193)	\$39,642,693
Full-time equivalent positions	204.10	237.55	441.65

Subdivision 11.

#### VALLEY CITY STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$23,218,126	\$24,988,210	\$48,206,336
Capital assets	0	455,823	455,823
Total all funds	\$23,218,126	\$25,444,033	\$48,662,159
Less estimated income	0	28,470,657	28,470,657
Total general fund	\$23,218,126	(\$3,026,624)	\$20,191,502
Full-time equivalent positions	105.59	97.16	202.75

Subdivision 12.

#### DAKOTA COLLEGE AT BOTTINEAU

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$8,017,920	\$9,041,905	\$17,059,825
Capital assets	86,537	27,470	114,007
Total all funds	\$8,104,457	\$9,069,375	\$17,173,832
Less estimated income	0	9,629,173	9,629,173
Total general fund	\$8,104,457	(\$559,798)	\$7,544,659
Full-time equivalent positions	46.96	37.34	84.30

Subdivision 13.

#### UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$53,166,247	\$158,723,654	\$211,889,901
Total all funds	\$53,166,247	\$158,723,654	\$211,889,901
Less estimated income	0	151,578,620	151,578,620
Total general fund	\$53,166,247	\$7,145,034	\$60,311,281
Full-time equivalent positions	184.58	251.17	435.75

Subdivision 14.

#### NORTH DAKOTA FOREST SERVICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$6,228,620	\$8,729,827	\$14,958,447
Capital assets	101,210	17,518	118,728
Total all funds	\$6,329,830	\$8,747,345	\$15,077,175
Less estimated income	1,650,000	9,000,748	10,650,748
Total general fund	\$4,679,830	(\$253,403)	\$4,426,427
Full-time equivalent positions	28.96	(1.96)	27.00

Subdivision 15.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$681,876,059	(\$71,199,549)	\$610,676,510
Grand total special funds	4,161,216	<u>2,028,305.059</u>	<u>2,032,466.275</u>
Grand total all funds	\$686,037,275	\$1,957,105,510	\$2,643,142,785

**SECTION 2. HEALTH INSURANCE INCREASE.** Section 1 of this Act includes the sum of \$17,991,140, of which \$5,638,788 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 7, line 6, after "**FUNDING**" insert "**EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SIXTH LEGISLATIVE ASSEMBLY**"

Page 7, line 7, after "biennium" insert "and the 2017-19 biennium one-time funding items included in section 1 of this Act"

Page 7, replace lines 24 through 27 with:

"Education challenge grants	22,124,500	0
Two-year campus study	0	40,000
Midwestern higher education compact dues	0	<u>230,000</u>
Total all funds	\$216,821,350	\$270,000
Total other funds	<u>60,848,194</u>	0
Total general fund	\$155,973,156	\$270,000

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

**SECTION 4. AMENDMENT.** Section 15-10-48 of the North Dakota Century Code is amended and reenacted as follows:

**15-10-48. Advancement of academics - Matching grants - University of North Dakota and North Dakota state university.**

1. a. ~~During the period beginning July 1, 2015, and ending December 31, 2016~~Subject to legislative appropriations, each biennium during the period beginning July first of each odd-numbered year and ending December thirty-first of each even-numbered year, the state board of higher education shall award one dollar in matching grants for every two dollars raised by the institutional foundations of the university of North Dakota and North Dakota state university for projects dedicated exclusively to the advancement of academics.
- b. To be eligible for a matching grant, an institution must demonstrate that:
  - (1) Its foundation has raised at least fifty thousand dollars in cash or monetary pledges for a qualifying project; and
  - (2) The project has been approved by the grant review committee established in section 15-10-51.
- c. The board may award up to seven million dollars in matching grants to each institution. The first two million dollars in matching grants awarded to each institution must be used for student scholarships that comply with section 15-10-53.
2. a. If any available dollars have not been awarded by the board before ~~January 1, 2017~~first of each odd-numbered year, in accordance with subsection 1, either the university of North Dakota or North Dakota state university may apply for an additional matching grant.

- b. An application submitted under this subsection must meet the same criteria as an original application.
  - c. The board shall consider each application submitted under this subsection in chronological order.
  - d. If the remaining dollars are insufficient to provide a matching grant in the amount of one dollar for every two dollars raised by the institutional foundation, the board shall award a lesser amount.
3. The state board of higher education shall retain up to one-quarter of one percent of any grant awarded under this section to assist with administrative expenses incurred in the grant review process.

**SECTION 5. AMENDMENT.** Section 15-10-49 of the North Dakota Century Code is amended and reenacted as follows:

**15-10-49. Advancement of academics - Matching grants - Two-year and four-year institutions of higher education.**

- 1. a. ~~During the period beginning July 1, 2015, and ending December 31, 2016~~Subject to legislative appropriations, each biennium during the period beginning July first of each odd-numbered year and ending December thirty-first of each even-numbered year, the state board of higher education shall award one dollar in matching grants for every two dollars raised by the institutional foundations of Bismarck state college, Dakota college at Bottineau, Dickinson state university, Lake Region state college, Mayville state university, Minot state university, North Dakota state college of science, Valley City state university, and Williston state college for projects dedicated exclusively to the advancement of academics.
  - b. To be eligible for a matching grant, an institution must demonstrate that:
    - (1) Its foundation has raised at least twenty-five thousand dollars in cash or monetary pledges for a qualifying project; and
    - (2) The project has been approved by the grant review committee established in section 15-10-51.
  - c. The board may award up to one million dollars in matching grants to each institution.
2. a. If any available dollars have not been awarded by the board before ~~January 1, 2017~~first of each odd-numbered year, in accordance with subsection 1, any institution listed in subsection 1 may apply for an additional matching grant.
- b. An application submitted under this subsection must meet the same criteria as an original application.
  - c. The board shall consider each application submitted under this subsection in chronological order.
  - d. If the remaining dollars are insufficient to provide a matching grant in the amount of one dollar for every two dollars raised by the institutional foundation, the board shall award a lesser amount.
3. a. The board may award an additional five hundred thousand dollars in matching grants to institutions that have been awarded one million dollars in matching grants under subsection 1 and apply for an additional matching grant.

- b. An application submitted under this subsection must meet the same criteria as an original application.
  - c. The board shall consider each application submitted under this subsection in chronological order.
  - d. If the funding provided under this subsection is insufficient to provide a matching grant in the amount of one dollar for every two dollars raised by the institutional foundation, the board shall award a lesser amount.
4. The state board of higher education shall retain up to one-quarter of one percent of any grant awarded under this section to assist with administrative expenses incurred in the grant review process.

**SECTION 6.** A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

**Capital project and capital lease requests - Maintenance reserve account.**

1. An institution under the control of the state board of higher education must receive approval from the legislative assembly before the construction, purchase, lease, receipt, or utilization of any building or facility.
2. An institution under the control of the board must receive approval from the legislative assembly before constructing an addition to or renovating a building or facility if the cost of the addition or renovation exceeds seven hundred thousand dollars. This subsection does not apply to projects authorized by the budget section of the legislative management under section 15-10-12.1.
3. An institution under the control of the board may only seek approval from the legislative assembly under subsection 1 or 2 if the building or facility conforms to a campus master plan and space utilization study approved by the board.
4. An institution seeking approval under subsection 1 or 2 shall include funding for maintenance reserves in its request if the estimated cost of the project, or the appraised value of a building or facility being purchased or received, exceeds five million dollars. The maintenance reserve funds must total at least three percent of the cost of the project or the appraised value of the building or facility. If the request is approved by the legislative assembly, the maintenance reserve funds must be deposited in an account under the control of the state board of higher education to be used only for future maintenance costs of the building or facility approved under this section."

