

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

\* \* \* \* \*

**Bismarck, January 3, 2019**

The House convened at 12:00 p.m., with Acting Speaker Klemin presiding.

The prayer was offered by Pastor Rich Wyatt, Living Hope Nazarene Church, Bismarck.

The roll was called and all members were present except Representatives Keiser, McWilliams, Mock, Owens, and Weisz.

A quorum was declared by the Acting Speaker.

**TRIBAL AND STATE RELATIONSHIP ADDRESS****January 3, 2019****Myra Pearson****Chairwoman, Spirit Lake Tribe**

My name is Myra Pearson, Chairwoman for the Spirit Lake Tribe. As this is to be my last state of the Tribes address I would like to take this opportunity to reflect on the past progress we have made, discuss some of the obstacles we have encountered and stress the importance of fostering a strong Tribal/State relationship.

In recent years North Dakota and the Tribes located within the state have been the focus of national attention due in large part to the oil boom. As an emerging leader in the energy industry our state and tribes have finally emerged from anonymity to national leaders in the energy sector. Of course, not all of the national attention has been positive. To that end it is important that we learn from both our negative and positive experiences while we forge new and stronger relationships.

In my years of public service, I have had the great pleasure of serving alongside many great tribal leaders. I am thankful for those who came before me such as Alyce Spotted Bear from Twin Buttes District, MHA Nation. Alyce Spotted Bear was a political leader who for years served as a role model for people like myself and I am grateful for her wisdom, leadership and mentorship. Building off of the paths forged by such women it has been a privilege to watch as 2018 saw many more women, and particularly native women stepping forward into public service. Although female leadership has been strong within Indian Country, on the national political front we witnessed leaders like

Sharice Davids (Ho-Chunk), Deb Haaland (Laguna Pueblo) elected to the United States Congress and here in North Dakota Ruth Buffalo became the first Native American Democrat woman to be elected to the North Dakota legislature. Indeed, this has been a positive year for Native American women.

Despite so many positive contributions being made by native women, 2018 also placed a spotlight upon the most vulnerable among us. The untimely and brutal deaths of Savannah Greywind and Olivia Lone Bear forced local, state and national attention to the fact that indigenous women are missing and murdered at rates far exceeding national averages and all too often justice alludes the families in such cases. Senator Heitkamp was an important partner and advocate for native women throughout her term of services as she champions important legislation such as Savannah's Act and the Violence Against Women Act. It is imperative that we, as public servants, continue to champion such efforts to address systemic inequities, bridge gaps in our justice systems and support important legislative changes to safeguard our women, children and men.

Closer to home, I have served the Spirit Lake Tribe as Chairwoman for a total of 18 years. During my terms of office, I have seen many political legal and policy changes aimed at addressed issues and relationships with tribal communities. Such efforts have often focused on important issues such as community safety, child welfare and justice,

economic development, and governmental regulation and revenue sharing.

Although some of the past laws, policies and programs have been good for our community, many have not. The Spirit Lake Tribe continues to face a number of pressing obstacles and challenges. Like so many communities in the state of North Dakota, the Spirit Lake Tribe has seen dramatic increases in methamphetamine and prescription drug abuse. Substance abuse has directly contributed to the higher than average rates of child abuse and neglect and resulted in an increase in violent crimes on the Spirit Lake Reservation. The Spirit Lake Tribe needs resources to intervene in the trafficking and possession of such substances and we also need the resources to rehabilitate those individuals facing addiction. Currently the Tribe is operating with a skeletal BIA law enforcement service, minimal mental health services and limited outpatient addiction treatment. To combat this public welfare crisis, we must seek out all resources to hold accountable those who bring these substances to our communities and to support measures that heal individuals and families impacted by addiction.

Economically the Spirit Lake Tribe has reinvested much of our governmental revenue into social programming, housing and economic diversification. Although housing and home ownership opportunities on the reservation remain out of reach for many, the Spirit Lake Tribal Council has worked to increase home ownership opportunities for members in part through the rehabilitation of existing homes. As part of this effort, employment and training opportunities have been provided for those in the construction trades and partnerships formed with Cankdeska Cikana Community College and have provided an important opportunity to develop a skilled labor force.

In addition to housing projects, we have recently completed renovations on a mini mall in Fort Totten. Historically the Spirit Lake Tribe has lacked local services and a small business sector resulting in much of our spending power has gone off the reservation. Today, through projects like the mini mall, the Spirit Lake Casino and Resort Grocery, the Spirit Lake Marina, and other such business ventures, we are able to offer opportunities for the growth of our small business sector, employment opportunities, and vital revenue streams for our government. All of these allow us to meet needs within our community.

Beyond the local work of the Spirit Lake Tribal Council, the Tribe has been working closely with Governor Burgum and the State Tax Commissioner to take a hard look at taxation, revenue sharing and opportunities for state and tribal collaboration. This renewed dialogue on regulatory matters is extremely important to ensure effective and consistent regulation, appropriate governmental revenue sharing, and support for tribal self-determination. Such efforts encourage economic development and provide important governmental revenue to help us as we attempt to address social and economic issues. The desire of the Governor to pursue collaborative agreements with the tribes has been instrumental to fostering mutual respect between our tribal nations and the state of North Dakota.

In closing I would offer that as tribes we must recognize our sovereignty as not only a shield against infringement but also a sword that carries with it the full weight to implement laws, develop essential policies, support social programming, develop culturally relevant services and enter into cooperative agreements that will meet the needs of our respective communities. It is important that we understand our sovereignty but it is equally important that we exercise it. As elected officials the people who put us into office count on us... they place their trust in us each and every day to make decisions and act in a manner that serves the greater good of our communities. Although my time in public service will soon come to an end, it is my sincere hope that our future tribal and state leaders will continue to engage in meaningful collaborations that build upon the foundation laid for them.

### **STATE OF THE JUDICIARY ADDRESS**

**January 3, 2019**

**Chief Justice Gerald W. VandeWalle**

Lieutenant Governor Sanford, Speaker Klemin, Governor Burgum, members of the Legislative Assembly, State executive officials, my judicial colleagues C the district judges and supreme court justices C and other friends. Thank you for the privilege of appearing

before this Joint Session of the Sixty-sixth Legislative Assembly of our great State.

The North Dakota Court System should be a well-balanced, dynamic and highly functioning system that is able to continuously improve and adjust to meet challenges in all economic conditions. We must operate to treat every individual, in every part of the state, with respect and to ensure that all of our cases move through the court system in a thoughtful and timely manner.

The scales of justice held by Lady Justice symbolize the assessment of the figurative weight, the balance, of two sides in a dispute, but over the 40 years I have been on the bench, I have come to see that they are also symbolic of the other balances the courts must strike. These include the big questions of balancing mercy and justice, community safety and individual accountability, and transparency of court records with individual desire for privacy; but they also include the more prosaic questions of balancing accuracy and expediency; efficiency of technology and the personal acknowledgement that all individuals crave; and deciding where the line should be drawn between state support of government functions and individual fees for access to government services. Although I have been privileged to consider these questions on an almost daily basis, I must admit that I am no closer to a definitive answer for any of them. I can, however, say with confidence, that the exercise has made me more aware of the nuances of each issue and more appreciative of the work all of you do in wrestling the same kinds of questions.

I am not going to wax philosophical on these issues, neither my voice nor your patience would allow me to do that for very long, but I will say that in some way each of these considerations plays out in the challenges and initiatives that I am going to discuss this morning.

#### **Need for additional staffing**

Last session, in response to serious budget issues, we cut 55.5 positions. Thirty-five full-time and 1 part-time staff were eliminated, including 3 judicial referees. Also lost were 20 temporary staff who differed from our other staff only in that they worked without the benefits allowed to those whose positions were created as an FTE authorization by the legislature. No part of the court system was spared from budget cuts and the staff reductions came from the supreme court, the district court, the juvenile court, and the administrative offices of the court. We understood the dire circumstances the state was in at that time and we did what we had to do to make the targeted budget reduction. But, it would not be honest of me, nor would I be doing my job as the head of the court system, if I stood here today and said that all is well with the court system.

I have often used the analogy of standing on tiptoe in deep water to describe the operational side of the courts. We have always staffed our judicial and administrative offices to the lowest possible ratio that allows us to get work done. However, doing so leaves us like the individual who wades into deep water and stands on his tiptoes to keep from drowning. Everything is fine until a wave comes along and suddenly the individual finds himself underwater and fighting for his life. The court system is now underwater. I am not here today to sound the death knell for the court system, or to ask for reinstatement of all 56 positions, but I am here to ask for help regaining our footing by adding back 6 staff positions and creating one new judgeship.

We are requesting a judge for the South Central Judicial District, which has its judicial hub in Bismarck and Mandan and encompasses 9 counties. Although there are normal fluctuations in the number of cases filed annually, the trend in this district has been a steady increase in filings over the past 10 years. The increase has been such that they are currently three judges short of what our weighted caseload study reveals is needed to adequately handle the caseload. We would have requested this judgeship much earlier except that there was no space to house another judge. I am grateful to the citizens of Burleigh and Morton counties, and to the commissioners who serve those counties, for the funding that has allowed both courthouses to remodel and expand space available for judicial chambers and courtrooms. And, while the judges of the district had assistance from their colleagues in other districts as well as surrogate judges assigned, I am grateful for the manner in which they handled the crush of cases resulting from the Dakota Access Pipeline protests.

A judge does not work alone. A record must be made of every hearing, so along with a new judicial position, we are asking for a court reporter position to work with the new judge. We are also asking for a court recorder position in Minot to replace the position that was cut in 2015. The Minot position is especially needed as the loss of a recorder has resulted in delayed hearings and increased transcript costs.

When we cut clerk of court staff in 2015, we did so by setting a minimum staffing level of 82% of need. Due to increased case filings, the clerk's office in Grand Forks County is now operating at 70% of need and the Cass County office is at 60% of need. We are requesting one deputy clerk for each of those offices in order to bring them back to the minimum staffing level. Inadequate staffing results in increased errors.

Along with the three judicial referees that were cut in 2015, we cut four law clerk positions. Law clerks perform legal research, initial review of motions, and initial drafts of orders. These services allow judges to make better informed and quicker decisions. Due to the loss of positions, we have two judicial districts – the Northwest and Southeast districts - that no longer have any law clerks. To remedy this, we are requesting reinstatement of one law clerk position in each of these districts.

The North Dakota Judicial Conduct Commission and Attorney Disciplinary Board is the leanest -run disciplinary system in any state. It operates with just 4 FTEs and an army of volunteer attorneys and judges. Two years ago, we revamped the rules of operation for the JCCDB to increase the timeliness of responses to complaints. Part of this revamping included moving some of the investigative functions being done by volunteers to a part-time, temporary position housed within the JCCDB. This has not worked as well as we had hoped because of the turnover in that position. In eighteen months, there have been three people who have accepted the position, only to leave shortly afterward for other employment. The Operations Committee of the JCCDB has requested that this position be converted from a part-time temporary to a part-time permanent position to provide some stability to the position.

And, while I do not want to be an alarmist, we are closely watching a case that was remanded by the United States Supreme Court to the 8<sup>th</sup> Circuit Court of Appeals concerning the validity of the mandatory bar in North Dakota. Should the mandatory bar be held to be invalid, our current lawyer disciplinary system would require extensive statutory change.

The North Dakota Court System has not stopped innovating and striving to improve its ability to serve the people who depend on it to sort out the cases that come before it. North Dakota is unique in the cost-effective way we deliver clerk of court services, and our juvenile court approach to rehabilitating youth is hailed as a national model. Back in 1999, we were the first in the nation to have a fully electronic citation and traffic reporting system for tickets issued by the state patrol. In 2011, we became the first in the nation to have complete electronic filing capabilities for our district courts, and along with that, the first to mandate the use of electronic records management for both judges and staff. Beyond technology, we have created a family mediation program, a guardianship monitoring program, and a self-help center that assist thousands of citizens a year without imposing any extra fees for those services. We have strengthened protections for vulnerable adults and shortened the timeframe for decisions in child welfare cases and divorce cases involving children. In the same spirit of innovation, we are moving forward with several new projects.

### **Law Library Project**

As much as I like books, it is time to re-envision our concept of a law library. Because so many resources are now available electronically and we have the ability to get books through quick shipping, we no longer need to maintain a large, formal library. We have put forward legislation to repeal the statutes requiring a law library. Our plan is to remodel the existing law library space to accommodate an expanded self-help center, improve the workspace for our central legal department, and relocate our IT staff to the Capitol. The initial outlay to remodel the space is estimated at \$960,000, but we expect that these changes will result in ongoing savings of approximately \$400,000 per biennium.

**Juvenile Court**

This past biennium, the juvenile court has instituted two new practices that have had a direct impact on the placement of children in detention. The first is to create disposition matrixes that provide more consistent sentencing for related charges and has reduced the number of youth being sent to the Youth Correctional Center.

The second is to mandate the use of a detention screening tool which has been effective in reducing the number of days youth are spending in detention.

In addition, we have been working with the Department of Human Services, the Division of Juvenile Services, and several other government and non-profit agencies on the dual status youth project. This is an interdisciplinary approach to handling youth who are in both the child welfare system and the court system. The project seeks to leverage resources from both entities to create a comprehensive plan to address the needs of children and their families.

During the interim session, the Juvenile Policy Board, under the leadership of Justice Lisa Fair McEvers, proposed raising the age of criminal responsibility from age 7 to age 10. The Justice Reinvestment Committee has introduced legislation to make that change. Finally, I want to let you know that we have re-applied for the Court Improvement Program grant from the federal government. This grant is specifically to improve outcomes for children in need of protective services.

**Guardianship**

During the interim, our Guardianship Workgroup, which is ably chaired by Judge Cynthia Feland, took on the task of studying and rewriting the laws related to guardianship of minors to eliminate confusion over when cases should be filed in juvenile court or district court. Under the bill draft that we are proposing, only uncontested testamentary appointments will start in district court; all other guardianship of minor cases will be filed in juvenile court. This will give the court the ability to appoint a guardian ad litem for the child or an attorney for the parents. The proposed changes will also allow the court to continue monitoring the financial and personal well-being of any child who is under the care of a guardian.

Although not a court program, I bring your attention to the issue of adequate funding for the Public Administrator Support System (PASS) program. This is the program created by the legislature in 2013 to provide funding for public administrators. Over the years, public administrators have become the baby no one wants to hold. They serve as the guardians of last resort for those individuals who have no one else to look after them, or who are in the unfortunate position of having family members who are unable, unwilling or not qualified to provide guardianship services. Up until the early 1990s, public administrators were county employees, appointed by the county judge. When the county judge positions were eliminated, many counties also eliminated the public administrator position. Over the years, with no clear statutory determination as to whether the function should be funded by the counties or the state, there was a continual loss of individuals willing to take on those duties. To respond to the ever-growing gap between the need for services and the number of providers available, the legislature created the PASS program. Funding for the program has been in decline since its inception and the program has been forced to rewrite its guidelines several times to reduce the number of cases it can cover and lower the daily payment rate to guardians. An additional 5% cut to the PASS program is being proposed this biennium. With guardians having to take more cases without compensation, and a growing list of vulnerable adults waiting for assistance, I am afraid we are in danger of sliding back into the same situation we were in before the program was created.

**Interdisciplinary Committee on Specialized Dockets**

It has long been recognized that problem-solving courts, otherwise known as specialized dockets, are very effective in dealing with issues related to drug and alcohol use, post-traumatic stress syndrome, homelessness, and mental illness for those people who are in the court system. Nationwide, there are now over 30 types of specialized dockets, each with their own focus and funding. In North Dakota, we have three: adult drug court, juvenile drug court, and domestic violence court. Over the years, we have also been asked to consider

adding mental health and veterans courts. Specialized dockets work because they allow for long-term, personal contact with defendants and because they are able to connect defendants with the resources, they need to rebuild a healthy life. We recognize that no one entity owns these courts and that to work they require assistance and support from all three branches of government. We recently adopted Administrative Rule 60 to establish an interdisciplinary committee whose focus will be on evaluating the need for the resources and legislation necessary to create new specialized dockets, to evaluate existing courts, and to recommend when and where new specialized dockets should be established.

### **Domestic Violence Court**

In 2015, legislation was passed that authorized us to establish a domestic violence court. Under the direction of then-presiding judge Jon Jensen, the decision was made to move forward with a court in the Northeast Central Judicial District. Judges Jason McCarthy and Jay Knudson have been assigned to handle this specialized docket. The court held its first session in August and currently has 64 participants. Participants are individuals who have been convicted of a misdemeanor or felony assault against an intimate partner. The goals of the court include providing closer monitoring of offender compliance with sentencing conditions, and increasing victim safety by rehabilitating offenders and reducing the number of repeat offenses.

### **Justice Reinvestment**

Judge Frank Racek, who serves as the presiding judge in the East Central Judicial District, has been serving on the Governor's Committee on Justice Reinvestment.

Effective response to criminal behavior is an issue that he has studied extensively and he is well-positioned to lead in this arena. To implement the goals of justice reinvestment, he has worked with the Cass County Jail Administrator and the Cass County Commission to implement early identification of risks and needs using bail and pre-trial risk assessments.

Due to a lack of resources, it has been necessary to limit these two pilot programs to cases assigned to Judge Racek, but even so, they show great promise and, I believe, will become a model for the rest of the state.

Judge Racek has also been working with both UND and NDSU to develop a medical approach to research-based sentencing that will use big data sets from multiple state information systems to create a system to address criminal justice needs with more speed and accuracy. The end goal is not to create a new program that will be cast as a wide-net, but instead create a system of rapid assessment that will allow for sentences based on the specific characteristics of defendants and their past responses to treatment and punishment.

### **Subcommittee on Bail and Pre-trial Reform**

At the request of the Minority Justice Committee, we have established a subcommittee on bail and pre-trial reform. Many people forget that the primary reason for bail is to allow a defendant to secure release in order to aid in his or her own defense. Bail also acts as a lever to ensure that the defendant returns to court as required. Over the years, bail has also come to be seen as a means to provide for community safety by setting a high bail. However, there is a nationwide concern that people who cannot afford bail are being unnecessarily kept in jail. The subcommittee's task will be to consider these uses of bail and to explore improvements to the processes and tools judges use to make pretrial release decisions. Pretrial release decisions include determinations by judges as to whether individuals arrested and detained should be released before trial, and the conditions that should be imposed if a defendant is released.

### **Conclusion**

We also have in the works several other initiatives to increase efficiencies in both the Supreme Court and the district court. Some of these changes are in the planning stage and others are only in the initial discussion phase. It is too early to say whether they will have the outcomes we desire and I mention them only to assure you that despite our challenges, we strive to move forward to create a judicial system that is fair, timely, and accessible to all.

Thank you for the opportunity to appear before you to talk about our North Dakota judicial branch of government. I assure you of our continued cooperation with you in our common goal of keeping North Dakota one of the best places in the world to live. Best wishes for a positive and productive 66<sup>th</sup> legislative session.

**MOTION**

**REP. LOUSER MOVED** that the Tribal and State Relationship Address and the State of the Judiciary Address be printed in the House Journal, which motion prevailed.

**MOTION**

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

**MOTION**

**REP. LOUSER MOVED** that the House be on the Ninth order of business and at the conclusion of that order, the House stand in recess until 1:00 p.m., at which time the House will meet in Joint Session with the Senate for the State of the State Address and after the Joint Session with the Senate, the House stand adjourned until 1:00 p.m. Tuesday, January 8, 2019, which motion prevailed.

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

**MOTION**

**REP. LOUSER MOVED** that a committee of two be appointed to escort Lt. Governor Brent Sanford to the rostrum, which motion prevailed. Speaker Klemin appointed Reps. Kasper and Pyle to the escort committee, which motion prevailed.

**SPEAKER KLEMIN PRESENTED** Lt. Governor Sandford to the Assembly and turned the gavel over to him.

**MOTION**

**SENATOR KLEIN MOVED** that a committee of two be appointed to escort Chief Justice VandeWalle to the rostrum, which motion prevailed. Lt. Governor Sanford appointed Sen. Hogue and Rep. Roers-Jones to the committee.

**MOTION**

**REP. LOUSER MOVED** that a committee of four be appointed to escort the Honorable Doug Burgum, Governor of the Great State of North Dakota, to the rostrum, and First Lady Kathryn Helgass Burgum to a special reserved seat in the assembly, which motion prevailed.

**LT. GOVERNOR SANFORD APPOINTED** Sens. Wardner and Heckaman and Reps. Pollert and Boschee to the escort committee.

The colors were presented by the Color Guard from the North Dakota National Guard.

The National Anthem was sung by the 2018-2019 Governor's Official State Chorus, the Wahpeton High School Choir, under the direction of Dean Aamodt.

Music was provided by the Century High School Wind Ensemble, under the direction of Chris Dasovick and Erik Stordalen.

The invocation was offered by North Dakota National Guard Chaplain, Colonel David Johnson.

**OATH OF OFFICE TO ELECTED OFFICIALS**

CHIEF JUSTICE VANDEWALLE ADMINISTERED the Oath of Office to the elected officials; Secretary of State Alvin A. Jaeger, Attorney General Wayne Stenehjem, Agriculture Commissioner Doug Goehring, Public Service Commissioner Randy Christmann, Public Service Commissioner Brian K. Kroshus, Tax Commissioner Ryan Rauschenberger, Representative Vicky Steiner and Senator Judy Lee.

**2019 STATE OF THE STATE ADDRESS**  
**The Honorable Doug Burgum**  
**Governor of the State of North Dakota**  
**January 3, 2019**

Good afternoon! And thank you all for that warm welcome!

Lieutenant Governor Sanford --- Governor Schafer --- Mr. Speaker --- distinguished members of the 66th Legislative Assembly --- Chief Justice VandeWalle and justices of the Supreme Court --- fellow elected officials --- tribal leaders --- cabinet members --- First Lady Kathryn --- my children Joe, Jesse and Tom --- Second Lady Sandi --- family and friends --- fellow citizens of North Dakota --- welcome, and thank you all for joining us today.

It's truly an honor for Brent, Kathryn and I to serve the citizens of North Dakota. We're filled with gratitude every day for the opportunity to make a difference for our state and its citizens. As we enter this chamber, filled today with the three branches of government and leaders of our sovereign tribal nations, one can't help but reflect on the incredible progress we have made --- and the unlimited potential that lies ahead when we all work together.

One hundred thirty years ago this coming November, President Benjamin Harrison signed North Dakota into statehood. That same year, George Eastman --- after buying 21 camera patents from David Houston of Hunter, North Dakota --- created a photography revolution with a flexible rolled film camera ---called Kodak.

North Dakota's population was roughly 190,000 people. After growing rapidly to 680,000 people in 1930, our population shrank --- and did not break that record until 2011. Last year, our state grew by more than 4,900 people. That's like adding 14 Arthurs in one year --- incredible! And the U.S. Census Bureau estimates our total population now surpasses 760,000 --- for the first time in state history.

It's easy to understand why a scarcity mindset may still invade our thinking --- given that many of our citizens had direct experience with our decades of out-migration and rural depopulation --- and are subjected to constant claims that "things are getting worse." The facts clearly show otherwise. Extreme global poverty has been cut in half over the last 20 years. Seventy-five percent of the world now lives in middle income countries. Global life expectancy is up to 72 years --- the highest it has ever been. Across the globe, we've seen dramatic decreases in deaths related to disease, war and natural disasters --- and dramatic increases in access to clean water and electricity, literacy, food production, internet access and immunizations. Abundance --- by nearly every measure --- is on the rise. Yes, the world is getting better and better --- and doing so at a rapid pace.

Why does this matter to North Dakota? For two reasons. First, a world with improving health and increasing incomes will consume more energy --- more food --- and more technology. The world will need more and more of what North Dakota has. Second, it matters in the context of the United States --- and North Dakota's role in the world. As American citizens, we all are blessed with freedom of religion --- freedom of speech --- the right to assemble --- the right to own property --- and the right to bear arms. Each of our 50 states is a laboratory of democracy. We have an administration in D.C. that understands the states created the federal government --- not the other way around. And in North Dakota, we can choose our own destiny. Today, the State of the State is that we stand at the cusp of a new era in North Dakota's history. And by harnessing the courage to dare greatly --- we will cultivate a prosperous future for generations to come. With action --- we will shine. We truly live in a state of abundance --- with the humility to understand that much of our good fortune is derived from our God-given natural resources --- namely our soil --- water --- coal --- wind --- gas --- and oil. Combining these resources with the power of human ingenuity has allowed us to build and grow a dynamic and increasingly diversified economy.

This private sector prosperity has allowed us to build and maintain a strong foundation in K-12 and higher education --- investing in our No. 1 resource --- the young people of North Dakota. Right now, we can make smart, bold investments with long-lasting impacts --- while delivering a fiscally conservative and structurally sound budget that improves transparency --- replenishes reserves --- and does this all without raising taxes! Yes, life is good here ---

and yes, we can make it even better.

According to U.S. News and World Report, North Dakotans enjoy the best quality of life in the nation. The magazine said our small towns “promote a positive social environment --- in which people are not only supportive of one another --- but they are able to engage in their communities --- and feel that they are making a difference.” The same applies to our bustling and growing urban areas. In North Dakota, everyone has a chance to make their mark --- to make a difference --- and to truly be legendary. We’ve been one of the five fastest-growing states percentage-wise since 2010 --- growing by 13 percent --- and we’re expected to retain our rank as the fourth-youngest state. Earlier this year we were ranked the best state for millennials, with our low unemployment ---affordable housing --- and nation-leading increase in wages since 2007. And North Dakota again made the list of 10 Best States to Start a Business.

Taxable sales and purchases for July, August and September were up 18 percent compared with the same period last year. That’s the highest year-over-year percentage increase since the third quarter of 2012. In fact, year-over-year taxable sales and purchases have increased every quarter since April 2017. Once again, North Dakota is on the grow. Our economy isn’t the only place where our health is improving --- North Dakota moved up five spots from No. 18 to No. 13 in this year’s America’s Health Rankings by United Health Foundation --- including ranking 1st in air quality. Our oil and gas producers continue to shatter production records. Daily output has increased to a record 1.39 million barrels per day in October --- strengthening our position as the nation’s No. 2 oil producer. We also produced a record amount of gas in October --- an incredible 2.56 billion cubic feet per day --- which is nearly double what we were producing in June of 2014. We rank 6th in overall energy production --- proving to the world that energy production and environmental stewardship aren’t mutually exclusive.

A good example is the intelligent Pipeline Integrity Program, or iPIPE --- a public-private partnership studying emerging technologies to detect and prevent pipeline leaks. Six projects have been funded so far, showing exciting and promising results. Again, this is happening because we believe innovation --- not regulation --- is the best way to solve complex challenges in a digital age.

Adding value to our enormous natural gas production is a tremendous opportunity. Converting gas to plastics or fertilizer --- using gas to heat commercial-scale greenhouses for year-round local food production --- converting gas to electrons to be exported on transmission lines --- or reinjecting gas back into the ground as part of enhanced oil recovery --- each of these represents a billion-dollar business opportunity. Substantial progress on gas capture is in our near future --- with billions of private capital being invested in mid-stream processing and gathering pipelines --- but more capacity will be needed as our gas-to-oil ratio continues to grow. And we must ensure our regulations incent --- versus discourage --- capital investment.

Our lignite industry continues to innovate and invest --- providing essential baseload electricity to the grid --- despite long-term economic and regulatory uncertainty created by over-reaching federal policy in the previous administration.

Project Tundra --- which aims to capture carbon dioxide that can be used to revitalize old oil wells --- was recently awarded the largest grant in the history of the Lignite Research Council, \$15 million.

This partnership between the Energy and Environmental Research Center at UND --- lignite --- and the oil and gas industry --- is transforming power plant emissions to a marketable, value-added commodity.

Our agricultural producers --- who are among the best and most productive in the world --- continue to invest in new technology and precision farming and ranching approaches --- despite volatile prices and uncertainty with international markets.

It’s exciting to see evolving partnerships between industries adding value and developing

new markets --- such as Marathon converting their Dickinson refinery to renewable biofuels and providing a huge new value-added market for North Dakota soybeans.

Advancing these core industries requires teamwork and collaboration. That's why our budget proposal dedicates nearly \$200 million for continued research in agriculture --- oil and gas --- and lignite.

Our farmers and ranchers can compete with anyone, anywhere --- if given a level playing field. For consistently providing this nation and the world with a low-cost, high-quality food supply --- they deserve our deepest gratitude.

We continue to make great progress on the five strategic initiatives outlined in this chamber two years ago. In 2017, we set out to transform education in North Dakota. Our goal: to ensure our K-12 and higher education systems are best equipped to adapt to new technologies and delivery methods --- and prepare students for success in the fast-changing digital economy. Two task forces created by executive order have published their final reports and recommendations --- outlining a bold path forward for K-12 innovative education --- and calling for stronger accountability and appropriate scale in higher education governance. On each of these 15-member task forces, legislative members service with distinction --- on the K-12 Innovative Education Task Force, Rep. Cindy Schreiber-Beck and Sen. Don Schaible --- and on the Task Force for Higher Education Governance, Rep. Mike Nathe and Shannon Roers Jones, and Senators Brad Bekkedahl and Joan Heckaman. --- Thank you for your service.

In addition, we supported establishing the K-12 Innovation Academy. This partnership --- between public entities and private philanthropy --- supplies concrete strategies for transforming education- -- while also creating a statewide network to advance best practices and community-led initiatives.

We've also expanded opportunities for communication--- collaboration --- and meaningful engagement with each of the sovereign tribal nations within our borders. Our Indian Affairs Commission hosted two well-attended conferences this past year on strengthening government to government relationships and partnerships --- bringing together tribal leaders --- federal --- state --- and local officials. Thanks to the Legislature --- Lt. Gov. Sanford, Tax Commissioner Ryan Rauschenberger, Indian Affairs Executive Director Scott Davis and I had the unique opportunity to serve on the interim legislative Tribal Taxation Issues Committee --- which I was honored to chair. The committee had productive discussions with all of the tribes. As a result --- House and Senate leaders plan to co-sponsor legislation to allow the governor to enter into separate agreements with individual tribes --- to administer sales and use taxes and wholesale taxes on alcohol and tobacco. To have these bills co-sponsored by legislative leadership sends a strong --- and welcome signal --- of collaboration and improved relations. As we continue to engage with the tribes in discussions about oil and gas tax revenue distribution --- law enforcement --- behavioral health --- and other priorities, we will do so with mutual respect and the understanding that we are all North Dakotans.

In that spirit of mutual respect, we're honored to announce that the Governor's Office will begin to display the flags of the five tribal nations with whom we share geography --- alongside our state and national flags --- outside of the Governor's Office in Memorial Hall. As a state, we can reach our fullest potential only if all people have the opportunity to reach theirs.

Addiction and mental health issues also can keep us from reaching our fullest potential. Our state suffers from a behavioral health crisis, which carries significant negative impacts for our people --- our families --- and our economy. First Lady Kathryn has been an incredibly courageous leader in addressing head-on the disease of addiction --- with the goal of eliminating the shame and stigma of the disease of addiction so we can normalize the conversation like we do around any other chronic ---progressive --- and ultimately fatal disease. Her courage and example are inspiring others to share their stories --- to seek recovery --- and to celebrate its hope and power. Please join me in thanking her. With Kathryn's leadership, we created the Office of Recovery Reinvented to promote these efforts with help from behavioral health professionals and community and tribal leaders. In October,

more than 1,200 people attended our second annual Recovery Reinvented summit in person or online --- sharing best practices and further lifting the veil of shame and stigma. We're also seeing progress with Free Through Recovery --- a program that provides effective, community-based behavioral health services to help those involved with the criminal justice system and struggling with addiction. This is a tangible outcome of last session's collaborative justice reinvestment efforts --- led by members of the legislative, judicial and executive branches. By moving \$7 million upstream last session, this Free Through Recovery partnership between the Department of Corrections and Rehabilitation and the Department of Human Services has provided access to care coordination --- recovery services --- and peer support to over 500 people so far. One of those people is Jyssica Noble. Like many who become trapped by the disease of addiction, Jyssica's struggles with opioid addiction landed her in jail --- left her homeless and --- brought her to the brink of death. Thanks to Cass County's drug court program, she was referred to Free Through Recovery. When she relapsed, her peer support specialist --- care coordinator --- and probation officer helped her back on the road to recovery. As Jyssica told Kathryn and I in our recent face-to-face conversation --- she said, "These people cared, and I haven't had that." You can find Jyssica's powerful story of recovery on our website --- and we're happy to have her here with us today. Please join me in recognizing Jyssica for her courage and commitment. Justice reinvestment is just one great example of the power of reinventing government.

Citizens today expect government to safeguard their personal information and its financial assets from increasing cyberattacks --- while also providing a user-friendly digital experience. North Dakota can be a world-class leader in technology. Our goals include lowering costs ---improving cybersecurity --- and streamlining online services to improve the citizen experience across agencies --- and ensuring members of Team ND have the tools to do their jobs effectively and efficiently. To accomplish this, we're creating a unified IT Shared Service organization. Already, we have aligned the backend systems of 31 state agencies, saving more than half a million dollars in product --- hosting costs --- and the number of staff it takes to do the work. But we still have over 400 organizations that touch our statewide network --- each responsible for their own cybersecurity --- a nearly impossible task that is full of risk. We're calling for incremental investment of \$16.4 million to centralize cybersecurity --- and help protect against approximately 5.6 million cyberattacks per month. We know that even one breach or financial attack by a bad actor could be far costlier. Our budget also calls for \$174 million to fund 24 IT projects that will support 19 agencies and improve public safety --- citizen-government interactions --- and voting integrity. This is the critical infrastructure for an interconnected world --- and a necessary investment to protect our citizens' data.

Communities representing more than half a million North Dakotans are engaged in one or more of the Main Street Initiative's three pillars --- exploring what they can do to build healthy, vibrant communities --- with smart, efficient infrastructure --- to attract a 21st century workforce. Participation continues to grow, with 61 communities large and small engaged so far --- from Grand Forks to Williston --- and Regan to Robinson.

Those who have participated in one of our 45 Main Street listening sessions report positive results --- experiencing greater engagement from their community members --- and increased momentum on community projects. In the southwest, more than 150 community members took part in Helping Hettinger Day, a communitywide improvement project. In north-central North Dakota, Rugby high schoolers launched a video project highlighting the history and importance of their remaining downtown buildings --- building momentum for local improvement efforts. And in the southeast corner, Hankinson just renewed their Renaissance Zone --- and has 53 Renaissance Zone projects.

Based on input from our visits --- we've launched the Main Street Community Leaders Peer Network to share best practices and promote learning on MSI-related topics. And we've targeted federal block grant dollars to fund 15 projects totaling over \$2.3 million for Main Street development --- public facilities --- and services. We will continue to provide tailored technical assistance --- share best practices --- and help communities empower and engage their youth and young leaders. In Grand Forks, which received one of our Main Street Excellence Awards, the Young Professionals group is leading the charge on Main Street.

Young people have been appointed to civic boards, and scholarships have been awarded to both high school and college students with Main Street ideas. Our first-ever Main Street Summit hosted more than 650 people last February, and we're already planning our second summit for Oct. 30-31 --- so save the date!

We've made great progress these first two years, but our journey has not been without its bumps. A perfect storm of circumstances tested our resolve during our first year in office ---- from protests --- to crashing commodity prices --- to historic drought --- to the stalled Fargo-Moorhead diversion project, now moving again after last week's permit from Minnesota --- to having to close the largest budget gap in state history. Thanks to the unbreakable spirit of our citizens --- the hard work of our state agencies --- and the foresight of our elected leaders to plan for a rainy day, our state is stronger than ever. That strength springs first and foremost from our North Dakota citizens --- and also from the courage of our elected officials who serve them at all levels of government --- including those newly elected legislators here today. For their dedication and willingness to serve --- would all 18 of our newly sworn-in legislators please stand and be recognized. Welcome to the Capitol!

Congratulations as well to our statewide elected officials who earned the opportunity to continue their outstanding service to our citizens: Attorney General Wayne Stenehjem --- Agriculture Commissioner Doug Goehring --- Secretary of State Al Jaeger --- Tax Commissioner Ryan Rauschenberger --- Public Service Commissioners Randy Christmann and Brian Kroshus --- and Supreme Court Justice Lisa Fair McEvers. We also congratulate our newly elected House leadership --- Rep. Pollert and Rep. Boschee --- and returning Senate leaders, Sen. Wardner and Sen. Heckaman. Thank you all for your past and future leadership in your respective chambers. We look forward to working with all of our leaders here in Bismarck --- across the state --- and in our nation's capital --- with Senator Hoeven, Senator Cramer and Congressman Armstrong --- to reach our fullest potential and make the most of our opportunity to Empower People, Improve Lives and Inspire Success.

Our state is ready to go to the next level because of the tremendous progress made in the last two years. Our forward-looking agenda is focused on solving our workforce challenges --- increasing accountability and budget transparency --- investing in our people --- and investing in our future. Our economy continues to grow, but workforce remains our Number 1 gating factor for economic growth. Now is the time to redouble efforts to equip our workforce with the skills needed to prosper in the digital economy.

We can start by dedicating \$30 million in Legacy Fund earnings --- with a 1-to-1 match --- for career academies like the very successful collaborative between Bismarck Public Schools and Bismarck State College. Each day, nearly 1,400 high school and college students at the Career Academy are receiving quality education in high-wage, high-demand technical careers that align with post-secondary education. Students can choose pathways and earn scholarships in areas such as health science --- engineering--- electronics --- IT automotive technology --- aviation --- carpentry --- and agriculture. We need to copy this Career Academy model across our state. This is one time in education where we want everyone to know --- it's OK to plagiarize.

Great jobs that move our economy forward --- with less debt for students and families --- is a winning formula. Strategic investment into our higher education system will ensure our institutions are producing career-ready students and meeting market demands. Investing \$40 million of Legacy Fund earnings into the successful and proven North Dakota Higher Education Challenge Fund --- which requires a 2-to-1 match from philanthropic sources --- will yield a total of \$120 million for primarily scholarships but also endowed chairs and classroom instruction equipment.

Another key to solving our workforce shortage is making it easier for people from other states to transfer their skills to North Dakota. The state's Workforce Development Council --- revitalized last year --- recently delivered a report providing more than three dozen recommendations --- and identifying our current occupational licensing approach as one of many potential barriers. Today, we have over 80 licensed occupations in North Dakota --- governed by more than 60 boards, agencies and commissions.

Gov. Schafer asked the legislature in 1995 to join him to “refine, rethink and reinvent” the state’s myriad boards and commissions. We re-issue that invitation today. Consider this example: While an airman from the Minot Air Force Base was deployed to the Middle East, his wife wanted to become a registered dental assistant. She returned to her home state of California and completed a program there --- at a tuition cost of \$16,000 --- earning her accreditation. When she returned to North Dakota to reunite with her husband after his deployment, she was advised that to become certified, she would need to take multiple national exams costing more than \$700. After she completed those exams, she was informed that her California license wouldn’t be recognized --- and that to be recognized in North Dakota, she would have to retake the entire 10-month course --- without being able to transfer credits. The U.S. Department of Labor has awarded us a \$450,000 grant to study the licensing system so we can remove unnecessary barriers. Building off the great work already done by the Legislature, this study will continue for the next three years --- with early work focusing on high-demand occupations. We’re pleased to see proposed legislation that would grant occupational licensing reciprocity to military spouses. Making North Dakota more military-friendly is key to solving our workforce shortage.