Page 8, line 5, replace "\$58.69" with "\$58.65"

Page 8, line 7, replace "\$87.03" with "\$86.95"

Page 8, line 9, replace "\$93.12" with "\$93.03"

Page 8, after line 11, insert:

**"SECTION 8. AMENDMENT.** Section 54-10-22.1 of the North Dakota Century Code is amended and reenacted as follows:

**54-10-22.1. State auditor's access to information relating to operations of governmental entities subject to audit.**

Notwithstanding any other specific sections of law, the state auditor and persons employed by the state auditor, when necessary in conducting an audit, shall

have access to all information relating to operations of all governmental units or component units subject to audit except active investigatory work product of the attorney general as defined in section 44-04-19.1 and financial records and estate planning records a donor provides to a nonprofit organization affiliated with an institution under the control of the state board of higher education which provides support to and is organized and operated for the benefit of the institution. Except for active investigatory work product of the attorney general as defined in section 44-04-19.1 and tax records as described in section 54-10-24, the state auditor may inspect any state agency's books, papers, accounts, or records that may be relevant to an ongoing audit of any other state agency or computer system audit. The state auditor and persons employed by the state auditor examining any information, which is confidential by law, shall guard the secrecy of such information except when otherwise directed by judicial order or as is otherwise provided by law."

Page 10, after line 1, insert:

**"SECTION 10. REPEAL.** Chapter 15-10.2 of the North Dakota Century Code is repealed."

Page 10, line 24, replace "\$15,200,000" with "\$11,806,856"

Page 10, after line 29, insert:

**"SECTION 14. STATEWIDE MEMBERSHIP DUES.** Subdivision 1 of section 1 of this Act includes the sum of \$294,000 for membership dues for the western interstate commission for higher education. Subdivision 1 of section 1 of this Act includes the sum of \$230,000 of one-time funding for membership dues of the midwestern higher education compact.

**SECTION 15. UNIVERSITY OF NORTH DAKOTA ENERGY AND ENVIRONMENTAL RESEARCH CENTER - PAYMENTS TO THE UNIVERSITY OF NORTH DAKOTA.** During the biennium beginning July 1, 2017, and ending June 30, 2019, the university of North Dakota may not enter or continue any contractual agreement with the energy and environmental research center which would require the energy and environmental research center to reimburse the university in an amount exceeding five hundred thousand dollars per year for facilities, administrative, or other costs."

Page 11, line 1, replace "between" with "from"

Page 11, line 1, replace "and" with "to the"

Page 11, line 10, replace "before" with "as part of"

Page 12, replace lines 1 through 10 with:

**"SECTION 20. EXEMPTION - STUDENT FINANCIAL ASSISTANCE GRANTS.** Of the \$25,634,276 appropriated from the general fund in the student financial assistance grants line item in subdivision 1 of section 1 of chapter 3 of the 2015 Session Laws, \$4,000,000 is not subject to section 54-44.1-11 and must be canceled by the office of management and budget on the effective date of this section."

Page 12, line 16, replace "three" with "four"

Page 12, line 22, replace "three" with "four"

Page 12, remove lines 25 through 31

Page 13, remove lines 1 through 4

Page 13, line 5, replace "4." with "3."

Page 13, line 5, after "for" insert "graduate level"

Page 13, line 5, after "programs" insert ", including programs"

Page 13, line 8, replace "5." with "4."

Page 13, line 12, replace "6." with "5."

Page 13, line 15, replace "7." with "6."

Page 13, line 24, remove ", excluding tuition revenue generated

Page 13, line 25, remove "specifically for extraordinary repairs and deferred maintenance needs,"

Page 13, after line 26, insert:

**"SECTION 23. TRANSFER OF LAND AUTHORIZED.** The state of North Dakota, by and through the state board of higher education, shall convey certain real property consisting of approximately 0.8 acres parallel and adjacent to the BNSF railway company right-of-way in Cass County, North Dakota, known as parcel number 01-3504-08500-000 in the records of Cass County, North Dakota, to BNSF railway company, if determined appropriate by the state board of higher education and the commissioner of university and school lands. The terms of the conveyance must be determined jointly by the state board of higher education or a designee of the board and the commissioner of university and school lands. North Dakota Century Code sections 54-01-05.2 and 54-01-05.5 do not apply to the transfer authorized by this section.

**SECTION 24. TRANSFER OF LAND AUTHORIZED.** The state of North Dakota, by and through the state board of higher education, may convey certain real property known as Dakota hall or airport addition, 1015 north forty-third street, lot h, replat of lot 1 & 2, b 3 block 3 & part northwest  $\frac{1}{4}$  of northwest  $\frac{1}{4}$  section 6-151-60 in the records of the city of Grand Forks, if determined appropriate by the state board of higher education. If any of the real property authorized to be conveyed under this section is conveyed, the terms of the conveyance must be determined jointly by the state board of higher education or a designee of the board and the commissioner of university and school lands. North Dakota Century Code sections 54-01-05.2 and 54-01-05.5 do not apply to the transfer authorized by this section.

**SECTION 25. TRANSFER OF LAND AUTHORIZED.** The state of North Dakota, by and through the state board of higher education, may convey certain real property known as Ray Richard's golf course or Ray Richard's golf course addition, 3801 demers avenue, lot 1, block 1, and Ray Richard's golf course addition, 3501 demers avenue, lot 2, block 1, in the records of the city of Grand Forks, if determined appropriate by the state board of higher education. If any of the real property authorized to be conveyed under this section is conveyed, the terms of the conveyance must be determined by the state board of higher education or a designee of the board. North Dakota Century Code sections 54-01-5.2 and 54-01-05.5 do not apply to the transfer authorized by this section.

**SECTION 26. TRANSFER OF DAKOTA INSTITUTE INVENTORY.** The parks and recreation department shall transfer the name Dakota institute and all rights, title, interests, and copyrights and up to eighty percent of any remaining inventory of any Dakota institute publication, book, or other document or production, regardless of format, to Bismarck state college. Bismarck state college may transfer any rights, title, interests, copyrights, inventory of any of the Dakota institute's publications, books, or other documents or productions, regardless of format, to the author or producer of the document or production.

**SECTION 27. RESEARCH NETWORKS - REPORT TO THE LEGISLATIVE MANAGEMENT.** During the biennium beginning July 1, 2017, and ending June 30, 2019, the state board of higher education, in association with the research institutions under its control, shall consider opportunities for collaboration on high-performance computing, data analytics, and connectivity to Minnesota research networks to improve access, increase capacity, and create efficiencies. The board may utilize appropriations and reserves designated for the northern tier network to

accommodate continued use of existing research networks and to expand network capabilities. The board shall consider developing policies and procedures to authorize private entities to utilize the research network. During the 2017-18 interim, the state board of higher education shall provide a report to the legislative management regarding the status of efforts to collaborate with Minnesota entities for research network purposes.

**SECTION 28. STATE BOARD OF HIGHER EDUCATION - STUDY OF THE REORGANIZATION OF TWO-YEAR INSTITUTIONS - REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY.** During the period beginning July 1, 2017, and ending December 31, 2018, the state board of higher education shall study the reorganization of the two-year institutions under its control into a community and technology college system that addresses workforce and education needs of the state. As part of the study, the board shall consider:

1. Shared administration;
2. Shared courses, including a common course catalog;
3. Articulation agreements linking elementary and secondary education, career academies, and career and technical education to postsecondary certificates and associate's degrees;
4. Centralized processing of student admissions, housing applications, financial aid, and advising; and
5. Centralized services, including bookstore operations, food services, marketing, procurement, accounting, and human resources.

The state board of higher education shall approve and present a plan to implement the recommendations of its study to reorganize two-year institutions, including drafts of legislation necessary to implement the recommendations, to the appropriations committees of the sixty-sixth legislative assembly.

**SECTION 29. STATE BOARD OF HIGHER EDUCATION - STUDY OF NURSING PROGRAMS - REPORT TO THE SIXTY-SIXTH LEGISLATIVE ASSEMBLY.** During the period beginning July 1, 2017, and ending December 31, 2018, the state board of higher education shall study the reorganization of nursing programs at institutions under its control. As part of the study, the board shall review the number of institutions offering nursing programs, the level of programs offered, and the locations of programs. The board shall consider options to develop collaborations among institutions to offer programs in an efficient and effective manner to address the workforce needs of the state.

The state board of higher education shall approve and present a plan to implement the recommendations of its study to reorganize nursing programs, including drafts of legislation necessary to implement the recommendations, to the appropriations committees of the sixty-sixth legislative assembly."

Page 14, line 2, after the period insert "Inconsistent employee leave policies;

3."

Page 14, line 3, replace "3." with "4."

Page 14, after line 15, insert:

**"SECTION 32. LEGISLATIVE INTENT - NORTH DAKOTA STATE UNIVERSITY - LEASE ARRANGEMENT AND OTHER SAVINGS.** It is the intent of the sixty-fifth legislative assembly that future general fund appropriations in support of the North Dakota state university department of nursing program in Bismarck be adjusted for savings resulting from facility lease negotiations and for credit hours completed at the school."

Page 14, line 16, replace "11" with "19"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2003 - Summary of House Action**

	Base Budget	Senate Version	House Changes	House Version
<b>University System Office</b>				
Total all funds	\$112,741,034	\$128,050,560	\$528,576	\$128,579,136
Less estimated income	2,511,216	26,221,124	(9,018)	26,212,106
General fund	\$110,229,818	\$101,829,436	\$537,594	\$102,367,030
<b>Bismarck State College</b>				
Total all funds	\$34,281,736	\$103,672,280	(\$79,685)	\$103,592,595
Less estimated income	0	73,042,557	(50,559)	72,991,998
General fund	\$34,281,736	\$30,629,723	(\$29,126)	\$30,600,597
<b>Lake Region State College</b>				
Total all funds	\$14,143,353	\$36,841,308	(\$29,593)	\$36,811,715
Less estimated income	0	24,128,597	(17,505)	24,111,092
General fund	\$14,143,353	\$12,712,711	(\$12,088)	\$12,700,623
<b>Williston State College</b>				
Total all funds	\$9,388,952	\$28,234,797	(\$18,696)	\$28,216,101
Less estimated income	0	19,866,337	(10,739)	19,855,598
General fund	\$9,388,952	\$8,368,460	(\$7,957)	\$8,360,503
<b>University of North Dakota</b>				
Total all funds	\$150,984,527	\$954,549,309	(\$1,465,958)	\$953,083,351
Less estimated income	0	820,277,023	(406,573)	819,870,450
General fund	\$150,984,527	\$134,272,286	(\$1,059,385)	\$133,212,901
<b>UND Medical Center</b>				
Total all funds	\$53,166,247	\$211,889,901	\$0	\$211,889,901
Less estimated income	0	154,971,764	(3,393,144)	151,578,620
General fund	\$53,166,247	\$56,918,137	\$3,393,144	\$60,311,281
<b>North Dakota State University</b>				
Total all funds	\$147,055,924	\$791,473,400	\$22,733,971	\$814,207,371
Less estimated income	0	661,687,739	27,698,590	689,386,329
General fund	\$147,055,924	\$129,785,661	(\$4,964,619)	\$124,821,042
<b>State College of Science</b>				
Total all funds	\$40,916,239	\$92,765,243	(\$450,540)	\$92,314,703
Less estimated income	0	57,642,469	(36,856)	57,605,613
General fund	\$40,916,239	\$35,122,774	(\$413,684)	\$34,709,090
<b>Dickinson State University</b>				
Total all funds	\$24,527,233	\$49,884,817	(\$2,448,433)	\$47,436,384
Less estimated income	0	29,750,982	(13,155)	29,737,827
General fund	\$24,527,233	\$20,133,835	(\$2,435,278)	\$17,698,557
<b>Mayville State University</b>				
Total all funds	\$15,642,731	\$44,602,708	(\$205,955)	\$44,396,753
Less estimated income	0	30,339,206	(32,058)	30,307,148
General fund	\$15,642,731	\$14,263,502	(\$173,897)	\$14,089,605
<b>Minot State University</b>				
Total all funds	\$45,536,886	\$101,902,897	(\$201,288)	\$101,701,609
Less estimated income	0	62,113,151	(54,235)	62,058,916
General fund	\$45,536,886	\$39,789,746	(\$147,053)	\$39,642,693
<b>Valley City State University</b>				
Total all funds	\$23,218,126	\$48,943,340	(\$281,181)	\$48,662,159
Less estimated income	0	28,493,914	(23,257)	28,470,657
General fund	\$23,218,126	\$20,449,426	(\$257,924)	\$20,191,502
<b>Dakota College at Bottineau</b>				
Total all funds	\$8,104,457	\$17,298,907	(\$125,075)	\$17,173,832
Less estimated income	0	9,638,678	(9,505)	9,629,173
General fund	\$8,104,457	\$7,660,229	(\$115,570)	\$7,544,659
<b>Forest Service</b>				
Total all funds	\$6,329,830	\$15,082,774	(\$5,599)	\$15,077,175
Less estimated income	1,650,000	10,650,748	0	10,650,748
General fund	\$4,679,830	\$4,432,026	(\$5,599)	\$4,426,427
<b>Bill total</b>				
Total all funds	\$686,037,275	\$2,625,192,241	\$17,950,544	\$2,643,142,785
Less estimated income	4,161,216	2,008,824,289	23,641,986	2,032,466,275
General fund	\$681,876,059	\$616,367,952	(\$5,691,442)	\$610,676,510

**Senate Bill No. 2003 - North Dakota University System - General Fund Summary**

	Base Budget	Senate Version	House Changes	House Version
University System Office	\$110,229,818	\$101,829,436	\$537,594	\$102,367,030
Bismarck State College	34,281,736	30,629,723	(29,126)	30,600,597
Lake Region State College	14,143,353	12,712,711	(12,088)	12,700,623
Williston State College	9,388,952	8,368,460	(7,957)	8,360,503
University of North Dakota	150,984,527	134,272,286	(1,059,385)	133,212,901
UND Medical Center	53,166,247	56,918,137	3,393,144	60,311,281
North Dakota State University	147,055,924	129,785,661	(4,964,619)	124,821,042
State College of Science	40,916,239	35,122,774	(413,684)	34,709,090
Dickinson State University	24,527,233	20,133,835	(2,435,278)	17,698,557
Mayville State University	15,642,731	14,263,502	(173,897)	14,089,605
Minot State University	45,536,886	39,789,746	(147,053)	39,642,693
Valley City State University	23,218,126	20,449,426	(257,924)	20,191,502
Dakota College at Bottineau	8,104,457	7,660,229	(115,570)	7,544,659
Forest Service	4,679,830	4,432,026	(5,599)	4,426,427
<b>Total general fund</b>	<b>\$681,876,059</b>	<b>\$616,367,952</b>	<b>(\$5,691,442)</b>	<b>\$610,676,510</b>

**Detail of House changes to the General Fund**

	Adjusts Funding for University System Office <sup>1</sup>	Adjusts Funding for Campuses <sup>2</sup>	Adjusts Funding Source for Residency Positions <sup>3</sup>	Adds Funding for Capital Project <sup>4</sup>	Adjusts Funding for Forest Service <sup>5</sup>	Total General Fund Changes
University System Office	\$537,594					\$537,594
Bismarck State College		(29,126)				(29,126)
Lake Region State College		(12,088)				(12,088)
Williston State College		(7,957)				(7,957)
University of North Dakota		(1,059,385)				(1,059,385)
UND Medical Center			3,393,144			3,393,144
North Dakota State University		(4,964,619)				(4,964,619)
State College of Science		(413,684)				(413,684)
Dickinson State University		(2,435,278)				(2,435,278)
Mayville State University		(173,897)				(173,897)
Minot State University		(147,053)				(147,053)
Valley City State University		(257,924)				(257,924)
Dakota College at Bottineau		(115,570)				(115,570)
Forest Service					(5,599)	(5,599)
<b>Total general fund</b>	<b>\$537,594</b>	<b>(\$9,616,581)</b>	<b>\$3,393,144</b>	<b>\$0</b>	<b>(\$5,599)</b>	<b>(\$5,691,442)</b>