Our budget proposes a 100 percent state income tax exemption on military retirement pay to encourage more veterans to stay and work in North Dakota. We should thank our veterans for their service not only with our words --- but with our actions --- as they certainly have earned it. And let us always remember that since 9-11, we’ve had North Dakota National Guard members continuously deployed in harm’s way, defending our freedoms. I would ask that both our veterans and active duty servicemen and women please stand and be recognized.

For North Dakota to remain competitive and reach its fullest potential, we need robust and innovative institutions of higher education. Technologic and competitive forces are challenging the approaches --- practices --- and business models of higher education like at no time ever before in its history. The need for stronger governance boards --- with appropriate capacity to focus on the varied missions of our two-year, four-year, and research institutions --- is more apparent than ever. Our current single-board system of governance was created in 1938 --- when our entire system had less than 8,000 students. This one-board, eight-person model is woefully ill-matched in terms of board bandwidth to address the complex governance challenges at hand with 11 far-flung institutions --- more than 45,000 students --- and the explosion of competition and change from online and non-traditional education. Those who oppose the Higher Ed Task Force’s recommendation to thoughtfully consider a multi-board alternative simply because it creates additional boards --- should recall that our successful K-12 governance system includes 175 school boards with over 1,000 board members. I am entirely confident a multi-board model can be achieved with a zero-dollar fiscal note --- and paid for through realignment of resources at the institutions and system office --- and therefore it is not a line item in our budget. Many strengths of the current system will be retained, including common course numbering and credit transferability. And like today, appropriations would remain within the purview of the legislature. Stronger boards, with more mission focus, will lead to deeper accountability --- increased responsiveness --- and enhanced results from our institutions of higher learning.

State government as a whole also had to become stronger and more nimble as we confronted economic and budget downturns the past three years. Now is the time to increase budget accountability and transparency --- so we are prepared to meet the next challenge head-on. As we pledged two years ago, we have refined the revenue forecasting process with half a dozen changes to improve accuracy and ensure the most efficient use of taxpayer resources. We fulfilled another goal by using technology to make state spending more transparent online. Now, visitors to OMB’s website will find a more user-friendly experience --- with clear visual displays of budget data --- vendor contracts --- and other financial information about state government.

Our budget proposal also brings a new level of transparency to how oil tax revenues support our day-to-day operations. Instead of transferring oil tax revenues into the general fund from a labyrinth of sources, we’re proposing a direct \$1 billion transfer to support general fund expenditures.

Our No. 1 priority was to restore structural balance in the general fund by bringing ongoing spending in line with ongoing revenues --- and living within our means. The last two budget cycles, we relied on transfers to cover substantial general fund revenue shortfalls. That's like drawing money out of your savings account to balance your checkbook --- not a sustainable way to manage finances. \$1 billion is completely and easily doable. --- Why? Because this is the average amount of oil tax revenue transferred to the general fund over the past four bienniums. It's a conservative and sustainable amount --- even when oil prices crashed during the 2015-17 biennium, the state still collected \$2.9 billion in oil tax revenue --- and we expect to collect close to \$5 billion this biennium.

Being more transparent will improve our state's bond rating --- which lowers the interest rate for local political subdivisions who borrow through the state for infrastructure projects. It is also imperative that we replenish our reserves. Our budget transfers \$315 million to help fill the Budget Stabilization Fund to its maximum level. Taxpayers --- and our most vulnerable citizens --- deserve this peace of mind.

Our team members in state government also deserve a higher level of financial security. That's why we've proposed an infusion of \$265 million into the pension fund to help us close our \$1 billion unfunded liability gap and save taxpayers hundreds of millions of dollars down the road. Investing in team members' salaries and health benefits also will ensure we can continue to attract and retain the talent state government needs to deliver the services our citizens expect.

Recognizing employees for outstanding performance is one of the true joys of this job. I'd like to recognize several of our Governor's Award winners here today who exemplify the citizen-first focus of Team North Dakota. These employees have all gone above and beyond. So, Holly GOG-ler from the National Guard; Trooper Jenna Clawson HUE-brights; Gary Vetter and Chad GUM-ringer from ITD; Michelle GAY-et from Human Services; Jen INE-rem from DOT; and Carla Valentine, Holly Holt and Sarah Lee from our national award-winning Main Street Dashboard team, please stand and be recognized for excellence in public service. Thank you for all that you do --- and we'll keep pushing for a 4-and-2 percent salary increase, with room to go to 4-and-4.

Every North Dakotan deserves the opportunity to live a life of happiness and good health --- both physical and mental. To address our behavioral health crisis, we must invest significant resources in evidence-based and cost-effective programs. To that end, we've proposed spending more than \$19 million across the continuum of care --- and increasing funding from \$7 million to \$11.5 million to expand Free Through Recovery services to those beyond the criminal justice system. Millions more for substance use voucher services and expanded treatment and programming in our corrections system will improve outcomes and help move people into the workforce and keep them working. Approaches to caring for the most vulnerable among us continue to evolve --- and we must evolve as well. We should invest more in home and community-based services for older adults and persons with physical disabilities and behavioral disorders, including addiction, mental illness and brain injury. While the recent trend has been toward community-based services and away from institutional services, we still need the latter to serve certain at-risk individuals --- and in doing so, we are committed to improving the quality of care. Building a new State Hospital and Clinic in Jamestown with \$35 million from Legacy Fund earnings will not only achieve that goal --- but also allow us to repurpose the existing State Hospital as a minimum-custody correctional facility for men --- resulting in consolidated facilities and significant operational efficiencies.

We also have a responsibility to ensure that the men and women in our correctional facilities are receiving equal treatment --- and access to medical and rehabilitative services. Currently, a strong argument could be made that we are falling short in that endeavor. We believe the right thing to do for our female correctional residents --- and taxpayers --- is to relocate women's prison services from New England to the Missouri River Correctional Center south of Bismarck.

Two years ago, I shared my strong belief that North Dakota's schools can be the best in the

world --- if we empower educators to lead the transformation of their classrooms and cut the red tape that stands in their way. We must promote policies that compensate our educators well --- and provide the incentives that help kindle the fires of curiosity and innovation. That's why, in addition to a proposed 2-and-2 percent increase in the K-12 funding formula, helping to raise teacher salaries --- we propose up to \$10 million to create the Teacher Incentives for Leadership in Education, or TILE, program. TILE would provide funding for professional development or leadership opportunities that advance district initiatives --- much like an extra duty contract. TILE is one of the key policy recommendations from the Innovative Education Task Force. We also know that funding isn't enough --- we must redesign core elements such as graduation requirements, to support the cultivation of choice-ready students. We stand behind our educators in their work to develop our state's most precious resource: our students.

Past governors and legislatures have established a legacy of strong investments in infrastructure. We aim to build on that legacy, proposing nearly \$1.5 billion for roads --- essential water projects --- and airport infrastructure --- as well as the \$174 million for technology investments. With the Legacy Fund, we have an opportunity to create a new kind of infrastructure legacy. Infrastructure is a top priority for our administration, and this is the largest piece of our plan for Legacy Fund earnings. By investing \$55 million into an infrastructure revolving loan fund, we can leverage an estimated \$370 million in borrowing power. Imagine --- a source of super low-interest loans for local political subdivisions to support everything from street paving and sewer replacement --- to flood control projects and water treatment plants. With an additional \$25 million investment in the school construction revolving loan fund --- leveraging \$165 million --- we can drive a total of \$535 million in construction. Our communities will benefit for generations to come.

At the same time, we must continue efforts to diversify our economy --- embracing emerging technology such as unmanned aircraft systems, or UAS. With the Northern Plains UAS Test Site and Grand Sky technology park in Grand Forks, we're already positioned as a national leader in UAS development. It's why the federal government chose North Dakota as one of 10 sites nationwide for its pilot project to determine how best to incorporate UAS into the national airspace. By investing \$30 million in a statewide UAS infrastructure network, we can cement our status as a proving ground for UAS. This air traffic control system for drones flying beyond line of sight will also support commercial operations --- including automated farming --- precision agriculture --- and monitoring of essential energy infrastructure such as pipelines and transmission lines.

Now, to the legislators here today, I ask you to envision --- in a few short years, sitting at the ribbon-cutting for the new Theodore Roosevelt Presidential Library and Museum at the entrance to Theodore Roosevelt National Park. You will have become a part of history --- a member of the 66th Legislative Assembly whose actions made that day possible. Getting ready to listen to remarks from four or five living U.S. presidents honoring the incredible life and legacy of one of our nation's greatest leaders. As proposed, the \$50 million in Legacy Fund earnings for the library and museum is a 2-to-1 match. Meaning every dollar will be matched by two dollars from other sources, such as federal, foundation, local or individual private donor dollars. Challenge grants like this can spur decisive action from donors --- and enable faster and larger commitments of resources from partners and collaborators. Already, this proposal has received statements of support from the Theodore Roosevelt Conservation Partnership --- the National Trust for Historic Preservation --- and Theodore Roosevelt V, the president's great-great grandson. Also pledging their support for the project are the National Park Service --- the Theodore Roosevelt Association --- the National Park Foundation --- and Theodore Roosevelt National Park. That is why, given the timing with the strong support from this federal administration, we urge the Legislature to take up the work on this proposal without delay. Swift passage will send a powerful message to all potential partners that the North Dakota Legislature understands both the lasting significance of this project --- and that the opportunity window for capturing this coveted prize for North Dakota is open right now. The TR Library and Museum meets all of the criteria we set forth for Legacy Fund projects. It will have regional, state and national impact. It can be leveraged with partnerships to expand the impact of Legacy earnings. And it sets North Dakota apart --- while creating positive impacts for our economy and workforce. This --- and all of our Legacy Fund proposals --- will have lasting impacts beyond our current generation. Roosevelt's vision for America was, in

his own words, not “a life of ignoble ease” --- but rather the pursuit of a “strenuous life.” A life built upon sweat and toil --- and the courage to be in the arena, versus a critic on the sidelines. The strenuous life is what stitched the cultural fabric of North Dakota.

From the strong and lasting cultures of the indigenous tribes whose lands and sovereign nations coexist within our borders --- to the earliest immigrant pioneers who settled here. Regardless of our background, how we view ourselves determines much of our path in life. If our heads are filled with self-defeating talk, our life paths will reflect this. The same applies to us as a state --- and especially to our roles as elected leaders. If we see ourselves and our state as too small --- too distant --- and too cold --- we will fall short of our potential. We must continually remind ourselves that being a North Dakotan is a choice --- a powerful and compelling choice. A choice open to anyone who shares the spirit of self-reliance and self-respect --- who feels the connection to our land and water and wildlife --- who lives with the daring spirit of a pioneer. Who embraces challenges and hardship --- who builds trust and community --- who lives with gratitude for our many blessings. And while we are abundant in resources, we need more people willing to take risks --- to push forward --- to care deeply -- and to dare greatly. As our recently departed former President George H.W. Bush said, “Be bold in your caring --- be bold in your dreaming --- and above all else, always do your best.” This Sunday, January 6th, marks the 100th anniversary of the passing of Theodore Roosevelt. By immersing himself in the rugged, beautiful and untamed Badlands, he transformed himself into a bold and fearless leader --- whose later actions transformed our nation and our world. As we stand at the cusp of this new era, let us seize this opportunity for North Dakota to transform our image of ourselves --- to reach beyond any doubts and self-imposed limitations. Now is the time to dream bold dreams --- to build those dreams --- and to create lasting legacies.

Thank you. May God bless you --- the United States of America --- and the Great State of North Dakota.

#### MOTION

**REP. LOUSER MOVED** that the remarks of Governor Burgum be printed in the journal, which motion prevailed.

### THE GOVERNOR'S BUDGET RECOMMENDATIONS FOR THE 2019-2021 BIENNIUM

#### LEGISLATIVE BRANCH REQUEST WITH THE GOVERNOR'S RECOMMENDATION FOR STATE EMPLOYEE COMPENSATION CHANGES

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from the insurance regulatory trust fund, not otherwise appropriated, to the legislative branch of state government for the purpose of defraying the expenses of the legislative branch of state government, for the fiscal period beginning with the effective date of this Act and ending June 30, 2021, as follows:

Subdivision 1.

#### SIXTY-SIXTH AND SIXTY-SEVENTH LEGISLATIVE ASSEMBLIES AND BIENNIUM

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$10,233,424	\$949,457	\$11,182,881
Operating expenses	3,694,591	710,647	4,405,238
Capital assets	6,000	100,000	106,000
National conference of state legislatures	<u>225,155</u>	<u>38,278</u>	<u>263,433</u>
Total general fund	\$14,159,170	\$1,798,382	\$15,957,552

Subdivision 2.

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$9,049,530	\$832,616	\$9,882,146
Operating expenses	2,911,608	309,249	3,220,857
Capital assets	<u>0</u>	<u>6,000</u>	<u>6,000</u>
Total all funds	\$11,961,138	\$1,147,865	\$13,109,003
Less estimated income	<u>70,000</u>	<u>0</u>	<u>70,000</u>
Total general fund	\$11,891,138	\$1,147,865	\$13,039,003
Full-time equivalent positions	36.00	0.00	36.00

Subdivision 3.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$26,050,308	\$2,946,247	\$28,996,555
Grand total special funds	<u>70,000</u>	<u>0</u>	<u>70,000</u>
Grand total all funds	\$26,120,308	\$2,946,247	\$29,066,555

**SECTION 2. LEGISLATIVE ASSEMBLY ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the 2019-21 biennium one-time funding items included in the appropriation for the legislative assembly in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Digital signage replacement	\$0	\$40,000
Voting system upgrade	0	100,000
Computer and iPad replacement	<u>0</u>	<u>517,760</u>
Total general fund	\$0	\$657,760

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

**SECTION 3. LEGISLATIVE MANAGEMENT AND LEGISLATIVE COUNCIL ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the 2019-21 biennium one-time funding items included in the appropriation for the legislative management and legislative council in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Redistricting equipment	\$0	\$22,400
Computer replacement	<u>0</u>	<u>124,856</u>
Total general fund	\$0	\$147,256

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

**SECTION 4. TRANSFERS.** Notwithstanding section 54-16-05, the director of the office of management and budget shall transfer appropriation authority between line items of the legislative management and legislative council as may be requested by the chairman of the legislative management or the director of the legislative council upon the finding by the chairman or the director that the nature of studies and duties assigned to the legislative management or legislative council requires the transfers in properly carrying on the legislative management's and legislative council's functions and duties. The director of the office of management and budget shall similarly make transfers of appropriation authority between the line items for the sixty-sixth and sixty-seventh legislative assemblies, upon request by the chairman of the legislative management or the director of the legislative council upon the finding by the chairman or director that the transfers are required for the legislative assembly to carry on its functions and duties.

**SECTION 5. APPLICATION, TRANSFER AUTHORITY, AND CANCELLATION OF UNEXPENDED APPROPRIATIONS.** Sections 54-16-04 and 54-44.1-11 do not apply to chapter 26 of the 2017 Session Laws. The director of the office of management and budget shall make transfers of appropriation authority between the line items and the agencies of the legislative branch within section 1 of that chapter as requested by the chairman of the legislative management or the director of the legislative council. The office of management and budget shall cancel unexpended appropriations for the legislative assembly and legislative council enacted prior to the 2017-19 biennium as directed by the chairman of the legislative management or the director of the legislative council.

**SECTION 6. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-20. Compensation and expense reimbursement of members of the legislative assembly.**

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred ~~seventy-sevencity-one~~ seventy-eighty-one dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
2.
  - a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times seventy percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.
  - b. Notwithstanding subdivision a:
    - (1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.
    - (2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a.
3.
  - a. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.
  - b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not

exceed the maximum monthly reimbursement allowed under subdivision a of subsection 2.

4. The amount to which each legislator is entitled must be paid following the organizational session in December and each month upon submission of a voucher and appropriate documentation during a regular or special session, consistent with section 26 of article XI of the constitution of North Dakota.
5. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.
6. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.
7.
  - a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of ~~four~~five hundred ~~ninety-five~~five dollars a month, paid monthly.
  - b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
  - c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of three hundred ~~fifty-five~~sixty-two dollars per month during the biennium for their execution of public duties.
8. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].
9. Before each regular legislative session, the legislative management shall make recommendations and submit any necessary legislation to adjust legislative compensation amounts.

**SECTION 7. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-20. Compensation and expense reimbursement of members of the legislative assembly.**

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred ~~eighty-one~~eighty-five dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
2.
  - a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the

director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times seventy percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.

- b. Notwithstanding subdivision a:
  - (1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.
  - (2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a.
3. a. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.
- b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed the maximum monthly reimbursement allowed under subdivision a of subsection 2.
4. The amount to which each legislator is entitled must be paid following the organizational session in December and each month upon submission of a voucher and appropriate documentation during a regular or special session, consistent with section 26 of article XI of the constitution of North Dakota.
5. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.
6. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.
7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of five hundred ~~five~~fifteen dollars a month, paid monthly.
- b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.

- c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of three hundred ~~sixty-two~~sixty-nine dollars per month during the biennium for their execution of public duties.
8. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].
9. Before each regular legislative session, the legislative management shall make recommendations and submit any necessary legislation to adjust legislative compensation amounts.

**SECTION 8. AMENDMENT.** Section 54-35-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-35-10. Compensation of members and leadership.**

1. The members of the legislative management and the members of any committee of the legislative management are entitled to be compensated for the time spent in attendance at sessions of the legislative management and of its committees at the rate of one hundred ~~seventy-seven~~eighty-one dollars per day and must also be paid for expenses incurred in attending said meetings and in the performance of their official duties in the amounts provided by law for other state officers.
2. In addition to the compensation provided in subsection 1, the chairman of the legislative management is entitled to receive an additional five dollars for each day spent in attendance at sessions of the legislative management and of its committees, and the chairman of each of the legislative management's committees is entitled to receive five dollars for each day spent in attendance at sessions of the legislative management or of the committee which the person chairs.

**SECTION 9. AMENDMENT.** Section 54-35-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-35-10. Compensation of members and leadership.**

1. The members of the legislative management and the members of any committee of the legislative management are entitled to be compensated for the time spent in attendance at sessions of the legislative management and of its committees at the rate of one hundred ~~eighty-one~~eighty-five dollars per day and must also be paid for expenses incurred in attending said meetings and in the performance of their official duties in the amounts provided by law for other state officers.
2. In addition to the compensation provided in subsection 1, the chairman of the legislative management is entitled to receive an additional five dollars for each day spent in attendance at sessions of the legislative management and of its committees, and the chairman of each of the legislative management's committees is entitled to receive five dollars for each day spent in attendance at sessions of the legislative management or of the committee which the person chairs.

**SECTION 10. EFFECTIVE DATE.** Sections 6 and 8 of this Act become effective on July 1, 2019, and sections 7 and 9 of this Act become effective on July 1, 2020.

**SECTION 11. EMERGENCY.** This Act is declared to be an emergency measure.

**JUDICIAL BRANCH REQUEST WITH GOVERNOR'S RECOMMENDATION**

**FOR STATE EMPLOYEE COMPENSATION CHANGES**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the judicial branch for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2019, and ending June 30, 2021 as follows:

## Subdivision 1.

## SUPREME COURT

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$10,909,112	\$569,321	\$11,478,433
Operating expenses	2,731,582	(820)	2,730,762
Capital assets	0	967,500	967,500
Judges' retirement	80,764	(80,764)	0
Guardianship monitoring program	<u>316,204</u>	<u>(42,188)</u>	<u>274,016</u>
Total general fund	\$14,037,662	\$1,413,049	\$15,450,711

## Subdivision 2.

## DISTRICT COURTS

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$67,602,628	\$6,165,108	\$73,767,736
Operating expenses	20,881,207	(455,005)	20,426,202
Capital assets	0	189,852	189,852
Judges' retirement	343,290	(63,678)	279,612
UND law school	<u>40,000</u>	<u>0</u>	<u>40,000</u>
Total all funds	\$88,867,125	\$5,836,277	\$94,703,402
Less estimated income	<u>1,339,138</u>	<u>334,845</u>	<u>1,673,983</u>
Total general fund	\$87,527,987	\$5,501,432	\$93,029,419

## Subdivision 3.

## JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Judicial conduct commission and disciplinary board	<u>\$1,174,822</u>	<u>\$90,223</u>	<u>\$1,265,045</u>
Total all funds	\$1,174,822	\$90,223	\$1,265,045
Less estimated income	<u>482,701</u>	<u>25,998</u>	<u>508,699</u>
Total general fund	\$692,121	\$64,225	\$756,346

## Subsection 4.

## BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$102,257,770	\$6,978,706	\$109,236,476
Grand total special funds	<u>1,821,839</u>	<u>360,843</u>	<u>2,182,682</u>
Grand total all funds	\$104,079,609	\$7,339,549	\$111,419,158
Full-time equivalent positions	355.5	7.5	363

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
-------------------------------------	----------------	----------------

Office equipment and furniture	\$0	\$82,500
Information technology equipment	0	114,852
Supreme court law library remodel	0	960,000
DAPL loan proceeds	<u>1,500,000</u>	<u>0</u>
Total all funds	\$1,500,000	\$1,157,352
Less estimated income	<u>(1,500,000)</u>	<u>0</u>
Total general fund	\$0	\$1,157,352

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

**SECTION 3. APPROPRIATION.** There are appropriated any funds received by the supreme court, district courts, and judicial conduct commission and disciplinary board, not otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the purpose as designated in the federal acts or private gifts, grants, and donations for the period beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. TRANSFERS.** The director of the office of management and budget and the state treasurer shall make such transfer of funds between line items of appropriation for the judicial branch of government as may be requested by the supreme court upon a finding by the court that the nature of the duties of the court and its staff requires the transfers to carry on properly the functions of the judicial branch of government.

**SECTION 5. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is amended and reenacted as follows:

**27-02-02. Salaries of justices of supreme court.** The annual salary of each justice of the supreme court is one hundred ~~fifty-two~~ thirty-six thousand ~~four~~ one hundred ~~thirty-six~~ forty-nine dollars through June 30, ~~2016~~ 2020, and one hundred ~~fifty-seven~~ sixty-three thousand ~~nine~~ three hundred ~~fifty-two~~ dollars thereafter. The chief justice of the supreme court is entitled to receive an additional four thousand ~~three~~ five hundred ~~seventy-seven~~ ninety-eight dollars per annum through June 30, ~~2016~~ 2020, and four thousand ~~five~~ six hundred ~~eight~~ ninety dollars per annum thereafter.

**SECTION 6. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is amended and reenacted as follows:

**27-05-03. Salaries and expenses of district judges.** The annual salary of each district judge is one hundred ~~thirty-nine~~ forty-six thousand ~~six~~ seven hundred ~~seventy-nine~~ forty-six dollars through June 30, ~~2016~~ 2020, and one hundred ~~forty-three~~ forty-nine thousand ~~eight~~ six hundred ~~sixty-nine~~ eighty-one dollars thereafter. Each district judge is entitled to travel expenses, including mileage and subsistence while engaged in the discharge of official duties outside the city in which the judge's chambers are located. The salary and expenses are payable monthly in the manner provided by law. A presiding judge of a judicial district is entitled to receive an additional four thousand ~~thirty-five~~ two hundred ~~forty~~ two dollars per annum through June 30, ~~2016~~ 2020, and ~~four~~ three thousand ~~one~~ three hundred ~~fifty-six~~ twenty-four dollars thereafter.

## GOVERNOR'S RECOMMENDATION FOR THE NORTH DAKOTA UNIVERSITY SYSTEM

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the North Dakota university system office and to the various entities and institutions under the supervision of the state board of higher education for the purpose of defraying the expenses of the North Dakota university system office and to the various entities for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

Subdivision 1.

## NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Capital Assets	\$6,605,326	(\$1,645,878)	\$4,959,448
Student Financial Assistance Grants	21,917,306	0	21,917,306
Veterans assistance grants	277,875	0	277,875
ND Scholars Program	1,807,115	0	1,807,115
Title II Grants	1,006,472	(1,006,472)	0
Native American scholarships	555,323	0	555,323
Core Technology Services	61,527,347	(301,330)	61,226,017
Education Challenge Fund	0	40,000,000	40,000,000
Education incentive programs	2,863,393	(2,103,393)	760,000
Tribally-controlled community college grants	600,000	400,000	1,000,000
Academic and Tech Ed Scholarship	12,016,749	2,939,803	14,956,552
Student Exchange Program	3,699,342	0	3,699,342
Student mental health	284,400	(14,220)	270,180
Competitive Research Program	6,027,750	0	6,027,750
Dual Credit Pilot Program	200,000	(200,000)	0
System Governance	8,163,238	(201,194)	7,962,044
Two-Year Campus Study	0	0	0
Shared Campus Services	500,000	(25,000)	475,000
Online Curriculum Development Grant	0	5,000,000	5,000,000
Total all funds	\$128,051,636	\$42,842,316	\$170,893,952
Less estimated income	<u>26,412,106</u>	<u>2,712,233</u>	<u>29,124,339</u>
Total general fund	\$101,639,530	\$40,130,083	\$141,769,613
Full-time equivalent positions	149.40	(0.50)	148.90

## Subdivision 2

## BISMARCK STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$101,670,034	(\$4,176,861)	\$97,493,173
Capital assets	1,922,561	(10,348)	1,912,213
Total all funds	\$103,592,595	(\$4,187,209)	\$99,405,386
Less estimated income	<u>72,991,998</u>	<u>(3,278,439)</u>	<u>69,713,559</u>
Total general fund	\$30,600,597	(\$908,770)	\$29,691,827
Full-time equivalent positions	358.35	(34.42)	323.93

## Subdivision 3

## LAKE REGION STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$36,449,048	\$581,500	\$37,030,548
Capital assets	362,667	0	362,667
Total all funds	\$36,811,715	\$581,500	\$37,393,215
Less estimated income	<u>24,111,092</u>	<u>910,351</u>	<u>25,021,443</u>
Total general fund	\$12,700,623	(\$328,851)	\$12,371,772
Full-time equivalent positions	129.61	(11.51)	118.10

## Subdivision 4

## WILLISTON STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$26,954,133	\$5,052,426	\$32,006,559
Capital assets	<u>1,261,968</u>	<u>0</u>	<u>1,261,968</u>
Total all funds	\$28,216,101	\$5,052,426	\$33,268,527
Less estimated income	<u>19,855,598</u>	<u>3,791,213</u>	<u>23,646,811</u>
Total general fund	\$8,360,503	\$1,261,213	\$9,621,716
Full-time equivalent positions	100.75	(0.27)	100.48

## Subdivision 5

## UNIVERSITY OF NORTH DAKOTA

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$864,554,973	\$16,881,361	\$881,436,334
Capital assets	<u>95,411,566</u>	<u>119,411,566</u>	<u>119,411,566</u>
Total all funds	\$959,966,539	\$40,881,361	\$1,000,847,900
Less estimated income	<u>819,870,450</u>	<u>41,626,913</u>	<u>861,497,363</u>
Total general fund	\$140,096,089	(\$745,552)	\$139,350,537
Full-time equivalent positions	2,218.07	(85.90)	2,132.17

## Subdivision 6

## NORTH DAKOTA STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$732,673,267	\$7,320,793	\$739,994,060
Capital assets	85,304,104	(26,155,000)	59,149,104
Capital projects - Non-State	<u>0</u>	<u>79,800,000</u>	<u>79,800,000</u>
Total all funds	\$817,977,371	\$60,965,793	\$878,943,164
Less estimated income	<u>689,386,329</u>	<u>62,314,410</u>	<u>751,700,739</u>
Total general fund	\$128,591,042	(\$1,348,617)	\$127,242,425
Full-time equivalent positions	1,895.66	(25.50)	1,870.16

## Subdivision 7

## NORTH DAKOTA STATE COLLEGE OF

## SCIENCE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$91,682,610	\$2,503,528	\$94,186,138
Capital assets	1,012,379	0	1,012,379
Capital projects - Non-State	<u>0</u>	<u>30,000,000</u>	<u>30,000,000</u>
Total all funds	\$92,694,989	\$32,503,528	\$125,198,517
Less estimated income	<u>57,605,613</u>	<u>32,669,784</u>	<u>90,275,397</u>
Total general fund	\$35,089,376	(\$166,256)	\$34,923,120
Full-time equivalent positions	345.04	(34.31)	310.73

## Subdivision 8

## DICKINSON STATE UNIVERSITY

	Base Level	Adjustments or Enhancements	Appropriation
Operations	\$47,135,592	\$685,259	\$47,820,851
Capital assets	409,078	0	409,078
Digitization Project	<u>0</u>	<u>750,000</u>	<u>750,000</u>
Total all funds	\$47,544,670	\$1,435,259	\$48,979,929
Less estimated income	<u>29,737,827</u>	<u>903,660</u>	<u>30,641,487</u>
Total general fund	\$17,806,843	\$531,599	\$18,338,442
Full-time equivalent positions	168.90	44.36	213.26

## Subdivision 9

## MAYVILLE STATE UNIVERSITY

	Base Level	Adjustments or Enhancements	Appropriation
Operations	\$44,197,761	\$2,724,941	\$46,922,702
Capital assets	<u>358,992</u>	<u>67,648</u>	<u>426,640</u>
Total all funds	\$44,556,753	\$2,792,589	\$47,349,342
Less estimated income	<u>30,307,148</u>	<u>1,339,912</u>	<u>31,647,060</u>
Total general fund	\$14,249,605	\$1,452,677	\$15,702,282
Full-time equivalent positions	210.53	(1.26)	209.27

## Subdivision 10

## MINOT STATE UNIVERSITY

	Base Level	Adjustments or Enhancements	Appropriation
Operations	\$100,710,275	\$297	\$100,710,572
Capital assets	<u>1,099,620</u>	<u>0</u>	<u>1,099,620</u>
Total all funds	\$101,809,895	\$297	\$101,810,192
Less estimated income	<u>62,058,916</u>	<u>1,604,344</u>	<u>63,663,260</u>
Total general fund	\$39,750,979	(\$1,604,047)	\$38,146,932
Full-time equivalent positions	441.65	(34.07)	407.58

## Subdivision 11

## VALLEY CITY STATE UNIVERSITY

	Base Level	Adjustments or Enhancements	Appropriation
Operations	\$48,444,336	(\$2,742,443)	\$45,701,893
Capital assets	<u>455,823</u>	<u>3,957,520</u>	<u>4,413,343</u>
Total all funds	\$48,900,159	\$1,215,077	\$50,115,236
Less estimated income	<u>28,470,657</u>	<u>1,421,429</u>	<u>29,892,086</u>
Total general fund	\$20,429,502	(\$206,352)	\$20,223,150
Full-time equivalent positions	202.75	(22.07)	180.68

## Subdivision 12

## DAKOTA COLLEGE AT BOTTINEAU

	Base Level	Adjustments or Enhancements	Appropriation
Operations	\$17,168,111	\$3,422,579	\$20,590,690
Capital assets	<u>114,007</u>	<u>2,963,312</u>	<u>3,077,319</u>

Total all funds	\$17,282,118	\$6,385,891	\$23,668,009
Less estimated income	<u>9,629,173</u>	<u>6,640,948</u>	<u>16,270,121</u>
Total general fund	\$7,652,945	(\$255,057)	\$7,397,888
Full-time equivalent positions	84.30	(2.01)	82.29

## 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	\$205,926,713	\$5,880,919	\$211,807,632
Healthcare Workforce Initiative	<u>0</u>	<u>10,676,150</u>	<u>10,676,150</u>
Total all funds	\$205,926,713	\$16,557,069	\$222,483,782
Less estimated income	<u>154,078,620</u>	<u>5,671,413</u>	<u>159,750,033</u>
Total general fund	\$51,848,093	\$10,885,656	\$62,733,749
Full-time equivalent positions	435.75	49.57	485.32

## Subdivision 14

## NORTH DAKOTA FOREST SERVICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$14,958,447	\$60,874	\$15,019,321
Capital assets	<u>118,728</u>	<u>0</u>	<u>118,728</u>
Total all funds	\$15,077,175	\$60,874	\$15,138,049
Less estimated income	<u>10,650,748</u>	<u>14,652</u>	<u>10,665,400</u>
Total general fund	\$4,426,427	\$46,222	\$4,472,649
Full-time equivalent positions	27.00	0	27.00

## Subdivision 15

## BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$613,242,154	\$48,743,948	\$661,986,102
Grand total special funds	<u>2,035,166,275</u>	<u>158,342,823</u>	<u>2,193,509,098</u>
Grand total all funds	\$2,648,408,429	\$207,086,771	\$2,855,495,200

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Capital projects – other funds	\$168,505,000	\$282,550,000
Midwestern Higher Education Compact Dues	230,000	0
Two Year Campus Study	40,000	0
One-time Campus Operations	2,000,000	0
Dickinson State University – Campus operations and debt	8,284,626	0
Online Curriculum Development Grant	0	5,000,000
Dickinson State University – Digitization Project	0	750,000
Education challenge grants	<u>2,000,000</u>	<u>40,000,000</u>
Total all funds	\$203,367,962	\$328,300,000
Total other funds	<u>49,348,194</u>	<u>287,550,000</u>
Total general fund	\$154,019,768	\$40,750,000

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

**SECTION 3. SPECIAL FUNDS TRANSFER – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The less estimated income line item in section 1 of this Act includes the sum of \$5,000,000, from the strategic investment and improvements fund for competitive grants for the institutions for online curriculum development. The less estimated income line in section 1 of this Act also includes the sum of \$2,900,000, from the strategic investment and improvements fund for the renovation of McCarthy Hall and demolition of Foss Hall at Valley City State University. The less estimated income line in section 1 of this Act also includes the sum of \$25,675,000, from the strategic investment and improvements fund for Dunbar Hall at North Dakota State University. The funding for Dunbar Hall requires a minimum of \$13,000,000 in matching funds before it shall be transferred and notwithstanding Section 54-44.1-11 of the North Dakota Century Code any unexpended appropriation available for Dunbar under this section must be returned to the strategic investment and improvement fund on June 30, 2021. All of these amounts may be transferred at the direction of the state board of higher education and all are one-time items for the biennium beginning July 1, 2019 and ending June 30, 2021.

**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. 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 two hundred thousand dollars in matching grants to each institution based on total completed credit-hours, as determined under section 15-18.2-01, and as set forth in this section. The matching grant award dollar amounts are:~~
- ~~(1) \$1,250,000 for institutions with less than 100,000 completed credit hours;~~
  - ~~(2) \$3,000,000 for institutions with 100,000 to 599,999 completed credit hours; and~~
  - ~~(3) \$11,750,000 for institutions with more than 599,999 completed credit hours.~~
- d. Projects at the university of North Dakota school of medicine and health sciences are not eligible to receive a grant under this section.
2. a. If any available dollars have not been awarded by the board before January 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. 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 two hundred thousand dollars in matching grants to each institution based on total completed credit-hours, as determined under section 15-18.2-01, and as set forth in this section. The matching grant award dollar amounts are:~~

- (1) \$1,250,000 for institutions with less than 100,000 completed credit hours;
  - (2) \$3,000,000 for institutions with 100,000 to 599,999 completed credit hours; and
  - (3) \$11,750,000 for institutions with more than 599,999 completed credit hours.
- 2. a. If any available dollars have not been awarded by the board before January 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. 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. AMENDMENT.** Section 15-18.2-02 of the North Dakota Century Code is amended and reenacted as follows:

**15-18.2-02. Weighted credit-hours - Determination - Instructional program classification factors - Submission to legislative management.**

- 1. In order to determine the weighted credit-hours for each institution under its control, the state board of higher education shall multiply each of an institution's completed credit-hours, as determined under section 15-18.2-01, by an instructional program classification factor, as set forth in this section.
  - a. The factors for credits completed in agriculture are:
    - (1) 1.9 for lower division credits;
    - (2) 3.8 for upper division credits;
    - (3) 5.7 for professional level credits; and
    - (4) 7.6 for graduate level credits.
  - b. The factors for credits completed in architecture are:
    - (1) 1.8 for lower division credits;
    - (2) 3.6 for upper division credits;
    - (3) 5.4 for professional level credits; and
    - (4) 7.2 for graduate level credits.
  - c. The factors for credits completed in transportation are:
    - (1) 1.9 for lower division credits;
    - (2) 3.8 for upper division credits;

- (3) 5.7 for professional level credits; and
  - (4) 7.6 for graduate level credits.
- d. The factors for credits completed in the biological and physical sciences are:
- (1) 1.9 for lower division credits;
  - (2) 3.8 for upper division credits;
  - (3) 5.7 for professional level credits; and
  - (4) 7.6 for graduate level credits.
- e. The factors for credits completed in business are:
- (1) 1.9 for lower division credits;
  - (2) 3.8 for upper division credits;
  - (3) 5.7 for professional level credits; and
  - (4) 7.6 for graduate level credits.
- f. The factors for credits completed in education are:
- (1) 1.9 for lower division credits;
  - (2) 3.8 for upper division credits;
  - (3) 5.7 for professional level credits; and
  - (4) 7.6 for graduate level credits.
- g. The factors for credits completed in engineering are:
- (1) 2.5 for lower division credits;
  - (2) 5.0 for upper division credits;
  - (3) 7.5 for professional level credits; and
  - (4) 10.0 for graduate level credits.
- h. The factors for credits completed in the health sciences are:
- (1) 3.0 for lower division credits;
  - (2) 6.0 for upper division credits;
  - (3) 9.0 for professional level credits;
  - (4) 12.0 for graduate level credits;
  - (5) ~~38.0~~34.5 for medical school credits.
- i. The factors for credits completed in legal studies are:
- (1) 3.5 for lower division credits;
  - (2) 7.0 for upper division credits;
  - (3) 10.5 for professional level credits; and
  - (4) 14.0 for graduate level credits.

- j. The factors for credits completed in the core disciplines are:
  - (1) 1.0 for lower division credits;
  - (2) 2.0 for upper division credits;
  - (3) 3.0 for professional level credits; and
  - (4) 4.0 for graduate level credits.
- k. The factor for credits completed in career and technical education is 2.0.
- l. The factor for completed basic skills credits is 2.3.
- 2. a. The state board of higher education shall ensure that all delineations in this section reflect the requirements of a nationally recognized and standardized instructional program classification system.
- b. Before adopting any changes to the delineations implemented in accordance with this section, the state board of higher education shall present the proposed changes to and receive the approval of the legislative management.

**SECTION 7. AMENDMENT.** Section 15-18.2-05 of the North Dakota Century Code is amended and reenacted as follows:

**15-18.2-05. Base funding - Determination of state aid.**

In order to determine the state aid payment to which each institution under its control is entitled, the state board of higher education shall multiply the product determined under section 15-18.1-04 by a base amount of:

- 1. ~~\$58.65~~\$58.36 in the case of North Dakota state university and the university of North Dakota;
- 2. ~~\$86.95~~\$87.00 in the case of Dickinson state university, Mayville state university, Minot state university, and Valley City state university;
- 3. ~~\$93.03~~\$92.76 in the case of Bismarck state college, Dakota college at Bottineau, Lake Region state college, and North Dakota state college of science; and Williston state college.