**Senate Bill No. 2003 - North Dakota University System - Other Funds Summary**

	Base Budget	Senate Version	House Changes	House Version
University System Office	\$2,511,216	\$26,221,124	(\$9,018)	\$26,212,106
Bismarck State College		73,042,557	(50,559)	72,991,998
Lake Region State College		24,128,597	(17,505)	24,111,092
Williston State College		19,866,337	(10,739)	19,855,598
University of North Dakota		820,277,023	(406,573)	819,870,450
UND Medical Center		154,971,764	(3,393,144)	151,578,620
North Dakota State University		661,687,739	27,698,590	689,386,329
State College of Science		57,642,469	(36,856)	57,605,613
Dickinson State University		29,750,982	(13,155)	29,737,827
Mayville State University		30,339,206	(32,058)	30,307,148
Minot State University		62,113,151	(54,235)	62,058,916
Valley City State University		28,493,914	(23,257)	28,470,657
Dakota College at Bottineau		9,638,678	(9,505)	9,629,173
Forest Service	1,650,000	10,650,748		10,650,748
<b>Total other funds</b>	<b>\$4,161,216</b>	<b>\$2,008,824,289</b>	<b>\$23,641,986</b>	<b>\$2,032,466,275</b>

**Detail of House changes to Other Funds**

	Adjusts Funding for University System Office <sup>1</sup>	Adjusts Funding for Campuses <sup>2</sup>	Adjusts Funding Source for Residency Positions <sup>3</sup>	Adds Funding for Capital Project <sup>4</sup>	Adjusts Funding for Forest Service <sup>5</sup>	Total Other Funds Changes
University System Office	(\$9,018)					(\$9,018)
Bismarck State College		(50,559)				(50,559)
Lake Region State College		(17,505)				(17,505)
Williston State College		(10,739)				(10,739)
University of North Dakota		(406,573)				(406,573)
UND Medical Center			(3,393,144)			(3,393,144)
North Dakota State University		(301,410)		28,000,000		27,698,590

State College of Science	(36,856)					(36,856)
Dickinson State University	(13,155)					(13,155)
Mayville State University	(32,058)					(32,058)
Minot State University	(54,235)					(54,235)
Valley City State University	(23,257)					(23,257)
Dakota College at Bottineau	(9,505)					(9,505)
Forest Service						
<b>Total other funds</b>	<b>(\$9,018)</b>	<b>(\$955,852)</b>	<b>(\$3,393,144)</b>	<b>\$28,000,000</b>	<b>\$0</b>	<b>\$23,641,986</b>

**Senate Bill No. 2003 - North Dakota University System - All Funds Summary**

	Base Budget	Senate Version	House Changes	House Version
University System Office	\$112,741,034	\$128,050,560	\$528,576	\$128,579,136
Bismarck State College	34,281,736	103,672,280	(79,685)	103,592,595
Lake Region State College	14,143,353	36,841,308	(29,593)	36,811,715
Williston State College	9,388,952	28,234,797	(18,696)	28,216,101
University of North Dakota	150,984,527	954,549,309	(1,465,958)	953,083,351
UND Medical Center	53,166,247	211,889,901		211,889,901
North Dakota State University	147,055,924	791,473,400	22,733,971	814,207,371
State College of Science	40,916,239	92,765,243	(450,540)	92,314,703
Dickinson State University	24,527,233	49,884,817	(2,448,433)	47,436,384
Mayville State University	15,642,731	44,602,708	(205,955)	44,396,753
Minot State University	45,536,886	101,902,897	(201,288)	101,701,609
Valley City State University	23,218,126	48,943,340	(281,181)	48,662,159
Dakota College at Bottineau	8,104,457	17,298,907	(125,075)	17,173,832
Forest Service	6,329,830	15,082,774	(5,599)	15,077,175
<b>Total all funds</b>	<b>\$686,037,275</b>	<b>\$2,625,192,241</b>	<b>\$17,950,544</b>	<b>\$2,643,142,785</b>
FTE	2430.35	6765.76	2.00	6767.76

**Detail of House changes to All Funds**

	Adjusts Funding for University System Office <sup>1</sup>	Adjusts Funding for Campuses <sup>2</sup>	Adjusts Funding Source for Residency Positions <sup>3</sup>	Adds Funding for Capital Project <sup>4</sup>	Adjusts Funding for Forest Service <sup>5</sup>	Total All Funds Changes
University System Office	\$528,576					\$528,576
Bismarck State College		(79,685)				(79,685)
Lake Region State College		(29,593)				(29,593)
Williston State College		(18,696)				(18,696)
University of North Dakota		(1,465,958)				(1,465,958)
UND Medical Center						
North Dakota State University		(5,266,029)		28,000,000		22,733,971
State College of Science		(450,540)				(450,540)
Dickinson State University		(2,448,433)				(2,448,433)
Mayville State University		(205,955)				(205,955)
Minot State University		(201,288)				(201,288)
Valley City State University		(281,181)				(281,181)
Dakota College at Bottineau		(125,075)				(125,075)
Forest Service					(5,599)	(5,599)
<b>Total all funds</b>	<b>\$528,576</b>	<b>(\$10,572,433)</b>	<b>\$0</b>	<b>\$28,000,000</b>	<b>(\$5,599)</b>	<b>\$17,950,544</b>
FTE	2.00	0.00	0.00	0.00	0.00	2.00

<sup>1</sup> This amendment adjusts funding for the University System office. The following schedule details funding adjustments to the system governance line item:

**System Governance**

	FTE Positions	General Fund	Other Funds	Total
Health insurance adjustment		(\$4,581)	(\$85)	(\$4,666)
Internal audit positions	2.00	391,144		391,144
MHEC dues (one-time funding)		230,000		230,000
<b>Total</b>	<b>2.00</b>	<b>\$616,563</b>	<b>(\$85)</b>	<b>\$616,478</b>

Funding of \$229,500 included in the internal audit pool line item is also transferred to the system governance line item for internal audit purposes.

The following schedule details funding adjustments for Core Technology Services.

## Core Technology Services

	FTE Positions	General Fund	Other Funds	Total
Health insurance adjustment		(\$16,469)	(\$8,933)	(\$25,402)
Total	0.00	(\$16,469)	(\$8,933)	(\$25,402)

Funding for open education resources and shared campus services is adjusted as follows:

	Senate Version	House Adjustments	House Version
Open education resources	\$100,000	(\$100,000)	\$0
Shared campus services	\$200,000	\$300,000	\$500,000

Funding for tribal college assistance grants is adjusted as follows:

	Senate Version	House Adjustments	House Version
General fund	\$402,500	(\$302,500)	\$100,000
Student loan trust fund	500,000	0	500,000
Total	\$902,500	(\$302,500)	\$600,000

One-time funding of \$40,000 from the general fund is added for a study of the reorganization of 2-year institutions.

<sup>2</sup> Funding provided through the higher education funding formula is adjusted to reflect the following:

- Adjustments to employee health insurance premium increase funding to reflect revised premium rates.
- The removal of the minimum amount payable "hold harmless" provision in the formula.
- The offset of general fund appropriations payable through the formula by the amount of increased funding received by institutions from permanent fund distributions and other adjustments.

The following schedule details the changes:

	Health Insurance Adjustment	Hold Harmless Provision	Total Formula Adjustments	Permanent Funds Increase and Other Adjustments	Total General Fund Increase (Decrease)
Bismarck State College	(\$29,126)		(\$29,126)		(\$29,126)
Dakota College at Bottineau	(7,284)		(7,284)	(\$108,286)	(115,570)
Lake Region State College	(12,088)		(12,088)		(12,088)
State College of Science	(33,398)		(33,398)	(380,286)	(413,684)
Williston State College	(7,957)		(7,957)		(7,957)
Dickinson State University	(17,366)	(2,309,626)	(2,326,992)	(108,286)	(2,435,278)
Mayville State University	(13,897)		(13,897)	(160,000)	(173,897)
Minot State University	(38,767)		(38,767)	(108,286)	(147,053)
Valley City State University	(19,924)		(19,924)	(238,000)	(257,924)
North Dakota State University	(94,619)		(94,619)	(4,870,000)	(4,964,619)
University of North Dakota	(139,385)		(139,385)	(920,000)	(1,059,385)
	(\$413,811)	(\$2,309,626)	(\$2,723,437)	(\$6,893,144)	(\$9,616,581)

Special funds authority is adjusted for campuses as follows to reflect the revised health insurance premium rates:

	Health Insurance Adjustment - Special Funds
Bismarck State College	(\$50,559)
Dakota College at Bottineau	(9,505)
Lake Region State College	(17,505)

State College of Science	(36,856)
Williston State College	(10,739)
Dickinson State University	(13,155)
Mayville State University	(32,058)
Minot State University	(54,235)
Valley City State University	(23,257)
North Dakota State University	(301,410)
University of North Dakota	(406,573)
	(\$955,852)

<sup>3</sup> Funding for new student residency positions at the UND School of Medicine and Health Sciences is adjusted to provide \$3,393,144 from the general fund and \$11,806,856 from the student loan trust fund. The Senate version provided \$15.2 million from the student loan trust fund for the positions. Section 7 of the bill is updated to reflect the revised amount being provided from the student loan trust fund.

<sup>4</sup> Special fund authority is added for the North Dakota State University Sudro Hall renovation and addition project.

<sup>5</sup> Funding is adjusted for the Forest Service to reflect the updated employee health insurance premium amount of \$1,241 per month.

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#### Senate Bill No. 2003 - Other Changes - House Action

This amendment also:

- Adjusts Section 8 of the engrossed bill to remove the authority of the State Board of Higher Education to transfer funds from the capital assets to operations line item of an institution.
- Removes Section 12 of the engrossed bill which provides carryover authority for unexpended appropriations of the Dickinson State University Theodore Roosevelt Center. Removing this section increases the general fund beginning balance for the 2017-19 biennium by \$11.5 million.
- Removes Section 13 of the engrossed bill which provides carryover authority for unexpended appropriations for higher education challenge grants. Removing this section increases the general fund beginning balance for the 2017-19 biennium by \$950,000.
- Adjusts Section 14 of the engrossed bill to allow institutions to increase resident tuition rates by up to 4 percent per year during the 2017-19 biennium and exempts graduate courses from the tuition rate limits. The Senate version authorized institutions to increase resident tuition rates by up to 3 percent per year with an additional 1 percent increase authorized if the funding was used for extraordinary repairs.
- Adjusts Section 16 to require the State Board of Higher Education to report any FTE position adjustments made during the 2017-19 biennium as part of its 2019-21 biennium budget request submitted to the Office of Management and Budget.
- Adjusts Section 26 relating to data and reporting inconsistencies to require the State Board of Higher Education to address inconsistent employee leave policies.
- Adds a section to detail the amount of funding included in the bill for employee health insurance increases.
- Amends North Dakota Century Code Section 15-10-48 and 15-10-49 to remove specific dates included in statutory provisions relating to higher education challenge grants.
- Amends Section 54-10-22.1 relating to disclosure of donor information during audits of higher education institution foundations.
- Adds a section to Chapter 15-10 relating to the approval of building projects.
- Adds a section to detail the amount of funding included in the University System office appropriation for education compact dues.

- Adds a section to limit annual facilities and administrative payments from the University of North Dakota Energy and Environmental Research Center to the University of North Dakota to a maximum of \$500,000 per year.
- Adds a section to cancel \$4 million of general fund appropriation authority included in the student financial assistance grants line item in Chapter 3 of the 2015 Session Laws. This section will increase the general fund beginning balance for the 2017-19 biennium by \$4 million.
- Adds sections to authorize the State Board of Higher Education to convey land in Cass County and Grand Forks County.
- Adds sections to require the State Board of Higher Education study on the reorganization of 2-year institutions and nursing programs.
- Adds a section to provide for the State Board of Higher Education to consider options to enhance research networks. The section also provides for a Legislative Management report regarding the status of enhancements to research networks.
- Adds a section to provide legislative intent that future general fund appropriations for the North Dakota State University College of Nursing in Bismarck be adjusted for savings from facility lease negotiations.
- Repeals Chapter 15-10.2 relating to the Midwestern Regional Higher Education Compact.

**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 2013:** Reps. Kempenich; Brandenburg; Delzer

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1005.

**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 1012 and HB 1024, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1012:** Reps. Pollert; J. Nelson; Holman

**HB 1024:** Reps. Delzer; Kreidt; Delmore

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

**MR. PRESIDENT:** The Speaker has appointed Rep. K. Koppelman to replace Rep. Vetter on the Conference Committee on HB 1392.

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: HB 1300.

**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 1016.

**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: SB 2183, SB 2200, SB 2313.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1025, HB 1120, HB 1155, HB 1341, HB 1389, HCR 3019.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2045, SB 2052, SB 2156,

SB 2166, SB 2321.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2045, SB 2052, SB 2156, SB 2166, SB 2321.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1044, HB 1085, HB 1233, HB 1365.

**MOTION**

**SEN. ERBELE MOVED** that the Senate reconsider its action whereby Reengrossed SB 2135 passed, which motion prevailed on a verification vote.

**SECOND READING OF SENATE BILL**

**SB 2135:** A BILL for an Act to provide for the creation of an initiated and referred measure study commission; to provide for a report to the legislative management; to provide an expiration date; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 37 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Campbell; Casper; Clemens; Cook; Davison; Dever; Erbele; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Meyer; Myrdal; Oehlke; Osland; Poolman; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Dotzenrod; Grabinger; Heckaman; Marcellais; Mathern; Nelson; Oban; Piepkorn; Robinson

**ABSENT AND NOT VOTING:** Burckhard

Reengrossed SB 2135 passed and the emergency clause was declared carried.

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**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. KLEIN MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2003 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

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

**Engrossed SB 2003:** Sens. Holmberg, Krebsbach, Robinson.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1012 and Engrossed HB 1024, which motion prevailed.

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

**Engrossed HB 1012:** Sens. Kilzer, Erbele, Mathern

**Engrossed HB 1024:** Sens. Dever, G. Lee, Robinson

**MOTION**

**SEN. KLEIN MOVED** that Sen. Schaible replace Sen. Davison on the Conference Committee on SB 2037, which motion prevailed on a voice vote.

**MOTION**

**SEN. KLEIN MOVED** that Sen. Kilzer replace Sen. Hogue on the Conference Committee on HB 1003, which motion prevailed on a voice vote.

**MOTION**

**SEN. KLEIN MOVED** that Sen. Campbell replace Sen. Burckhard on the Conference Committee on SB 2144, which motion prevailed on a voice vote.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2003, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2003:** Sens. Holmberg; Krebsbach; Robinson

**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 1012:** Sens. Kilzer; Erbele; Mathern

**HB 1024:** Sens. Dever; G. Lee; Robinson

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

**MR. SPEAKER:** The President has appointed Sen. Schaible to replace Sen. Davison on the Conference Committee on SB 2037.

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

**MR. SPEAKER:** The President has appointed Sen. Campbell to replace Sen. Burckhard on the Conference Committee on SB 2144.