**SECTION 8. AMENDMENT.** Section 15-18.2-06 of the North Dakota Century Code is amended and reenacted as follows:

**15-18.2-06. (Effective through ~~June 30, 2019~~ June 30, 2021) Base funding - Minimum amount payable.**

Notwithstanding any calculations required by this chapter, during each biennium, an institution may not receive less than ninety-six percent of the state aid to which the institution was entitled under this chapter during the previous biennium.

**SECTION 9. AMENDMENT.** Section 54-44.1-11 of the North Dakota Century Code is amended and reenacted as follows:

**54-44.1-11. Office of management and budget to cancel unexpended appropriations - When they may continue. (Effective through July 31, 2019~~2021~~)**

Except as otherwise provided by law, the office of management and budget, thirty days after the close of each biennial period, shall cancel all unexpended appropriations or balances of appropriations after the expiration of the biennial period during which they became available under the law. Unexpended appropriations for the state historical society are not subject to this section and the state historical society shall report on the amounts and uses of funds carried over from one biennium to the appropriations committees of the next subsequent legislative assembly. Unexpended appropriations for the North Dakota university system are not subject to this section and the North Dakota university system shall report on the amounts and uses of funds carried over from one biennium to the next to subsequent appropriations committees of the legislative assembly. The chairmen of the appropriations committees of the senate and house of representatives of the legislative assembly with the office of the budget may continue appropriations or balances in force for not more than two years after the expiration of the biennial period during which they became available upon recommendation of the director of the budget for:

1. New construction projects.
2. Major repair or improvement projects.
3. Purchases of new equipment costing more than ten thousand dollars per unit if it was ordered during the first twelve months of the biennium in which the funds were appropriated.
4. The purchase of land by the state on a "contract for deed" purchase if the total purchase price is within the authorized appropriation.
5. Purchases by the department of transportation of roadway maintenance equipment costing more than ten thousand dollars per unit if the equipment was ordered during the first twenty-one months of the biennium in which the funds were appropriated.
6. Authorized ongoing information technology projects.

**Office of management and budget to cancel unexpended appropriations - When they may continue. (Effective after July 31, 2019 2021)** The office of management and budget, thirty days after the close of each biennial period, shall cancel all unexpended appropriations or balances of appropriations after the expiration of the biennial period during which they became available under the law. Unexpended appropriations for the state historical society are not subject to this section and the state historical society shall report on the amounts and uses of funds carried over from one biennium to the appropriations committees of the next subsequent legislative assembly. The chairmen of the appropriations committees of the senate and house of representatives of the legislative assembly with the office of the budget may continue appropriations or balances in force for not more than two years after the expiration of the biennial period during which they became available upon recommendation of the director of the budget for:

1. New construction projects.
2. Major repair or improvement projects.
3. Purchases of new equipment costing more than ten thousand dollars per unit if it was ordered during the first twelve months of the biennium in which the funds were appropriated.
4. The purchase of land by the state on a "contract for deed" purchase if the total purchase price is within the authorized appropriation.
5. Purchases by the department of transportation of roadway maintenance equipment costing more than ten thousand dollars per unit if the equipment was ordered during the first twenty-one months of the biennium in which the funds were appropriated.

6. Authorized ongoing information technology projects.

**SECTION 10. ADDITIONAL FEDERAL, PRIVATE, AND OTHER FUNDS - APPROPRIATION.** All funds, in addition to those appropriated in section 1 of this Act, from federal, private, and other sources for competitive grants or other funds that the legislative assembly has not indicated the intent to reject, including tuition revenue, received by the state board of higher education and the institutions and entities under the control of the state board of higher education, are appropriated to the board and those institutions and entities, for the biennium beginning July 1, 2019, and ending June 30, 2021. All additional funds received under the North Dakota-Minnesota reciprocity agreement during the biennium beginning July 1, 2019, and ending June 30, 2021, are appropriated to the state board of higher education for reimbursement to institutions under the control of the board.

**SECTION 11. CAMPUS CAPITAL PROJECTS - PROJECT MANAGEMENT.** During the biennium beginning July 1, 2019, and ending June 30, 2021, each capital project authorized by the state board of higher education must have adequate project management oversight by either an institution official or a representative of an external entity. An institution may seek assistance from the university system office for project management oversight of a capital project.

**SECTION 12. 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.

**SECTION 13. UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES OPERATIONS.** The operations line item in subdivision 5 of section 1 of this Act includes a funding allocation from the higher education per student credit-hour funding formula attributable to inflation during the biennium beginning July 1, 2019, and ending June 30, 2021. Based on the recommendation of the commissioner of higher education a portion of the allocation may be transferred by the state board of higher education between the university of North Dakota school of medicine and health sciences and the university of North Dakota.

**SECTION 14. TRANSFER AUTHORITY.** If, during the biennium beginning July 1, 2019, and ending June 30, 2021, the state board of higher education determines that funds allocated to operations in section 1 of this Act are needed for capital assets, the board may transfer funds from operations to capital assets. The board shall report any transfer of funds under this section to the office of management and budget.

**SECTION 15. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** Notwithstanding any other provisions of law, the state board of higher education may adjust full-time equivalent positions as needed, subject to the availability of funds, for institutions and entities under its control during the biennium beginning July 1, 2019, and ending June 30, 2021. The North Dakota university system shall report any adjustments to the office of management and budget before the submission of the 2021-23 biennium budget request.

**SECTION 16. BOND ISSUANCE AUTHORIZATION - PURPOSES.** The state board of higher education, in accordance with chapter 15-55, may arrange for the funding of projects authorized in this section, declared to be in the public interest, through the issuance of self-

liquidating, tax-exempt evidences of indebtedness under chapter 15-55, beginning with the effective date of this Act and ending June 30, 2021. Evidences of indebtedness issued pursuant to this section are not a general obligation of the state of North Dakota. Any unexpended balance resulting from the proceeds of the evidences of indebtedness must be placed in a sinking fund to be used for the retirement of indebtedness. The evidences of indebtedness may be issued and the proceeds are appropriated in section 1 of this Act for the following capital projects:

Dakota College at Bottineau – new dining facility	\$2,500,000
University of North Dakota – memorial union	80,000,000
North Dakota State University – university village phase 2	<u>37,600,000</u>
Total special funds	\$120,100,000

**SECTION 17. EXEMPTION – HIGHER EDUCATION CHALLENGE GRANT.** The unexpended amount remaining for the Education Challenge Fund in section 1 of chapter 34 of the 2013 Session Laws are not subject to section 54-44.1-11 and any unexpended funds from these lines are available during the biennium beginning July 1, 2019 and ending June 30, 2021.

**SECTION 18. USE OF HIGHER EDUCATION CHALLENGE GRANT – MATCHING FUNDS.** The education challenge fund line item in subdivision 1 of this Act may leverage any funds raised by the institutional foundations beginning January 1, 2019 and ending June 30, 2021 as part of the matching funds.

**SECTION 19. USE OF EXTRAORDINARY REPAIRS FUNDING - MATCHING FUNDS.** The capital assets line items in subdivisions 2 through 12 of section 1 of this Act include funding from the general fund for institution extraordinary repairs. An institution shall provide two dollars of matching funds from operations or other sources for each one dollar of extraordinary repairs funding used for a project.

**SECTION 20. EMERGENCY.** Section 16 and the capital assets items in section 1 of this Act are declared to be an emergency measure.

#### GOVERNOR'S RECOMMENDATION FOR THE STATE DEPARTMENT OF HEALTH

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state department of health for the purpose of defraying the expenses of the state department of health, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$36,371,434	\$931,238	\$37,302,672
Operating expenses	27,714,187	5,779,226	33,493,413
Capital assets	2,188,491	1,671,322	3,859,813
Grants	46,441,941	6,040,351	52,482,292
Tobacco prevention	13,646,704	(735,028)	12,911,676
WIC food payments	20,200,000	(420,000)	19,780,000
Medical Marijuana	<u>1,465,704</u>	<u>(1,465,704)</u>	0
Total all funds	\$148,028,461	\$11,801,405	\$159,829,866
Less estimated income	<u>115,278,152</u>	<u>7,356,672</u>	<u>122,634,824</u>

Total general fund	\$32,750,309	\$4,444,733	\$37,195,042
Full-time equivalent positions	211.50	(12.00)	199.50

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
WIC system upgrade	\$1,739,220	\$354,554
Medical marijuana	95,066	
Microbiology lab capital projects		\$1,220,000
Microbiology lab IT upgrade		<u>\$450,000</u>
Total all funds	\$1,834,286	\$2,024,554
Less estimated income	<u>1,834,286</u>	<u>1,934,554</u>
Total general fund	\$0	\$90,000

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

**SECTION 3. APPROPRIATION** - In addition to the amounts appropriated to the state department of health in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. FUNDING TRANSFERS – EXCEPTION – AUTHORIZATION.** Notwithstanding section 54-16-04, the agency may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30, 2021. The agency shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section.

**SECTION 5. INSURANCE TAX DISTRIBUTION FUND.** The estimated income line item included in section 1 of this Act includes \$1,125,000, or so much of the sum as may be necessary, to be made available to the state department of health from the insurance tax distribution fund for rural emergency medical services grants, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. STRATEGIC INVESTMENT AND IMPROVEMENT FUND.** The estimated income line item included in section 1 of this Act includes \$1,220,000 or so much of the sum as may be necessary, to be made available to the state department of health from the strategic investment and improvement fund for microbiology lab capital improvements, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 7. AMENDMENT.** Section 23-02.1-29 of the North Dakota Century Code is amended and reenacted as follows:

1. The state department of health shall prescribe the fees, if any, not to exceed ~~five-~~fifteen dollars, to be paid for the following:
  - a. Each certified copy of a record.
  - b. Each certified statement of the facts of birth other than a copy of the original birth record.
  - c. Each filing of a new record of birth or fetal death following adoption,~~–~~  
~~legitimation, or determination of paternity.~~
  - d. Each filing of a delayed record of birth or death except as provided for in subsection 4 of section 23-02.1-18.
  - e. Each filing of an amendment to a birth or death record.

- f. A search of the files or records when no copy is made.
- ~~g. A noncertified informational copy of a death or marriage record.~~

The fee for each additional copy of the same document, a death or fetal death record, requested at the same time, may not exceed ~~two~~ ten dollars.

- 2. Except as otherwise provided in subsection 3, fees collected under this section by the state registrar must be deposited in the ~~general fund of this state~~ the operating fund of the department of health, according to procedures established by the state treasurer.
- 3. The state department of health shall ~~charge a fee~~ quarterly pay fees in the amount of two dollars for the issuance of each certified copy of a birth record, ~~in addition to these fees authorized by subsection 1, in the amount of two dollars for the issuance of each certified copy of a birth record~~ This additional fee must be paid to the state registrar prior to the issuance of each certified copy of a birth record. The state registrar shall quarterly pay the additional fees collected pursuant to this subsection into the children's trust fund created by section 50-27-01.
- 4. All fees collected in excess of the fees appropriated must be transferred to the general fund of this state at the close of each biennium.

**SECTION 8 EMERGENCY.** The sum of \$450,000, of which \$90,000 is from the general fund and \$360,000 from other funds, for the microbiology lab technology update appropriated in section 1 of this Act is declared to be an emergency measure.

**GOVERNOR'S RECOMMENDATION FOR THE INDIAN AFFAIRS COMMISSION**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the Indian affairs commission for the purpose of defraying the expenses of the Indian affairs commission, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$848,407	\$33,184	\$881,591
Operating expenses	<u>263,704</u>	<u>(35,144)</u>	<u>228,560</u>
Total general fund	\$1,112,11	(\$1,960)	\$1,110,151
Full-time equivalent positions	4.00	(1.00)	4.00

**SECTION 2. APPROPRIATION.** In addition to the amounts appropriated to the Indian affairs commission in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 3. TRANSFER.** Notwithstanding section 54-16-04, the agency may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30, 2021. The agency shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section.

**GOVERNOR'S RECOMMENDATION FOR THE AERONAUTICS COMMISSION**

**SECTION 1. APPROPRIATION.** The funds are provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the North Dakota aeronautics commission for the purpose of defraying the expenses of the North Dakota aeronautics commission, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$1,431,222	\$116,548	\$1,547,770

Operating expenses	2,204,190	(199,436)	2,004,754
Capital assets	100,000	(100,000)	0
Grants	<u>7,150,000</u>	<u>21,005,000</u>	<u>28,155,000</u>
Total all funds	\$10,885,412	\$20,822,112	\$31,707,524
Less estimated income	<u>9,985,412</u>	<u>20,867,112</u>	<u>30,852,524</u>
Total general fund	\$900,000	(\$45,000)	\$855,000
Full-time equivalent positions	7.00	0.00	7.00

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Airport energy impact grants	\$0	\$22,000,000
Total other funds	\$0	\$22,000,000

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

**SECTION 3. SPECIAL FUNDS TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The less estimated income line item in section 1 of this Act includes the sum of \$22,000,000, or so much of the sum as may be necessary, from the strategic investment and improvements fund which may be transferred at the direction of the North Dakota aeronautics commission for airport energy impact grants during the biennium beginning July 1, 2019, and ending June 30, 2021.

#### GOVERNOR'S RECOMMENDATION FOR THE VETERANS' HOME

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the veterans' home for the purpose of defraying the expenses of the veterans' home, for the biennium beginning July 1, 2019 and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$18,684,490	\$236,523	\$18,921,013
Operating expenses	5,454,239	(230,508)	5,223,731
Capital assets	<u>411,303</u>	<u>111,830</u>	<u>523,133</u>
Total all funds	\$24,550,032	\$117,845	\$24,667,877
Less estimated income	<u>18,598,593</u>	<u>(481,028)</u>	<u>18,117,565</u>
Total general fund	\$5,951,439	\$598,873	\$6,550,312
Full-time equivalent positions	120.72	0.00	120.72

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Health information exchange software	\$59,500	\$0
Nurse Call System upgrade	82,500	0
Equipment	44,500	\$117,400
Strategic Plan	<u>0</u>	<u>25,000</u>
Total all funds	\$142,000	\$142,400
Less estimated income	<u>142,000</u>	<u>117,400</u>
Total general fund	\$0	\$25,000

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

**GOVERNOR'S RECOMMENDATION FOR THE  
DEPARTMENT OF FINANCIAL INSTITUTIONS**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from other income, to the department of financial institutions for the purpose of defraying the expenses of the department of financial institutions, for the biennium beginning July 1, 2019, and ending June 30, 2021 as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$6,813,840	\$351,286	\$7,165,126
Operating expenses	1,576,072	217,145	1,793,217
Contingency	20,000	0	20,000
Total special funds	\$8,409,912	\$568,431	\$8,978,343
Full-time equivalent positions	30.00	1.00	31.00

**SECTION 2. ONE-TIME FUNDING.** - The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
IT Project	\$0	\$451,305
Total other fund	\$0	\$451,305

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

**SECTION 3. LINE ITEM TRANSFERS.** Notwithstanding section 54-16-04, the department of financial institutions may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30, 2021. The department of financial institutions shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section

**SECTION 4. APPROPRIATION** - In addition to the amounts appropriated to the department of financial institutions in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 5. EXEMPTION.** The amount appropriated for the operating expenses, is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation line are available for continued development of the website redesign and informational technology project during the biennium beginning July 1, 2019, and ending June 30, 2021.

**GOVERNOR'S RECOMMENDATION FOR THE STATE FAIR ASSOCIATION**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the state fair association for the purpose of defraying the expenses of the state fair association, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Premiums	\$515,665	\$54,335	\$570,000
Total general fund	\$515,665	\$54,335	\$570,000

**GOVERNOR'S RECOMMENDATION FOR THE COUNCIL ON THE ARTS**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the

state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the council on the arts for the purpose of defraying the expenses of the council on the arts, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$905,453	\$76,180	\$981,633
Operating Expenses	355,851	(69,190)	286,661
Grants	<u>2,090,494</u>	<u>(8,887)</u>	<u>2,081,607</u>
Total all funds	\$3,351,798	(1,897)	\$3,349,901
Less estimated income	<u>1,786,922</u>	<u>(47,999)</u>	<u>1,738,923</u>
Total general fund	\$1,564,876	\$46,102	\$1,610,978
Full-time equivalent positions	5.00	0.00	5.00

**SECTION 2. APPROPRIATION – CULTURAL ENDOWMENT FUND.** All income from the cultural endowment fund is appropriated to the council on the arts for the furthering of the cultural arts in the state for the biennium beginning July 1, 2019, and ending June 30, 2021.

### GOVERNOR'S RECOMMENDATION FOR THE HIGHWAY PATROL

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the highway patrol for the purpose of defraying the expenses of the highway patrol, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Field operations	<u>\$57,230,706</u>	<u>\$4,029,647</u>	<u>\$61,260,353</u>
Total all funds	\$57,230,706	\$4,029,647	\$61,260,353
Less estimated income	<u>14,703,278</u>	<u>1,840,237</u>	<u>16,543,515</u>
Total general fund	\$42,527,428	\$2,189,410	\$44,716,838
Full-time equivalent positions	204.00	(7.00)	197.00

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Indoor range addition	\$0	\$1,220,000
Aircraft engine overhaul	0	81,830
Drones	0	96,228
Electronic payment system	44,000	0
DAPL Costs	3,234,000	0
Taser and AED equipment	<u>358,000</u>	<u>0</u>
Total all funds	\$3,636,000	\$1,398,058
Total special fund	<u>3,636,000</u>	<u>1,220,000</u>
Total general fund	\$0	\$178,058

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

**SECTION 3. APPROPRIATION – HIGHWAY PATROL.** In addition to the amounts appropriated to the highway patrol in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. SPECIAL FUNDS TRANSFER – HIGHWAY TAX DISTRIBUTION FUND.**

The estimated income line item in section 1 of this Act includes the sum of \$7,263,861, or so much of the sum as may be necessary, from the state highway tax distribution fund which may be transferred at the direction of the superintendent of the highway patrol for the purpose of defraying the expenses of the highway patrol during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 5. AMENDMENT.** Subsection 6 of section 39-12-02 of the North Dakota Century Code is amended and reenacted as follows:

6. There is created in the state treasury a fund known as the motor carrier electronic permit transaction fund. All money in the fund is appropriated on a continuing basis to the highway patrol to defray the costs of establishing operating, and maintaining, and enhancing an online electronic permit system for permitting and routing oversized and overweight vehicles in this state. Funds may be used for the purpose of defraying various expenses associated with the issuance of permits and other non-enforcement motor carrier training and administrative activities. The highway patrol may contract with a private entity to establish, operate, and maintain an online electronic permit system. The online electronic permit system includes the issuance of permits under this section and an automated routing system. The automated routing system must include integration of department of transportation traveler information system information, all other data required for the automated routing system, and integration of the highway patrol computer-aided dispatch system.

**SECTION 6. EXEMPTION.** The amount of \$28,171 appropriated for an aircraft engine overhaul in the estimated income line item in section 1 of chapter 11 of the 2015 Session Laws is not subject to section 54-44.1-11. The amount is available for expenditures relating to an aircraft engine overhaul during the biennium beginning July 1, 2019 and ending June 30, 2021.

**SECTION 7. ESTIMATED INCOME – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line item in section 1 of this Act includes the sum of \$1,220,000 from the strategic investment and improvements fund for an addition to the indoor gun range.

**SECTION 8. PAYMENTS TO HIGHWAY PATROL OFFICERS.** Each patrol officer of the state highway patrol is entitled to receive from funds appropriated in section 1 of this Act an amount not to exceed \$200 per month for the biennium beginning July 1, 2019, and ending June 30, 2021. The payments are in lieu of reimbursement for meals and other expenses, except lodging, while in travel status within the state of North Dakota or while at their respective home stations. The amounts must be paid at the time and in the same manner as salaries are paid to members of the highway patrol and may be paid without the presentation of receipts or other memorandums.

**GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF TRANSPORTATION**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from federal funds and other income, to the department of transportation for the purpose of defraying the expenses of the department of transportation, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$201,765,341	(\$2,259,821)	\$199,505,520
Operating expenses	229,094,646	45,590,459	274,685,105
Capital assets	771,101,851	89,924,093	861,025,944
Grants	<u>67,528,030</u>	<u>28,326,607</u>	<u>95,854,637</u>
Total special funds	\$1,269,489,868	\$161,581,338	\$1,431,071,206
Full-time equivalent positions	1,047.00	(67.00)	980.00

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-fourth legislative assembly for the 2017-19 biennium and the 2019-21 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
Adj General loan proceeds	\$709,000	\$0
Electronic payment system	306,000	0
Drivers license project	0	22,500,000
TDEA replacement	0	1,525,838
AVL project	0	2,650,709
RIMS project	0	9,100,000
MMS project	0	3,850,000
Drivers license facility maintenance	0	1,300,000
Total special funds	\$1,015,000	\$40,926,547

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

**SECTION 3. LINE ITEM TRANSFERS.** The director of the department of transportation may transfer between the salaries and wages, operating, capital assets, and grants line items in section 1 of this Act when it is cost-effective for construction and maintenance of highways. The department of transportation shall notify the office of management and budget of any transfers made pursuant to this section.

**SECTION 4. EXEMPTION - ENHANCED STATE HIGHWAY INVESTMENTS.**

Section 54-44.1-11 does not apply to funding of \$503,115,558 in the capital assets line item relating to enhanced state highway investments in section 1 of chapter 12 of the 2015 Session Laws. Any funds not spent by June 30, 2021, must be continued into the biennium beginning July 1, 2021, and ending June 30, 2023, and may be expended only for enhanced state highway investments.

**SECTION 5. APPROPRIATION – DEPARTMENT OF TRANSPORTATION.** In addition to the amounts appropriated to the department of transportation in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. ESTIMATED INCOME – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line item in section 1 of this Act includes the sum of \$39,626,547 from the strategic investment and improvements fund for various information technology projects.

**GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF TRUST LANDS**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from the state lands maintenance fund, to the commissioner of university and school lands for the purpose of defraying the expenses of the commissioner of university and school lands, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$6,005,550	(\$214,962)	\$5,790,588
Operating expenses	1,775,723	1,008,320	2,784,043
Contingencies	100,000	0	100,000
Total special funds	\$7,881,273	\$793,358	\$8,674,631
Full-time equivalent positions	31.00	(3.00)	28.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
-------------------------------------	----------------	----------------

IT project	\$3,600,000	\$0
Impact grants - airports	25,000,000	0
Other grants - airports	15,000,000	0
Mineral revenue payments	<u>187,000,000</u>	<u>0</u>
Total special funds	\$230,600,000	\$0

**SECTION 3. APPROPRIATION LINE ITEM TRANSFERS.** Upon approval of the board of university and school lands, the commissioner of university and school lands may transfer between the various line items in section 1 of this Act, including transfers from the contingencies line item to all other line items. The commissioner shall notify the office of management and budget of each transfer made pursuant to this section.

**SECTION 4. DISTRIBUTIONS TO STATE INSTITUTIONS.** Pursuant to section 1 of article IX of the Constitution of North Dakota, the board of university and school lands shall distribute during the biennium beginning July 1, 2019, and ending June 30, 2021, the following amounts, from the permanent funds managed for the benefit of the following entities:

Common schools	\$366,756,000
North Dakota state university	5,916,000
University of North Dakota	4,504,000
Youth correctional center	1,864,000
School for the deaf	1,898,000
State college of science	1,736,000
State hospital	1,570,000
Veterans' home	732,000
Valley City state university	1,034,000
North Dakota vision services - school for the blind	1,122,000
Mayville state university	668,000
Dakota college at Bottineau	242,000
Dickinson state university	242,000
Minot state university	<u>242,000</u>
Total	\$388,526,000

**SECTION 5. EXEMPTION - OIL AND GAS IMPACT GRANT FUNDS.** The amount appropriated from the oil and gas impact grant fund for the energy infrastructure and impact office line item in section 1 of chapter 13 of the 2015 Session Laws, for oil and gas impact grants in section 5 of chapter 463 of the 2015 Session Laws, and for oil and gas impact grants in section 13 of chapter 38 of the 2017 Session Laws is not subject to section 54-44.1-11. Any money deposited in the fund for taxable events occurring through June 30, 2019, and any unexpended funds from the appropriation are available for grants and administrative costs associated with the fund during the biennium beginning July 1, 2019 and ending June 30, 2021

**SECTION 6. EXEMPTION - ENERGY IMPACT FUND.** The amount appropriated from the energy impact fund for airport grants in section 14 of chapter 38 of the 2017 Session Laws is not subject to section 54-44.1-11. Any unexpended funds from the appropriation are available for grants during the biennium beginning July 1, 2019 and ending June 30, 2021

**SECTION 7. EXEMPTION – INFORMATION TECHNOLOGY PROJECT.** The amount appropriated for an information technology project in the capital assets line item and the total special fund line item in section 1 of chapter 38 of the 2017 Session Laws is not subject to section 54-44.1-11. Any unexpended funds from the appropriation are available for the information technology project during the biennium beginning July 1, 2019 and ending June 30, 2021.

#### GOVERNOR'S RECOMMENDATION FOR THE INDUSTRIAL COMMISSION

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state industrial commission and agencies under its control for the purpose of defraying the expenses of the state industrial commission and agencies under its control, for the biennium beginning July 1, 2019, and ending June 30, 2020, as follows:

## Subdivision 1.

## INDUSTRIAL COMMISSION

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$22,014,084	\$1,740,329	\$23,754,413
Operating Expenses	5,305,888	686,099	5,991,987
Capital Assets	-	5,000,000	5,000,000
Grants - Bond Payments	13,210,484	(2,701,717)	10,508,767
Contingencies	<u>221,737</u>	<u>(221,737)</u>	<u>0</u>
Total all funds	\$40,752,193	\$4,502,974	\$45,255,167
Less estimated income	<u>15,343,206</u>	<u>2,671,741</u>	<u>18,014,947</u>
Total general fund	\$25,408,987	\$1,831,233	\$27,240,220
Full-time equivalent positions	110.25	0.00	110.25

## Subdivision 2.

## BANK OF NORTH DAKOTA - OPERATIONS

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Bank of North Dakota operations	<u>\$58,489,204</u>	\$84,826,125	\$143,315,329
Capital assets	<u>810,000</u>	<u>700,000</u>	<u>1,510,000</u>
Total all funds	\$59,299,204	\$85,526,125	\$144,825,329
Less estimated income	<u>59,299,204</u>	<u>5,526,125</u>	<u>64,825,329</u>
Total general fund	\$0	\$80,000,000	\$80,000,000
Full-time equivalent positions	181.50	0.00	181.50

## Subdivision 3.

## MILL AND ELEVATOR ASSOCIATION

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$39,308,519	\$7,371,412	\$46,679,931
Operating expenses	28,195,000	1,642,000	29,837,000
Contingencies	500,000	0	500,000
Agriculture promotion	<u>210,000</u>	<u>0</u>	<u>210,000</u>
Total from mill and elevator fund	\$68,213,519	\$9,013,412	\$77,226,931
Full-time equivalent positions	153.00	4.00	157.00

## Subdivision 4.

## HOUSING FINANCE AGENCY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$7,892,056	\$723,593	\$8,615,649
Operating expenses	4,743,355	602,921	5,346,276
Grants	31,794,828	21,671,772	53,466,600
Housing finance agency contingencies	<u>100,000</u>	<u>0</u>	<u>100,000</u>
Total special funds	\$44,530,239	\$22,998,286	\$67,528,525
Full-time equivalent positions	44.00	0.00	44.00

## Subdivision 5.

## BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$25,408,987	\$81,831,233	\$107,240,220
Grand total special funds	<u>187,386,168</u>	<u>40,209,564</u>	<u>227,595,732</u>
Grand total all funds	\$212,795,155	\$122,040,797	\$334,835,952

**SECTION 2. ONE-TIME FUNDING – EFFECT ON BASE BUDGET – REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-fourth legislative assembly for the 2017-19 biennium and the 2019-21 one-time funding items included in the grand total appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Litigation	\$1,000,000	\$0
Industrial water supply asset study	150,000	0
Soil remediation study	5,000,000	0
Ordinary high-water mark survey review	800,000	0
Housing incentive fund	0	20,000,000
Infrastructure loan fund	0	55,000,000
School construction loan fund	0	25,000,000
Equipment - BND	0	700,000
RBDMS upgrade	0	5,000,000
Rare earth study	0	160,000
Proppant sand study	0	110,000
Total all funds	\$6,950,000	\$105,970,000
Total special fund	<u>6,950,000</u>	<u>25,970,000</u>
Total general fund	\$0	\$80,000,000

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

**SECTION 3. LEGISLATIVE INTENT - BOND PAYMENTS.** The amount of \$10,508,767 included in subdivision 1 of section 1 of this Act in the grants - bond payments line item must be paid from the following funding sources during the biennium beginning July 1, 2019, and ending June 30, 2021:

North Dakota university system	\$4,959,448
North Dakota university system - energy conservation projects	415,664
Department of corrections and rehabilitation	689,299
Department of corrections and rehabilitation – energy conservation projects	16,180
State department of health	644,884
Job service North Dakota	434,847
Office of management and budget	567,125
Office of attorney general	647,500
State historical society	1,177,875
Parks and recreation department	66,875
Research and extension service	483,337
Veterans' home	<u>405,733</u>
Total	\$10,508,767

**SECTION 4. APPROPRIATION.** In addition to the amount appropriated to the housing finance agency in subdivision 4 of section 1 of this Act, there is appropriated any additional income or unanticipated income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 5. APPROPRIATION - ADDITIONAL FUNDS FROM BONDS - EMERGENCY COMMISSION APPROVAL.** In addition to the amount appropriated to the state industrial commission in subdivision 1 of section 1 of this Act, there is appropriated, with the approval of the emergency commission, funds that may become available to the commission from bonds authorized by law to be issued by the state industrial commission for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. TRANSFER – BANK OF NORTH DAKOTA PROFITS TO THE GENERAL FUND.** During the biennium beginning July 1, 2019, and ending June 30, 2021, the industrial commission shall transfer to the state general fund \$140,000,000 from the current earnings and the accumulated undivided profits of the Bank of North Dakota. The moneys must be transferred in the amounts and at the times requested by the director of the office of management and budget after consultation with the Bank of North Dakota president.

**SECTION 7. TRANSFER – INFRASTRUCTURE REVOLVING LOAN FUND.** The Bank of North Dakota and total general fund line items in subdivision 2 of section 1 of this Act includes the sum of \$55,000,000 which the office of management and budget shall transfer to the infrastructure revolving loan fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 8. TRANSFER – SCHOOL CONSTRUCTION LOAN FUND.** The Bank of North Dakota and total general fund line items in subdivision 2 of section 1 of this Act includes the sum of \$25,000,000 which the office of management and budget shall transfer to the school construction loan fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 9. TRANSFER – ENTITIES WITHIN THE CONTROL OF THE INDUSTRIAL COMMISSION TO INDUSTRIAL COMMISSION FUND.** The sum of \$1,184,893, or so much of the sum as may be necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of this Act, may be transferred from the entities within the control of the state industrial commission or entities directed to make payments to the industrial commission fund for administrative services rendered by the commission. Transfers shall be made during the biennium beginning July 1, 2019, and ending June 30, 2021, upon order of the commission. Transfers from the student loan trust must be made to the extent permitted by sections 54-17-24 and 54-17-25.

**SECTION 10. TRANSFER - BANK OF NORTH DAKOTA - PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$26,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the partnership in assisting community expansion fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 11. TRANSFER - BANK OF NORTH DAKOTA - AGRICULTURE PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$3,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the agriculture partnership in assisting community expansion fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 12. TRANSFER - BANK OF NORTH DAKOTA - BIOFUELS PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$1,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the biofuels partnership in assisting community expansion fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 13. TRANSFER - BANK OF NORTH DAKOTA - BEGINNING FARMER REVOLVING LOAN FUND.** The Bank of North Dakota shall transfer the sum of \$6,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the beginning farmer revolving loan fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 14. TRANSFER - BANK OF NORTH DAKOTA – SCHOOL CONSTRUCTION LOAN FUND.** The Bank of North Dakota shall transfer the sum of \$5,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the school construction loan fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 15. ESTIMATED INCOME – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The less estimated income line item in subdivision 1 of section 1 of this Act includes \$5,000,000 from the strategic investment and improvements fund for a risk based data management system upgrade.

**SECTION 16. ESTIMATED INCOME – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The less estimated income line item in subdivision 1 of section 1 of this Act includes \$160,000 from the strategic investment and improvements fund for a rare earth research project.

**SECTION 17. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The less estimated income line item in subdivision 1 of section 1 of this Act includes \$110,000 from the strategic investment and improvements fund for a proppant sand research project.

**SECTION 18. SPECIAL FUNDS TRANSFER – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO HOUSING INCENTIVE FUND.** The less estimated income line item in subdivision 4 of section 1 of this Act includes the sum of \$20,000,000, or so much of the sum as may be necessary, from the strategic investment and improvements fund which may be transferred at the direction of the housing finance agency for the purpose of a transfer to the housing incentive fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 19. TRANSFER – BANK OF NORTH DAKOTA – TRANSFER TO THE NORTH DAKOTA DEVELOPMENT FUND INC.** The Bank of North Dakota shall transfer the sum of \$15,000,000, from the Bank's current earnings and undivided profits to the North Dakota Development Fund Inc. during the biennium beginning July 1, 2019 and ending June 30, 2021. The funding must be used in accordance with N.D.C.C. 10-30.5 and to purchase existing New Venture Capital assets held by the Bank of North Dakota.

**SECTION 20. LIGNITE RESEARCH, DEVELOPMENT, AND MARKETING PROGRAM - LIGNITE MARKETING FEASIBILITY STUDY.** The amount of \$4,500,000 from the lignite research fund, or so much of the amount as may be necessary, may be used for the purpose of contracting for an independent, nonmatching lignite marketing feasibility study or studies that determine those focused priority areas where near-term, market-driven projects, activities, or processes will generate matching private industry investment and have the most potential of preserving existing lignite production and industry jobs or that will lead to increased development of lignite and its products and create new lignite industry jobs and economic growth for the general welfare of this state. Moneys appropriated pursuant to this section may also be used for the purpose of contracting for nonmatching studies and activities in support of the lignite vision 21 program; for litigation that may be necessary to protect and promote the continued development of lignite resources; for nonmatching externality studies and activities in externality proceedings; or other marketing, environmental, or transmission activities that assist with marketing of lignite-based electricity and lignite-based byproducts. Moneys not needed for the purposes stated in this section are available to the commission for funding projects, processes, or activities under the lignite research, development, and marketing program.

**SECTION 21. EXEMPTION – INDUSTRIAL COMMISSION FUND.** The amount appropriated to the industrial commission in the special funds appropriation line item in section 1 of chapter 39 of the 2017 Session Laws and transferred pursuant to section 8 of chapter 39 of the 2017 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the industrial commission for administrative services rendered by the commission during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 22. EXEMPTION – ORDINARY HIGH-WATER MARK SURVEY REVIEW.** The amount appropriated to the industrial commission in section 1 of chapter 39 of the 2017 Session Laws is not subject to section 54-44.1-11. Any unexpended funds from this appropriation are available to the industrial commission for expert legal testimony relating to the review during the biennium beginning July 1, 2019, and June 30, 2021.

## GOVERNOR'S RECOMMENDATION FOR THE

### DEPARTMENT OF CORRECTIONS AND REHABILITATION

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of corrections and rehabilitation for the purpose of defraying the expenses of the department of corrections and rehabilitation, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
-------------------	------------------------------------	----------------------

Adult services	\$220,757,448	\$26,947,121	\$247,704,569
Youth services	<u>30,740,509</u>	<u>1,889,577</u>	<u>32,630,086</u>
Total all funds	\$251,497,957	\$28,836,698	\$280,334,655
Less estimated income	<u>37,161,253</u>	<u>9,175,343</u>	<u>46,336,596</u>
Total general fund	\$214,336,704	\$19,661,355	\$233,998,059
Full-time equivalent positions	845.29	93.30	938.59

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

<u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
RRI equipment	\$167,000	\$298,700
Electronic medical records	935,907	0
Justice reinvestment	500,000	0
DAPL	500,000	0
Extraordinary repairs	0	1,332,250
Detection equipment	0	252,000
NDSP redundant fence	0	160,000
Industries building - JRCC	0	1,140,000
Campus studies	0	750,000
MRCC renovation	0	2,443,077
IT projects	0	705,000
Total all funds	\$2,102,907	\$7,081,027
Less estimated income	<u>2,102,907</u>	<u>6,164,777</u>
Total general fund	\$0	\$916,250

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

**SECTION 3. SPECIAL FUNDS TRANSFER – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line item in section 1 of this Act includes the sum of \$4,411,077, or so much of the sum as may be necessary, from the strategic investment and improvements fund which may be transferred at the direction of the director of the department of corrections and rehabilitation for campus studies, equipment, information technology projects and capital projects during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. FUNDING TRANSFERS – EXEMPTION – AUTHORIZATION.** Notwithstanding section 54-16-04, the department of corrections and rehabilitation may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30, 2021. The agency shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section

**SECTION 5. APPROPRIATION -** In addition to the amounts appropriated to the department of corrections and rehabilitation in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. EXEMPTION – COMMUNITY BEHAVIORAL HEALTH PROGRAM.** Section 54-44.1-11 does not apply to \$7,000,000 provided for the community behavioral health program included in section 1 of chapter 40 of the 2017 Session Laws. Any unexpended funds from this appropriation are available to the department of corrections and rehabilitation for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 7. CONTINUING APPROPRIATION AUTHORITY – DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND.** Any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary;

miscellaneous revenue, including offender fines, fees, restitution, and medical co-payments; and from the common school trust fund; are appropriated to the department of corrections and rehabilitation as a continuing appropriation to defray operating expenses in addition to any moneys otherwise appropriated under this Act.

**SECTION 8. CONVEYANCE OF LAND AND BUILDINGS – EXEMPTION FROM CHAPTERS 48-01.1 AND 54-44.7 OF THE NORTH DAKOTA CENTURY CODE.** The state of North Dakota, by and through the department of human services, shall convey ownership of building 2404, formerly known as the nursing residence building and tomkins building, and surrounding real property on the grounds of the state hospital to the department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services for construction and renovation do not apply to this conveyance.

### GOVERNOR'S RECOMMENDATION FOR JOB SERVICE NORTH DAKOTA

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to job service North Dakota for the purpose of defraying the expenses of job service North Dakota, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$27,155,566	\$458,161	\$27,613,728
Operating expenses	11,501,255	10,440,058	21,941,313
Capital assets	20,000	0	20,000
Grants	5,458,571	707,541	6,166,112
Reed Act - Unemployment insurance computer modernization	<u>11,209,557</u>	<u>(122,591)</u>	<u>11,086,966</u>
Total all funds	\$55,344,949	\$11,483,169	\$66,828,119
Less estimated income	<u>54,899,156</u>	<u>11,497,699</u>	<u>66,396,856</u>
Total general fund	\$445,793	(\$14,530)	\$431,263
Full-time equivalent positions	181.61	(25.00)	156.61

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Renovation of Bismarck Regional Office	<u>\$100,000</u>	\$0
Total all funds	\$100,000	\$0
Total special funds	<u>0</u>	<u>0</u>
Total general fund	\$100,000	\$0

**SECTION 3. APPROPRIATION - REED ACT FUNDS - UNEMPLOYMENT INSURANCE COMPUTER MODERNIZATION.** The special fund appropriation of \$11,086,966 in section 1 of this Act is from federal Reed Act funds made available to the state by the federal Reed Act distributions made in federal fiscal years 1957, 1958, 1999, and 2002, pursuant to section 903 of the Social Security Act. This sum, or so much of the sum as may be necessary, is for the purpose of developing a modernized unemployment insurance computer system, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. APPROPRIATION.** All federal funds received by job service North Dakota in excess of those funds appropriated in section 1 of this Act are appropriated for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 5. NEW JOBS TRAINING.** During the biennium beginning July 1, 2019, and ending June 30, 2021, job service North Dakota may not award more than \$2,500,000 for new agreements related to the new jobs training program under chapter 52-02.1.