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

**MR. SPEAKER:** The President has appointed Sen. Kilzer to replace Sen. Hogue on the Conference Committee on HB 1003.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2135.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on April 14, 2017, I have signed the following: SB 2090, SB 2223, and SB 2316.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for filing on April 17, 2017: SCR 4001.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2015, as engrossed:** Your conference committee (Sens. Wanzek, Hogue, Mathern and Reps. J. Nelson, Pollert, Holman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1203-1205, adopt amendments as follows, and place SB 2015 on the Seventh order:

That the House recede from its amendments as printed on pages 1203-1205 of the Senate Journal and pages 1342-1344 of the House Journal and that Engrossed Senate Bill No. 2015 be amended as follows:

Page 1, line 6, remove "a"

Page 1, line 7, replace "study" with "studies"

Page 1, line 7, after the semicolon insert "to provide for a legislative management justice reinvestment oversight committee;"

Page 1, line 7, replace "a report to the budget section" with "reports"

Page 1, replace lines 17 through 22 with:

"Adult services	\$205,626,019	\$16,734,336	\$222,360,355
Youth services	<u>30,654,707</u>	<u>85,802</u>	<u>30,740,509</u>
Total all funds	\$236,280,726	\$16,820,138	\$253,100,864
Less estimated income	<u>33,236,706</u>	<u>5,527,454</u>	<u>38,764,160</u>
Total general fund	\$203,044,020	\$11,292,684	\$214,336,704
Full-time equivalent positions	836.29	9.00	845.29

**SECTION 2. HEALTH INSURANCE INCREASE.** The appropriation in section 1 of this Act includes the sum of \$2,155,572, of which \$2,016,105 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 2, line 1, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SIXTH LEGISLATIVE ASSEMBLY**"

Page 2, line 3, after "2017-19" insert "biennium"

Page 2, replace lines 12 through 14 with:

"Justice reinvestment initiative		<u>0</u>	<u>500,000</u>
Total all funds	\$6,592,167		\$1,602,907
Less estimated income	<u>5,126,000</u>		<u>1,602,907</u>
Total general fund	\$1,466,167		\$0"

Page 2, line 15, after "2017-19" insert "biennium"

Page 3, after line 10, insert:

**"SECTION 7. MISSOURI RIVER CORRECTIONAL CENTER - HOUSING UNIT PURCHASE.** The appropriation in section 1 of this Act includes the sum of \$844,000 for the purchase of a thirty-six bed housing unit at the Missouri River correctional center."

Page 3, line 26, replace ". including" with ". Potential alternatives to physical custody include"

Page 6, after line 12, insert:

**"SECTION 12. LEGISLATIVE MANAGEMENT STUDY - TOMPKINS REHABILITATION CENTER.** During the 2017-18 interim, the legislative management shall consider studying the operation, management, conditions, caseload, and physical plant of the Tompkins rehabilitation center at the state hospital. The study must include the potential transition of the Tompkins rehabilitation center, including the transfer of the building, employees, and supervision and management of all operations and caseload of the Tompkins rehabilitation center, from the department of human services and the state hospital to the department of corrections and rehabilitation. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Page 6, after line 22, insert:

**"SECTION 14. JUSTICE REINVESTMENT OVERSIGHT COMMITTEE - REPORT TO THE LEGISLATIVE MANAGEMENT.**

1. During the 2017-18 interim, the justice reinvestment oversight committee is created and composed of eight members as follows:
  - a. The governor's general counsel;
  - b. The director of the department of human services;
  - c. The director of the behavioral health division of the department of human services;
  - d. The director of the department of corrections and rehabilitation;

- e. The chief justice of the supreme court, or a designee of the chief justice;
  - f. The attorney general, or a designee of the attorney general;
  - g. One member of the house of representatives, appointed by the majority leader of the house of representatives; and
  - h. One member of the senate, appointed by the majority leader of the senate.
2. The committee shall study the implementation of justice reinvestment policies in the state and periodically report to the legislative management. The governor's office shall provide staff services to the committee.
  3. Before July 1, 2018, the committee shall report its findings and recommendations, together with any legislation required to implement those recommendations, to the legislative management."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2015 - Summary of Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
DHS - Other						
Total all funds	\$0	\$7,500,000	\$0	\$7,500,000	\$7,500,000	\$0
Less estimated income	0	7,000,000	0	7,000,000	7,000,000	0
General fund	\$0	\$500,000	\$0	\$500,000	\$500,000	\$0
Department of Corrections and Rehab.						
Total all funds	\$236,280,726	\$253,633,027	(\$532,163)	\$253,100,864	\$252,843,952	\$256,912
Less estimated income	33,236,706	38,275,054	489,106	38,764,160	38,764,160	0
General fund	\$203,044,020	\$215,357,973	(\$1,021,269)	\$214,336,704	\$214,079,792	\$256,912
Bill total						
Total all funds	\$236,280,726	\$261,133,027	(\$532,163)	\$260,600,864	\$260,343,952	\$256,912
Less estimated income	33,236,706	45,275,054	489,106	45,764,160	45,764,160	0
General fund	\$203,044,020	\$215,857,973	(\$1,021,269)	\$214,836,704	\$214,579,792	\$256,912

**Senate Bill No. 2015 - DHS - Other - Conference Committee Action**

The conference committee did not change the funding for the Department of Human Services provided by the Senate and the House.

**Senate Bill No. 2015 - Department of Corrections and Rehab. - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Adult services	\$205,626,019	\$222,336,292	\$24,063	\$222,360,355	\$222,360,355	
Youth services	30,654,707	31,296,735	(556,226)	30,740,509	30,483,597	256,912
Total all funds	\$236,280,726	\$253,633,027	(\$532,163)	\$253,100,864	\$252,843,952	\$256,912
Less estimated income	33,236,706	38,275,054	489,106	38,764,160	38,764,160	0
General fund	\$203,044,020	\$215,357,973	(\$1,021,269)	\$214,336,704	\$214,079,792	\$256,912
FTE	836.29	847.29	(2.00)	845.29	843.29	2.00

**Department No. 530 - Department of Corrections and Rehab. - Detail of Conference Committee Changes**

Adjusts Funding for Health Insurance	Reduces New Youth Correctional Center	Reduces Funding for Operating Expenses <sup>2</sup>	Adds One-Time Funding for Justice Reinvestment <sup>4</sup>	Total Conference Committee Changes
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	Increases <sup>1</sup>	Positions <sup>2</sup>			
Adult services	(\$139,937)		(\$336,000)	\$500,000	\$24,063
Youth services	(34,150)	(251,615)	(270,461)		(556,226)
Total all funds	(\$174,087)	(\$251,615)	(\$606,461)	\$500,000	(\$532,163)
Less estimated income	(10,894)	0	0	500,000	489,106
General fund	(\$163,193)	(\$251,615)	(\$606,461)	\$0	(\$1,021,269)
FTE	0.00	(2.00)	0.00	0.00	(2.00)

<sup>1</sup> Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month. This amount was adjusted from the House version to recognize the health insurance increase associated with the 2 additional FTE positions.

<sup>2</sup> Funding from the general fund is reduced and 2 new FTE Youth Correctional Center positions are removed, providing 8 new FTE positions and \$1,006,461 from the general fund to maintain compliance with the federal Prison Rape Elimination Act. The Senate added 10 new FTE positions and \$1,258,076 from the general fund to maintain compliance with the federal Prison Rape Elimination Act. The House provided for 6 new FTE positions and \$754,846 from the general fund to maintain compliance with the federal Prison Rape Elimination Act.

<sup>3</sup> Funding from the general fund for operating expenses is reduced by \$606,461, including \$160,461 for youth services information technology data processing, the same as the House version.

<sup>4</sup> One-time funding of \$500,000 from other funds is added for implementing justice reinvestment initiatives, the same as the House version.

This amendment also:

- Adds a new section to identify the amount appropriated relating to increases in employee health insurance premiums from \$1,130 to \$1,241 per month. This section was updated from the House version to recognize the health insurance increase associated with the 2 additional FTE positions.
- Adds a new section to designate \$844,000 for the purchase of a 36-bed housing unit at the Missouri River Correctional Center, the same as the House version.
- Adds a new section to provide for a Legislative Management study of the Tompkins Rehabilitation Center, the same as the House version.
- Amends a section added by the Senate relating to management of inmate population at local and regional correctional facilities, the same as the House version.
- Adds a new section to provide for a Justice Reinvestment Oversight Committee, which is to study the implementation of justice reinvestment policies and report to the Legislative Management. This section was not included in the House or the Senate version.