**SECTION 6. TRANSFER.** Notwithstanding section 54-16-04, the agency may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30,

2021. The agency shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section.

### GOVERNOR'S RECOMMENDATION FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from income, to the office of administrative hearings for the purpose of defraying the expenses of the office of administrative hearings, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$1,191,850	(\$1,191,850)	\$0
Operating expenses	1,726,784	(\$1,726,784)	0
Administrative Hearings	<u>0</u>	<u>2,850,420</u>	<u>2,850,420</u>
Total special funds	\$2,965,651	(\$68,214)	\$2,850,420
Full-time equivalent positions	5.00	0.00	5.00

### GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF COMMERCE

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of commerce for the purpose of defraying the expenses of the department of commerce, for the biennium beginning July 1, 2019, and ending June 30, 2021 as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$12,995,788	223,132	13,218,920
Operating expenses	15,477,622	36,488,391	51,966,013
Capital assets	-	50,000,000	50,000,000
Grants	48,910,416	5,979,395	54,889,811
Discretionary funds	2,200,000	(1,000,000)	1,200,000
Grants - tribal colleges	-	500,000	500,000
Agricultural products utilization commission	3,152,915	(2,470,461)	682,454
Research ND	-	20,000,000	20,000,000
North Dakota trade office	2,000,000	(400,000)	1,600,000
Partner programs	1,939,845	(377,314)	1,562,531
Entrepreneurship grants and vouchers	<u>1,950,000</u>	<u>2,998,467</u>	<u>4,948,467</u>
Total all funds	\$88,626,586	\$111,941,610	\$200,568,196
Less estimated income	<u>58,583,906</u>	<u>5,863,742</u>	<u>64,447,648</u>
Total general fund	\$30,042,680	\$106,077,868	\$136,120,548
Full-time equivalent positions	66.40	(5.60)	60.80

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Grants - Tribal Colleges	\$500,000	\$500,000
Flood Impact - Loans/Grants	5,201,752	0
Unmanned aircraft system	2,000,000	0
Base Retention Grant	600,000	0
Enhanced use lease grant	3,000,000	3,000,000
Census 2020	0	1,000,000
Beyond Visual Line of Sight	0	30,000,000
Innovate ND	0	4,000,000
Research ND	0	20,000,000
Theodore Roosevelt Presidential Library	0	50,000,000
Rural Nursing Program Grant	0	750,000
Nursing Faculty Tuition Program Grant	0	100,000

Career Exposure Tools	0	250,000
Total all funds	\$11,301,752	\$109,600,000
Total special funds	<u>10,301,752</u>	<u>9,600,000</u>
Total general fund	\$1,000,000	\$100,000,000

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

**SECTION 3. EXEMPTION.** The amount appropriated for the agricultural products utilization commission in section 1 of chapter 43 of the 2017 Session Laws is not subject to section 54-44.--11 and any unexpended funds from this line item for grants are available for grants during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. EXEMPTION.** The amount appropriated for the discretionary funds line item in section 1 of chapter 43 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this line item are available during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 5. EXEMPTION.** The amount appropriated for the unmanned aircraft systems program in section 1 of chapter 43 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this line item are available during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. TRANSFER - INTERNSHIP FUND.** The office of management and budget shall transfer \$1,805,000 of the amount appropriated in the operating expenses line item in section 1 of this Act to the internship fund for the purpose of administering the operation intern program, for the biennium beginning July 1, 2019 and ending June 30, 2021.

**SECTION 7. TRANSFER AUTHORITY BETWEEN LINES.** Notwithstanding section 54-16-04, the agency may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019 and ending June 30, 2021. The agency shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section.

**SECTION 8. APPROPRIATION -** In addition to the amounts appropriated to the department of commerce in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 9. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND – TRIBALLY CONTROLLED COMMUNITY COLLEGE GRANT PROGRAM.** The grants – tribal colleges line item in section 1 of this Act includes the sum of \$500,000 from the strategic investment and improvements fund for the tribally controlled community college grant program.

**SECTION 10. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - UNMANNED AIRCRAFT SYSTEMS PROGRAM.** The grants line item in section 1 of this Act includes the sum of \$3,000,000 from the strategic investment and improvements fund for infrastructure relating to the unmanned aircraft system program for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 11. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND – CENSUS 2020.** The operating line item in section 1 of this Act includes the sum of \$1,000,000 from the strategic investment and improvements fund for marketing and administration of Census 2020, for the biennium beginning July 1, 2019 and ending June 30, 2021.

**SECTION 12. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND – INNOVATE ND PROGRAM.** The entrepreneurship grants and vouchers line item in section 1 of this Act includes the sum of \$4,000,000 from the strategic investment and improvements fund for the Innovate ND program, for the biennium beginning July 1, 2019 and ending June 30, 2021.

**SECTION 13. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND – RURAL NURSING PROGRAM GRANT.** The grants line item in section 1 of this Act includes the sum of \$750,000 from the strategic investment and improvements fund for the development of a

rural nursing grant program to be administered by the department of commerce, for the biennium beginning July 1, 2019 and ending June 30, 2021. The purpose of the program is to fund the development of rural nursing programs via traditional classroom experience or online curriculum development. An educational program and healthcare facility must jointly apply for the grant with the healthcare facility providing a matching investment. The department may contract with a third party for the services for the grant.

**SECTION 14. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND – NURSING FACULTY TUITION PROGRAM GRANT.** The grants line item in section 1 of this Act includes the sum of \$100,000 from the strategic investment and improvements fund for the nursing faculty tuition program to be administered by the department of commerce, for the biennium beginning July 1, 2019 and ending June 30, 2021. The purpose of the program is to provide tuition reimbursement for nurses who are North Dakota residents pursuing education required to serve as faculty. The tuition reimbursement requires a retention agreement. The department may contract with a third party for the services for the grant.

**SECTION 15. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND – CAREER EXPOSURE TOOLS.** The grants line item in section 1 of this Act includes the sum of \$250,000 from the strategic investment and improvements fund for career exposure tools, for the biennium beginning July 1, 2019 and ending July 30, 2021.

**SECTION 16. TRADE OFFICE - MATCHING FUND REQUIREMENT.** The North Dakota trade office line item and the general fund appropriation in section 1 of this Act include \$1,600,000 of funding relating to the North Dakota trade office. The department of commerce may spend sixty percent of this amount without requiring any matching funds from the trade office. Any additional amounts may be spent only to the extent that the North Dakota trade office provides one dollar of matching funds from private or other public sources for each one dollar provided by the department for the biennium beginning July 1, 2019, and ending June 30, 2021. Matching funds may include money spent by businesses or organizations to pay salaries to export assistant, provide training to export assistants, or buy computer equipment as part of the North Dakota trade office's export assistance program.

**SECTION 17. ENTREPRENEURSHIP GRANTS AND VOUCHER PROGRAM.** Section 1 of this Act includes the sum of \$4,948,467, of which \$740,956 is from the general fund, \$207,511 from special funds and \$4,000,000 is from the strategic investment and improvements fund, for an entrepreneurship grants and voucher program to be developed and administered by the department of commerce, for the biennium beginning July 1, 2019 and ending June 30, 2021. The department shall establish guidelines to provide grants to entrepreneurial centers certified by the department. The department shall also establish guidelines to award vouchers to entrepreneurs to procure business development assistance from certified entrepreneurial centers or to provide grants to entrepreneurs working with an entrepreneurial center. The amount appropriated for entrepreneurship grants in section 1 of this Act is not subject to section 54-44.1-11 and any unexpended funds from this line item are available during the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 18. YOUTH INNOVATION GRANT PROGRAM.** The grants line of section 1 of this Act includes the sum of \$100,000 from the general fund, for a youth innovation grant program to be developed and administered by the department of commerce, for the biennium beginning July 1, 2019 and ending June 30, 2021. The department shall establish guidelines to provide grants to youth as matching funding for a project to improve their local communities.

**SECTION 19. BASE RETENTION AND PROMOTION GRANT PROGRAM.** The grants line of section 1 of this Act includes the sum of \$600,000 from the general fund, for the base retention and promotion grant program to be developed and administered by the department of commerce, for the biennium beginning July 1, 2019 and ending June 30, 2021. The department of commerce shall establish and administer a statewide base retention and promotion grant program to provide grants to select communities and state agencies that support base retention and promotion. Grant requests shall be made to the North Dakota Commission on Military Promotion and Strategic Sustainment (commission), or its successor organization, and evaluated based on criteria developed by the department and approved by the commission. The department will issue grant funds to communities, through approved political subdivisions, following recommendations put forth by the commission. Grant funds may also be used to support state-wide initiatives that promote base retention and enhance

the quality of life for military members and their families in the state. The program must award direct grants and not cost reimbursement grants.

**SECTION 20. THEODORE ROOSEVELT PRESIDENTIAL LIBRARY CHALLENGE GRANT.** The capital assets line of section 1 of this Act includes the sum of \$50,000,000 from the general fund, out of legacy fund earnings, for the Theodore Roosevelt presidential library challenge grant to be developed and administered by the department of commerce, for the biennium beginning July 1, 2019 and ending June 30, 2021. The purpose of this grant is for the design, building and operations of a Theodore Roosevelt Presidential Library located in or near the town of Medora. The grant shall award one dollar in funds to the Theodore Roosevelt Presidential Library Foundation for every two dollars of matching funds raised.

### GOVERNOR'S RECOMMENDATION FOR THE

### DEPARTMENT OF CAREER AND TECHNICAL EDUCATION

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of public instruction, the school for the deaf, North Dakota vision services - school for the blind, and the state library for the purpose of defraying the expenses of those agencies, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

#### Subdivision 1.

#### DEPARTMENT OF PUBLIC INSTRUCTION

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$17,439,176	\$773,885	\$18,213,061
Operating Expenses	30,165,005	5,279,942	35,444,947
Integrated Formula Payments	1,750,204,163	300,498,160	2,050,702,323
Grants-Special Education	19,300,000	5,700,000	25,000,000
Grants-Transportation	55,400,000	-	55,400,000
Grants-Other Grants	254,062,705	33,000,000	287,062,705
Grants-Program Grants	6,210,000	4,279,711	10,489,711
Grants-Passthrough Grants	2,898,000	(359,871)	2,538,129
PowerSchool	5,500,000	(5,500,000)	-
Transportation Efficiency	30,000	(3,000)	27,000
National Board Certification	<u>120,000</u>	<u>(12,000)</u>	<u>108,000</u>
Total all funds	\$2,141,329,049	\$343,656,827	\$2,484,985,876
Less estimated income	<u>891,047,065</u>	<u>46,442,327</u>	<u>937,489,392</u>
Total general fund	\$1,250,281,984	\$297,214,500	\$1,547,496,484
Full-time equivalent positions	91.75	(3.00)	88.75

#### Subdivision 2.

#### STATE LIBRARY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$4,152,758	\$170,992	\$4,323,750
Operating Expenses	1,604,075	17,842	1,621,917
Grants	<u>2,109,028</u>	<u>124,500</u>	<u>2,233,528</u>
Total all funds	\$7,865,861	\$313,334	\$8,179,195
Less estimated income	<u>2,247,560</u>	<u>123,909</u>	<u>2,371,469</u>
Total general fund	\$5,618,301	\$189,425	\$5,807,726
Full-time equivalent positions	28.75	-1.00	27.75

#### Subdivision 3.

#### SCHOOL FOR THE DEAF

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$7,588,749	\$305,053	\$7,893,802
Operating Expenses	2,026,543	(320,957)	1,705,586
Capital Assets	158,678	270,000	428,678
Grants	<u>180,000</u>	<u>(140,000)</u>	<u>40,000</u>
Total all funds	\$9,953,970	\$114,096	\$10,068,066
Less estimated income	<u>3,198,444</u>	<u>(497,636)</u>	<u>2,700,808</u>
Total general fund	\$6,755,526	\$611,732	\$7,367,258
Full-time equivalent positions	45.61	-2.00	43.61

Subdivision 4.

NORTH DAKOTA VISION SERVICES - SCHOOL FOR THE BLIND

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$4,660,995	\$299,975	\$4,960,970
Operating Expenses	773,206	42,615	815,821
Capital Assets	<u>39,192</u>	<u>260,500</u>	<u>299,692</u>
Total all funds	\$5,473,393	\$603,090	\$6,076,483
Less estimated income	<u>1,214,747</u>	<u>116,877</u>	<u>1,331,624</u>
Total general fund	\$4,258,646	\$486,213	\$4,744,859
Full-time equivalent positions	28.50	(0.60)	27.90

Subdivision 5.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general Fund	\$1,266,914,457	\$298,501,873	\$1,565,416,330
Grant total special funds	<u>897,707,816</u>	<u>46,543,110</u>	<u>943,893,290</u>
Grand total all funds	\$2,164,622,273	\$345,044,983	\$2,509,309,620

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
-------------------------------------	----------------	----------------

DEPARTMENT OF PUBLIC INSTRUCTION

Regional education association merger grants	\$100,000	\$0
ND governor's school science, technology, engineering and mathematics programs	220,000	0
Integrated formula payments	185,000,000	0
Cyber security science	-	3,000,000
Foreign language standards	-	125,000
On-time funding	-	24,135,735
Formula re-write	-	<u>200,000</u>
Total department of public instruction - all fund	\$185,320,000	\$27,460,735
Total department of public instruction - special funds	<u>185,320,000</u>	<u>24,135,735</u>
Total department of public instruction - general fund	-	3,325,000

RESOURCE CENTER FOR THE DEAF AND HARD OF HEARING

Extraordinary repairs	\$675,000	250,000
Equipment	28,000	-
Video equipment and software	30,000	-
Kitchen dishwashing unit	0	<u>\$20,000</u>
Total school for the deaf - special fund	<u>\$733,000</u>	<u>\$270,000</u>

NORTH DAKOTA VISION SERVICES - SCHOOL FOR THE BLIND

Special Assessments payoff	\$10,000	0
Heating and cooling upgrade	35,500	0
Water line replacement	60,000	0
Carpet and reception upgrade	30,000	0
Repair west wing roof	0	39,000
Miscellaneous repairs	0	18,500
Garage door replacement	0	16,000
Remodel daily living skills area	0	25,000
Adaptive technology equipment	0	20,000
Replace gymnasium floor	0	42,000
Remodel south wing restrooms	0	120,000
Total school for the blind special funds	\$135,500	\$280,500

Grand total - all funds	\$186,188,500	\$28,011,235
Grand total - estimated income	<u>\$186,188,500</u>	<u>24,686,235</u>
Grand total - general fund	\$0	\$3,325,000

The 2019-21 one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The Department of Public Instruction, Resource Center for the Deaf and Hard of Hearing, and North Dakota vision services - school for the blind 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, 2019, and ending June 30, 2021.

**SECTION 3. AMENDMENT.** Section 15.1-02-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-02-02. Salary.**

The annual salary of the superintendent of public instruction is ~~one hundred sixteen thousand nine hundred three dollars through June 30, 2016~~ one hundred twenty-five thousand two hundred twenty-six dollars through June 30, 2019, and ~~one hundred twenty thousand four hundred ten dollars~~ one hundred twenty-seven thousand seven hundred thirty-one dollars thereafter.

**SECTION 4. APPROPRIATION - TUITION APPORTIONMENT.** The sum of \$379,764,000, included in the integrated formula payments line item in subdivision 1 of section 1 of this Act, is from the state tuition fund in the state treasury. Any additional amount in the state tuition fund that becomes available for distribution to public schools is appropriated to the department of public instruction for that purpose for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 5. INTEGRATED FORMULA PAYMENTS AND SPECIAL EDUCATION CONTRACTS EXPENDITURE AUTHORITY.** The superintendent of public instruction may expend funds included in the integrated formula payments and grants - special education contracts line items in subdivision 1 of section 1 of this Act in payment of grants for educational services that were due in the 2017-19 biennium but which were not filed, claimed, or properly supported by the education provider until after June 30, 2019.

**SECTION 6. GIFTED AND TALENTED PROGRAM - MEDICAID MATCHING FUNDING - DISTRIBUTION.**

1. The sum of \$800,000, included in the integrated formula payments line item in subdivision 1 of section 1 of this Act, must be distributed to reimburse school districts or special education units for gifted and talented programs upon the submission of an application that is approved in accordance with guidelines adopted by the superintendent of public instruction. The superintendent of public instruction shall encourage cooperative efforts for gifted and talented programs among school districts and special education units.
2. State school aid payments for special education must be reduced by the amount of matching funds required to be paid by school districts or special education units for students participating in the medicaid program. Special education funds equal to the amount of the matching funds required to be paid by the school district or special education unit must be paid by the superintendent of public instruction to the department of human services on behalf of the school district or unit.

**SECTION 7. REGIONAL EDUCATION ASSOCIATIONS - GRANTS.** During the 2019-21 biennium, the superintendent of public instruction shall expend up to \$500,000 from the integrated formula payments line item in subdivision 1 of section 1 of this Act for the purpose of providing annual grants to regional education associations.

**SECTION 8. CONTINUING EDUCATION GRANTS - FUNDING - DISTRIBUTION.** The sum of \$125,000, or so much of the sum as may be necessary, included in the grants - other grants line item in subdivision 1 of section 1 of this Act is provided for continuing education grants, for the biennium beginning July 1, 2019, and ending June 30, 2021.

1. The superintendent of public instruction shall award grants in amounts up to \$1,200 to eligible recipients in chronological order, based on the date of an individual's application. An eligible recipient must:
  - a. (1) Be licensed to teach by the education standards and practices board;
  - (2) Have taught in this state during each of the last three school years; and
  - (3) Be enrolled at an institution of higher education in this state in either a master of education program in educational leadership or a program leading to a specialist diploma in educational leadership;
  - b. Be pursuing the requirements for a certificate in career development facilitation; or
  - c. Be pursuing a school counselor credential.
2. If any of the amount appropriated for this purpose remains after the superintendent of public instruction has awarded grants to all eligible recipients, the superintendent shall distribute that amount as an additional per student payment on a prorated basis, according to the latest available average daily membership of each school district.

**SECTION 9. INDIRECT COST ALLOCATION.** Notwithstanding section 54-44.1-15, the department of public instruction may deposit indirect cost recoveries in its operating account.

**SECTION 10. STATE AID TO PUBLIC LIBRARIES.** The line item entitled grants in subdivision 2 of section 1 of this Act includes \$1,737,582 for aid to public libraries, of which no more than one-half is to be expended during the fiscal year ending June 30, 2020.

**SECTION 11. SCHOOL FOR THE DEAF - HIGHER EDUCATION INTERPRETER GRANT PROGRAM.** The grants line item contained in subdivision 3 of section 1 of this Act is for the purpose of providing grants to assist institutions under the control of the state board of higher education with the cost of interpreters and real-time captioning for students who are deaf or hard of hearing, for the biennium beginning July 1, 2019, and ending June 30,

2021. Moneys appropriated for this program are not subject to section 54-44.1-11. Funds shall be distributed pursuant to the provisions of this section:

1. The school for the deaf shall develop a formula to determine the grant amount for which an institution is eligible. The formula must be based on a uniform hourly reimbursement.
2. To obtain a grant under this section, an institution shall submit to the school for the deaf, at the time and in the manner directed by the school, invoices showing the amount expended for interpreters and real-time captioning for students who are deaf or hard of hearing.
3. The school for the deaf may not distribute more than fifty percent of the amount appropriated during the first year of the biennium.
4. If any grant moneys remain undistributed at the end of the biennium, the school for the deaf shall provide additional prorated grants to institutions that incurred, during the biennium, hourly expenses in excess of the formula reimbursement level.
5. At the request of an institution under the control of the state board of higher education, the school for the deaf shall consult with the institution and provide advice regarding the provision of services most appropriate to meet a student's needs.

**SECTION 12. STATE SCHOOL AID PROGRAM.** The sum of \$2,050,702,323 included in the integrated formula payments line item in subdivision 1 of section 1 of this Act was calculated with the following assumption: Per student payment rates are \$9,839 for the 2019-20 academic year and increase to \$10,036 for the 2020-21 academic year.

**SECTION 13. GRANTS – OTHER GRANTS.** The line item entitled grants-other grants in subdivision 1 of section 1 of this Act contains pass-through grants, of which no more than one-half of the funding is to be expended during the fiscal year ending June 30, 2018.

**SECTION 14. CONTINGENT APPROPRIATION – DEPARTMENT OF PUBLIC INSTRUCTION – STUDENT CONTRACTS AND TEACHER INCENTIVES FOR LEADERSHIP IN EDUCATION.** If any funding appropriated to the superintendent of public instruction for integrated formula payments to school districts remains after the superintendent complies with all statutory payment obligations imposed for the biennium beginning July 1, 2017, and ending June 30, 2019, the superintendent shall:

1. Use the funds to pay any state obligations in excess of the amount appropriated for grants-special education contracts for the biennium beginning July 1, 2017 and ending June 30, 2019.
2. Up to \$10,000,000 of any remaining funds is to be used for the creation of the Teacher Incentives for Leadership in Education (TILE) program. TILE dollars must be invested in professional development or used to provide project-based incentives for current teachers, providing career track opportunities for teacher leaders.

**SECTION 15. TRANSFER.** The office of management and budget shall transfer, on a quarterly basis, a total of \$232,781,065 from the foundation aid stabilization fund to the operating fund of the department of public instruction for the purpose of covering expenses in the integrated formula payment line in subdivision 1 of section 1 of this Act, for the period beginning with the effective date of this Act and ending June 30, 2021.

**SECTION 16. AMENDMENT.** Section 15-10-38 of the North Dakota Century Code is amended and reenacted as follows:

**15-10-38. Loans - Teacher shortages - Loan forgiveness.**

1. The ~~state board of higher education~~ superintendent of public instruction shall administer a student loan forgiveness program for individuals teaching at grade levels, in content areas, and in geographical locations identified as having a teacher shortage or critical need. The ~~board~~ superintendent of public instruction may

approve loan forgiveness for no more than two teachers per year in a school district. The ~~board~~ superintendent of public instruction shall adopt rules to implement the program.

2. The superintendent of public instruction annually shall identify grade levels, content areas, and geographical locations in which a teacher shortage or critical need exists.
3. To be eligible for loan forgiveness under this section, an individual:
  - a. Must have graduated from an accredited teacher preparation program and signed a contract to teach at a grade level or in a content area and in a geographical location identified by the superintendent of public instruction as having an existing teacher shortage or critical need; and
  - b. Must have an existing student loan.
4. For purposes of this section, the definitions of rural school district and remote town school district have the same meaning as the definitions under the national center for education statistics locale codes.
5. If an individual is receiving loan forgiveness under any other provision, the individual may not receive loan forgiveness under this section during the same application year.
6. An eligible individual may receive loan forgiveness under the program as follows:
  - a. If the individual accepts one of up to five positions of critical need in a nonrural school district or nonremote town school district, the individual may receive up to three thousand dollars per year for a maximum of four years.
  - b. If the individual accepts a position in a rural school district or remote town school district with an enrollment of fewer than one thousand students, the individual may receive up to four thousand five hundred dollars per year for a maximum of four years.
  - c. If the individual accepts one of up to five positions of critical need in a rural school district or remote town school district with an enrollment of fewer than one thousand students, the individual may receive up to six thousand five hundred dollars per year for a maximum of four years.
7. The superintendent of public instruction shall consider all applications under this section based on the number of unfilled school vacancies, prioritized by critical need and geographic location.
8. Upon notification the individual has completed a full year of teaching in a school district, state-supported school, or nonpublic school in this state at a grade level or in a content area and in a geographical location identified by the superintendent of public instruction as one in which a teacher shortage or critical need exists, the ~~board~~ superintendent of public instruction shall distribute funds directly to the lending institution of the individual to repay outstanding loan principal balances on behalf of eligible applicants. The ~~board~~ superintendent of public instruction shall terminate loan forgiveness payments to eligible individuals when the loan principal balance of the eligible individual is paid in full.

**SECTION 17. AMENDMENT.** Section 15.1-27-04.1 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-27-04.1. Baseline funding - Establishment - Determination of state aid.**

1. To determine the amount of state aid payable to each district, the superintendent of public instruction shall establish each district's baseline funding. A district's baseline funding consists of:

- a. All state aid received by the district in accordance with chapter 15.1-27 during the 2012-13 school year;
  - b. The district's 2012-13 mill levy reduction grant, as determined in accordance with chapter 57-64, as it existed on June 30, 2013;
  - c. An amount equal to that raised by the district's 2012 general fund levy or that raised by one hundred ten mills of the district's 2012 general fund levy, whichever is less;
  - d. An amount equal to that raised by the district's 2012 long-distance learning and educational technology levy;
  - e. An amount equal to that raised by the district's 2012 alternative education program levy; and
  - f. An amount equal to:
    - (1) Seventy-five percent of all revenue received by the school district and reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
    - (2) Seventy-five percent of all mineral revenue received by the school district through direct allocation from the state treasurer and not reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
    - (3) Seventy-five percent of all tuition received by the school district and reported under code 1300 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08, with the exception of revenue received specifically for the operation of an educational program provided at a residential treatment facility and tuition received for the provision of an adult farm management program;
    - (4) Seventy-five percent of all revenue received by the school district from payments in lieu of taxes on the distribution and transmission of electric power;
    - (5) Seventy-five percent of all revenue received by the school district from payments in lieu of taxes on electricity generated from sources other than coal;
    - (6) All revenue received by the school district from mobile home taxes;
    - (7) Seventy-five percent of all revenue received by the school district from the leasing of land acquired by the United States for which compensation is allocated to the state under 33 U.S.C. 701(c)(3);
    - (8) All telecommunications tax revenue received by the school district; and
    - (9) All revenue received by the school district from payments in lieu of taxes and state reimbursement of the homestead credit and disabled veterans credit.
2. The superintendent shall divide the district's total baseline funding by the district's 2012-13 weighted student units to determine the district's baseline funding per weighted student unit.
  3. If a school district is in an approved cooperative agreement under chapter 15.1-27-16, their baseline funding shall be recalculated using their baseline funding per weighted student unit established in 15.1-27-04.1(2) multiplied by the weighted

student units in 2012-13 school year for the grade levels the school district currently offers beginning in the 2020-21 school year.

- ~~3-4.~~ a. In ~~2017-18~~2019-20, the superintendent shall multiply the district's weighted student units by ~~nine thousand six hundred forty six~~nine thousand eight hundred thirty-nine dollars.
- (1) The superintendent shall adjust the product to ensure the product is at least equal to the greater of:
- (a) One hundred eight percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year multiplied by ninety percent; or
- (b) ~~One hundred~~Ninety percent of the district's baseline funding as established in subsection 1.
- (2) The superintendent also shall adjust the product to ensure the product does not exceed one hundred ~~forty-five~~forty percent of the district's baseline funding per weighted student unit multiplied by the district's weighted student units from the previous school year, as established in subsection 2.
- b. In ~~2018-19~~2020-21, the superintendent shall multiply the district's weighted student units by ~~nine thousand six hundred forty six~~ten thousand thirty-six dollars.
- (1) The superintendent shall adjust the product to ensure the product is at least equal to the greater of:
- (a) One hundred eight percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year multiplied by ninety percent; or
- (b) ~~One hundred~~Ninety percent of the district's baseline funding as established in subsection 1.
- (2) The superintendent also shall adjust the product to ensure the product does not exceed one hundred ~~forty-five~~forty percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.
- ~~4-5.~~ After determining the product in accordance with subsection 3, the superintendent of public instruction shall:
- a. Subtract an amount equal to sixty mills multiplied by the taxable valuation of the school district, except the amount in dollars subtracted for purposes of this subdivision may not exceed the previous year's amount in dollars subtracted for purposes of this subdivision by more than twelve percent; and
- b. Subtract an amount equal to seventy-five percent of all revenues listed in paragraphs 1 through 5, and 7 of subdivision f of subsection 1 and one hundred percent of all revenues listed in paragraphs 6, 8, and 9 of subdivision f of subsection 1.
- ~~5-6.~~ The amount remaining after the computation required under subsection 4 is the amount of state aid to which a school district is entitled, subject to any other statutory requirements or limitations.

**SECTION 18. AMENDMENT.** Section 15.1-37-05 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-37-05. Early childhood education providers - Coalition - Eligibility.**

1. The superintendent of a school district shall invite all public and private providers of early childhood education services within the district to meet, in order to:
  - a. Initiate the identification of all available options for cost-effectively maximizing the provision of early childhood education services within the district;
  - b. Address the coordinated utilization of facilities, personnel, and transportation, for the provision of early childhood education services within the district; and
  - c. (1) Form a coalition of early childhood education service providers; and  
(2) Provide for the selection of a coalition governing board.
2. The board of the school district in which the coalition of service providers is located shall provide advice and guidance to the coalition in all matters pertaining to this section through section 15.1-37-08.
3. Any early childhood service provider who agrees to participate in the coalition or on its governing board may submit an application to the ~~department of commerce~~ superintendent of public instruction for a grant under this section, provided the governing board certifies to the ~~department's~~ superintendent that the provider:
  - a. Is a participating member in the coalition or on the governing board.
  - b. Operates an early childhood education program that:
    - (1) Is approved in accordance with section 15.1-37-01; and
    - (2) Incorporates within its curriculum at least ten hours of research-based parental involvement.
  - c. Has documented the provider's willingness to admit children of all learning abilities into the early childhood education program.

**SECTION 19. AMENDMENT.** Section 15.1-37-06 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-37-06. Receipt and distribution of grants - Notification.**

1. a. The ~~department of commerce~~ superintendent of public instruction shall receive applications for and distribute grants under this section to eligible members, including governing board members, of a consortium formed in accordance with section 15.1-37-05, in the amount of two thousand dollars for each child enrolled in a program of early childhood education, if the child is eligible for free lunches under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751, et seq.], and one thousand dollars for each child enrolled in a program of early childhood education, if the child is eligible for reduced lunches under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751, et seq.], provided:
  - (1) The child is a resident of this state;
  - (2) The child has reached four years of age before August first in the year of enrollment; and
  - (3) The program has a duration of at least four hundred hours over a period of at least thirty-two consecutive weeks.
- b. A child enrolled in a federally funded head start program may not be counted for the purpose of determining grant eligibility under this section.

2. a. Once each calendar quarter, at the time and in the manner required by the ~~department of commerce~~ superintendent of public instruction, any provider receiving a grant under this section shall forward to the parent of each child receiving services a notice indicating the total amount of the grant that was awarded to the provider for the quarter, the pro rata amount attributable to the parent's child, and the source of the grant. The ~~department of commerce~~ superintendent of public instruction shall standardize the notification required by this subdivision.
- b. If a provider fails to meet the notification requirements of this subsection, the ~~department of commerce~~ superintendent of public instruction shall reduce the amount of the provider's next grant payment by fifty percent. If a provider fails to meet the notification requirements of this section a second time, the ~~department of commerce~~ superintendent of public instruction shall determine that the provider is ineligible to participate in the grant program for a period of one year.

**SECTION 20. AMENDMENT.** Section 15.1-37-08 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-37-08. Data collection - Requirements.**

The superintendent of public instruction, ~~with the advice and consent of the department of commerce~~, shall implement a uniform system for the accounting, budgeting, and reporting of data by any early childhood education provider to whom or to which grants are distributed in accordance with section 15.1-37-06. Grants may be withheld or forfeited, in whole or in part, if information required in accordance with this section is not submitted at the time or in the manner requested by the superintendent.

**SECTION 21. GRANTS - SPECIAL EDUCATION DEFICIENCY AUTHORIZATION.** If funds provided to the superintendent of public instruction in subdivision 1 of section 1 of this Act for grants - special education, for the biennium beginning July 1, 2019, and ending June 30, 2021, are not sufficient to meet special education contract obligations, the superintendent of public instruction shall request supplemental funding from the sixty-sixth legislative assembly.

**GOVERNOR'S RECOMMENDATION FOR THE NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE, NORTHERN CROPS INSTITUTE, UPPER GREAT PLAINS TRANSPORTATION INSTITUTE, MAIN RESEARCH CENTER, BRANCH RESEARCH CENTERS, AND AGRONOMY SEED FARM**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the North Dakota state university extension service, the northern crops institute, the upper great plains transportation institute, the main research center, branch research centers, and agronomy seed farm for the purpose of defraying the expenses of the North Dakota state university extension service, the northern crops institute, the upper great plains transportation institute, the main research center, branch research centers, and agronomy seed farm, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

Subdivision 1.

NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Extension Service	\$51,188,489	\$1,935,763	\$53,124,252
Soil conservation committee	<u>1,091,520</u>	<u>0</u>	<u>1,091,520</u>
Total all funds	\$52,280,009	\$1,935,763	\$54,215,772
Less estimated income	<u>26,646,689</u>	<u>1,240,295</u>	<u>27,886,984</u>
Total general fund	\$25,633,320	\$695,468	\$26,328,788
Full-time equivalent positions	242.51	0.00	242.51

## Subdivision 2.

## NORTHERN CROPS INSTITUTE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Northern Crops Institute	<u>\$3,642,721</u>	<u>\$160,899</u>	<u>\$3,803,620</u>
Total all funds	<u>\$3,642,721</u>	<u>\$160,899</u>	<u>\$3,803,620</u>
Less estimated income	<u>1,755,830</u>	<u>142,023</u>	<u>1,897,853</u>
Total general fund	<u>\$1,886,891</u>	<u>\$18,876</u>	<u>\$1,905,767</u>
Full-time equivalent positions	12.80	0.00	12.80

## Subdivision 3.

## UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Upper great plains transportation institute	<u>\$22,618,201</u>	<u>(\$196,779)</u>	<u>\$22,421,422</u>
Total all funds	<u>\$22,618,201</u>	<u>(\$196,779)</u>	<u>\$22,421,422</u>
Less estimated income	<u>18,717,068</u>	<u>240,154</u>	<u>18,957,222</u>
Total general fund	<u>\$3,901,133</u>	<u>(\$436,933)</u>	<u>\$3,464,200</u>
Full-time equivalent positions	43.88	0.00	43.88

## Subdivision 4.

## MAIN RESEARCH CENTER

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Main Research Center	<u>\$109,217,936</u>	<u>(\$2,185,887)</u>	<u>\$107,032,049</u>
Total all funds	<u>\$109,217,936</u>	<u>(\$2,185,887)</u>	<u>\$107,032,049</u>
Less estimated income	<u>59,084,828</u>	<u>(1,031,188)</u>	<u>58,053,640</u>
Total general fund	<u>\$50,133,108</u>	<u>(\$1,154,699)</u>	<u>\$48,978,409</u>
Full-time equivalent positions	340.05	0.00	340.05

## Subdivision 5.

## RESEARCH CENTERS

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Dickinson Research Center	<u>\$6,825,551</u>	<u>(\$118,534)</u>	<u>\$6,707,017</u>
Central grasslands research center	<u>3,423,624</u>	<u>(33,939)</u>	<u>3,389,685</u>
Hettinger research center	<u>4,975,133</u>	<u>9,565</u>	<u>4,984,698</u>
Langdon research center	<u>2,964,607</u>	<u>3,810</u>	<u>2,968,417</u>
North central research center	<u>4,953,652</u>	<u>35,851</u>	<u>4,989,503</u>
Williston research center	<u>5,118,890</u>	<u>(1,271)</u>	<u>5,117,619</u>
Carrington research center	<u>9,175,491</u>	<u>270,370</u>	<u>9,445,861</u>
Total all funds	<u>\$37,436,948</u>	<u>\$165,852</u>	<u>\$37,602,800</u>
Less estimated income	<u>20,281,691</u>	<u>525,551</u>	<u>20,807,242</u>
Total general fund	<u>\$17,155,257</u>	<u>(\$359,699)</u>	<u>\$16,795,558</u>
Full-time equivalent positions	109.81	0.00	109.81

## Subdivision 6.

## AGRONOMY SEED FARM

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Agronomy Seed Farm	<u>\$1,536,129</u>	<u>\$35,519</u>	<u>\$1,571,648</u>
Total Special funds	<u>\$1,536,129</u>	<u>\$35,519</u>	<u>\$1,571,648</u>
Full-time equivalent positions	3.00	0.00	3.00

Subdivision 7.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grant total general fund	\$98,709,709	(\$1,236,987)	\$97,472,722
Grant total other funds	<u>128,022,235</u>	1,152,354	129,174,589
Grand total all funds	\$226,731,944	(\$84,633)	\$226,647,311

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Seed Cleaning Plants	\$1,500,000	\$0
Road and bridge asset management system	300,000	0
Junior master gardener program	15,000	0
Extension service web strategy & content re-imaging	0	345,000
Extraordinary repairs	<u>0</u>	<u>1,440,465</u>
Total all funds	\$1,815,000	\$1,785,645
Total other funds	<u>1,700,000</u>	1,440,465
Total general fund	\$115,000	\$345,000

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

**SECTION 3. ADDITIONAL INCOME - APPROPRIATION.** In addition to the amount included in the grand total special funds appropriation line item in section 1 of this Act, any other income, including funds from federal acts, private grants, gifts, and donations, or from other sources received by the North Dakota state university extension service, the northern crops institute, the upper great plains transportation institute, the main research center, branch research centers, and agronomy seed farm, except as otherwise provided by law, is appropriated for the purpose designated in the act, grant, gift, or donation, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. DICKINSON RESEARCH EXTENSION CENTER - MINERAL RIGHTS INCOME.** The Dickinson research extension center may spend up to \$755,000 of revenues received during the 2019-21 biennium from mineral royalties, leases, or easements for ongoing operational expenses. Any revenues received in excess of \$755,000 may be spent only for one-time expenditures for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 5. WILLISTON RESEARCH EXTENSION CENTER - MINERAL RIGHTS INCOME.** The Williston research extension center shall report to the sixty-seventh legislative assembly on amounts received and spent from mineral royalties, leases, or easements in the biennium beginning July 1, 2017, and ending June 30, 2019 and the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. TRANSFER AUTHORITY.** Upon approval of the state board of agricultural research and education and appropriate branch research center directors, the director of the main research center may transfer appropriation authority within subdivisions 1, 2, 4, and 5 of section 1 of this Act. Any amounts transferred must be reported to the director of the office of management and budget.

**SECTION 7. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** The board of higher education may adjust or increase full-time equivalent positions as needed for the entities in section 1 of this Act, subject to availability of funds. The board shall report any adjustments to the office of management and budget pursuant to this section.