Engrossed SB 2015 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2216, as engrossed:** Your conference committee (Sens. Armstrong, Luick, Myrdal and Reps. Karls, Roers Jones, M. Nelson) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 810, adopt amendments as follows, and place SB 2216 on the Seventh order:

That the House recede from its amendments as printed on page 810 of the Senate Journal and page 964 of the House Journal and that Engrossed Senate Bill No. 2216 be amended as follows:

Page 1, line 1, after "to" insert "create and enact a new subsection to section 12.1-17-11 of the North Dakota Century Code, relating to the definition of a health care facility; to"

Page 1, line 17, remove "or"

Page 1, line 20, remove ". A health care"

Page 1, remove lines 21 through 24

Page 2, remove lines 1 through 4

Page 2, line 5, replace "facility" with:

"; or

- g. An emergency responder, including a licensed medical services provider, law enforcement officer, firefighter, volunteer firefighter, officer of a nonprofit volunteer fire department, emergency medical technician, emergency nurse, ambulance operator, or a provider of civil defense services, who while acting in the scope of employment is present at a health care facility"

Page 2, after line 5, insert:

**"SECTION 2.** A new subsection to section 12.1-17-11 of the North Dakota Century Code is created and enacted as follows:

As used in this section, "health care facility" means an office or institution providing health care services or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including a hospital; clinic; ambulatory surgery center; outpatient care facility; weight control clinic; nursing home; basic care or assisted living facility; laboratory; or office of any medical professional licensed or registered under title 43 or any individual who is included within a specialty and subspecialty of those fields. The term includes a waiting room, hallway, private room, semiprivate room, ward, and any mobile or temporary facility."

Renumber accordingly

Engrossed SB 2216 was placed on the Seventh order of business on the calendar.

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

**HB 1300:** Your conference committee (Sens. Unruh, Cook, Armstrong and Reps. Klemin, K. Koppelman, Hanson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1434-1436 and place HB 1300 on the Seventh order.

HB 1300 was placed on the Seventh order of business on the calendar.

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

**HB 1016, as engrossed:** Your conference committee (Sens. Bowman, Hogue, Robinson and Reps. Brandenburg, Nathe, Delmore) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1280-1282, adopt amendments as follows, and place HB 1016 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1280-1282 of the House Journal and pages 997-1000 of the Senate Journal and that Engrossed House Bill No. 1016 be amended as follows:

Page 1, remove lines 14 through 24

Page 2, replace lines 1 and 2 with:

"Salaries and wages	\$6,640,086	\$26,439	\$6,666,525
Operating expenses	3,685,547	(159,613)	3,525,934
Capital assets	249,046	32,975,000	33,224,046
Grants	509,514	(190,961)	318,553

Civil air patrol	311,773	(12,193)	299,580
Tuition, recruiting, and retention	2,517,500	100,000	2,617,500
Air guard contract	8,054,554	44,028	8,098,582
Army guard contract	59,870,605	(2,152,661)	57,717,944
Veterans' cemetery	811,486	69,798	881,284
Reintegration program	<u>1,903,743</u>	<u>(642,359)</u>	<u>1,261,384</u>
Total all funds	\$84,553,854	\$30,057,478	\$114,611,332
Less estimated income	<u>66,864,852</u>	<u>31,309,926</u>	<u>98,174,778</u>
Total general fund	\$17,689,002	(\$1,252,448)	\$16,436,554"

Page 2, replace lines 7 through 14 with:

"Salaries and wages	\$12,441,232	\$109,887	\$12,551,119
Operating expenses	8,905,310	(1,616,859)	7,288,451
Capital assets	740,000	(171,000)	569,000
Grants	18,673,247	(1,784,088)	16,889,159
Disaster costs	<u>108,165,484</u>	<u>(56,719,643)</u>	<u>51,445,841</u>
Total all funds	\$148,925,273	(\$60,181,703)	\$88,743,570
Less estimated income	<u>137,518,175</u>	<u>(58,224,473)</u>	<u>79,293,702</u>
Total general fund	\$11,407,098	(\$1,957,230)	\$9,449,868"

Page 2, replace lines 19 through 21 with:

"Grand total general fund	\$29,096,100	(\$3,209,678)	\$25,886,422
Grand total special funds	<u>204,383,027</u>	<u>(26,914,547)</u>	<u>177,468,480</u>
Grand total all funds	\$233,479,127	(\$30,124,225)	\$203,354,902"

Page 2, line 24, replace "\$638,219" with "\$591,978"

Page 2, line 24, replace "\$253,000" with "\$234,453"

Page 2, line 25, replace "\$1,249" with "\$1,241"

Page 2, line 26, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SIXTH LEGISLATIVE ASSEMBLY"

Page 2, line 27, after "biennium" insert "and the 2017-19 biennium one-time funding items in the appropriation in section 1 of this Act"

Page 3, after line 15, insert:

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

Page 4, line 16, remove ", contingent upon the adjutant general"

Page 4, remove line 17

Page 4, line 18, remove "assignment in association with the Grand Forks air force base"

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1016 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Adjutant General						
Total all funds	\$84,553,854	\$114,563,814	\$47,518	\$114,611,332	\$114,611,332	\$0
Less estimated income	<u>66,864,852</u>	<u>98,195,447</u>	<u>(20,669)</u>	<u>98,174,778</u>	<u>98,174,778</u>	<u>0</u>
General fund	\$17,689,002	\$16,368,367	\$68,187	\$16,436,554	\$16,436,554	\$0

Department of Emergency Services						
Total all funds	\$148,925,273	\$88,659,329	\$84,241	\$88,743,570	\$88,793,570	(\$50,000)
Less estimated income	137,518,175	79,300,727	(7,025)	79,293,702	79,293,702	0
General fund	\$11,407,098	\$9,358,602	\$91,266	\$9,449,868	\$9,499,868	(\$50,000)
Bill total						
Total all funds	\$233,479,127	\$203,223,143	\$131,759	\$203,354,902	\$203,404,902	(\$50,000)
Less estimated income	204,383,027	177,496,174	(27,694)	177,468,480	177,468,480	0
General fund	\$29,096,100	\$25,726,969	\$159,453	\$25,886,422	\$25,936,422	(\$50,000)

### House Bill No. 1016 - Adjutant General - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$6,640,086	\$6,673,161	(\$6,636)	\$6,666,525	\$6,666,525	
Operating expenses	3,685,547	3,492,934	33,000	3,525,934	3,525,934	
Capital assets	249,046	33,224,046		33,224,046	33,224,046	
Grants	509,514	318,553		318,553	318,553	
Civil air patrol	311,773	299,787	(207)	299,580	299,580	
Tuition, recruiting, and retention	2,517,500	2,617,500		2,617,500	2,617,500	
Air guard contract	8,054,554	8,089,803	8,779	8,098,582	8,098,582	
Army guard contract	59,870,605	57,703,081	14,863	57,717,944	57,717,944	
Veterans' Cemetery	811,486	882,321	(1,037)	881,284	881,284	
Reintegration program	1,903,743	1,262,628	(1,244)	1,261,384	1,261,384	
Total all funds	\$84,553,854	\$114,563,814	\$47,518	\$114,611,332	\$114,611,332	\$0
Less estimated income	66,864,852	98,195,447	(20,669)	98,174,778	98,174,778	0
General fund	\$17,689,002	\$16,368,367	\$68,187	\$16,436,554	\$16,436,554	\$0
FTE	155.00	155.00	0.00	155.00	155.00	0.00

### Department No. 540 - Adjutant General - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Restores Funding for Maintenance and Repairs <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	(\$6,636)		(\$6,636)
Operating expenses		33,000	33,000
Capital assets			
Grants			
Civil air patrol	(207)		(207)
Tuition, recruiting, and retention			
Air guard contract	(6,221)	15,000	8,779
Army guard contract	(15,137)	30,000	14,863
Veterans' Cemetery	(1,037)		(1,037)
Reintegration program	(1,244)		(1,244)
Total all funds	(\$30,482)	\$78,000	\$47,518
Less estimated income	(20,669)	0	(20,669)
General fund	(\$9,813)	\$78,000	\$68,187
FTE	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, the same as the Senate version. Section 2 is also adjusted to reflect the change.