**SECTION 8. UNEXPENDED GENERAL FUND - EXCESS INCOME.** Any unexpended general fund appropriation authority to and any excess income received by entities listed in section 1 of this Act are not subject to the provisions of section 54-44.1-11, and any unexpended funds from these appropriations or revenues are available and may be expended by those entities, during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 9. EXEMPTION.** The amounts appropriated for the veterinary diagnostic laboratory and the seed cleaning plants contained in subdivision 4 of section 1 of chapter 20 of the 2017 Sessions Laws, are not subject to the provisions of section 54-44.1-11, and any unexpended funds from these appropriations or related revenues are available and may be expended during the biennium beginning July 1, 2019, and ending June 30, 2021.

**GOVERNOR'S RECOMMENDATION FOR THE  
INFORMATION TECHNOLOGY DEPARTMENT**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the information technology department for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$59,359,772	\$36,122,188	\$95,481,960
Operating expenses	73,552,998	66,960,999	140,513,997
Capital assets	17,995,000	24,408,117	42,403,117
Center for distance education	9,079,116	(9,079,116)	0
Statewide longitudinal data system	4,310,561	105,984	4,416,545
Educational technology council	1,121,472	(754,133)	367,339
EduTech	9,752,767	(167,203)	9,585,564
K-12 wide area network	4,534,278	650,175	5,184,453
Geographic information system	1,147,716	1,059,953	2,207,669
Health information technology office	<u>5,315,509</u>	<u>(419,094)</u>	<u>4,896,415</u>
Total all funds	\$186,169,189	\$118,887,870	\$305,057,059
Less estimated income	<u>165,636,855</u>	<u>114,737,452</u>	<u>280,374,307</u>
Total general fund	\$20,532,334	\$4,150,418	\$24,682,752
Full-time equivalent positions	344.30	115.20	459.50

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Electronic payment processing system	\$375,000	0
Health information network expansion	43,555,133	0
GIS - Statewide Land Parcel	0	1,150,000
Statewide Interoperable Radio Network	0	44,000,000
Unified Data Platform	0	1,000,000
ND Gateway	0	6,000,000
Legacy Lift	0	2,000,000
Total all funds	\$43,930,133	\$54,150,000
Less estimated income	<u>43,930,133</u>	<u>54,150,000</u>
Total general fund	\$0	\$0

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

**SECTION 3. TRANSFERS.** Notwithstanding section 54-16-04, the director of the office of management and budget shall make transfers of funds between line items in section 1 of

this Act for the information technology department as may be requested by the chief information officer as determined necessary for the development and implementation of information technology projects.

**SECTION 4. APPROPRIATION.** In addition to the amounts appropriated to the information technology department in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 5. REPEAL.** Sections 54-59-17 and 54-59-18 of the North Dakota Century Code are repealed.

**GOVERNOR'S RECOMMENDATION FOR THE  
COMMISSION ON LEGAL COUNSEL FOR INDIGENTS**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from other income, to the commission on legal counsel for indigents for the purpose of defraying the expenses of the commission on legal counsel for indigents, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Commission on legal counsel	\$19,903,623	\$1,107,636	\$21,011,259
Total all funds	\$19,903,623	\$1,107,636	\$21,011,259
Less estimated income	<u>1,919,747</u>	<u>13,913</u>	<u>1,933,660</u>
Total general fund	\$17,983,876	\$1,093,723	\$19,077,599
Full-time equivalent positions	40.00	0.00	40.00

**GOVERNOR'S RECOMMENDATION FOR THE RACING COMMISSION**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from other income, to the North Dakota racing commission for the purpose of defraying the expenses of the North Dakota racing commission, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Racing commission	\$542,178	\$28,031	\$570,209
Total all funds	\$542,178	\$28,031	\$570,209
Less estimated income	<u>162,557</u>	<u>3,810</u>	<u>166,367</u>
Total general fund	\$379,621	\$24,221	\$403,842
Full-time equivalent positions	2.00	0.00	2.00

**GOVERNOR'S RECOMMENDATION FOR THE  
DEPARTMENT OF ENVIRONMENTAL QUALITY**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state department of environmental quality for the purpose of defraying the expenses of the state department of environmental quality, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$27,040,544	\$2,671,709	\$29,712,253
Operating expenses	8,005,878	2,130,107	10,135,985
Capital assets	1,258,249	1,005,180	2,263,429
Grants	<u>13,407,000</u>	<u>2,454,529</u>	<u>15,861,529</u>

Total all funds	\$49,711,671	\$8,261,525	\$57,973,196
Less estimated income	<u>38,987,520</u>	<u>6,893,583</u>	<u>45,881,103</u>
Total general fund	\$10,724,151	\$1,367,942	\$12,092,093
Full-time equivalent positions	152.50	8.00	160.50

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
EPA lawsuit	\$500,000	
Air pollution program equipment		<u>\$1,040,000</u>
Total all funds	\$500,000	\$1,040,000
Less estimated income	<u>500,000</u>	<u>1,040,000</u>
Total general fund	\$0	\$0

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

**SECTION 3. APPROPRIATION** - In addition to the amounts appropriated to the state department of environmental quality in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. FUNDING TRANSFERS – EXCEPTION – AUTHORIZATION.** Notwithstanding section 54-16-04, the department of environmental quality may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30, 2021. The department shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section.

**SECTION 5. ENVIRONMENT AND RANGELAND PROTECTION FUND.** The estimated income line item included in section 1 of this Act includes \$250,000, or so much of the sum as may be necessary, to be made available to the state department of environmental quality from the environment and rangeland protection fund, for the biennium beginning July 1, 2019, and ending June 30, 2021. This amount includes \$50,000 for a grant to the North Dakota stockmen's association environmental services program.

**SECTION 6. STRATEGIC INVESTMENT AND IMPROVEMENT FUND.** The estimated income line item included in section 1 of this Act includes \$1,040,000, or so much of the sum as may be necessary, to be made available to the state department of environmental quality from the strategic investment and improvement fund for air pollution program equipment, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 7. CONTINGENT APPROPRIATION.** Section 1 of this Act includes a contingent appropriation of \$2,288,945, of which \$1,248,945 is from the general fund and \$1,040,000 is a one-time appropriation from the strategic investment and improvement fund; and contingent authority for ten FTE positions effective July 1, 2020 upon the federal environmental protection agency approving the state assuming primacy over the Quad O and Quad Oa federal air pollution programs.

**SECTION 8 AMENDMENT.** Section 23-37 of the North Dakota Century Code is amended and reenacted as follows:

#### **CHAPTER 23.1-37 – PETROLEUM RELEASE REMEDIATION**

**23.1-37-01. Declaration of purpose.** The purpose of this chapter is to establish:

1. A petroleum tank release compensation fund; and

2. A petroleum tank release compensation advisory board authorized to review claims against the fund.

### 23.1-37-02. Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Actually incurred" means, in the case of corrective action expenditures, that the owner, the operator, the landowner, an insurer, or a contractor hired by the owner, operator, or the landlord has expended time and materials and that only that person is receiving reimbursement from the fund. ~~2. "Administrator" means the manager of the state fire and tornado fund.~~
- ~~3~~2. "Board" means the petroleum release compensation board. ~~4. "Commissioner" means the insurance commissioner.~~
- ~~5~~3. "Corrective action" means an action required by the department to minimize, contain, eliminate, remediate, mitigate, or clean up a release, including any remedial emergency measures. The term does not include the repair or replacement of equipment or preconstructed property.
- ~~6~~4. "Dealer" means any person licensed by the tax commissioner to sell motor vehicle fuel or special fuels within the state.
- ~~7~~5. "Department" means the ~~state department of health~~department of environmental quality.
- ~~8~~6. "Fund" means the petroleum release compensation fund.
- ~~9~~7. "Location" means a physical address or site that has contiguous properties. Noncontiguous properties within a municipality or other governmental jurisdiction are considered separate locations.
- ~~10~~8. "Operator" means any person in control of, or having responsibility for, the daily operation of a tank under this chapter.
- ~~11~~9. "Owner" means any person who holds title to, controls, or possesses an interest in the tank before the discontinuation of its use.
- ~~12~~10. "Person" means an individual, trust, firm, joint stock company, federal agency, corporation, state, municipality, commission, political subdivision of a state, or any interstate body. The term also includes a consortium, a joint venture, a commercial entity, and the United States government.
- ~~13~~11. "Petroleum" means any of the following:
  - a. Gasoline and petroleum products as defined in chapter 19-10.
  - b. Constituents of gasoline and fuel oil under subdivision a.
  - c. Oil sludge and oil refuse.
- ~~14~~12. "Portable tank" means a storage tank along with its piping and wiring that is not stationary or affixed, including a tank that is on skids.
- ~~15~~13. "Release" means any unintentional spilling, leaking, emitting, discharging, escaping, leaching, or disposing of petroleum from a tank into the environment whether occurring before or after the effective date of this chapter, but does not include discharges or designed venting allowed under federal or state law or under adopted rules.
- ~~16~~14. "Tank" means any one or a combination of containers, vessels, and enclosures, whether aboveground or underground, including associated piping or appurtenances used to contain an accumulation of petroleum. The term does not include:

- a. Tanks owned by the federal government.
- b. Tanks used for the transportation of petroleum.
- c. A pipeline facility, including gathering lines, regulated under:
  - (1) The Natural Gas Pipeline Safety Act of 1968.
  - (2) The Hazardous Liquid Pipeline Safety Act of 1979.
  - (3) An interstate pipeline facility regulated under state laws comparable to the provisions of law in paragraph 1 or 2.
- d. An underground farm or residential tank with a capacity of one thousand one hundred gallons [4163.94 liters] or less or an aboveground farm or residential tank of any capacity used for storing motor fuel for noncommercial purposes. However, the owner of an aboveground farm or residential tank may, upon application, register the tank and be eligible for reimbursement under this chapter.
- e. A tank used for storing heating oil for consumptive use on the premises where stored.
- f. A surface impoundment, pit, pond, or lagoon.
- g. A flowthrough process tank.
- h. A liquid trap or associated gathering lines directly related to oil or gas production or gathering operations.
- i. A storage tank situated in an underground area such as a basement, cellar, mine working, drift, shaft, or tunnel if the storage tank is situated upon or above the surface of the floor.
- j. A tank used for the storage of propane.
- k. A tank used to fuel rail locomotives or surface coal mining equipment.
- l. An aboveground tank used to feed diesel fuel generators. Upon application, the owner or operator of an aboveground tank used to feed diesel fuel generators may register the tank and is eligible for reimbursement under this chapter.
- m. A portable tank.
- n. A tank with a capacity under one thousand three hundred twenty gallons [4996.728 liters] used to store lubricating oil.

4715. "Tank integrity test" means a test to determine that a tank is sound and not leaking. For an underground tank, the term means a certified third-party test that meets environmental protection agency leak detection requirements. For an aboveground tank, the term means a test conducted according to steel tank institute SP 001 or American petroleum institute 653.

4816. "Third party" means a person who is damaged by the act of a registered owner, operator, or dealer requiring corrective action or a person who suffers bodily injury or property damage caused by a petroleum release.

### **23.1-37-03. Petroleum release compensation board.**

The petroleum release compensation advisory board consists of five members appointed by the governor, three of whom are active in petroleum marketing, one of whom is active in the petroleum, crude oil, or refining industry, and one of whom is active in the insurance industry. A member active in petroleum marketing must be appointed from a list of three recommended by the North Dakota retail petroleum marketers association. A member active

in the petroleum, crude oil, or refining industry must be appointed from a list of three recommended by the North Dakota petroleum council. A member active in the insurance industry must be appointed from a list of three recommended by the North Dakota professional insurance agents association. Members must be appointed to terms of three years with the terms arranged so that the term of at least one member, but no more than two members, expires June thirtieth of each year. A member shall hold office until a successor is duly appointed and qualified. Each member of the board is entitled to receive sixty-two dollars and fifty cents per diem for each day actually spent in the performance of official duties, plus mileage and expenses as are allowed to other state officers.

#### **23.1-37-04. Administration of fund - Staff.**

The ~~administrator~~ department shall administer the fund according to this chapter. The ~~administrator~~ department shall convene the board as may be necessary to keep the board apprised of the fund's general operations. However, the board shall meet at least once each half of each calendar year to review and to advise the ~~administrator~~ department regarding the administration of the fund, the fund's general operations, and to hear and decide denials of claims by the ~~administrator~~ department which may be appealed to the board, and to discuss all claims against the fund. The ~~administrator~~ department may employ any assistance and staff necessary to administer the fund within the limits of legislative appropriation. A claimant aggrieved by a decision of the ~~administrator~~ department regarding a claim upon the fund may appeal the decision to the board. The board may sustain, modify, or reverse the decision of the ~~administrator~~ department. The claimant or the ~~administrator~~ department may appeal the board's decision to the commissioner. ~~The decision of the commissioner may be appealed under chapter 28-32.~~

#### **23.1-37-05. Adoption of rules.**

The ~~administrator~~ department shall adopt rules regarding the practices and procedures of the fund, the form and procedure for applications for compensation from the fund, procedures for investigation of claims, procedures for determining the amount and type of costs that are eligible for reimbursement from the fund, procedures for persons to perform services for the fund, procedures for appeals to the board by claimants aggrieved by an adverse decision of the ~~administrator~~ department, and any other rules as may be appropriate to administer this chapter.

**23.1-37-06. Release discovery.** If the department has reason to believe a release has occurred, it shall ~~notify the administrator.~~ The ~~department~~ shall direct the owner or operator to take reasonable and necessary corrective actions as provided under federal or state law or under adopted rules.

#### **23.1-37-07. Owner or operator not identified.**

The department may cause legal action to be brought to compel performance of a corrective action if an identified owner or operator fails or refuses to comply with an order of the department, or the department may engage the services of qualified contractors for performance of a corrective action if an owner or operator cannot be identified.

#### **23.1-37-08. Imminent hazard.**

Upon receipt of information that a petroleum release has occurred which may present an imminent or substantial endangerment of health or the environment, the department may take such emergency action as it determines necessary to protect health or the environment.

#### **23.1-37-09. Duty to notify.**

This chapter does not limit any person's duty to notify the department and to take action related to a release. However, payment for corrective actions required as a result of a petroleum release is governed by this chapter.

**23.1-37-10. Providing of information.** Any person whom the ~~administrator or the~~ department has reason to believe is an owner or operator, the owner of real property where corrective action is ordered to be taken, or any person who may have information concerning a release shall, if requested by the ~~administrator or the~~ department, or any member, employee, or agent of the ~~administrator or the~~ department, furnish to the ~~administrator or the~~ department any information that person has or may reasonably obtain that is relevant to the release.

**23.1-37-11. Examination of records.**

Any employee of the ~~administrator or the~~ department may, upon presentation of official credentials:

1. Examine and copy books, papers, records, memoranda, or data of any person who has a duty to provide information to the ~~administrator or the~~ department under section 23.1-37-10; and
2. Enter upon public or private property for the purpose of taking action authorized by this section, including obtaining information from any person who has a duty to provide the information under section 23.1-37-10, conducting surveys and investigations, and taking corrective action.

**23.1-37-12. Responsibility for cost.**

The owner or operator is liable for the cost of the corrective action required by the department, including the cost of investigating the releases. This chapter does not create any new cause of action for damages on behalf of third parties for release of petroleum products against the fund or licensed dealers.

**23.1-37-13. Liability avoided.**

No owner or operator may avoid liability by means of a conveyance of any right, title, or interest in real property or by any indemnification, hold harmless agreement, or similar agreement. However, this chapter does not:

1. Prohibit a person who may be liable from entering into an agreement by which the person is insured or is a member of a risk retention group, and is thereby indemnified for part or all of the liability;
2. Prohibit the enforcement of an insurance, hold harmless, or indemnification agreement; or
3. Bar a claim for relief brought by a person who may be liable or by an insurer or guarantor, whether by right of subrogation or otherwise.

**23.1-37-14. Other remedies.**

This chapter does not limit the powers of the ~~administrator or~~ department, or preclude the pursuit of any other administrative, civil, injunctive, or criminal remedies by the ~~administrator or~~ department or any other person. Administrative remedies need not be exhausted in order to proceed under this chapter. The remedies provided by this chapter are in addition to those provided under existing statutory or common law.

**23.1-37-15. Revenue to the fund.**

Revenue from the following sources must be deposited in the state treasury and credited to the fund:

1. Any registration fees collected under section 23.1-37-17;
2. Any money recovered by the fund under section 23.1-37-23, and any money paid under an agreement, stipulation, or settlement;
3. Any interest attributable to investment of money in the fund; and

4. Any money received by the ~~administrator~~ department in the form of gifts, grants, reimbursements, or appropriations from any source intended to be used for the purposes of the fund.

#### **23.1-37-16. Penalty.**

A tank owner violating section 23.1-37-17 is guilty of a class B misdemeanor unless another penalty is specifically provided.

#### **23.1-37-17. Registration fee.**

1. An owner or operator of a tank shall pay an annual registration fee of fifty dollars for each aboveground or underground tank owned or operated by that person. If after the fiscal year has been closed and all expenses relating to the fiscal year have been accounted for, the fund balance is less than six million dollars, the annual registration fee of fifty dollars is increased to one hundred dollars. If after the fiscal year has been closed and all expenses relating to the fiscal year have been accounted for, the fund balance is five million five hundred thousand dollars or more and the annual registration fee has been increased to one hundred dollars, the fee must be reduced to fifty dollars. If after the fiscal year has been closed and all expenses relating to the fiscal year have been accounted for, the fund balance exceeds nine million dollars, the annual registration fee is reduced to five dollars. Annual registration fees must continue at five dollars until the fund balance does not exceed nine million dollars.
2. An owner or operator of an existing tank that is discovered at a location that currently and previously has had tanks registered with the fund shall pay an additional twenty-five dollar penalty fee in addition to the registration fee for each aboveground tank and each underground tank owned or operated by that person for each previous year that the tank was required to be registered for which a fee was not paid. The payment includes the fees and the penalty for the failure to register.
3. An owner or operator of an existing tank at a location that was not previously and continuously registered with the fund, whether the registration was required by law or not must provide the fund with a phase two environmental study conducted by a qualified firm according to American society for testing materials standards. A tank integrity test must also be performed. The environmental study and tank integrity test must be reviewed by the ~~commissioner~~ department along with the application for registration with the fund. If the ~~commissioner~~ department rejects the application, the applicant is denied eligibility to the fund. However, if the site is remediated and the leaking tank is replaced, the applicant may reapply for registration with the fund. A new installation that is using a used tank must provide tank integrity test results for the used tank. Use of a synthetic liner in an aboveground dike system negates the need for a tank integrity test. The owner or operator of a new tank at a new site or a new tank at an existing site that had a tank registered at the site previously need only pay the required fees for registration with the fund.
4. If accepted for registration with the fund, the owner or operator of the tank shall pay an additional twenty-five dollar penalty fee in addition to the registration fee for each aboveground tank and underground tank owned or operated by that person for each previous year that the tank was required to be registered for which a fee was not paid, regardless of ownership in each of those years. The payment includes the fees and the penalty for the failure to register.
5. The registration fees collected under this section must be paid to the ~~fund-~~ Administrator department for deposit in the state treasury for the dedicated credit to the petroleum release compensation fund.
6. If a registration payment is not received within sixty days of July first by the ~~Commissioner~~ department, a late fee of twenty-five dollars per tank per month must be imposed on the tank owner or operator.

**23.1-37-18. Reimbursement for corrective action.**

1. The ~~administrator~~ department shall reimburse an eligible owner or operator for ninety percent of the costs of corrective action, including the investigation, which are greater than five thousand dollars and less than one million dollars per occurrence and two million dollars in the aggregate. An eligible tank owner or operator may not be liable for more than twenty thousand dollars out-of-pocket expenses for any one release. A reimbursement may not be made unless the ~~administrator~~department determines that:
  - a. At the time the release was discovered the owner or operator and the tank were in compliance with state and federal rules and rules applicable to the tank, including rules relating to financial responsibility, rules relating to infrastructure compatibility, and all rules relating to health and safety which were in effect at the time of the release;
  - b. The department was given notice of the release as required by federal and state law;
  - c. The owner or operator has paid the first five thousand dollars of the cost of corrective action; and
  - d. The owner or operator, to the extent possible, fully cooperated with the department ~~and the administrator~~ in responding to the release.
2. The fund shall compensate third parties for corrective action taken for a petroleum release if the provisions of subdivisions a, b, c, and d of subsection 1 were met at the time the release was discovered. Compensation for third-party corrective action includes compensation for costs incurred in returning the real estate to that level deemed duly remediated by the department.
3. The fund shall reimburse the tank owner, operator, or dealer for bodily injuries to a third party caused by a petroleum release if the provisions of subdivisions a, b, c, and d of subsection 1 were met at the time the release was discovered in an amount determined by:
  - a. Findings reduced to judgment in federal or state district court within the state of North Dakota or such other court having jurisdiction over the matter in a proceeding in which the fund has been made a party;
  - b. Findings by an arbitration panel agreed upon in writing by the parties in a proceeding in which the fund has been made a party; or
  - c. A written settlement entered into by the parties in which the ~~commissioner~~director of the department or the ~~commissioner's~~ department's agent has participated. The settlement must be reviewed and approved by the ~~commissioner~~director of the department.
4. In any civil action against the owner, operator, or dealer for damages resulting from a petroleum release, if the pre-leak condition of real estate is an issue and if there is no reasonable means of determining the pre-leak condition of real estate, the condition is that which exists at the time the department determines the real estate has been duly remediated.
5. The fund may not compensate for attorney's fees of owners, operators, or dealers, nor may the fund compensate for exemplary damages, criminal fines, or administrative penalties.
6. A third party accepting monetary compensation directly from the fund for damages due to a release caused by a tank owner, operator, or dealer covered by the fund is deemed to have waived any cause of action against the fund or against the tank owner, operator, or dealer.
7. The fund shall reimburse the department for all costs, attorney's fees, and other legal expenses relating to administrative and adjudicative proceedings under this

chapter and any subsequent legal proceeding. Any monies reimbursed must be deposited in the department's operating fund in the state treasury and must be spent subject to appropriation by the legislative assembly.

### **23.1-37-19. Application for reimbursement.**

Any owner or operator who is a first-party claimant who proposes to take corrective action or has undertaken corrective action in response to a release, the time of such release being unknown, may apply to the ~~administrator~~department for partial or full reimbursement under section 23.1-37-18. An owner or operator who is a first-party claimant may be reimbursed only for costs incurred after July 1, 1989, even if the releases were discovered before July 1, 1989, up to the maximum of twenty-five thousand dollars per location.

### **23.1-37-20. Administrator Department to determine costs.**

A reimbursement for corrective actions taken by an owner, operator, or dealer may not be made from the fund until the ~~administrator~~department has determined that the costs for which reimbursement is requested were actually incurred and were reasonable. All necessary loss adjustment expenses must be included as a component of the loss and must be paid out of the fund.

**23.1-37-21. Liability of responsible person.** The right to apply for reimbursement and the receipt of reimbursement does not limit the liability of an owner or operator for damages or costs incurred as the result of a release.

### **23.1-37-22. Reimbursement not subject to attachment.**

The amount of reimbursement to be paid for corrective action that was done by a third party is not subject to legal process or attachment if actually paid to a third party who performed the corrective action.

### **23.1-37-23.1. Recovery of expenses.**

Any reasonable and necessary expenses incurred by the fund, which exceed the coverage limits provided by section 23.1-37-18, in taking a corrective action, including costs of investigating a release, and in taking legal actions may be recovered in a civil action in district court brought by the ~~administrator~~department against an owner or operator. The certification of expenses by an approved agent of the fund is prima facie evidence that the expenses are reasonable and necessary. Any expenses that are recovered under this section must be deposited in the fund.

### **23.1-37-24. Costs exceeding reimbursement.**

If the cost of any extraordinary authorized action under this chapter exceeds amounts awarded to the ~~administrator or the~~ department from the federal government, the ~~administrator~~department may pay the department's ~~the cost of the~~ corrective actions costs, including the cost of investigating a release, if the board finds that the cause was a petroleum substance, that an adequate amount exists in the fund to pay for the corrective action, that the occurrence was extraordinary in scope and size, and that a danger to the health and safety of citizens exists.

### **23.1-37-25. Coordination of benefits.**

If an owner or operator has an insurance policy that provides the same coverage as the fund, the ~~administrator of the fund~~department shall pay the share of the covered loss or damage for which the fund is responsible. The share that must be paid from the fund is equal to the proportion that the applicable limit of coverage under the fund bears to the limits of insurance of all insurance coverage on the same basis.

### **23.1-37-26. Third-party damages - Participation in actions and review of settlements.**

1. An owner or operator who is sued for damages resulting from a release shall notify the ~~administrator~~department within fourteen days of being served with a summons and complaint. The owner or operator shall also advise the ~~administrator~~department.

if any insurer is defending the owner or operator and provide to the administratordepartment the name of that insurer.

2. An owner or operator who, before litigation, enters into negotiations with a third party who claims to have been damaged by a release, or who receives a demand for payment of damages to a third party who claims to have been damaged by a release, shall notify the administratordepartment within fourteen days of the demand or the negotiations.
3. The administratordepartment and the board shall review the conduct of any litigation or negotiation. The administratordepartment may not assume any legal costs incurred by the defendant or plaintiff, but may participate in discovery, trial proceedings, or settlement negotiations of either disputed liability or damages that bear on the determination of a plaintiff's damages.
4. The administratordepartment and the board shall review any settlement negotiations to determine the dollar amount of bodily injury or property damage actually, necessarily, and reasonably incurred by third parties which, if paid by the defendant, would be considered eligible costs.

### **23.1-37-27. Third-party damages - Documentation.**

1. An applicant's payments for third-party damages pursuant to a judgment entered in a court must include copies of the notice of entry of judgment and abstract of costs.
2. An applicant's payments for third-party damages made by agreement in settlement of litigation must include copies of the settlement agreement and such supporting documents as may be required by the administratordepartment.
3. An applicant's payments for third-party damages made by agreement without reference to litigation must include copies of the settlement and such supporting documents as may be required by the administratordepartment.
4. The administratordepartment and the board may require a third party who claims bodily injury to be examined by a physician and require that the physician's report be submitted to the administratordepartment. The administratordepartment may require a third party who claims property damage to permit a property appraiser or claims adjuster retained by the administratordepartment to inspect the property and report to the administratordepartment.
5. The fund shall pay a judgment against an owner, operator, or dealer awarded to a third party as a result of a third-party claim and property damage against an owner, operator, or dealer registered by the fund.
6. The fund shall pay for corrective action as awarded to a third party in any judgment against an owner, operator, or dealer.
7. Liability of the tank owner, operator, dealer, or fund to third parties for corrective action or personal injuries and property damage may not exceed, per person, one million dollars. Maximum liability of the fund, including all claims by third parties, may not exceed, for any release site, the maximum provided in section 23.1-37-18.
8. A third party may not bring an action against any owner, operator, or dealer more than three years after a corrective action plan has been approved by the department if the owner, operator, or dealer fully implements and complies with the corrective action plan.
9. In investigating a release site or reviewing the implementation of any corrective action plan approved by the department, the department shall determine whether the release currently threatens public health or the environment. The department shall require, based on science and technology appropriate for the site, any monitoring, remediation, or other appropriate corrective action that is reasonably necessary to protect public health or the environment. The department may require corrective action at a release site at any time after a release occurs.

**23.1-37-28. Matching federal funds.**

The administrator department and the board may annually allow the department a ten percent matching grant for federal leaking underground storage tank funds to be paid out of the fund if the moneys are available and the administrator department and the board determine the allowance appropriate.

**23.1-37-29. Fund appropriations.**

Money in the fund is continuously appropriated to the administrator department for the purpose of making reimbursements under this chapter.

**23.1-37-30. Investment of fund.**

Investment of the fund is under the supervision of the state investment board in accordance with chapter 21-10. The commissioner department may purchase a contract for reinsurance of any risk to be paid by the fund. The administrator department may investigate the purchase of insurance that reimburses an owner or operator for property damage claims by third parties other than claims for costs of corrective action.

**GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF VETERANS' AFFAIRS**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of veterans' affairs for the purpose of defraying the expenses of the department of veterans' affairs, for the biennium beginning July 1, 2019 and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Veterans' affairs	\$1,168,015	\$176,140	\$1,344,155
Transport vans	18,600	0	18,600
Contingent Service Dogs	50,000	0	50,000
State Approving Agency	271,998	16,126	288,124
Grants – Transportation Program	<u>1,719,520</u>	<u>(919,520)</u>	<u>800,000</u>
Total all funds	\$3,228,133	(\$727,254)	\$2,500,879
Less estimated income	<u>2,091,571</u>	<u>(1,003,447)</u>	<u>1,088,124</u>
Total general fund	\$1,136,562	\$276,193	\$1,412,755
Full-time equivalent positions	7.00	0.00	7.00

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Transport Vans	\$18,600	\$0
Loan and Grant Position	0	140,000
Grants Database Enhancement	<u>0</u>	<u>7,500</u>
Total general fund	\$18,600	\$147,500

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

**GOVERNOR'S RECOMMENDATION FOR THE GOVERNOR**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the office of the governor for the purpose of defraying the expenses of the office of the governor, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$3,422,574	\$254,157	\$3,676,731
Governor's Salary	265,928	(186,044)	79,884
Operating expenses	298,456	209,792	508,248
Contingencies	10,000	0	10,000
Transition In	0	15,000	15,000
Transition Out	0	50,000	50,000
Roughrider awards	<u>10,800</u>	<u>0</u>	<u>10,800</u>
Total general fund	\$4,007,758	\$342,905	\$4,350,663
Full-time equivalent positions	18.00	0.00	18.00

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Governor's transition lines	\$0	\$65,000
Boards and Commissions IT Project	0	<u>139,808</u>
Total general fund	\$0	\$204,808

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

**SECTION 3. APPROPRIATION - GOVERNOR'S OFFICE.** In addition to the amounts appropriated to the governor's office in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. FUNDING TRANSFERS – EXEPTION – AUTHORIZATION.** Notwithstanding section 54-16-04, the governor's office may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30, 2021. The governor's office shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section

**SECTION 5. AMENDMENT.** Section 54-07-04 of the North Dakota Century Code is amended and reenacted as follows:

**54-07-04. Salary of governor.**

The annual salary of the governor is ~~one hundred thirty two thousand nine hundred sixty four dollars through June 30, 2018 and one hundred thirty eight thousand two hundred eighty two dollars through June 30, 2020 and one hundred forty one thousand forty eight dollars thereafter.~~

**SECTION 6. AMENDMENT.** Section 54-08-03 of the North Dakota Century Code is amended and reenacted as follows:

**54-08-03. Salary of lieutenant governor.**

The annual salary of the lieutenant governor is ~~one hundred three thousand two hundred twenty one dollars through June 30, 2018 and one hundred seven thousand three hundred fifty dollars through June 30, 2020 and one hundred nine thousand four hundred ninety seven dollars thereafter.~~

**GOVERNOR'S RECOMMENDATION FOR THE SECRETARY OF STATE**

**SECTION 1.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the secretary of state for the purpose of defraying the expenses of the secretary of state

and public printing, for the biennium beginning July 1, 2017, and ending June 30, 2019, as follows:

Subdivision 1.

SECRETARY OF STATE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$4,652,764	\$357,115	\$5,009,879
Operating expenses	2,711,018	1,098,535	3,809,553
Petition review	8,000	0	8,000
Election reform	<u>1,192,655</u>	<u>10,610,500</u>	<u>11,803,155</u>
Total all funds	\$8,564,437	\$12,066,150	\$20,630,587
Less estimated income	<u>3,044,155</u>	<u>12,188,886</u>	<u>15,233,041</u>
Total general fund	\$5,520,282	\$(122,736)	\$5,397,546
Full-time equivalent positions	32.00	0.00	32.00

Subdivision 2.

SECRETARY OF STATE - PUBLIC PRINTING

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Public printing	\$288,450	\$(31,172)	\$257,278
Total general fund	\$288,450	\$(31,172)	\$257,278

Subdivision 3.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$5,808,732	\$(153,908)	\$5,654,824
Grand total special funds	<u>3,044,155</u>	<u>12,188,886</u>	<u>15,233,041</u>
Grand total all funds	\$8,852,887	\$12,034,978	\$20,887,865

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Voting System and E-Poll Books	\$0	\$11,000,000
Total general fund	\$0	\$0

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

**SECTION 3. AMENDMENT.** Section 54-09-05 of the North Dakota Century Code is amended and reenacted as follows:

**54-09-05. Salary of secretary of state.**

The annual salary of the secretary of state is ~~one hundred five thousand seven hundred seventy dollars through June 30, 2018 and one hundred ten thousand and one dollars through June 30, 2020 and one hundred twelve thousand two hundred one dollars thereafter.~~

**SECTION 4. AMENDMENT - GENERAL SERVICES OPERATING FUND.** Section 54-09-08 of the North Dakota Century Code is amended and reenacted as follows:

The secretary of state's general services operating fund is a special fund in the state treasury. Moneys in the fund are to be used pursuant to legislative appropriations for the

provision of services under section 16.1-02-15, subsection 4 of section 41-09-94, subsection 5 of section 41-09-96, subsection 7 of section 54-09-04, and sections 10-35-33, 54-09-10, and 54-09-11. ~~At the close of each biennium, the secretary of state shall transfer any unobligated balance remaining in the fund exceeding seventy-five thousand dollars to the general fund.~~

**SECTION 5. AMENDMENT. FEES.** Section 54-09-11 of the North Dakota Century Code is amended and reenacted as follows:

1. The secretary of state shall establish fees for any programming charges specifically incurred to provide information requested by persons which is related to the central indexing system and for other services provided through the computerized system.
2. A fee may not be required for furnishing information on a verbal request pursuant to subsection 3 of section 54-09-10, and the fee for furnishing a certificate under subsection 3 of section 54-09-10 is fifteen dollars.
3. ~~The secretary of state shall establish the fee for furnishing lists from the central indexing system based on actual costs to produce the lists for distribution. For preparing any listing or compilation of any information recorded or filed in the office of the secretary of state, forty dollars for each record type requested. Unless otherwise agreed to by the secretary of state, the information must be provided in an electronic format. If provided in a paper format, an additional fee of fifty cents per page may be charged.~~
4. Fees collected by the secretary of state under this section, under subsection 4 of section 41-09-94, and subsection 5 of section 41-09-96, and ~~ten~~ twenty dollars from each filing entered into the central indexing system must be deposited in the secretary of state's general services operating fund. ~~Fees collected by the secretary of state under this section must be used for the programming and maintenance of the central index system information technology systems administered by the secretary of state.~~
5. ~~The secretary of state shall pay ten dollars to the county recorder of the county of residence for the first debtor listed on each statement filed pursuant to section 35-13-02, 35-17-04, 35-20-16, 35-30-02, 35-31-02, or 41-09-72. The payment must be made monthly from the general fund in the state treasury.~~

**SECTION 6. SPECIAL FUNDS TRANSFER – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The less estimated income line item in section 1 of this Act includes the sum of \$8,000,000, or so much of the sum as may be necessary, from the strategic investment and improvements fund which may be transferred at the direction of the secretary of state for a state wide voting system and e-poll book projects during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 7. EXEMPTION.** Any unexpended funds from the technology project in section 2 of chapter 36 of the 2015 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation may be expended during the biennium beginning July 1, 2019 and ending June 30, 2021.

**GOVERNOR'S RECOMMENDATION FOR THE ATTORNEY GENERAL**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the attorney general for the purpose of defraying the expenses of the attorney general, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$40,979,043	\$3,544,799	\$44,523,842
Operating Expenses	15,477,281	647,141	16,124,422
Capital Assets	2,742,372	373,084	3,115,456
Grants	2,290,000	2,128,440	4,418,440

Litigation Fees	150,000	-	150,000
Intellectual Property Attorney	426,924	25,512	452,436
Abortion Litigation Fees	-	-	-
Medical Examinations	660,000	-	660,000
North Dakota Lottery	5,336,797	(119,541)	5,217,256
Arrest and Return of Fugitives	10,000	-	10,000
Gaming Commission	7,490	(1)	7,489
Criminal Justice Information Sharing	3,386,645	258,248	3,644,893
Law Enforcement	2,901,608	110,225	3,011,833
SAVIN Cost-Share Program	=	=	=
Total all funds	\$74,368,160	\$6,967,907	\$81,336,067
Less estimated income	<u>29,797,320</u>	<u>7,327,921</u>	<u>37,125,241</u>
Total general fund	\$44,570,840	(\$360,014)	\$44,210,826
Full-time equivalent positions	237.00	0.00	237.00

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-fourth legislative assembly for the 2017-19 biennium:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
SAVIN cost-share program	\$315,000	\$0
Uniform crime reporting rewrite	280,000	0
DOS-based deposit system rewrite	100,000	0
Grants for domestic violence and rape crisis	150,000	0
DAPL-salaries	200,000	0
Court-ordered payments to bankruptcy estate	15,872,000	0
Enhancement to SAVIN	500,000	0
Undercover vehicle replacement	-	300,000
Criminal history improvement project	-	400,000
CJIS portal improvement	-	50,000
CJIS broker implementation	-	50,000
AFIS replacement	-	316,000
CJIS common statute table	-	40,000
Total all funds	\$17,417,000	\$1,156,000
Total special funds	<u>17,317,000</u>	<u>856,000</u>
Total general fund	\$100,000	\$300,000

**SECTION 5. ATTORNEY GENERAL REFUND TRANSFER TO THE GENERAL FUND -**

**EXEMPTION.** Notwithstanding section 54-12-18, the attorney general may retain the balance in the attorney general refund fund that would otherwise be transferred to the general fund on June 30, 2019.

**SECTION 6. AMENDMENT.** Section 54-12-11 of the North Dakota Century Code is amended and reenacted as follows:

**54-12-11. Salary of attorney general.**

The annual salary of the attorney general is ~~one hundred fifty-two thousand four hundred thirty-six dollars through June 30, 2016~~ one hundred sixty-three thousand two hundred eighty-nine dollars through June 30, 2020, and ~~one hundred fifty-seven thousand nine dollars~~ one hundred sixty-six thousand five hundred fifty-five dollars thereafter.

**SECTION 7. AMENDMENT.** Section 53-12.1-09 of the North Dakota Century Code is amended and reenacted as follows:

**53-12.1-09. Operating fund - Continuing appropriation - Authorization of disbursements - Report - Net proceeds.**

There is established within the state treasury the lottery operating fund into which must be

deposited all revenue from the sale of tickets, interest received on money in the fund, and all other fees and moneys collected, less a prize on a lottery promotion, prize on a winning ticket paid by a retailer, and a retailer's commission. Except for moneys in the lottery operating fund appropriated by the legislative assembly for administrative and operating

costs of the lottery under section 53-12.1-10, all other money in the fund is continuously appropriated for the purposes specified in this section. During each regular session, the attorney general shall present a report to the appropriations committee of each house of the legislative assembly on the actual and estimated operating revenue and expenditures for the current biennium and projected operating revenue and expenditures for the subsequent biennium authorized by this section. A payment of a prize or expense or transfer of net proceeds by the lottery may be made only against the fund or money collected from a retailer on the sale of a ticket. A disbursement from the fund must be for the following purposes:

1. Payment of a prize as the director deems appropriate to the owner of a valid, winning ticket;
2. Notwithstanding section 53-12.1-10, payment of a marketing expense that is directly offset by cosponsorship funds collected;
3. Payment of a gaming system or related service expense, retailer record and credit check fees, game group dues, and retailer commissions; and
4. Transfer of net proceeds:
  - a. Eighty thousand dollars must be transferred to the state treasurer each quarter for deposit in the compulsive gambling prevention and treatment fund;
  - b. An amount for the lottery's share of a game's prize reserve pool must be transferred to the multistate lottery association;
  - c. Starting July 1, ~~2007~~2019, ~~one hundred five thousand six hundred twenty-five dollars~~ two hundred thousand dollars must be transferred to the state treasurer each quarter for deposit in the attorney general multijurisdictional drug task force grant fund; and
  - d. The balance of the net proceeds, less holdback of any reserve funds the director may need for continuing operations, must be transferred to the state treasurer on at least an annual basis for deposit in the state general fund.

**SECTION 8. ADDITIONAL INCOME - APPROPRIATION - REPORT.** In addition to the amounts appropriated to the attorney general in section 1 of this Act, there is appropriated from federal or other funds, the sum of \$250,000, or so much of the sum as may be necessary, to the attorney general for the purposes of defraying the expenses of the office, for the biennium beginning July 1, 2019, and ending June 30, 2021. The attorney general shall notify the office of management and budget and the legislative council of any funding made available pursuant to this section.

**SECTION 9. CRIMINAL HISTORY RECORD CHECKS - FEES.** Any person or entity requesting a criminal history record check from the bureau of criminal investigation, as a result of legislation enacted by the sixty-sixth legislative assembly, shall pay a reasonable fee established by the attorney general to the attorney general to be deposited in the state's general fund for the biennium beginning July 1, 2019, and ending June 30, 2021.

#### **GOVERNOR'S RECOMMENDATION FOR THE STATE AUDITOR**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state auditor for the purpose of defraying the expenses of the state auditor, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$11,767,312	\$351,379	\$12,118,691
Operating expenses	1,142,783	29,037	1,171,820
Information technology consultants	0	<u>450,000</u>	<u>450,000</u>
Total all funds	\$12,910,095	\$830,416	\$13,740,511
Less estimated income	<u>3,411,487</u>	<u>508,266</u>	<u>3,919,753</u>

Total general fund	\$9,498,608	\$322,150	\$9,820,758
Full-time equivalent positions	56.00	0.00	56.00

**SECTION 2. AMENDMENT.** Section 54-10-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-10-10. Salary of state auditor.**

The annual salary of the state auditor is ~~one hundred two thousand six hundred eighty-nine dollars through June 30, 2016, and one hundred five thousand seven hundred seventy dollars~~ one hundred ten thousand one dollars through June 30, 2018, and one hundred twelve thousand two hundred one dollars thereafter.

**GOVERNOR'S RECOMMENDATION FOR THE STATE TREASURER**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury not otherwise appropriated, to the state treasurer for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$1,316,139	\$68,671	\$1,384,810
Operating expenses	251,260	(59,031)	192,229
Coal severance payments	<u>180,000</u>	<u>(9,000)</u>	<u>171,000</u>
Total general fund	\$1,747,399	\$640	\$1,748,039
Full-time equivalent positions	7.00	0.00	7.00

**SECTION 2. AMENDMENT.** Section 54-11-13 of the North Dakota Century Code is amended and reenacted as follows:

**54-11-13. Salary of state treasurer.**

The annual salary of the state treasurer is ninety-six thousand nine hundred seventy-two dollars through June 30, 2016, and ninety-nine thousand eight hundred eighty-one one hundred three thousand eight hundred seventy six dollars through June 30, 2018 and one hundred five thousand nine hundred fifty four dollars thereafter.

**GOVERNOR'S RECOMMENDATION FOR THE TAX COMMISSIONER**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the tax commissioner for the purpose of defraying the expenses of the tax commissioner and paying the state reimbursement under the homestead tax credit and disabled veterans credit, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$21,724,004	\$1,516,129	\$23,240,133
Operating expenses	6,749,295	363,165	7,112,460
Capital assets	6,000	0	6,000
Homestead tax credit	14,800,000	1,000,000	15,800,000
Disabled veterans credit	<u>8,110,200</u>	<u>300,000</u>	<u>8,410,200</u>
Total all funds	\$51,389,499	\$3,179,294	\$54,568,793
Less estimated income	<u>125,000</u>	0	<u>125,000</u>
Total general fund	\$51,264,499	\$3,179,294	\$54,443,793
Full-time equivalent positions	133.00	(10.00)	123.00

**SECTION 2. LINE ITEM TRANSFERS – 2019-21 BIENNIUM.** The state tax commissioner may transfer between the homestead tax credit and disabled veterans credit line items in section 1 of this Act if one line item does not have sufficient funds available for

state reimbursement of eligible tax credits. The state tax commissioner shall notify the office of management and budget of any transfers made pursuant to this section.

**SECTION 3. TRANSFER.** There is transferred to the general fund in the state treasury out of motor vehicle fuel tax revenue collected pursuant to section 57-43.1-02, the sum of \$1,991,024 for the purpose of reimbursing the general fund for expenses incurred in the collection of the motor vehicle fuels and special fuels taxes and the administration of these taxes for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. AMENDMENT.** Section 57-01-04 of the North Dakota Century Code is amended and reenacted as follows:

**57-01-04. Salary.**

The annual salary of the state tax commissioner is one hundred eleven thousand four hundred forty-eight dollars through June 30, 2016, and one hundred nineteen thousand three hundred eighty-three dollars through June 30, 2020, and one hundred fourteen thousand seven hundred ninety-one dollars one hundred twenty-one thousand seven hundred seventy dollars thereafter.

**GOVERNOR'S RECOMMENDATION FOR THE LABOR COMMISSIONER**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of labor and human rights for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$2,414,984	\$84,680	\$2,499,664
Operating Expenses	<u>328,918</u>	<u>71,167</u>	<u>400,085</u>
Total all funds	\$2,743,902	\$155,847	\$2,899,749
Less estimated income	<u>555,115</u>	<u>(314,988)</u>	<u>240,127</u>
Total general fund	\$2,188,787	\$470,835	\$2,659,622
Full-time equivalent positions	14.00	(0.00)	14.00

**SECTION 2. APPROPRIATION.** In addition to the amounts appropriated to the department of labor and human rights in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 3. TRANSFER. TRANSFER.** Notwithstanding section 54-16-04, the agency may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30, 2021. The agency shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section.

**SECTION 4. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY- SEVENTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the 2019-21 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Electronic payment processing system	\$0	\$69,659
Total all funds	\$0	\$69,659
Less estimated income	<u>0</u>	<u>0</u>
Total general fund	\$0	\$69,659

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

### GOVERNOR'S RECOMMENDATION FOR THE PUBLIC SERVICE COMMISSION

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the public service commission for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$9,197,284	\$405,104	\$9,602,388
Operating expenses	1,829,826	(60,653)	1,769,173
Capital assets	10,000	0	10,000
Grants	20,000	0	20,000
Abandoned mined lands contractual	6,000,000	0	6,000,000
Rail rate complaint case	900,000	(109,046)	790,954
Railroad safety program	564,668	62,818	627,486
Specialized legal services	<u>94,000</u>	<u>336,000</u>	<u>430,000</u>
Total all funds	\$18,615,778	\$634,223	\$19,250,001
Less estimated income	<u>11,985,016</u>	<u>530,149</u>	<u>12,515,165</u>
Total general fund	\$6,630,762	\$104,074	\$6,734,836
Full-time equivalent positions	45.00	(1.00)	44.00

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Specialized legal services	<u>\$436,000</u>	<u>\$336,000</u>
Total all funds	\$436,000	\$336,000
Total special funds	<u>436,000</u>	<u>336,000</u>
Total general fund	\$0	\$0

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

**SECTION 3. TRANSFER AND REPAYMENT - BEGINNING FARMER REVOLVING LOAN FUND.** The Bank of North Dakota shall transfer from the beginning farmer revolving loan fund to the public service commission the sum of \$790,954, or so much of the sum as may be necessary, included in the estimated income line item in section 1 of this Act to pay for costs associated with a rail rate complaint case. Transfers must be made during the biennium beginning July 1, 2019, and ending June 30, 2021, upon order of the commission. If any amounts are spent pursuant to this section, the public service commission shall reimburse the beginning farmer revolving loan fund using amounts available from damages or proceeds received, net of legal fees, from a successful outcome of a rail complaint case.

**SECTION 4. AMENDMENT.** Section 49-01-05 of the North Dakota Century Code is amended and reenacted as follows:

**49-01-05. Salary of commissioners.**

The annual salary of a commissioner is ~~one hundred eight thousand six hundred fifty-six dollars through June 30, 2018, one hundred thirteen thousand two dollars through June 30, 2020 and one hundred fifteen thousand two hundred sixty two dollars~~, thereafter. All fees received or charged by any commissioner for any act or service rendered in any official capacity must be accounted for and paid over by the commissioner monthly to the state treasurer and must be credited to the general fund of the state.

**SECTION 5. AMENDMENT.** Section 57-43.2-19 of the North Dakota Century Code is amended and reenacted as follows:

**57-43.2-19 (Effective July 1, 2019 through June 30, 2021) Transfer, deposit, and distribution of funds.** All taxes, license fees, penalties, and interest collected under this chapter must be transferred to the state treasurer who shall deposit moneys in the highway tax distribution fund, except fuels excise taxes, collected on sales of diesel fuels to a railroad under section 57-43.2-03 of up to two hundred eighty-five thousand dollars per year must be transferred to the state treasurer who shall deposit the moneys in the rail safety fund. The highway tax distribution fund must be distributed in the manner as prescribed by section 54-27-19.

### GOVERNOR'S RECOMMENDATION FOR THE AGRICULTURE COMMISSIONER

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the agriculture commissioner for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$12,372,949	\$147,867	\$12,520,816
Operating Expenses	7,444,336	(297,527)	6,146,809
Capital Assets	13,000	2,000	15,000
Grants	10,437,774	(1,904,000)	8,413,774
Board of Animal Health	869,618	(113,900)	755,718
Wildlife Services	1,408,000	9,400	1,417,400
Pipeline reclamation	200,000	0	200,000
Crop Harmonization Board	<u>75,000</u>	<u>0</u>	<u>75,000</u>
Total all funds	\$32,820,677	(\$2,156,160)	\$29,544,517
Less estimated income	<u>23,707,676</u>	<u>(2,011,655)</u>	<u>20,576,021</u>
Total general fund	\$9,113,001	(\$144,505)	\$8,968,496
Full-time equivalent positions	73.00	(2.00)	71.00

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
National genomics center	\$120,000	\$0
Federal environmental law impact review	1,000,000	0
Master customer database	<u>0</u>	<u>110,000</u>
Total all funds	\$1,120,000	\$110,000
Total special funds	<u>1,120,000</u>	<u>0</u>
Total general fund	\$0	\$110,000

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

**SECTION 3. TRANSFER - ENVIRONMENT AND RANGELAND PROTECTION FUND - MINOR USE PESTICIDE FUND.** The agriculture commissioner shall transfer \$325,000 from the environment and rangeland protection fund to the minor use pesticide fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. ESTIMATED INCOME - ENVIRONMENT AND RANGELAND PROTECTION FUND.** The estimated income line item in section 1 of this Act includes the sum of \$6,357,407, or so much of the sum as may be necessary, from the environment and rangeland protection fund for the purpose of defraying the expenses of various department of agriculture programs, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 5. ESTIMATED INCOME - GAME AND FISH FUND.** The estimated income line item in section 1 of this Act includes the sum of \$615,480, or so much of the sum as may be necessary, from the game and fish department operating fund for the purpose of

defraying the expenses of various department of agriculture programs, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. ESTIMATED INCOME - STATE WATER COMMISSION - TRANSFER.** The estimated income line item in section 1 of this Act includes the sum of \$125,000 which the state water commission shall transfer to the agriculture commissioner for the wildlife services program, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 7. ESTIMATED INCOME – PIPELINE RESTORATION AND RECLAMATION.** The estimated income line item in section 1 of this Act includes the sum of \$200,000 from the abandoned oil and gas well plugging and site reclamation fund for the purpose of defraying the expenses of the pipeline restoration and reclamation program, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 8. AMENDMENT.** Section 4-01-21 of the North Dakota Century Code is amended and reenacted as follows:

**4-01-21. Salary of agriculture commissioner.**

The annual salary of the agriculture commissioner is ~~one hundred eight thousand six hundred fifty six dollars through June 30, 2019 and one hundred thirteen thousand two dollars through June 30, 2020 and one hundred fifteen thousand two hundred sixty-two dollars~~ thereafter.

**GOVERNOR'S RECOMMENDATION FOR THE INSURANCE COMMISSIONER**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from federal funds and other income, to the insurance commissioner for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$8,549,567	(\$253,802)	\$8,295,765
Operating expenses	<u>2,179,777</u>	<u>48,336</u>	<u>2,228,113</u>
Total special funds	\$10,729,344	(\$205,466)	\$10,523,878
Full-time equivalent positions	46.00	(2.00)	44.00

**SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the insurance tax distribution fund in the state treasury, not otherwise appropriated, the sum of \$15,064,086 or so much of the sum as may be necessary, to the insurance commissioner for the purpose of providing payments, in accordance with provisions of section 18-04-05, to North Dakota fire departments in the amount of \$14,113,086 and payments to the North Dakota firefighter's association in the amount of \$951,000 for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 3. FIRE AND TORNADO FUND.** Section 1 of this Act includes \$660,804 from the state fire and tornado fund to pay fire and tornado fund administrative expenses, and \$893,509 to pay boiler inspection program expenses for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. UNSATISFIED JUDGMENT FUND.** Section 1 of this Act includes \$28,390 from the state unsatisfied judgment fund to pay unsatisfied judgment fund administrative expenses for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 5. AMENDMENT.** Section 26.1-01-09 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-01-09. Salary of commissioner.**

The annual salary of the commissioner is ~~one hundred five thousand seven hundred eighty dollars through June 30, 2019 and one hundred ten thousand and one dollar through June 30, 2020 and one hundred twelve thousand two hundred and one dollar~~ thereafter.

**SECTION 7. AMENDMENT.** Section 26.1-21-03 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-21-03. Commissioner may employ assistants.**

The commissioner may employ assistants or contract for the services of assistants using money from the reserve fund of the state bonding fund as may be necessary to operate the fund.

**SECTION 8. AMENDMENT.** Section 26.1-22-03 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-22-03. Employment of assistants - Expenditures from fund.**

To carry out this chapter, the commissioner may utilize any information on file in the state fire marshal's department and any of the employees of the commissioner and the commissioner may employ necessary assistants or contract for the services of assistants from the North Dakota insurance reserve fund using money from the reserves of the fund and incur necessary expenses that may be paid from the reserves of the fund.

**SECTION 9. AMENDMENT.** Subsection 2 of section 26.1-01-07 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-01-07. Fees chargeable by commissioner.**

1. The commissioner shall charge and collect the following fees:
  - a. For filing articles of incorporation, or copies, or amendments thereof, twenty-five dollars.
  - b. For each original certificate of authority issued upon admittance and for each annual renewal thereof, one hundred dollars and for amendment to certificate of authority, or certified copy thereof, fifty dollars.
  - c. For issuing an annual reciprocal exchange license, the same fees as those applicable to the issuance of a certificate of authority in subsection 2.
  - d. For filing an annual report of a fraternal benefit society, and issuing a license or permit to the society, and for each renewal thereof, one hundred dollars.
  - e. For filing of articles of merger, or copies thereof, thirty dollars.
  - f. For filing an annual statement, twenty-five dollars.
  - g. For filing the abstract of the annual statement of an insurance company for publication, thirty dollars.
  - h. For an official examination, the expenses of the examination at the rate adopted by the department. The rates must be reasonably related to the direct and indirect costs of the examination, including actual travel expenses, including hotel and other living expenses, compensation of the examiner and other persons making the examination, and necessary attendant administrative costs of the department directly related to the examination and must be paid by the examined insurer together with compensation upon presentation by the department to the insurer of a detailed account of the charges and expenses after a detailed statement has been filed by the examiner and approved by the department.
  - i. For issuing a certificate to a domestic insurance company showing a compliance with the compulsory reserve provisions of this title and the maintenance of proper security deposits and for any renewal of the certificate, twenty-five dollars.
  - j. For a written licensee's examination not administered by the office of the commissioner under a contract with a testing service, the actual cost of the

- examination, subject to approval of the commissioner, which must be paid to the testing service.
- k. For issuing a surplus lines insurance producer's or insurance consultant's license, one hundred dollars. For each annual renewal of a surplus lines insurance producer's or insurance consultant's license, twenty-five dollars.
  - l. For issuing an insurance producer's license, one hundred dollars.
  - m. For issuing a duplicate of any license or registration issued under this title, ten dollars.
  - n. For each insurance company appointment and renewal of an appointment of an insurance producer, ten dollars.
  - o. For each company application for admission, five hundred dollars, except applications for admission for county mutual, fraternal benefit, and surplus lines companies must be one hundred dollars.
  - p. For issuing a license and each annual renewal of a license to an insurance premium finance company, one hundred dollars.
  - q. For examining or investigating an insurance premium finance company, the actual expense and per diem incurred; but the per diem charge may not exceed fifty dollars.
  - r. For issuing and each annual renewal of a license to an advisory organization, fifty dollars.
  - s. For filing an individual insurance producer licensing continuation, twenty-five dollars.
2. Nonprofit health service corporations and health maintenance organizations are subject to the same fees as any other insurance company. County mutual insurance companies and benevolent societies are liable only for the fees mentioned in subdivisions b, f, g, and k h of subsection 1.

**SECTION 6. AMENDMENT.** Section 26.1-23.1-01 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-23.1-01. Government self-insurance pools - Regulation - Reinsurance.**

1. Any two or more entities that have united to self-insure against their legal liability under chapter 32-12.1 or any state agency that unites with another state agency or political subdivision, or both, to self-insure against their legal liabilities are subject to the provisions of this chapter with the exception of a city and its park district established pursuant to chapter 40-49. Government self-insurance pools may only provide coverage of the following types for pool members, their officers, employees, and agents:
- a. Casualty insurance, including general, public officials, and professional liability coverages.
  - b. Automobile insurance, including motor vehicle liability insurance coverage, security for motor vehicles owned or operated as required by chapter 26.1-41, and protection against other liability and laws associated with the ownership of motor vehicles and automobile physical damage coverages.
  - c. Property insurance, including inland marine coverage, money and securities coverage, and extra expense coverage. However, this subdivision does not authorize government self-insurance pools to write those types of insurance coverages offered by the state fire and tornado fund under the provisions of chapter 26.1-22 as they existed on December 31, 1988, unless a government self-insurance pool enters into a contract with the commissioner to provide services for the state fire and tornado fund under the provisions of 26.1-22-03.

- d. Other coverages authorized by the commissioner and necessary to a pool's membership.
2. A government self-insurance pool may not expose itself to loss on any single risk or hazard in an amount exceeding ten percent of the amount of its admitted assets unless the pool obtains excess insurance or reinsurance with insurance companies approved for such business by the insurance commissioner.

### GOVERNOR'S RECOMMENDATION FOR THE SECURITIES COMMISSION

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the securities department special fund in the state treasury, not otherwise appropriated, and from special funds derived from other income, to the securities department of the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$1,848,667	\$347,115	\$2,195,782
Operating expenses	506,047	23,514	529,561
Total all funds	\$2,354,714	\$370,629	\$2,725,343
Less estimated income	170,000	0	170,000
Total general fund	\$2,184,714	\$370,629	\$2,555,343
Full-time equivalent positions	9.00	1.00	10.00

**SECTION 2 LINE ITEM TRANSFER.** Notwithstanding section 54-16-04, the securities department may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30, 2021. The securities department shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section.

**SECTION 3. APPROPRIATION -** In addition to the amounts appropriated to the securities department in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

### GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF HUMAN SERVICES

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of human services for the purpose of defraying the expenses of its various divisions, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

Subdivision 1.

#### MANAGEMENT

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$26,280,139	\$(5,888,136)	\$20,392,003
Operating expenses	116,315,826	31,908,694	148,224,520
Capital assets	0	50,000	50,000
Grants	204,000	(204,000)	0
Total all funds	\$142,799,965	\$25,866,558	\$168,666,523
Less estimated income	85,679,558	18,166,723	103,846,281
Total general fund	\$57,120,407	\$7,699,835	\$64,820,242

Subdivision 2.

#### PROGRAM AND POLICY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
--	-------------------	--	----------------------

Salaries and wages	\$62,782,944	\$6,743,546	\$69,526,490
Operating expenses	125,299,436	22,202,456	147,501,892
Capital assets	10,000	0	10,000
Grants	441,420,827	(2,032,325)	439,388,502
Grants - medical assistance	<u>2,373,678,247</u>	<u>171,009,693</u>	<u>2,544,687,940</u>
Total all funds	\$3,003,191,454	\$197,923,370	\$3,201,114,824
Less estimated income	<u>1,945,157,519</u>	<u>45,665,517</u>	<u>1,990,823,036</u>
Total general fund	\$1,058,033,935	\$152,257,853	\$1,210,291,788

Subdivision 3.

#### FIELD SERVICES

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Human service centers	\$196,049,489	\$8,430,730	\$204,480,219
Institutions	<u>140,421,224</u>	<u>33,983,151</u>	<u>174,404,375</u>
Total all funds	\$336,470,713	\$42,413,881	\$378,884,594
Less estimated income	<u>138,543,705</u>	<u>(6,117,568)</u>	<u>132,426,137</u>
Total general fund	\$197,927,008	\$48,531,449	\$246,458,457

Subdivision 4.

#### COUNTY SOCIAL SERVICE ZONE FINANCING

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
County social services	\$0	\$182,300,000	\$182,300,000
Total all funds	<u>\$0</u>	<u>\$182,300,000</u>	<u>\$182,300,000</u>
Less estimated income	0	182,300,000	182,300,000
Total general fund	\$0	\$0	\$0

Subdivision 5.

#### BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$1,313,081,350	\$208,489,137	\$1,521,570,487
Grand total special funds	<u>2,169,380,782</u>	<u>240,014,672</u>	<u>2,409,395,454</u>
Grand total all funds	\$3,482,462,132	\$448,503,809	\$3,930,965,941
Full-time equivalent positions	2,162.23	(91.50)	2,070.73

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly as adjusted for the 2017-19 biennium and the 2019-21 biennium onetime funding items included in the appropriations in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Medicaid expansion - fee schedule enhancement	226,000,000	0
County social services pilot program	160,700,000	0
Child care licensing and data system	3,000,000	0
Health information network/care coordination	40,800,000	0
Behavior health pilot	150,000	0
Replace broken boiler at NDSH		\$1,931,000
MMIS tech stack upgrade		7,104,000
Behavior health state hospital and clinic		35,000,000
LSTC capital projects		2,161,595
Roof replacement at NDSH		562,500
SPACES system		5,431,658
LSTC remove buildings		915,570
Migrate CCWIPS system off mainframe	0	1,250,000
Total all funds	\$430,650,000	\$54,356,323

Less estimated income	404,500,000	19,356,323
Total general fund	\$26,150,000	\$35,000,000

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

**SECTION 3. FUNDING TRANSFERS - EXCEPTION - AUTHORIZATION.**

Notwithstanding section 54-16-04, the department of human services may transfer appropriation authority between line items within subdivisions 1, 2, and 3 of section 1 of this Act for the biennium beginning July 1, 2019, and ending June 30, 2021. The department of human services shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section. The department of human services shall report to the budget section after June 30, 2020, any transfer made in excess of \$50,000 and to the appropriations committees of the sixty-seventh legislative assembly regarding any transfers made pursuant to this section.

**SECTION 4. FUNDING TRANSFERS - EXCEPTION - AUTHORIZATION.**

Notwithstanding section 54-16-04, the department of human services may transfer appropriation authority between line items within subdivisions 1, 2, and 3 into subdivision 4 of section 1 of this Act for the biennium beginning July 1, 2019, and ending June 30, 2021. The department of human services shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section. The department of human services shall report to the budget section after June 30, 2020, any transfer made in excess of \$50,000 and to the appropriations committees of the sixty-seventh legislative assembly regarding any transfers made pursuant to this section.

**SECTION 5. APPROPRIATION** - In addition to the amounts appropriated to the department of human services office in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. EXEMPTION.** The amount appropriated for the replacement of the Medicaid management information system and related projects in chapter 50 of the 2007 Session Laws and chapter 38 of the 2011 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from these appropriations approved under section 54-44.1-11 for continuation into the 2009-11 biennium and then the 2011-13 biennium and then the 2013-15 biennium and then the 2015-17 biennium and then the 2017-19 biennium are available for the completion of the Medicaid management information system and related projects during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 7. EXEMPTION.** The amount appropriated for the modification of the department of human services' eligibility systems in chapter 578 of the 2011 Special Session Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation approved under section 54-44.1-11 for continuation into the 2013-15 biennium and then the 2015-17 biennium and then the 2017-19 biennium are available for the completion of the modification of the eligibility systems project during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 8. EXEMPTION.** The amount appropriated for the development of the electronic health records system in chapter 12 of the 2013 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation approved under section 54-44.1-11 for continuation into the 2015-17 biennium and then the 2017-19 biennium are available for the completion of the electronic health records system during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 9. EXEMPTION.** The amount appropriated for the development of the child care licensing and data system in chapter 11 of the 2017 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for the completion of the child care licensing and data system during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 10. EXEMPTION.** The amount appropriated for the development of the health information network/care coordination project in chapter 11 of the 2017 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for the completion of the health information network/care coordination project during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 11. EXEMPTION.** The amount appropriated for the development of the electronic visit verification project in chapter 11 of the 2017 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for the completion of the electronic visit verification project during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 12. ESTIMATED INCOME.** Of funds appropriated in section 1 of this Act, \$182,300,000 is from the social services finance fund for the purpose of defraying expenses of the state-paid economic assistance and social and human services, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 13. SPECIAL FUNDS TRANSFER – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The less estimated income line item in section 1 of this Act includes the sum of \$10,290,695, or so much of the sum as may be necessary, from the strategic investment and improvements fund which may be transferred at the direction of the department of human services for replacement of broken coal boiler, capital projects and technology projects during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 14. CONVEYANCE OF LAND AUTHORIZED – STATE HOSPITAL.** The state of North Dakota by and through the department of human services may convey real property associated with the state hospital in Stutsman County to the department of corrections and rehabilitation. The department of human services may convey building 2404, formerly known as the nursing residence building and tompkins building, and surrounding property on the terms and conditions determined appropriate by the department of human services and the attorney general. Section 54-01-05.2 and 54-01-05.5 do not apply to this conveyance.

**SECTION 15. STATE HOSPITAL BUILDING PROJECTS .** The department of human services is authorized to construct a new state hospital and a heating plant building on the property owned by the state of North Dakota, in Stutsman County, near or on state hospital's current campus during the current biennium, beginning July 1, 2017, and ending June 30, 2019, and the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 16. SPECIAL ASSESSMENT.** The department of human services shall expend public funds in payment for a special assessment issued by the City of Jamestown to the state hospital for the state hospital's water main project. The department of corrections and rehabilitation shall expend public funds in payment of its cost share of the special assessment based on occupancy, square footage, or other mutually agreed upon metric between the department of human services and the department of corrections and rehabilitation after the conveyance of land transfer occurs in accordance with section 13 of this Act.

**SECTION 17. EXEMPTION FROM BIDDING REQUIREMENTS.** Notwithstanding any other provision of law relating to public contracts or bidding requirements, the department of human services may contract and expend funds for the renovation of the state hospital to accommodate patients as a result of any conveyance of property described in section 13 of this Act.

**SECTION 18. LIFE SKILLS AND TRANSITION CENTER CONSTRUCTION PROJECT AUTHORIZATION.** Notwithstanding any other provision of law, the department of human services is authorized, within the limits of legislative appropriations, to design, procure, and construct, renovate, remodel, and furnish the cedar grove and maplewood buildings located at the life skills and transition center, including constructing a structure connecting the two buildings to house clinical and administrative support staff, during the current biennium, beginning July 1, 2017, and ending June 30, 2019, and the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 19. EXEMPTION - AUTHORIZATION - LIFE SKILLS AND TRANSITION CENTER CONSTRUCTION PROJECT.** The amount appropriated to the department of

human services in subsections 1, 2, and 3 of section 1 of 2017 House Bill No. 1012 is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for designing, procuring, constructing, renovating, remodeling, and furnishing the cedar grove and maplewood buildings located at the life skills and transition center, including constructing a structure connecting the two buildings to house clinical and administrative support staff, during the current biennium, beginning July 1, 2017, and ending June 30, 2019, and the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 20. DEMOLITION OF LIFE SKILLS AND TRANSITION CENTER BUILDING.** The department of human services may demolish the refectory and pleasant view buildings at the developmental center at westwood park, Grafton.

**SECTION 21. DEVELOPMENTAL DISABILITIES CASE MANAGEMENT.** The department of human services shall provide case management services for individuals with a developmental disability within the ratio provided pursuant to North Dakota Administrative Code for the biennium beginning July 1, 2019, and ending June 30, 2021. If case management services for individuals with a developmental disability exceed the ratio requirement provided in the North Dakota Administrative Code, the department of human services may hire temporary staff or the department of human services may propose a change to North Dakota Administrative Code to meet the ratio requirement.

**SECTION 22. PROCESS AND OUTCOME MEASURES.** Behavioral health service providers that receive funding from the department of human services shall submit process and outcome measures to the department of human services for programs and services supported by state funding.

**SECTION 23. TELEPHONE SUPPORT AND DIRECTORY SERVICES.** The vendor of telephone and directory services, under contract with the department of human services, shall include private behavioral health service providers in the vendor's directory at no cost to the private behavioral health service providers.

**SECTION 24. ADULT COMPANION SERVICES.** The department of human services shall include adult companion services as an allowable service under the home and community based services Medicaid waiver, effective for dates of service on or after January 1, 2020.

**SECTION 25. REBASING ADULT RESIDENTIAL RATES.** The department of human services shall rebase adult residential rates, effective for dates of service on or after January 1, 2020. The department of human services shall request cost information from adult residential providers who are enrolled as Medicaid home and community-based waiver providers and serve clients who receive memory care services or have a traumatic brain injury.

**SECTION 26. TARGETED CASE MANAGEMENT – SERIOUS EMOTIONAL DISTURBANCE.** The department of human services, medical services division, shall expand the types of providers recognized as Medicaid providers of targeted case management for individuals with a serious emotional disturbance beginning on or after dates of service October 1, 2019. Should this expansion result in expenditures that exceed the amount appropriated to the department of human services for this service, and the department of human service certifies such to the sixty-seventh legislative assembly, the department shall request emergency funding for the purpose of expanding the types of providers recognized as Medicaid providers of targeted case management services for individuals with severe emotional disturbance, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 27. TARGETED CASE MANAGEMENT – SERIOUS MENTAL ILLNESS** The department of human services, medical services division, shall expand the types of providers recognized as Medicaid providers of targeted case management for individuals with a serious mental illness beginning on or after dates of service October 1, 2019. Should this expansion result in expenditures that exceed the amount appropriated to the department of human service for this service, and the department of human service certifies such to the sixty-seventh legislative assembly, the department shall request emergency funding for the purpose of expanding the types of providers recognized as Medicaid providers of targeted case management services for individuals with severe mental illness, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 28. AMENDMENT.** Subsection 1 of section 23-09.3-01.1 of the North Dakota Century Code is amended and reenacted as follows:

1. Basic care beds may not be added to the state's licensed bed capacity during the period between August 1, ~~2017~~2019, and July 31, ~~2019~~2021, except when:
  - a. A nursing facility converts nursing facility beds to basic care;
  - b. An entity licenses bed capacity transferred as basic care bed capacity under section 23-16-01.1;
  - c. An entity demonstrates to the state department of health and the department of human services that basic care services are not readily available within a designated area of the state or that existing basic care beds within a fifty-mile [80.47-kilometer] radius have been occupied at ninety percent or more for the previous twelve months. In determining whether basic care services will be readily available if an additional license is issued, preference may be given to an entity that agrees to any participation program established by the department of human services for individuals eligible for services under the medical assistance program under title XIX of the Social Security Act [42 U.S.C. 1396 et seq.]; or
  - d. The state department of health and the department of human services grant approval of new basic care beds to an entity. The approved entity shall license the beds within forty-eight months from the date of approval.

**SECTION 29. AMENDMENT.** Subsection 1 of section 23-16-01.1 of the North Dakota Century Code is amended and reenacted as follows:

1. Notwithstanding sections 23-16-06 and 23-16-10, except when a facility reverts basic care beds to nursing facility beds or relicenses nursing facility beds delicensed after July 31, 2011, nursing facility beds may not be added to the state's licensed bed capacity during the period between August 1, ~~2017~~2019, and July 31, ~~2019~~2021. A nursing facility may not delicense nursing facility bed capacity, relicense nursing facility bed capacity, convert licensed nursing bed capacity to basic care bed capacity, revert licensed basic care bed capacity back to nursing facility bed capacity, or otherwise reconfigure licensed nursing facility bed capacity more than one time in a twelve-month period.

**SECTION 30. AMENDMENT.** Section 50-24.1-37 of the North Dakota Century Code is amended and reenacted as follows:

**50-24.1-37. Medicaid expansion - Legislative management report. (~~Effective January 1, 2014, through July 31, 2019~~ - Contingent repeal - See note)**

1. The department of ~~human services~~ shall expand medical assistance coverage as authorized by the federal Patient Protection and Affordable Care Act [Pub. L. 111-148], as amended by the Health Care and Education Reconciliation Act of 2010 [Pub. L. 111 152] to individuals under sixty-five years of age with income below one hundred thirty-eight percent of the federal poverty level, ~~based on modified adjusted gross income line published by the federal office of management and budget applicable to the household size.~~
2. The department of ~~human services~~ shall inform new enrollees in the medical assistance expansion program that benefits may be reduced or eliminated if federal participation decreases or is eliminated.
3. The department shall implement the expansion by bidding through private carriers or utilizing the health insurance exchange.
4. The contract between the department and the private carrier must:
  - a. Provide a reimbursement methodology for all medications and dispensing fees which identifies the minimum amount paid to pharmacy providers for each medication. The reimbursement methodology, at a minimum, must:

- (1) Be available on the department's website; and
  - (2) Encompass all types of pharmacy providers regardless of whether the pharmacy benefits are being paid through the private carrier or contractor or subcontractor of the private carrier under this section.
- b. Provide full transparency of all costs and all rebates in aggregate.
  - c. Allow an individual to obtain medication from a pharmacy that provides mail order service; however, the contract may not require mail order to be the sole method of service and must allow for all contracted pharmacy providers to dispense any and all drugs included in the benefit plan and allowed under the pharmacy provider's license.
  - d. Ensure that pharmacy services obtained in jurisdictions other than this state and its three contiguous states are subject to prior authorization and reporting to the department for eligibility verification.
  - e. Ensure the payments to pharmacy providers do not include a required payback amount to the private carrier or one of the private carrier's contractors or subcontractors which is not representative of the amounts allowed under the reimbursement methodology provided in subdivision a.
5. The contract between the department and the private carrier must provide the department with full access to provider reimbursement rates. The department shall consider provider reimbursement rate information in selecting a private carrier under this section. Before August first of each even-numbered year, the department shall submit a report to the legislative management regarding provider reimbursement rates under the medical assistance expansion program. This report may provide cumulative data and trend data but may not disclose identifiable provider reimbursement rates.
  6. Provider reimbursement rate information received by the department under this section and any information provided to the department of human services or any audit firm by a pharmacy benefit manager under this section is confidential, except the department may use the reimbursement rate information to prepare the report to the legislative management as required under this section.

**SECTION 31. AMENDMENT.** Section 50-24.1-37 of the North Dakota Century Code is amended and reenacted as follows:

**50-24.1-37. Medicaid expansion –~~Legislative management report. (Effective January 1, 2014, through July 31, 2019– Contingent repeal - See note)~~**

1. The department of ~~human services~~ shall expand medical assistance coverage as authorized by the federal Patient Protection and Affordable Care Act [Pub. L. 111-148], as amended by the Health Care and Education Reconciliation Act of 2010 [Pub. L. 111 152] to individuals under sixty-five years of age with income below one hundred thirty-eight percent of the federal poverty level, based on modified adjusted gross income line published by the federal office of management and budget applicable to the household size.
2. The department of ~~human services~~ shall inform new enrollees in the medical assistance expansion program that benefits may be reduced or eliminated if federal participation decreases or is eliminated.
3. ~~The department shall implement the expansion by bidding through private carriers or utilizing the health insurance exchange.~~
4. ~~The contract between the department and the private carrier must:~~
  - a. ~~Provide a reimbursement methodology for all medications and dispensing fees which identifies the minimum amount paid to pharmacy providers for each medication. The reimbursement methodology, at a minimum, must:~~

- (1) ~~Be available on the department's website; and~~
- (2) ~~Encompass all types of pharmacy providers regardless of whether the pharmacy benefits are being paid through the private carrier or contractor or subcontractor of the private carrier under this section.~~
- b. ~~Provide full transparency of all costs and all rebates in aggregate.~~
- c. ~~Allow an individual to obtain medication from a pharmacy that provides mail order service; however, the contract may not require mail order to be the sole method of service and must allow for all contracted pharmacy providers to dispense any and all drugs included in the benefit plan and allowed under the pharmacy provider's license.~~
- d. ~~Ensure that pharmacy services obtained in jurisdictions other than this state and its three contiguous states are subject to prior authorization and reporting to the department for eligibility verification.~~
- e. ~~Ensure the payments to pharmacy providers do not include a required payback amount to the private carrier or one of the private carrier's contractors or subcontractors which is not representative of the amounts allowed under the reimbursement methodology provided in subdivision a.~~
5. ~~The contract between the department and the private carrier must provide the department with full access to provider reimbursement rates. The department shall consider provider reimbursement rate information in selecting a private carrier under this section. Before August first of each even-numbered year, the department shall submit a report to the legislative management regarding provider reimbursement rates under the medical assistance expansion program. This report may provide cumulative data and trend data but may not disclose identifiable provider reimbursement rates.~~
6. ~~Provider reimbursement rate information received by the department under this section and any information provided to the department of human services or any audit firm by a pharmacy benefit manager under this section is confidential, except the department may use the reimbursement rate information to prepare the report to the legislative management as required under this section.~~

**SECTION 32. EFFECTIVE DATE.** Section 31 of this Act becomes effective on January 1, 2020.

**SECTION 33 EXPIRATION DATE.** Section 30 of this Act is effective through December 31, 2019, and after that date is ineffective.

**SECTION 34. EMERGENCY.** The appropriations contained in subdivision 3 of section 1 of this Act for the state hospital includes \$562,500 of other funds for remodeling of state hospital buildings to accommodate the relocation of patients from buildings to be sold to the department of corrections and available immediately upon filing of this Act with the secretary of state. Sections 15, 18 and 19 of this Act are declared to be an emergency measure.