<sup>2</sup> Funding of \$78,000 from the general fund for maintenance and repairs is restored, the same as the Senate version. The House had reduced funding for maintenance and repairs by \$178,000 from the general fund.

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

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$12,441,232	\$12,465,927	\$85,192	\$12,551,119	\$12,601,119	(\$50,000)
Operating expenses	8,905,310	7,288,451		7,288,451	7,288,451	
Capital assets	740,000	569,000		569,000	569,000	
Grants	18,673,247	16,889,159		16,889,159	16,889,159	
Disaster costs	108,165,484	51,446,792	(951)	51,445,841	51,445,841	
Total all funds	\$148,925,273	\$88,659,329	\$84,241	\$88,743,570	\$88,793,570	(\$50,000)
Less estimated income	137,518,175	79,300,727	(7,025)	79,293,702	79,293,702	0
General fund	\$11,407,098	\$9,358,602	\$91,266	\$9,449,868	\$9,499,868	(\$50,000)
FTE	79.00	79.00	0.00	79.00	79.00	0.00

### Department No. 542 - Department of Emergency Services - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Restores Funding for Salaries and Wages <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	(\$14,808)	\$100,000	\$85,192
Operating expenses			
Capital assets			
Grants			
Disaster costs	(951)		(951)
Total all funds	(\$15,759)	\$100,000	\$84,241
Less estimated income	(7,025)	0	(7,025)
General fund	(\$8,734)	\$100,000	\$91,266
FTE	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, the same as the Senate version. Section 2 is also adjusted to reflect the change.

<sup>2</sup> Funding of \$100,000 from the general fund for salaries and wages is restored to provide for a final reduction of \$100,000. The House had reduced salaries and wages funding by \$200,000 from the general fund. The Senate version restored \$150,000 from the general fund for salaries and wages.

This amendment also removes contingency language from Section 9 to allow the Adjutant General to spend the money carried over from the 2015-17 biennium in the tuition, recruiting, and retention line item without certifying to the Office of Management and Budget that the National Guard has received a new assignment in association with the Grand Forks Air Force Base, the same as the Senate version.

Engrossed HB 1016 was placed on the Seventh order of business on the calendar.

#### MOTION

**SEN. KLEIN MOVED** that the Senate stand in recess until 1:00 p.m., which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with President Sanford presiding.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. WANZEK MOVED** that the conference committee report on Engrossed SB 2015 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2015:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide appropriations to the

department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for legislative management studies; to provide for a legislative management justice reinvestment oversight committee; and to provide for reports.

#### ROLL CALL

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

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Burckhard

Reengrossed SB 2015 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. ARMSTRONG MOVED** that the conference committee report on Engrossed SB 2216 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2216:** A BILL for an Act to create and enact a new subsection to section 12.1-17-11 of the North Dakota Century Code, relating to the definition of a health care facility; to amend and reenact subsection 1 of section 12.1-17-11 of the North Dakota Century Code, relating to contact by bodily fluids or excrement; and to provide a penalty.

#### ROLL CALL

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

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Burckhard

Reengrossed SB 2216 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. BOWMAN MOVED** that the conference committee report on Engrossed HB 1016 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1016:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the adjutant general; to provide a transfer; and to provide exemptions.

#### ROLL CALL

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

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Campbell; Casper; Clemens; Cook;

Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Burckhard

Engrossed HB 1016, as amended, passed.

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

**SEN. UNRUH MOVED** that the conference committee report on HB 1300 be adopted, which motion prevailed on a voice vote.

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

**HB 1300:** A BILL for an Act to amend and reenact subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to agencies exempt from the definition of administrative agency.

#### **ROLL CALL**

The question being on the final passage of the bill, which has been read, the roll was called and there were 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bekkedahl; Bowman; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Armstrong; Marcellais; Piepkorn

**ABSENT AND NOT VOTING:** Burckhard

HB 1300 passed.

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#### **POINT OF PERSONAL PRIVILEGE**

**SEN. OBAN** rose on a point of personal privilege.

#### **REMARKS OF SENATOR OBAN**

**MR. PRESIDENT:** There are many times when colleagues highlight an athletic achievement of one of their home district's school.

Well, today, I want to add to that the academic, arts, music, and extra-curricular successes of the Bismarck High Demons.

In this school year alone, BHS and their students and faculty have been recognized for the following:

- National Merit Scholarship Semifinalists - Delaney Wolf and Garrett Havelka
- Coral Gillette for placing in the Teen Womens Fancy Competition at the 2016 International Powwow held at United Tribes
- Jayden MacDonald's gold in the FFA Creed Speaking Competition
- The Capital Ice Chips being named the 2017 Midwestern Sectional Champions and the National Silver Synchronized Skating Medalists.
- Harris Huizenga, the youngest participant ever to participate in the X games in Aspen.
- The BHS Science Bowl team being named Regional Champs and heading to nationals this spring.
- The Bismarck Blizzard girls' hockey team state champs.
- Mr. Paul Noot, BHS Art teacher, on being awarded the Governor's Awards for the Arts
- 31 medals among 16 students who qualified for nationals in the HOSA organization,

- Health Occupations Students of America
- Student contributors and faculty advisors for the BHS literary and art magazine, named one of 15 national finalists for a Pacemaker Award for excellence in literary magazines
- Olivia German named to the American Choral Director's Association National Honor Choir, 3 students named to that association's Jr. High All-State Choir
- 16 BHS students named to the ND High School All State Choir, and 8 to the ND All State Band.

Mr. President, I appreciate the many times I hear about the good works of student-athletes from across the state, but as someone whose athletic prowess wasn't terribly commendable as a high school student, I think it's important that we elevate other achievements alongside those in athletics.

I was hoping to provide these comments when the Senator from District 5 in Minot was here. Sometimes we hear that it's good to be from Magic Town, but obviously, here in Bismarck, every day is a good day to be a Bismarck Demon.

#### MOTION

**SEN. KLEIN MOVED** that the remarks of Sen. Oban be printed in the Journal, which motion prevailed.

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

**MR. PRESIDENT:** The Speaker has appointed Rep. D. Anderson to replace Rep. Martinson on the Conference Committee on SB 2134.

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

**MR. PRESIDENT:** The House has not adopted the conference committee report on: SB 2037.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2015, SB 2216.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1016, HB 1300.

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: HB 1369.

#### 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 1178.

#### 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: SB 2011.

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

**MR. SPEAKER:** The President has signed: SB 2045, SB 2052, SB 2156, SB 2166, SB 2321.

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

**MR. SPEAKER:** The President has signed: HB 1025, HB 1120, HB 1155, HB 1341, HB 1389, HCR 3019.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1025, HB 1120, HB 1155, HB 1341, HB 1389, HCR 3019.

#### DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 17, 2017: SB 2045, SB 2052, SB 2156, SB 2321.

**MOTION**

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

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Tuesday, April 18, 2017, which motion prevailed.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1178, as engrossed:** Your conference committee (Sens. Bekkedahl, Laffen, Cook and Reps. Olson, Nathe, Headland) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1622-1625 and place HB 1178 on the Seventh order.

Engrossed HB 1178 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1369:** Your conference committee (Sens. Davison, Meyer, Marcellais and Reps. Kasper, Louser, P. Anderson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1277 and place HB 1369 on the Seventh order.

HB 1369 was placed on the Seventh order of business on the calendar.

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

**Shanda Morgan, Secretary**