### GOVERNOR'S RECOMMENDATION FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state board for career and technical education for the purpose of defraying the expenses of the state board for career and technical education, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$4,699,975	\$6,291,927	\$10,991,902
Operating Expenses	1,240,589	2,969,407	4,209,996

Capital Assets	-	500,000	500,000
Grants	30,106,356	34,642,000	64,748,356
Grants-Postsecondary	296,207	(25,818)	270,389
Adult Farm Management	579,822	(350,007)	229,815
Workforce Training	<u>2,000,000</u>	<u>(174,571)</u>	<u>1,825,429</u>
Total all funds	\$38,922,949	\$43,852,938	\$82,775,887
Less estimated income	<u>9,616,666</u>	<u>2,528,707</u>	<u>12,145,373</u>
Total general fund	\$29,306,283	\$41,324,231	\$70,630,514
Full-time equivalent positions	24.50	29.30	53.80

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
School district and area center grants	2,427,000	-
Marketplace for kids	300,000	-
Career academies	-	<u>30,000,000</u>
Total all funds	<u>2,727,000</u>	<u>30,000,000</u>
Total special funds	<u>2,477,000</u>	<u>30,000,000</u>
Total general fund	250,000	-

**SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$30,000,000 in section 1, or so much of the sum as may be necessary, to career and technical education for the purpose of providing competitive grants to build career academies throughout the state, for the biennium beginning July 1, 2019, and ending June 30, 2021. A committee comprised of the leaders or their designees of career and technical education, the department of commerce, job service north Dakota and the department of public instruction will develop a competitive process in consultation with the workforce development council, economic development foundation and the career and technical education board, to distribute the funds with a required one to one match from the private sector or political subdivision.

**SECTION 4. TRANSFERS.** Notwithstanding section 54-16-04, the director of the office of management and budget shall make transfers of funds between line items in section 1 of this act for the department of career and technical education as may be requested by the state director as determined necessary for activities that are proper and consistent with the provisions of this act.

**SECTION 5.** Sections 15-20.1-26 and 15-20.1-27 of the North Dakota Century Code are created and enacted as follows:

**15-20.1-26. Educational technology council - Meetings - Compensation.**

1. The educational technology council is responsible for coordinating educational technology initiatives for elementary and secondary education.
2. The educational technology council consists of:
  - a. The chief information officer.
  - b. The superintendent of public instruction or the superintendent's designee.
  - c. The commissioner of higher education or the commissioner's designee.
  - d. A representative appointed by the state board for career and technical education.
  - e. A representative appointed by the governor from a list of three nominees submitted by the North Dakota association of technology leaders.
  - f. A representative appointed by the governor from a list of three nominees submitted by the North Dakota council of educational leaders.

- g. A representative appointed by the governor from a list of three nominees submitted by the North Dakota school boards association.
  - h. A representative appointed by the governor from a list of three nominees submitted by the North Dakota association of special education directors.
  - i. A school district representative who is appointed by the governor and who represents a school district that has an enrollment in kindergarten through grade twelve of fewer than four hundred.
  - j. A school district representative who is appointed by the governor, who is licensed to teach by the educational standards and practices board, and who is employed by a public school district in this state as a classroom teacher.
  - k. The director of technology for the department of public instruction.
  - l. A representative appointed by the governor from a list of three nominees submitted by the state association of non public schools.
3. The council shall select a chairman from among its members.
  4. The term of office for the members appointed by the governor is four years.
  5. The members of the educational technology council appointed by the governor are entitled to receive as compensation sixty-two dollars and fifty cents per day and to reimbursement of expenses as provided by law for state officers while attending meetings of the council.

**15-20.1-27. North Dakota educational technology council - Powers and duties.**

The educational technology council shall:

1. Coordinate the use of technology and the development of technology systems to enhance educational opportunities for elementary and secondary education.
2. Cooperate with state agencies and other organizations to develop statewide educational technology systems.
3. Adopt bylaws for the conduct of its affairs.
4. Publish the informational material it deems necessary.
5. Conduct a continuing study to assess the needs, resources, and facilities that are available or which may be required to establish educational technology systems throughout the state.
6. Solicit and receive moneys from public and private sources and expend the moneys for educational technology.
7. Appoint a technology director who shall serve at the will of the council.
8. Hire the director of the center for distance education.

**GOVERNOR'S RECOMMENDATION FOR THE PROTECTION AND ADVOCACY PROJECT**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the committee on protection and advocacy for the purpose of defraying the expenses of the committee on protection and advocacy, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Protection and advocacy operations	\$6,447,600	\$949,475	\$7,397,075
Total all funds	\$6,447,600	\$949,475	\$7,397,075
Less estimated income	3,488,601	547,675	4,036,276
Total general fund	\$2,958,999	\$401,800	\$3,360,799
Full-time equivalent positions	27.50	1	28.50

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Retirement Lump Sum	\$0	\$132,550
Polycom Machine	0	8,000
Total all funds	\$0	\$140,550
Less estimated income	0	68,000
Total general fund	\$0	\$72,550

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

#### **GOVERNOR'S RECOMMENDATION FOR THE OFFICE OF MANAGEMENT AND BUDGET**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the office of management and budget for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	21,596,832	(333,040)	21,263,792
Operating Expenses	14,051,438	4,426,233	18,477,671
Contingency Fund	600,000	(100,000)	500,000
Capital Assets	973,477	1,863,648	2,837,125
Grants	54,000	100,000	154,000
Guardianship Grants	1,328,600	-	1,328,600
Community service grants	-	350,000	350,000
Prairie Public Broadcasting	1,200,000	-	1,200,000
Litigation Pool	-	4,000,000	4,000,000
State Student Internship	-	250,000	250,000
Health Savings Account	-	1,500,000	1,500,000
Cybersecurity remediation pool	-	-	-
Total all funds	39,804,347	12,056,841	51,861,188
Less estimated income	11,234,087	6,742,358	17,976,445
Total general fund	28,570,260	5,314,483	33,884,743
Full-time equivalent positions	117.00	-9.00	108.00

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Surplus Property Building	800,000	-
Cybersecurity remediation pool	1,000,000	-
Theodore Roosevelt center grant	500,000	-
Extraordinary repairs	-	1,900,000

IT risk project	-	170,000
Central services study	-	50,000
Student internship	-	250,000
Special assessments	-	320,000
Litigation pool	-	4,000,000
Ethics commission	-	100,000
Real estate plan	-	2,430,000
Health savings account	-	1,500,000
Total All Funds	\$2,300,000	\$10,720,000
Total Special Funds	<u>1,800,000</u>	<u>9,200,000</u>
Total General Funds	<u>\$500,000</u>	<u>\$1,520,000</u>

The 2019-21 one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The office of management and budget 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, 2019, and ending June 30, 2021.

**SECTION 3 TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENT FUND TO BUDGET STABILIZATION FUND.** The office of management and budget shall transfer the sum of \$315,039,140, or so much of the sum as may be necessary, to the budget stabilization fund during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 4 - TRANSFER - GENERAL FUND TO NATIONAL GUARD TRAINING AREA AND FACILITY DEVELOPMENT TRUST FUND.** The office of management and budget shall transfer the sum of \$15,000,000 to the national guard training area and facility development trust fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 5. TRANSFER - TAX RELIEF FUND TO SOCIAL SERVICES FINANCE FUND.** The office of management and budget shall transfer the sum of \$182,300,000, or so much of the sum as may be necessary, from the tax relief fund to the social services financing fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. TRANSFER – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO THE PENSION FUND.** The office of management and budget shall transfer the sum of \$265,000,000 from the strategic investment and improvements fund to the public employees retirement fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 7. TRANSFER – REVOLVING FUND FOR PREPAYMENT OF CONSULTING AND PLANNING FEES.** The office of management and budget shall transfer the sum of \$1,000,000 from the strategic investment and improvement fund to the revolving fund, established pursuant to section 54-27-22, during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 7. STATE STUDENT INTERNSHIP PROGRAM.** The human resources division of the office of management and budget may transfer to each eligible agency appropriated general fund spending authority from the state student internship program line item contained in section 1 of this Act.

**SECTION 8. EXEMPTION.** The amount appropriated for the fiscal management division, as contained in section 1 of chapter 49 of the 2015 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for continued development and operating costs of the statewide systems including accounting, management, and payroll, during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 9. INTENT.** Within the authority included in section 1 of this Act are the following grants and special items:

Boys and girls clubwork

State memberships and related expenses

Unemployment insurance

Capitol grounds planning commission

**SECTION 10. OFFICE OF MANAGEMENT AND BUDGET – LITIGATION POOL.** The office of management and budget may transfer to each eligible agency appropriation authority from the litigation pool line item contained in section 1 of this Act. Transfers may be made for the purpose of providing litigation services for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 11. OFFICE OF MANAGEMENT AND BUDGET – HEALTH SAVINGS ACCOUNT.** The office of management and budget may transfer to each eligible agency appropriation authority from the health savings account line item contained in section 1 of this Act. Transfers may be made for the purpose of providing a \$500 contribution to eligible employee's health savings account in January, 2020 and January, 2021.

**SECTION 12. STATE EMPLOYEE COMPENSATION ADJUSTMENT - GUIDELINES.** The 2019-21 biennium compensation adjustment for classified state employees is to be based on documented performance with up to a 4 percent increase for the first year of the biennium and 2 percent for the second year. If savings resulting from employee reductions can be identified an additional 2 percent is authorized for the second year.

Probationary employees are not entitled to the salary increase. However, probationary employees may be given all or a portion of the increase effective in July, paid in August, or upon completion of probation, at the discretion of the appointing authority.

The office of management and budget shall develop guidelines for use by state agencies for providing compensation adjustments for regular classified employees. The guidelines must follow NDCC 54-44.2-01.2.

An employee whose overall documented performance level does not meet standards is not eligible for any salary increase.

**SECTION 13.** Section 54-16-04.4 of the North Dakota Century Code is created and enacted as follows:

**54-16-04.4. Authority to borrow funds.**

The emergency commission, upon the advice of the office of management and budget, may authorize the office of management and budget to borrow moneys from the Bank of North Dakota for state contingencies as provided in this chapter. Moneys borrowed from the Bank of North Dakota pursuant to this section may not exceed five million dollars during any state biennial period. Moneys borrowed pursuant to this section may be transferred by the office of management and budget to the appropriation of the state agency, board, commission or officer who requested the funding to address a state contingency as approved by the emergency commission. Any state agency, board, commission, or officer receiving moneys pursuant to this section must return any unspent moneys within the biennium in which it was authorized. The office of management and budget shall request from the legislative assembly a deficiency appropriation sufficient for the repayment of the amount borrowed plus interest.

**SECTION 14.** A new section to chapter 54-27 of the North Dakota Century Code is created and enacted as follows:

**Shared services fund – Creation – Appropriation.** There is created in the state treasury a state shared services fund. Any payment to a state agency or institution received from another state agency or institution as a result of a shared services agreement must be deposited in the state shared services fund. Any moneys deposited by a state agency or institution in the state shared services fund are hereby appropriated to that agency or institution for the purposes of defraying the costs of equipment, operating expenses, or salaries relating to the shared services agreement.

**SECTION 15. AMENDMENT.** Section 54-16-04 of the North Dakota Century Code is amended and reenacted as follows:

**54-16-04. May order transfer of moneys between funds - Line item transfers - Order may draw from state treasury.**

The emergency commission, upon the advice of the office of management and budget, may order money or spending authority transferred from one fund or line item to another fund or line item belonging to or appropriated for the same institution or board or the same state enterprise, may order a transfer of spending authority from the state contingencies appropriation, may order borrowing from the Bank of North Dakota pursuant to section 54-16-04.4, or, in an extremity, may authorize money to be drawn from the state treasury to meet the emergency until the legislative assembly can make an appropriation available. The following transfers, if authorized by the emergency commission, require the approval of the budget section of the legislative management:

1. A transfer of moneys or spending authority which would eliminate or make impossible the accomplishment of a program or objective funded by the legislative assembly.
2. A transfer exceeding fifty thousand dollars from one fund or line item to another fund or line item, unless the transfer is necessary to comply with a court order or to avoid:
  - a. An imminent threat to the safety of people or property due to a natural disaster or war crisis; or
  - b. An imminent financial loss to the state.

**SECTION 16. AMENDMENT.** Section 54-27-22 of the North Dakota Century Code is amended and reenacted as follows:

**54-27-22. Revolving fund for prepayment of consulting and planning fees for capital improvements.**

Funds must be made available to all state agencies, institutions, and departments from a preliminary planning revolving fund in the state treasury under the control of the director of the office of management and budget for studies, planning, architectural programming, schematic designs, and cost estimates relating to proposed new capital improvements and major remodeling of existing facilities. State agencies, institutions, and departments interested in obtaining planning moneys shall submit a written request detailing the scope and purpose of such project to the director of the office of management and budget. The director shall ~~file such request with, and shall present the director's recommendations regarding the proposed project and necessary planning moneys~~ report to the budget section of the legislative management, at least once each year, regarding expenditures from the fund. Funds ~~may be advanced only in the event that an authorization has first been received from the budget section.~~ Such funds advanced must be repaid to the preliminary planning revolving fund as moneys become available through legislative appropriation or other sources for the commencement of the project.

**SECTION 17. AMENDMENT.** Section 54-06-30 of the North Dakota Century Code is amended and reenacted as follows:

**54-06-30. State employee performance bonus program - Criteria - Limitations.**

State agencies may provide monetary performance bonuses to their employees under this section.

1. State agencies may pay bonuses under this section if:
  - a. The agency has had a written employee performance evaluation policy in place for more than one year before paying the bonus;
  - b. The written employee performance evaluation policy required in subdivision a must have at least three levels of performance criteria; and

- c. The agency performance bonus program adopted under this section must be a written policy and must be communicated to each employee in the agency. Development of the written policy must include input from employees.
2. State employees are eligible to receive a bonus under this section only if:
  - a. The employee has held a position in state government for at least one year before a bonus is paid;
  - b. The employee's overall annual performance evaluation satisfies the agency's performance bonus program criteria for receiving a bonus; and
  - c. The employee is a full-time or part-time regular nonprobationary employee holding a regularly funded nontemporary position.
3. An employee may not receive more than one performance bonus per fiscal year and may not receive more than ~~one thousand~~ two thousand five hundred dollars in bonuses per fiscal year.
4. ~~Except as provided in this subsection, agencies may pay bonuses under this section during a fiscal year to not more than the number of employees equal to twenty-five percent of the employees employed by the agency on July first at the beginning of each state fiscal year. Upon a showing of special circumstances, North Dakota human resource management services may approve pay bonuses above the twenty-five percent limitation in this subsection. North Dakota human resource management services shall report any exceptions granted under this subsection to the budget section of the legislative management. Each agency must fund the performance bonus program from within its agency budget for salaries and wages.~~
5. Bonuses paid under this section may not be included in an employee's base salary for purposes of calculating any wage or salary increase.
6. Bonuses paid under this section are not fiscal irregularities under section 54-14-03.1.

**SECTION 18. AMENDMENT.** Section 54-52.1-06 of the North Dakota Century Code is amended and reenacted as follows:

**54-52.1-06. State contribution.**

Each department, board, or agency shall pay to the board each month from its funds appropriated for payroll and salary amounts a state contribution in the amount as determined by the primary carrier of the group contract for the full blended single and alternate family contract rate monthly premium for each of its eligible employees enrolled in the non-grandfathered uniform group insurance program ~~and the full rate monthly premium, in an amount equal to that contributed under the alternate family contract,~~ including major medical coverage, for hospital and medical benefits coverage for spouses and dependent children of its eligible employees enrolled in the uniform group insurance program pursuant to section 54-52.1-07. Employees who elect to remain in the grandfathered uniform group insurance program, if it is still offered to employees, shall pay the blended single and family rate difference in monthly premium between the grandfathered and non-grandfathered uniform group insurance program. The board shall then pay the necessary and proper premium amount for the uniform group insurance program to the proper carrier or carriers on a monthly basis. Any refund, rebate, dividend, experience rating allowance, discount, or other reduction of premium amount must be credited at least annually to a separate fund of the uniform group insurance program to be used by the board to reimburse the administrative expense and benefit fund of the public employees retirement program for the costs of administration of the uniform group insurance program. In the event an enrolled eligible employee is not entitled to receive salary, wages, or other compensation for a particular calendar month, that employee may make direct payment of the required premium to the board to continue the employee's coverage, and the employing department, board, or agency shall provide for the giving of a timely notice to the employee of that person's right to make such payment at the time the right arises.

**SECTION 19. AMENDMENT.** Section 54-52.1-18 of the North Dakota Century Code is amended and reenacted as follows:

**54-52.1-18. High-deductible health plan alternative with health savings account option.**

1. The board shall develop and implement a high-deductible health plan as an alternative to the plan under section 54-52.1-02. The high-deductible health plan alternative with a health savings account must be made available to state employees by January 1, 2012. After June 30, 2015, at the board's discretion, the high-deductible health plan alternative may be offered to political subdivisions for coverage of political subdivision employees. If a political subdivision elects this high-deductible option the political subdivision may not offer the plan under section 54-52.1-02.
2. Health savings account fees for participating state employees must be paid by the employer.
  - a. Except as provided in subdivision b, subject to the limits of section 223(b) of the Internal Revenue Code [26 U.S.C. 223(b)], the difference between the cost of the respective non-grandfathered single and family premium for eligible state employees under section 54-52.1-06 and the premium for those employees electing to participate under the high-deductible health plan under this section must be deposited in a health savings account for the benefit of each participating employee.
  - b. If the public employees retirement system is unable to establish a health savings account due to the employee's ineligibility under federal or state law or due to failure of the employee to provide necessary information in order to establish the account, the system is not responsible for depositing the health savings account contribution. The member will remain a participant in the high-deductible health plan regardless of whether a health savings account is established.
  - c. If a member closes the health savings account established for that member under this section, the system is not responsible for depositing the health savings account contribution after that closure.
3. Each new state employee must be provided the opportunity to elect the high-deductible health plan alternative. At least once each biennium, the board shall provide an open enrollment period allowing existing state employees or a political subdivision to change their coverage.

**SECTION 20. LINE ITEM TRANSFER.** Notwithstanding section 54-16-04, the agency may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30, 2021. The agency shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section.

**SECTION 21. TRANSFER AUTHORITY BETWEEN AGENCIES.** Notwithstanding any other sections of the law, the governor may direct the office of management and budget to transfer up to one percent of the legislatively approved general fund appropriation for the following agencies to implement and promote efficient practices in state government: the office of the governor, office of management and budget, information technology department, department of health, department of environmental quality, Indian affairs commission, job service North Dakota, department to labor and human rights, securities department, highway patrol, department of corrections and rehabilitation, office of the adjutant general, department of commerce, water commission, and department of transportation. Transfers may occur for the period beginning July 1, 2019, and ending June 30, 2021 under the following provisions:

1. The governor has transferred duties between executive branch agencies when an agency has demonstrated they are able to perform the specific duty more efficiently, thereby creating a savings to the state equal to at least ten percent of the amount transferred.

2. The governor has identified projects or initiatives which will generate efficiency and cost savings for the state, equal to at least ten percent of the amount transferred.
3. Any general fund savings amount will be turned back to the general fund at the end of the biennium.
4. The office of management and budget shall report to the budget section regarding the purposes of the transfers and documented efficiencies and savings that occurred from such transfers.
5. The transfers are to be considered a reduction in the base budget for the agency from whom the transfer is made and an increase in the base budget for the agency which received the transfer.

**SECTION 22. REPEAL.** Section 54-06-24 of the North Dakota Century Code is repealed.

**SECTION 23. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure.

### GOVERNOR'S RECOMMENDATION FOR THE ADJUTANT GENERAL

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the office of the adjutant general for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

Subdivision 1.

#### NATIONAL GUARD

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$6,666,525	\$230,662	\$6,897,187
Operating Expenses	3,525,934	(758,613)	2,767,321
Capital Assets	33,224,046	(18,000,000)	15,224,046
Grants	318,553	(107,637)	210,916
Civil Air Patrol	299,580	5,739	305,319
Tuition, Recruiting, and Retention	2,617,500	2,000,000	4,617,500
Air Guard Contract	8,098,582	494,501	8,593,083
Army Guard Contract	57,717,944	(10,669,870)	47,048,074
Veterans' Cemetery	881,284	100,566	981,850
Reintegration Program	<u>1,261,384</u>	<u>(200,357)</u>	<u>1,061,027</u>
Total all funds	\$114,611,332	(\$26,905,009)	\$87,706,323
Less estimated income	<u>98,174,778</u>	<u>(43,833,574)</u>	<u>54,341,204</u>
Total general fund	\$16,436,554	\$16,928,565	\$33,365,119

Subdivision 2.

#### DIVISION OF EMERGENCY SERVICES

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$12,551,119	(\$1,123,134)	\$11,427,985
Operating Expenses	7,288,451	2,111,609	9,400,060
Capital Assets	569,000	91,000	660,000
Grants	16,889,159	(615,734)	16,273,425
Disaster Costs	51,445,841	(18,978,279)	32,467,562
Radio Communications	<u>0</u>	<u>785,000</u>	<u>785,000</u>
Total all funds	\$88,743,570	(\$17,729,538)	\$71,014,032
Less estimated income	<u>79,293,702</u>	<u>(17,553,038)</u>	<u>61,740,664</u>
Total general fund	\$9,449,868	(\$176,500)	\$9,273,368

Subdivision 3.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$25,886,422	\$16,772,065	\$42,638,487
Grant total special funds	<u>177,468,480</u>	<u>(61,386,612)</u>	<u>116,081,868</u>
Grant total all funds	\$203,354,902	(\$44,634,547)	\$158,720,355
Full-time equivalent positions	234.00	-10.00	224.00

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
ND national guard readiness center	\$33,000,000	\$0
Emergency Response equipment	569,000	0
Mobile repeaters and programming radios	300,000	0
State Radio operational increase	0	1,212,253
CAD upgrade	0	450,000
CAD monitor replacement	0	66,000
UPS battery replacement	0	20,000
Message switch hardware	0	240,000
Intergraph XML Change	0	95,000
Camp Grafton south expansion	<u>0</u>	<u>15,000,000</u>
Total all funds	\$33,869,000	\$17,083,253
Total special funds	<u>33,869,000</u>	<u>16,902,253</u>
Total general fund	\$0	\$181,000

The 2019-21 one-time funding amounts are not a part of the entity's base budget for the 2021-23 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, 2019, and ending June 30, 2021.

**SECTION 3. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.** In addition to the amount appropriated to the adjutant general in the veterans' cemetery line item in subdivision 1 of section 1 of this Act, there is appropriated any additional funds which are received and deposited in the veterans' cemetery maintenance fund pursuant to sections 37-03-14 and 39-04-10.10 for the operation of the North Dakota veterans' cemetery for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. MAINTENANCE AND REPAIRS - TRANSFERS.** The adjutant general may transfer to the operating expenses and capital assets line items contained in section 1 of this Act up to the sum of \$500,000 from the various other line items contained in section 1 of this Act, as determined necessary by the adjutant general to provide for the maintenance and repair of state-owned armories in this state during the biennium beginning July 1, 2019, and ending June 30, 2021. Any amounts transferred pursuant to this section must be reported to the director of the office of management and budget.

**SECTION 5. LINE ITEM TRANSFER.** Notwithstanding section 54-16-04, the agency may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30, 2021. The agency shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section.

**SECTION 6. EXEMPTION.** Any amounts carried over in the radio communications line for the state radio tower package, in section 7 of chapter 15 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds are available for completing these projects during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 7. EXEMPTION.** The amount appropriated in the tuition, recruiting, and retention line item in subdivision 1 of section 1 of chapter 15 of the 2017 Session Laws is not subject to section 54-44.1-11, and any unexpended funds from this appropriation may be

used to provide tuition assistance, recruiting and retention incentives to eligible members of the North Dakota national guard during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 8. EXEMPTION.** Any amounts carried over pursuant to section 11 of chapter 15 of the 2017 Session Laws that is unexpended as of June 30, 2019 is not subject to section 54-44.1-11 and is available for payment of adjusted compensation to veterans. Any unexpended funds from this appropriation must be transferred to the veterans' cemetery trust fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 9. EXEMPTION.** The amount appropriated in the operating expenses line item in subdivision 2 of section 1 of chapter 15 of the 2017 Session Laws for one-time funding from the strategic investment and improvement fund for mobile repeaters and programming radios is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used to complete this project, during the biennium beginning July 1, 2019 and ending June 30, 2021.

**SECTION 10. EXEMPTION.** Any amounts carried over in the disaster costs line for grants to political subdivisions for amounts required to match federal dollars on road grade raising projects and federal emergency relief funding pursuant to section 13 of chapter 15 of the 2017 Session Laws that is unexpended as of June 30, 2019, is not subject to section 54-44.1-11. Any unexpended funds from this appropriation are available for these purposes during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 11. AMENDMENT.** Section 37-07.3-03 of the North Dakota Century Code is amended and reenacted as follows:

**37-07.3-03. Trust fund use.**

The principal, interest, and income from the national guard training area and facility development trust fund must be used by the adjutant general solely for training area acquisition, through purchase or lease, and facility development; provided, that the principal, and any interest and income which the fund accrues from ~~July 1, 1985~~ July 1, 2019, through ~~June 30, 1989~~ June 30, 2029, must be used solely for the acquisition of land for national guard training purposes and the expenditure, ~~in conjunction with federal matching funds, for the construction of a new national guard armory on or adjacent to~~ expansion of the military reservation known as Fraine Barracks Camp Grafton. For the purpose of obtaining land for training purposes under this section, eminent domain shall not be used.

**SECTION 12. EMERGENCY.** The Tuition, recruiting, and retention line in section 1 of this Act is declared to be an emergency measure.

**GOVERNOR'S RECOMMENDATION FOR THE GAME AND FISH DEPARTMENT**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the game and fish fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the game and fish department for the purpose of defraying the expenses of the game and fish department, for the biennium beginning July 1, 2019 and ending June 30, 2021, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	\$29,854,874	\$1,481,659	\$31,336,533
Operating expenses	15,338,130	1,166,727	16,504,857
Capital assets	6,080,956	(163,065)	5,917,891
Grants - Game and Fish	9,650,184	(1,103,019)	8,547,165
Shooting Sports Grant Program	250,000	-	250,000
Land Habitat and Deer Depredation	17,824,177	(147,185)	17,676,992
Noxious Weed Control	725,000	-	725,000
Missouri River Enforcement	283,857	5,456	289,313
Grant-Gift-Donation	802,201	(266,711)	535,490
Nongame Wildlife Conservation	120,000	(20,000)	100,000
Lonetree Reservoir	1,798,119	44,810	1,842,929
Wildlife Services	<u>500,000</u>	-	<u>500,000</u>

Total special funds	\$83,227,498	\$998,672	\$84,226,170
Full-time equivalent positions	163.00	(3.00)	160.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Airplane		\$250,000
\$0		
Dakota Access Pipeline Protest	423,724	0
Electronic Payment Processing System	<u>75,000</u>	<u>0</u>
Total special funds	\$748,724	\$0

**SECTION 3. GRANTS, GIFTS, AND DONATIONS LINE.** The grants, gifts, and donations line item in section 1 of this Act includes up to \$225,000 received by the game and fish department for surface damage, easements, or reclamation on department owned or managed properties as a result of mineral exploration and extraction activities.

**SECTION 4. TRANSFER AUTHORITY BETWEEN LINES.** Notwithstanding section 54-16-04, the agency may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019 and ending June 30, 2021. The agency shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section.

**SECTION 5. APPROPRIATION** - In addition to the amounts appropriated to the game and fish department in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. AMENDMENT.** Section 20.1-02-16.1 of the North Dakota Century Code is amended and reenacted as follows:

**20.1-02-16.1. Game and fish fund - Use - Required balance - Budget section approval.**

All income of the state game and fish department deposited by the director with the state treasurer must be credited to the state game and fish fund and the fund may be used only by the department. All money derived from the investment of the fund, special accounts, or portions of the fund must be credited to the game and fish department private land habitat and access improvement fund. The department shall spend moneys in the game and fish fund within the limits of legislative appropriations, only to the extent the balance of the fund is not reduced below fifteen million dollars, unless otherwise authorized by the budget section. Investment of the fifteen million dollar balance in this section may be made under the supervision of the state investment board and the moneys must be invested by the investing authority according to the laws relating to state investments. The department shall notify the state investment board of the amount available for investment.

**GOVERNOR'S RECOMMENDATION FOR THE STATE HISTORICAL SOCIETY**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state historical society for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$13,595,892	\$820,848	\$14,416,740
Operating expenses	3,885,894	55,691	3,941,585
Capital assets	1,747,653	527,889	2,275,542
Grants	600,000	0	600,000
Exhibits	<u>0</u>	<u>372,000</u>	<u>372,000</u>
Total all funds	\$19,829,439	\$1,776,428	\$21,605,867

Less estimated income	3,155,795	599,691	3,755,486
Total general fund	\$16,673,644	\$1,176,737	\$17,850,381
Full-time equivalent positions	75.00	0.00	75.00

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Double Ditch Historic Site Repair	\$1,000,000	\$0
Exhibits and Collections Care	0	372,000
Historic Site Repair	0	1,050,000
Total all funds	\$1,000,000	\$1,422,000
Less estimated income	<u>1,000,000</u>	<u>550,000</u>
Total general fund	\$0	\$872,000

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

**SECTION 3. REVOLVING FUND - APPROPRIATION.** All fees collected by the state historical society and deposited in the revolving fund established pursuant to section 55-03-04 are appropriated to the state historical society for the purposes provided in chapter 55-03, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. GIFTS, GRANTS, AND BEQUESTS - APPROPRIATION.** All gifts, grants, devises, bequests, donations, and assignments received by the state historical society and deposited with the state treasurer pursuant to section 55-01-04 are appropriated to the state historical society for the purposes provided in section 55-01-04, for the biennium beginning July 1, 2019, and ending June 30, 2021.

### GOVERNOR'S RECOMMENDATION FOR THE

#### PARKS AND RECREATION DEPARTMENT AND THE INTERNATIONAL PEACE GARDEN

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the parks and recreation department for the purpose of defraying the expenses of the parks and recreation department, for providing funding to the Lewis and Clark Interpretive Center, and for providing a grant to the International Peace Garden, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

Subdivision 1.

#### PARKS AND RECREATION DEPARTMENT

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Administration	\$2,668,728	\$(45,791)	\$2,622,937
Parks Operations and Maintenance	20,570,558	3,526,563	24,097,121
Recreation	<u>7,039,554</u>	<u>2,220,804</u>	<u>9,260,358</u>
Total all funds	\$30,278,840	\$5,701,576	\$35,980,416
Less estimated income	<u>17,389,561</u>	<u>5,971,015</u>	<u>23,360,576</u>
Total general fund	\$12,889,279	\$(269,439)	\$12,619,840
Full-time equivalent positions	62.50	(1.00)	61.50

Subdivision 2.

#### INTERNATIONAL PEACE GARDEN

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Peace Garden	\$876,329	\$5,000,000	\$5,876,329
Total all funds	<u>876,329</u>	<u>5,000,000</u>	<u>5,876,329</u>
Less estimated income	0	0	5,000,000
Total general fund	\$876,329	\$0	\$876,329

Subdivision 3.

#### LEWIS AND CLARK INTERPRETIVE CENTER

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Lewis & Clark	\$1,250,687	\$56,730	\$1,307,417
Total all funds	1,250,687	56,730	1,307,417
Less estimated income	<u>362,019</u>	<u>(27,081)</u>	<u>334,938</u>
Total general fund	\$888,668	\$83,811	\$972,479

Subdivision 4.

#### BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total all fund	\$32,405,856	\$10,758,306	\$43,164,162
Less estimated income	<u>17,751,580</u>	<u>10,943,934</u>	<u>28,695,514</u>
Total general funds	\$14,654,276	\$(185,628)	\$14,468,648

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium.

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Parks capital projects	\$0	\$1,755,000
Extraordinary repair		634,126
One-time equipment		622,000
State park survey		150,000
Recreation mapping		75,000
Traffic counters		75,000
International peace garden projects		<u>5,000,000</u>
Total all funds	\$0	\$8,311,126
Less estimated income	<u>0</u>	<u>\$8,311,126</u>
Total general fund	\$0	\$0

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

**SECTION 3. GAME AND FISH OPERATING FUND - TRANSFER - BOAT RAMP OPERATION AND MAINTENANCE.** The sum of \$122,000 or so much of the sum as may be necessary, included in the park operations and maintenance line item in subdivision 1 of section 1 of this Act, is from the game and fish operating fund, or federal or other funds available to the game and fish department, and must be transferred to the parks and recreation department for maintenance, operating, and extraordinary repairs expenses relating to boat ramps at state parks for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. AMENDMENT.** Section 55-08-07.1 of the North Dakota Century Code is amended and reenacted as follows:

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

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

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

The parks and recreation department may transfer any surplus in this fund to the state park operating fund

**SECTION 5. ESTIMATED INCOME – DEPARTMENT OF TRANSPORTATION GRANT.**

The estimated income line items includes \$100,000 of grant funding from the department of transportation for the purpose of defraying expenses for the Lewis and Clark interpretive center for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. EXEMPTION.** Any funds remaining in the international peace garden line for repair of the peace tower at the International Peace Garden, in subdivision 2 of section 30 of chapter 15 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended funds are available for capital projects during the biennium beginning July 1, 2019, and ending June 30, 2021. Funding available for use by the International Peace Garden in this section will be subject to the International Peace Garden raising one to one matching funds from non-state of North Dakota sources consistent with the 2013 North Dakota legislative language. The parks and recreation department shall review and accept engineering proposals and specifications before committing additional funds to the project and shall assist with bidding and construction of any work associated with this section.

**SECTION 7. EXEMPTION.** Any funds remaining for parks enhancements in subdivision 1 of section 1 of chapter 53 of the 2015 Session Laws is not subject to section 54-44.1-11 and any unexpended funds are available for park enhancement projects during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 8. MATCHING REQUIREMENT – CAPITAL PROJECTS.** The international peace garden capital projects in subdivision 2 of section 1 is subject to one to one matching funds raised from non-state of North Dakota sources. The parks and recreation department shall review and accept engineering proposals and specifications before committing funds to projects and shall assist with bidding and construction of any work associated with this section.

**SECTION 9. SPECIAL FUNDS TRANSFER – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The less estimated income line item in section 1 of this Act includes the sum of \$6,755,000, or so much of the sum as may be necessary, from the strategic investment and improvements fund which may be transferred at the direction of the parks and recreation department for parks capital projects and international peace garden capital projects during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 10. LINE ITEM TRANSFER. LINE ITEM TRANSFER.** Notwithstanding section 54-16-04, the agency may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30, 2021. The agency shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section.

**SECTION 11. APPROPRIATION** - In addition to the amounts appropriated to the parks and recreation department in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

**GOVERNOR'S RECOMMENDATION FOR THE STATE WATER COMMISSION**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from federal funds and other income, to the state water commission for the purpose of defraying the expenses of the state water commission, for the biennium beginning July 1, 2017, and ending June 30, 2019, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$19,651,385	\$460,179	\$20,111,564
Operating expenses	47,608,165	(3,820,612)	43,787,553
Capital assets	112,219,442	994,316	113,213,758
Grants - local cost share	467,694,483	(116,942,990)	350,751,493
Grants- carryover	<u>0</u>	<u>308,333,818</u>	<u>308,333,818</u>
Total all funds	\$647,173,475	\$189,024,711	\$836,198,186
Full-time equivalent positions	93.00	(3.00)	90.00

**SECTION 2. ONE-TIME FUNDING – EFFECT ON BASE BUDGET – REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-fourth legislative assembly for the 2015-17 biennium and the 2017-19 one-time funding items included in the grand total appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Line of credit – Bank of North Dakota	<u>75,000,000</u>	<u>0</u>
Total all funds	\$75,000,000	\$0

**SECTION 3. ADDITIONAL INCOME - APPROPRIATION.** In addition to the amounts included in the estimated income line item in section 1 of this Act, any additional amounts in the resources trust fund and water development trust fund that become available are appropriated to the state water commission for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 4. GRANTS - WATER-RELATED PROJECTS - CARRYOVER AUTHORITY.** Section 54-44.1-11 does not apply to funding for grants or water-related projects included in the capital assets, capital construction carryover, or grants line items in section 1 of this Act. However, this exclusion is only in effect for two years after June 30, 2021. Any unexpended funds appropriated from the resources trust fund after that period has expired must be transferred to the resources trust fund and any unexpended funds appropriated from the water development trust fund after that period has expired must be transferred to the water development trust fund.

**SECTION 5. LINE ITEM TRANSFERS.** The chief engineer/secretary of the state water commission may transfer between the salaries and wages, operating, capital assets, capital construction carryover, and grants line item in Section 1 of this Act when it is cost-effective for construction of water projects. The state water commission shall notify the office of management and budget of any transfers made pursuant to this section.

**SECTION 6. AMENDMENT.** Section 61-02-79 of the North Dakota Century Code is amended and reenacted as follows:

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

The Bank of North Dakota shall extend a line of credit not to exceed seventy-five million dollars at a rate of one and one-half percent over the three month London interbank offered rate, but may not exceed three percent to the state water commission. The state water commission shall repay the line of credit from funds available in the resources trust fund, water development trust fund, or other funds, as appropriated by the legislative assembly. The state water commission may access the line of credit, as necessary, to provide funding as authorized by the legislative assembly for water supply projects approved before June 30, 2019~~2021~~, and flood control projects that have approval for funding before June 30, 2019~~2021~~.

**SECTION 7. CONTINGENT APPROPRIATION – BANK OF NORTH DAKOTA LINE OF CREDIT.** The sum of \$75,000,000, or so much of the sum as necessary, from a Bank of North Dakota line of credit included in section 6 of this Act, may be transferred to the state water commission for the purpose of funding water projects for the biennium beginning July 1, 2019, and ending June 30, 2021.

**GOVERNOR'S RECOMMENDATION FOR WORKFORCE SAFETY AND INSURANCE**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from the workforce safety and insurance fund in the state treasury, not otherwise appropriated, to workforce safety and insurance, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Workforce safety and insurance	\$63,473,062	\$5,884,489	\$69,357,551
operations			
Total special funds	\$63,473,062	\$5,884,489	\$69,357,551
Full-time equivalent positions	260.14	(12.00)	248.14

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

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
CAPS software replacement project	\$8,120,097	\$7,010,000
Extranet computer project	538,500	850,000
Internal reporting system updates	<u>275,000</u>	<u>0</u>
Total other fund	\$8,933,597	\$7,860,000

**SECTION 3. APPROPRIATION -** In addition to the amounts appropriated to workforce safety and insurance in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to workforce safety and insurance for the biennium beginning July 1, 2019, and ending June 30, 2021.

#### **GOVERNOR'S RECOMMENDATION FOR THE RETIREMENT AND INVESTMENT OFFICE**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys from special funds derived from income for the purpose of defraying their expenses, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	4,425,570	584,726	5,010,296
Operating Expenses	862,484	26,450	888,934
Contingencies	<u>52,000</u>	<u>30,000</u>	<u>82,000</u>
Total all funds	5,340,054	641,176	5,981,230
Less estimated income	<u>5,340,054</u>	<u>641,176</u>	<u>5,981,230</u>
Total general fund	-	-	-
Full-time equivalent positions	19.00	1.00	20.00

**SECTION 2. APPROPRIATION LINE ITEM TRANSFERS.** Upon approval of the state investment board, the retirement and investment office may transfer from their contingency line item in section 1 of this Act to all other line items. The agency shall notify the office of management and budget of each transfer made pursuant to this section.

#### **GOVERNOR'S RECOMMENDATION FOR THE PUBLIC EMPLOYEES RETIREMENT SYSTEM**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys from special funds derived from income for the purpose of defraying their expenses, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
--	-------------------	------------------------------------	----------------------

Salaries and wages	6,316,169	29,148	6,345,317
Operating Expenses	2,692,221	(235,309)	2,456,912
Capital Assets	-	190,000	190,000
Contingencies	<u>250,000</u>	-	<u>250,000</u>
Total all funds	9,258,390	(16,161)	9,242,229
Less estimated income	<u>9,258,390</u>	<u>(16,161)</u>	<u>9,242,229</u>
Total general fund	-	-	-
Full-time equivalent positions	34.50	-1.00	33.50

SECTION 2. APPROPRIATION LINE ITEM TRANSFERS. Upon approval of the board, the public employees retirement system may transfer from their contingency line item in section 1 of this Act to all other line items. The agency shall notify the office of management and budget of each transfer made pursuant to this section.

A BILL for an Act to provide an appropriation for defraying the expenses of various state departments and institutions; and to declare an emergency.

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

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, listed below, to the stated departments and institutions of the state of North Dakota for the purpose of defraying their expenses for the period beginning with the effective date of this Act, and ending June 30, 2021, as follows:

Subdivision 1.

OFFICE OF MANAGEMENT AND BUDGET

Lawsuit expenses	<u>\$408,000</u>
Total general fund	\$408,000

Subdivision 2.

TAX DEPARTMENT

Homestead tax credit	\$1,170,000
Disabled veterans credit	<u>150,000</u>
Total general fund	\$1,320,000

Subdivision 3.

INDUSTRIAL COMMISSION

Litigation costs	<u>\$500,000</u>
Total general fund	\$500,000

Subdivision 4.

ADJUTANT GENERAL

Loan repayment - disaster costs	\$488,822
Loan repayment - emergency hay operation	1,584,619
Loan repayment - protest costs	<u>13,624,648</u>
Total general fund	\$15,698,089

Subdivision 5.

STATE HISTORICAL SOCIETY

Litigation costs	<u>\$280,000</u>
Total general fund	\$280,000

BILL TOTAL

Grand total general fund

\$18,206,089

**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.

The benediction was offered by North Dakota National Guard Chaplain Colonel David Johnson.

**MOTION**

**REP. LOUSER MOVED** that the Joint Session be dissolved, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1026: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1026 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1044: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1044 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1046: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1046 was placed on the Sixth order on the calendar.

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

Page 1, after line 23, insert:

**"SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1051: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1051 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1058: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **DO PASS** (9 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). HB 1058 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1059: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1059 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1062: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1062 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1065: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING). HB 1065 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "three" with "four"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1067: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1067 was placed on the Sixth order on the calendar.

Page 1, line 19, overstrike "one" and insert immediately thereafter "seven"

Page 1, line 19, remove the overstrike over "~~hundred~~" and insert immediately thereafter "fifty"

Page 1, line 19, remove the overstrike over "~~thousand~~"

Page 1, line 19, remove "million"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1081: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1081 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1085: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1085 was placed on the Sixth order on the calendar.

Page 1, line 2, after "program" insert "; and to declare an emergency"

Page 1, after line 21, insert:

**"SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**FIRST READING OF HOUSE BILLS**

Appropriations Committee introduced:

**HB 1001:** A BILL for an Act to provide an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; and to declare an emergency.

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

Appropriations Committee introduced:

**HB 1002:** A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; and to provide for a transfer.

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

Appropriations Committee introduced:

**HB 1003:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system; to amend and reenact section 54-44.1-11 of the North Dakota Century Code, relating to the cancellation of unexpended appropriations; and to provide for a transfer.

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

Appropriations Committee introduced:

**HB 1004:** A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health.

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

Appropriations Committee introduced:

**HB 1005:** A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission.

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

Appropriations Committee introduced:

**HB 1006:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota aeronautics commission.

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

Appropriations Committee introduced:

**HB 1007:** A BILL for an Act to provide an appropriation for defraying the expenses of the veterans' home.

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

Appropriations Committee introduced:

**HB 1008:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of financial institutions.

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

Appropriations Committee introduced:

**HB 1009:** A BILL for an Act to provide an appropriation for defraying the expenses of the state fair association.

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

Appropriations Committee introduced:

**HB 1010:** A BILL for an Act to provide an appropriation for defraying the expenses of the council on the arts.

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

Appropriations Committee introduced:

**HB 1011:** A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide for a transfer.

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

Appropriations Committee introduced:

**HB 1012:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of transportation and to provide for transfers.

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

Appropriations Committee introduced:

**HB 1013:** A BILL for an Act to provide an appropriation for defraying the expenses of the commissioner of university and school lands; and to provide for distributions from permanent funds.

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

Appropriations Committee introduced:

**HB 1014:** A BILL for an Act to provide for an appropriation for defraying the expenses of the industrial commission and the agencies under the management of the industrial commission; and to provide for a transfer.

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

Appropriations Committee introduced:

**HB 1015:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation.

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

Appropriations Committee introduced:

**HB 1016:** A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota.

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

Appropriations Committee introduced:

**HB 1017:** A BILL for an Act to provide appropriation for defraying the expenses of the office of administrative hearings.

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

Appropriations Committee introduced:

**HB 1018:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of commerce; to provide exemptions; and to provide for a transfer.

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

Appropriations Committee introduced:

**HB 1019:** A BILL for an Act to provide an appropriation for defraying the expenses of the state board for career and technical education.

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

Appropriations Committee introduced:

**HB 1020:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota state university extension service, northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm.

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

Appropriations Committee introduced:

**HB 1021:** A BILL for an Act to provide an appropriation for defraying the expenses of the information technology department; and to provide for transfers.

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

Appropriations Committee introduced:

**HB 1022:** A BILL for an Act to provide an appropriation for defraying the expenses of the commission on legal counsel for indigents.

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

Appropriations Committee introduced:

**HB 1023:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota racing commission.

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

Appropriations Committee introduced:

**HB 1024:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of environmental quality.

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

Appropriations Committee introduced:

**HB 1025:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of veterans' affairs.

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

Legislative Management introduced:

(Agriculture Committee)

**HB 1026:** A BILL for an Act to amend and reenact section 4.1-20-19 of the North Dakota Century Code, relating to mandatory training for soil conservation district supervisors.

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

Legislative Management introduced:

(Education Policy Committee)

**HB 1027:** A BILL for an Act to amend and reenact sections 15.1-02-15, 15.1-02-17, and 15.1-09-33.2 of the North Dakota Century Code, relating to references to the Every Student Succeeds Act.

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

Legislative Management introduced:

(Health Care Reform Review Committee)

**HB 1028:** A BILL for an Act to create and enact chapter 26.1-36.6 and a new section to chapter 54-52.1 of the North Dakota Century Code, relating to public employees retirement system self-insurance plans for health benefits coverage; to amend and reenact sections 26.1-07.1-01, 54-52.1-01, 54-52.1-04, 54-52.1-04.2, 54-52.1-04.3, 54-52.1-05, and 54-52.1-11 of the North Dakota Century Code, relating to public employee uniform group health benefits coverage; to repeal sections 54-52.1-04.4, 54-52.1-04.5, 54-52.1-04.6, 54-52.1-04.10, 54-52.1-04.11, 54-52.1-04.12, 54-52.1-04.13, and 54-52.1-04.14 of the North Dakota Century Code, relating to public employees retirement system self-insurance plans for health benefits coverage mandated health benefits; and to declare an emergency.

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

Legislative Management introduced:  
(Higher Education Committee)

**HB 1029:** A BILL for an Act to provide for a legislative management higher education funding formula review committee; and to provide for a report.

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

Legislative Management introduced:  
(Higher Education Committee)

**HB 1030:** A BILL for an Act to amend and reenact section 15-18.2-06 of the North Dakota Century Code, relating to the minimum amount payable through the higher education funding formula; and to declare an emergency.

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

Legislative Management introduced:  
(Higher Education Committee)

**HB 1031:** A BILL for an Act to amend and reenact section 15-62.4-03 of the North Dakota Century Code, relating to the student financial assistance program; and to provide an appropriation.

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

Legislative Management introduced:  
(Human Services Committee)

**HB 1032:** A BILL for an Act to create and enact a new section to chapter 50-06.2 of the North Dakota Century Code, relating to a sliding fee schedule for the service payments for elderly and disabled program.

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

Legislative Management introduced:  
(Human Services Committee)

**HB 1033:** A BILL for an Act to create and enact a new section to chapter 50-06.2 and a new section to chapter 50-24.7 of the North Dakota Century Code, relating to a pilot program for independent home and community-based services case managers; and to provide an expiration date.

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

Legislative Management introduced:  
(Human Services Committee)

**HB 1034:** A BILL for an Act to require the department of human services to establish guidelines for long-term care services providers to deliver home and community-based services.

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

Legislative Management introduced:  
(Initiated and Referred Measures Study Commission)

**HB 1035:** A BILL for an Act to amend and reenact section 16.1-06-09 of the North Dakota Century Code, relating to initiated measures and election ballots.

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

Legislative Management introduced:  
(Initiated and Referred Measures Study Commission)

**HB 1036:** A BILL for an Act to amend and reenact section 16.1-01-17 of the North Dakota Century Code, relating to fiscal impacts of referred measures.

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

Legislative Management introduced:  
(Initiated and Referred Measures Study Commission)

**HB 1037:** A BILL for an Act to amend and reenact subsection 2 of section 16.1-08.1-03.1 of the North Dakota Century Code, relating to campaign finance disclosure statements for measure committees.

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

Legislative Management introduced:  
(Judiciary Committee)

**HB 1038:** A BILL for an Act to amend and reenact section 14-15.1-05 of the North Dakota Century Code, relating to required reports of a child placing agency.  
Was read the first time and referred to the **Human Services Committee**.

Legislative Management introduced:  
(Justice Reinvestment Committee)

**HB 1039:** A BILL for an Act to amend and reenact section 12.1-04-01 of the North Dakota Century Code, relating to culpability of a juvenile.  
Was read the first time and referred to the **Judiciary Committee**.

Legislative Management introduced:  
(Taxation Committee)

**HB 1040:** A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to the provision of an income tax credit for purchases of manufacturing machinery and equipment to automate manufacturing processes; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Legislative Management introduced:  
(Taxation Committee)

**HB 1041:** A BILL for an Act to amend and reenact section 57-02-08.3 of the North Dakota Century Code, relating to the homestead tax credit for special assessments; to provide for application; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Rep. Porter introduced:

**HB 1042:** A BILL for an Act to create and enact a new subsection to section 62.1-02-10 of the North Dakota Century Code, relating to possession of a loaded firearm in a vehicle; to amend and reenact subdivision l of subsection 2 of section 62.1-02-05 and subsection 4 of section 62.1-02-05 of the North Dakota Century Code, relating to possessing a firearm or dangerous weapon in a church; to provide a penalty; and to declare an emergency.  
Was read the first time and referred to the **Energy and Natural Resources Committee**.

Rep. Toman introduced:

**HB 1043:** A BILL for an Act to create and enact a new section to chapter 10-04 of the North Dakota Century Code, relating to the exemption of an open blockchain token from specified securities transactions and dealings; and to amend and reenact section 10-04-02, subsection 19 of section 13-09-02, and section 13-09-03 of the North Dakota Century Code, relating to the definitions of an open blockchain token and virtual currency and excluding an open blockchain token and virtual currency from specified money transmission requirements.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

Government and Veterans Affairs Committee introduced:  
(At the request of the Teachers' Fund for Retirement)

**HB 1044:** A BILL for an Act to amend and reenact section 15-39.1-34 of the North Dakota Century Code, relating to Internal Revenue Code compliance.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Rep. Toman introduced:

**HB 1045:** A BILL for an Act to create and enact subsection 16 to section 9-16-01, section 9-16-19, a new section to chapter 10-19.1, and section 10-32.1-102 of the North Dakota Century Code, relating to electronic transaction definitions, blockchain technology and smart contracts, number of shareholders, and series limited liability companies; and to amend and reenact sections 9-16-02, 10-06.1-17, 10-19.1-01, and 10-19.1-01.2, subsection 6 of section 10-19.1-66, subsection 1 of section 10-19.1-73.3, sections 10-19.1-76.3 and 10-19.1-81, subsections 1, 2, and 11 of section 10-19.1-84, subsection 1 of section 10-19.1-110, subsection 2 of section 10-19.1-146, and subsection 2 of section 10-35-28 of the North Dakota Century Code, relating to electronic transactions, filing of an annual report by corporations engaged in farming or ranching, Business Corporation Act definitions, knowledge and notice, share certificates, corporate voting list and voting trusts, acceptance of shareholder act by the corporation, corporate records, corporate dissolution

procedure, and the filing of an annual report by a publicly traded corporation.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Dockter, Kasper, M. Ruby, Satrom and Sens. Davison, Dever introduced:  
**HB 1046:** A BILL for an Act to amend and reenact sections 37-07.1-05 and 37-07.2-03 of the North Dakota Century Code, relating to higher education grants and tuition waivers for national guard members.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Meier, Heinert and Sen. Dever introduced:  
**HB 1047:** A BILL for an Act to amend and reenact subsection 6 of section 57-40.5-03 of the North Dakota Century Code, relating to the excise tax exemption for air ambulances; and to provide for retroactive application.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Rep. Toman introduced:  
**HB 1048:** A BILL for an Act to create and enact a new section to chapter 54-59 of the North Dakota Century Code, relating to the use of distributed ledger technologies.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

Rep. Toman introduced:  
**HB 1049:** A BILL for an Act to amend and reenact subsection 8 of section 9-16-01 of the North Dakota Century Code, relating to signatures secured through distributed ledger technology.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Roers Jones, Satrom and Sens. Unruh, Poolman, K. Roers, Myrdal introduced:  
**HB 1050:** A BILL for an Act to amend and reenact section 19-03.4-03 of the North Dakota Century Code, relating to the placement of an individual in a drug and alcohol treatment program by the department of corrections and rehabilitation; and to provide a penalty.  
Was read the first time and referred to the **Judiciary Committee**.

Reps. Roers Jones, Schreiber-Beck, Dockter, Satrom and Sen. Myrdal introduced:  
**HB 1051:** A BILL for an Act to amend and reenact section 12.1-32-09.1 of the North Dakota Century Code, relating to sentencing violent offenders; and to provide for retroactive application.  
Was read the first time and referred to the **Judiciary Committee**.

Reps. Johnston, M. Ruby, Toman, B. Koppelman, Hoverson, Simons, Kasper, Strinden and Sens. Kannianen, G. Lee, Hogue, Sorvaag introduced:  
**HB 1052:** A BILL for an Act to amend and reenact section 15.1-23-01 of the North Dakota Century Code, relating to the definition of parent and supervise in home education.  
Was read the first time and referred to the **Education Committee**.

Reps. Vetter, Kasper, C. Johnson, Schneider, Eidson, Beadle, Blum, Johnston, Schauer and Sens. Meyer, Sorvaag, Burckhard introduced:  
**HB 1053:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax deduction for retired military personnel benefits; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Magrum, Vetter, M. Ruby, McWilliams, Paulson and Sens. Bekkedahl, O. Larsen, Sorvaag introduced:  
**HB 1054:** A BILL for an Act to amend and reenact subsection 4 of section 37-18.1-03 of the North Dakota Century Code, relating to the powers and duties of the administrative committee on veterans' affairs.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Heinert, Meier and Sen. Dever introduced:  
**HB 1055:** A BILL for an Act to amend and reenact subsection 3 of section 39-05-17.2 of the North Dakota Century Code, relating to motor vehicle body damage disclosure.  
Was read the first time and referred to the **Transportation Committee**.

Reps. Heinert, M. Ruby, Meier, Dockter, Keiser, Klemin, Pyle and Sens. Dever, Bekkedahl,

Marcellais introduced:

**HB 1056:** A BILL for an Act to provide for the display of the prisoner of war and missing in action flag on the state capitol grounds.

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

Reps. Heinert, Meier, Bosch, Dockter, Nathe, Keiser, Klemin, Porter and Sens. Dever, Dwyer, D. Larson introduced:

**HB 1057:** A BILL for an Act to provide a statement of legislative intent regarding state employee compensation adjustments.

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

Reps. Johnston, Marschall, Becker, Schobinger, B. Koppelman, M. Ruby, Jones, Vigesaa, Kasper, D. Ruby and Sens. Hogue, Osland introduced:

**HB 1058:** A BILL for an Act to amend and reenact section 39-10-51 of the North Dakota Century Code, relating to unattended motor vehicles; and to provide a penalty.

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

Reps. Roers Jones, Pyle, Schreiber-Beck and Sens. Meyer, K. Roers introduced:

**HB 1059:** A BILL for an Act to amend and reenact section 16.1-05-01 and subsection 4 of section 16.1-05-04 of the North Dakota Century Code, relating to part-time appointment of election workers and required presence at polling places.

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

Reps. Roers Jones, Headland, Dockter and Sens. Meyer, Unruh, Poolman, Myrdal introduced:

**HB 1060:** A BILL for an Act to create and enact a new subsection to section 52-04-06 of the North Dakota Century Code, relating to surcharges paid by employers for employees who receive unemployment insurance benefits at a rate exceeding contributions paid into the system by the employer; and to provide an effective date.

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

Reps. Roers Jones, Pyle, Trottier and Sens. Meyer, D. Larson introduced:

**HB 1061:** A BILL for an Act to amend and reenact subdivision g of subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax deduction for service payments and retirement benefits received by an active or reserve member of the armed forces or the national guard or a surviving spouse; and to provide an effective date.

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

Rep. Keiser and Sen. Klein introduced:

**HB 1062:** A BILL for an Act to amend and reenact subsection 2 of section 65-02-03.1 of the North Dakota Century Code, relating to the appointment of workforce safety and insurance board members; and to provide for application.

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

Rep. Keiser and Sens. Anderson, Klein introduced:

**HB 1063:** A BILL for an Act to create and enact section 65-05-40 of the North Dakota Century Code, relating to duration limits for opioid therapy, benzodiazepine, and muscle relaxants; and to provide for application.

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

Rep. Keiser and Sen. Klein introduced:

**HB 1064:** A BILL for an Act to amend and reenact subsection 1 of section 54-57-03, subsection 8 of section 65-01-16, section 65-02-22, and subsection 5 of section 65-04-32 of the North Dakota Century Code, relating to hearing officer services provided by the office of administrative hearings; to repeal section 65-02-22.1 of the North Dakota Century Code, relating to the appointment of administrative law judges; and to provide for application.

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

Reps. Roers Jones, Schreiber-Beck, Dockter, Satrom and Sen. K. Roers introduced:

**HB 1065:** A BILL for an Act to amend and reenact subsection 1 of section 39-08-09 of the North Dakota Century Code, relating to the immediate notice of a vehicle accident.

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

Reps. Nathe, Owens, Porter, Howe, Vigesaa, Lefor, D. Ruby, Mock and Sens. Wardner, Cook, Robinson, Bekkedahl introduced:

**HB 1066:** A BILL for an Act to create and enact a new section to chapter 2-05 and sections 57-51.1-07.7 and 57-51.1-07.8 of the North Dakota Century Code, relating to infrastructure funds; to amend and reenact subsection 5 of section 57-51-01 and sections 57-51-15, 57-51.1-07.3, and 57-51.1-07.5 of the North Dakota Century Code, relating to oil and gas tax revenue allocations; to provide a continuing appropriation; to provide for a report; and to provide an effective date.

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

Rep. Klemin introduced:

**HB 1067:** A BILL for an Act to amend and reenact sections 21-02-11 and 21-03-25 of the North Dakota Century Code, relating to municipal bid requirements and certificates of indebtedness.

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

Judiciary Committee introduced:

(At the request of the Supreme Court)

**HB 1068:** A BILL for an Act to repeal sections 27-04-01, 27-04-03, 27-04-04, 27-04-06, 27-04-07, and 27-04-08 of the North Dakota Century Code, relating to appointment of the supreme court reporter, the salary of the supreme court reporter, the location of the office of the supreme court reporter, duties of the supreme court reporter, and the sale and disposal of books and other library materials by the supreme court reporter.

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

Judiciary Committee introduced:

(At the request of the Commission on Legal Counsel for Indigents)

**HB 1069:** A BILL for an Act to amend and reenact section 54-61-04 of the North Dakota Century Code, relating to confidentiality provisions applicable to the commission on legal counsel for indigents.

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

Judiciary Committee introduced:

(At the request of the Commission on Legal Counsel for Indigents)

**HB 1070:** A BILL for an Act to amend and reenact subsection 2 of section 27-20-49 of the North Dakota Century Code, relating to the payment of witness fees, mileage, and travel expenses in juvenile court.

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

Human Services Committee introduced:

(At the request of the Board of Massage)

**HB 1071:** A BILL for an Act to create and enact a new section to chapter 43-25 of the North Dakota Century Code, relating to a massage therapist's use of prescription medication in a massage; and to amend and reenact subsection 1 of section 43-25-05, subsection 2 of section 43-25-07, subsections 2 and 4 of section 43-25-09, section 43-25-14, and subsection 1 of section 43-25-18 of the North Dakota Century Code, relating to regulations of the practice of massage therapy.

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

Industry, Business and Labor Committee introduced:

(At the request of Workforce Safety and Insurance)

**HB 1072:** A BILL for an Act to create and enact a new subsection to section 65-04-27.2 of the North Dakota Century Code, relating to cease and desist orders; to amend and reenact section 65-01-02, subsection 4 of section 65-01-08, sections 65-01-10, 65-04-04, 65-04-06, 65-04-19, 65-04-22, 65-04-24, and 65-04-26.2, subsection 3 of section 65-04-32, section 65-04-33, and subsection 1 of section 65-09-01 of the North Dakota Century Code, relating to definitions, the removal of the word "annual", off-setting premiums, the organizational seal, payroll reports, payment of premiums, premiums in default, notice of premium owing, liability of a general contractor, notices of decision, noncompliance of employers, and liability of uninsured employers; to repeal section 65-06.2-09 of the North Dakota Century Code, relating to safety and performance reviews; to provide a penalty; and to provide for an application.

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

Industry, Business and Labor Committee introduced:  
(At the request of Workforce Safety and Insurance)

**HB 1073:** A BILL for an Act to create and enact a new section to chapter 65-01 and a new section to chapter 65-05 of the North Dakota Century Code, relating to a pilot program to assess alternative forms of dispute resolution and the electronic submission of medical billings; to amend and reenact section 65-01-02, subsection 3 of section 65-01-15.1, sections 65-02-21.1, 65-05-09 and 65-05-10, and subsection 4 of section 65-05-28 of the North Dakota Century Code, relating to functional capacity examinations, medical examinations for full-time paid firefighters and law enforcement officers, licensing required for allied health care professionals, average weekly wage upon recurrence of disability, combined partial disability benefits, and medical noncompliance; to repeal section 65-02-07 of the North Dakota Century Code, relating to the organization seal; to provide a continuing appropriation; and to provide for application.

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

Judiciary Committee introduced:  
(At the request of the State Treasurer)

**HB 1074:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks by the office of state treasurer for individuals with access to personal information.

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

Industry, Business and Labor Committee introduced:  
(At the request of the Insurance Commissioner)

**HB 1075:** A BILL for an Act to amend and reenact sections 26.1-44-02, 26.1-44-03.1, 26.1-44-03.2, 26.1-44-06, 26.1-44-06.1, and 26.1-44-08 of the North Dakota Century Code, relating to surplus lines insurance; and to declare an emergency.

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

Judiciary Committee introduced:  
(At the request of the Department of Corrections and Rehabilitation)

**HB 1076:** A BILL for an Act to amend and reenact section 12-46-13 of the North Dakota Century Code, relating to placement of offenders at the North Dakota youth correctional center.

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

Energy and Natural Resources Committee introduced:  
(At the request of the State Auditor)

**HB 1077:** A BILL for an Act to create and enact a new subsection to section 54-10-01 of the North Dakota Century Code, relating to the powers and duties of the state auditor.

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

Reps. J. Nelson, Nathe introduced:

**HB 1078:** A BILL for an Act to amend and reenact section 43-10-15.4 of the North Dakota Century Code, relating to intern embalmer applications and qualifications; and to declare an emergency.

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

Government and Veterans Affairs Committee introduced:  
(At the request of the State Auditor)

**HB 1079:** A BILL for an Act to amend and reenact section 54-12-08 of the North Dakota Century Code, relating to special assistant attorneys general.

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

Judiciary Committee introduced:  
(At the request of the Information Technology Department)

**HB 1080:** A BILL for an Act to amend and reenact section 54-59-20 of the North Dakota Century Code, relating to criminal history background checks for contract employees of the information technology department.

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

Agriculture Committee introduced:  
(At the request of the Agriculture Commissioner)

**HB 1081:** A BILL for an Act to amend and reenact subsection 1 of section 4.1-19-01 and section 4.1-19-06 of the North Dakota Century Code, relating to the definition and sale of eggs.

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

Judiciary Committee introduced:

(At the request of the Superintendent of Public Instruction)

**HB 1082:** A BILL for an Act to create and enact two new sections to chapter 15.1-19 of the North Dakota Century Code, relating to the prohibition on aiding and abetting sexual abuse; and to provide for a penalty.

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

Finance and Taxation Committee introduced:

(At the request of the North Dakota University System)

**HB 1083:** A BILL for an Act to amend and reenact subsection 1 of section 57-38.3-02 of the North Dakota Century Code, relating to setoff of income tax refund for debts owed to the state; and to provide an effective date.

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

Judiciary Committee introduced:

(At the request of the Superintendent of Public Instruction)

**HB 1084:** A BILL for an Act to create and enact a new section to chapter 25-06 and a new section to chapter 25-07 of the North Dakota Century Code, relating to criminal history record checks; and to amend and reenact paragraph 5 of subdivision x of subsection 2 of section 12-60-24 and paragraph 5 of subdivision y of subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks.

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

Agriculture Committee introduced:

(At the request of the State Water Commission)

**HB 1085:** A BILL for an Act to amend and reenact section 61-34-04 of the North Dakota Century Code, relating to the drought disaster livestock water assistance program.

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

Agriculture Committee introduced:

(At the request of the State Engineer)

**HB 1086:** A BILL for an Act to amend and reenact section 61-01-01 of the North Dakota Century Code, relating to waters of the state.

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

Agriculture Committee introduced:

(At the request of the State Engineer)

**HB 1087:** A BILL for an Act to amend and reenact section 61-16.1-38 of the North Dakota Century Code, relating to a permit to construct or modify a dam, dike, or other device.

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

Education Committee introduced:

(At the request of the Superintendent of Public Instruction)

**HB 1088:** A BILL for an Act to repeal section 15.1-07-31 of the North Dakota Century Code, relating to the purchase and distribution of automated external defibrillators.

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

Education Committee introduced:

(At the request of the Superintendent of Public Instruction)

**HB 1089:** A BILL for an Act to amend and reenact subsection 3 of section 15.1-16-20 of the North Dakota Century Code, relating to personnel policies.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1090:** A BILL for an Act to amend and reenact sections 12.1-04-06 and 25-03.1-20, subsection 3 of section 25-03.1-21, and section 25-03.1-26 of the North Dakota Century Code, relating to examination, involuntary treatment, and commitment at the

state hospital or life skills and transition center.

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

Government and Veterans Affairs Committee introduced:

(At the request of the Adjutant General)

**HB 1091:** A BILL for an Act to amend and reenact sections 37-17.1-02.1 and 37-17.1-02.2 of the North Dakota Century Code, relating to the operations of the department of emergency services.

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

Education Committee introduced:

(At the request of the Bank of North Dakota)

**HB 1092:** A BILL for an Act to amend and reenact section 6-09-38, subsection 2 of section 6-09-48, subsection 1 of section 15-62.1-02, and section 15-62.1-04 of the North Dakota Century Code, relating to the North Dakota higher education savings plan, the federal student loan program, and the state guarantee loan program; to repeal section 15-62.1-10 of the North Dakota Century Code, relating to eligibility for participation in the federal student loan program; and to declare an emergency.

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

Transportation Committee introduced:

(At the request of the Department of Transportation)

**HB 1093:** A BILL for an Act to create and enact section 39-04-14.4 of the North Dakota Century Code, relating to motorcycle registration renewals; and to amend and reenact section 39-04-14, subsection 2 of section 39-04-19 and section 39-28-01 of the North Dakota Century Code, relating to motorcycle registration.

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

Transportation Committee introduced:

(At the request of the Department of Transportation)

**HB 1094:** A BILL for an Act to amend and reenact section 39-04-10.3 of the North Dakota Century Code, relating to personalized plates for motor vehicles.

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

Government and Veterans Affairs Committee introduced:

(At the request of the Adjutant General)

**HB 1095:** A BILL for an Act to amend and reenact subsection 2 of section 37-29-01 of the North Dakota Century Code, relating to the definition of volunteer emergency responders.

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

Reps. Roers Jones, Beadle, Pyle, Blum, Louser, Nathe, Becker and Sens. Holmberg, J. Lee, Meyer, Poolman, Davison introduced:

**HB 1097:** A BILL for an Act to amend and reenact section 12.1-30-04 of the North Dakota Century Code, relating to Sunday closing laws and retail agreements; and to repeal sections 12.1-30-01, 12.1-30-02, and 12.1-30-03 of the North Dakota Century Code, relating to Sunday closing laws.

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

Transportation Committee introduced:

(At the request of the Department of Transportation)

**HB 1098:** A BILL for an Act to create and enact a new subsection to section 39-06.2-06 of the North Dakota Century Code, relating to commercial driver's licenses.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1099:** A BILL for an Act to amend and reenact sections 43-12.1-04, 43-12.1-16, 50-11-00.1, 50-11-02.4, 50-11-06.8, 50-11-06.9, and 50-24.1-18 of the North Dakota Century Code, relating to the delegation of administration of routine medications to a qualified service provider, agency foster homes for adults, criminal history record investigations, and the implementation of residential habilitation and community support services in a residential setting or private residence; and to provide for application.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1100:** A BILL for an Act to amend and reenact section 50-06-01.7 of the North Dakota Century Code, relating to fees charged by the behavioral health division of the department of human services.

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

Government and Veterans Affairs Committee introduced:

(At the request of the Adjutant General)

**HB 1101:** A BILL for an Act to create and enact section 37-03-18 of the North Dakota Century Code, relating to the adjutant general's program supporting North Dakota service members, veterans, families, and survivors, and the ability to accept funds for this purpose; and to provide a continuing appropriation.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1102:** A BILL for an Act to create and enact a new section to chapter 50-11 of the North Dakota Century Code, relating to criminal history record investigation on identified relatives; to amend and reenact subdivision f of subsection 2 of section 12-60-24, section 25-03.2-03.1, subsection 9 of section 43-12.1-04, subsection 21 of section 50-06-05.1, subsection 1 of section 50-11-00.1, and sections 50-11-00.1, 50-11-01, 50-11-02.3, and 50-11-06.8 of the North Dakota Century Code, relating to criminal history record checks on identified relatives, residential child care facilities, qualified residential treatment program, supervised independent living program, approved foster care facilities, moratorium, and criminal history records investigation; and to provide an effective date.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1103:** A BILL for an Act to create and enact two new sections to chapter 50-31 of the North Dakota Century Code, relating to licensure of an opioid treatment medication unit and fees; and to amend and reenact section 50-31-01 and subsection 1 of section 50-31-05 of the North Dakota Century Code, relating to the definition of medication unit and the licensure of substance abuse treatment programs.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1104:** A BILL for an Act to amend and reenact section 15.1-37-01, section 50-11.1-02, and subsection 2 of section 50-11.1-14.1 of the North Dakota Century Code, relating to early childhood services and quality improvement.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1105:** A BILL for an Act to amend and reenact sections 50-06-06.13 and 50-06-42 of the North Dakota Century Code, relating to treatment services for children with serious emotional disorders and the substance use disorder treatment voucher system.

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

Industry, Business and Labor Committee introduced:

(At the request of the Insurance Commissioner)

**HB 1106:** A BILL for an Act to create and enact chapter 26.1-36.7 of the North Dakota Century Code, relating to the establishment of an invisible reinsurance pool for the individual health insurance market; and to declare an emergency.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1107:** A BILL for an Act to amend and reenact subsection 1 of section 50-10.1-03, section 50-25.2-02, subsection 1 of section 50-25.2-03, section 50-25.2-04, subsection 1 of section 50-25.2-05, and sections 50-25.2-12, 50-25.2-13, and 50-25.2-14 of the North Dakota Century Code, relating to the duties of the state

long-term care ombudsman and vulnerable adult protective services.  
Was read the first time and referred to the **Human Services Committee**.

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1108:** A BILL for an Act to create and enact three new sections to chapter 50-25.1 of the North Dakota Century Code, relating to child abuse and neglect family services assessments and evidence-based screening tool records; and to amend and reenact section 50-25.1-02, subsection 1 of section 50-25.1-03, sections 50-25.1-05, 50-25.1-05.1, 50-25.1-05.4, 50-25.1-06.1, and 50-25.1-09, subsection 2 of section 50-25.1-11, and subsection 8 of section 50-25.1-15 of the North Dakota Century Code, relating to child abuse and neglect and family services assessments.

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

Judiciary Committee introduced:

(At the request of the Commission on Uniform State Laws)

**HB 1109:** A BILL for an Act to create and enact chapter 31-15 of the North Dakota Century Code, relating to the Uniform Unsworn Domestic Declarations Act; and to amend and reenact subsection 4 of section 12.1-11-01 of the North Dakota Century Code, relating to the crime of perjury.

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

Judiciary Committee introduced:

(At the request of the Commission on Uniform State Laws)

**HB 1110:** A BILL for an Act to create and enact section 44-06.1-13.1 of the North Dakota Century Code, relating to the adoption of the Revised Uniform Law on Notarial Acts; and to amend and reenact sections 44-06.1-01, 44-06.1-03, and 44-06.1-18 of the North Dakota Century Code, relating to the adoption of the Revised Uniform Law on Notarial Acts.

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

Reps. Headland, Dockter, Grueneich and Sens. Cook, Wanzek introduced:

**HB 1111:** A BILL for an Act to amend and reenact section 57-38-30.5 of the North Dakota Century Code, relating to the alternative simplified method for calculating the research and experimental expenditure credit; and to provide an effective date.

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

Reps. Headland, Dockter and Sen. Cook introduced:

**HB 1112:** A BILL for an Act to create and enact a new subsection to section 57-38-60 of the North Dakota Century Code, relating to filing information returns; to amend and reenact subsection 11 of section 57-38-60 of the North Dakota Century Code, relating to filing quarterly withholding returns; and to provide an effective date.

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

Judiciary Committee introduced:

(At the request of the State Board of Pharmacy)

**HB 1113:** A BILL for an Act to amend and reenact subsection 18 of section 19-03.1-01, section 19-03.1-05, subsection 7 of section 19-03.1-07, subsection 4 of section 19-03.1-09, subsection 7 of section 19-03.1-11, and subsection 5 of section 19-03.1-13 of the North Dakota Century Code, relating to the definition of marijuana and the scheduling of controlled substances; and to declare an emergency.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1114:** A BILL for an Act to amend and reenact subsection 5 of section 50-06-01.9, section 50-11.1-02, subsection 26 of section 50-11.1-02, section 50-11.1-02.2, subsection 8 of section 50-11.1-03, sections 50-11.1-04, 50-11.1-06.1, 50-11.1-06.2, 50-11.1-07, 50-11.1-07.1, 50-11.1-07.2, 50-11.1-07.3, 50-11.1-07.4, 50-11.1-07.5, 50-11.1-07.6, subsection 1 of section 50-11.1-07.8, and sections 50-11.1-08, 50-11.1-09, 50-11.1-10, 50-11.1-12, and 50-11.1-17 of the North Dakota Century Code, relating to early childhood services; to repeal sections 50-11.1-16 and 50-11.1-17 of the North Dakota Century Code, relating to self-declaration application; and to provide an effective date.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1115:** A BILL for an Act to create and enact a new section to chapter 12-44.1, a new section to chapter 50-10.2, and a new section to chapter 50-24.1 of the North Dakota Century Code, relating to payment of claims received on behalf of inmates, furnishing financial information to a facility, and definitions for medical assistance for needy persons; to amend and reenact subsection 6 of section 50-06-01.9 and sections 50-24.1-01.1, 50-24.1-01.3, 50-24.1-02, 50-24.1-02.1, 50-24.1-02.2, 50-24.1-02.3, 50-24.1-02.5, 50-24.1-02.6, 50-24.1-02.7, 50-24.1-02.8, 50-24.1-02.10, 50-24.1-03.1, 50-24.1-03.2, 50-24.1-03.3, 50-24.1-04, 50-24.1-07, 50-24.1-12, 50-24.1-16, 50-24.1-17, 50-24.1-18, 50-24.1-18.1, 50-24.1-20, 50-24.1-24, 50-24.1-26, 50-24.1-28, 50-24.1-29, 50-24.1-30, 50-24.1-31, 50-24.1-33, 50-24.1-35, 50-24.1-36, and 50-24.1-39 of the North Dakota Century Code, relating to criminal history record checks on Medicaid services applicants, providers, and staff members and medical assistance for needy persons; and to repeal sections 50-24.1-01.2, 50-24.1-10, 50-24.1-11, 50-24.1-13, 50-24.1-19, 50-24.1-22, 50-24.1-25, 50-24.1-27, 50-24.1-34, and 50-24.1-38 of the North Dakota Century Code, relating to medical assistance for needy persons.

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

Industry, Business and Labor Committee introduced:

(At the request of the Insurance Commissioner)

**HB 1116:** A BILL for an Act to amend and reenact sections 26.1-38.1-01, 26.1-38.1-02, 26.1-38.1-03, 26.1-38.1-04, 26.1-38.1-05, 26.1-38.1-06, 26.1-38.1-08, 26.1-38.1-09, 26.1-38.1-10, 26.1-38.1-11, 26.1-38.1-13, 26.1-38.1-14, and 26.1-38.1-16 of the North Dakota Century Code, relating to the North Dakota life and health insurance guaranty association; to repeal section 26.1-38.1-17 of the North Dakota Century Code, relating to application of laws to an insolvent insurer; and to provide for application.

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

Reps. Devlin, Holman, Magrum and Sens. Dwyer, Heckaman, Klein introduced:

**HB 1117:** A BILL for an Act to create and enact a new section to chapter 46-05 of the North Dakota Century Code, relating to publication of legal notices in a newspaper and on the newspaper's website.

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

Reps. K. Koppelman, Boe, Buffalo, Schauer and Sens. J. Lee, Marcellais introduced:

**HB 1118:** A BILL for an Act to amend and reenact subsection 1 of section 27-09.1-05 of the North Dakota Century Code, relating to the master list for jury selection.

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

Reps. Westlind, B. Anderson, P. Anderson, Devlin, Dobervich, M. Ruby introduced:

**HB 1119:** A BILL for an Act to amend and reenact section 19-24.1-03, subsection 2 of section 19-24.1-04, subsection 1 of section 19-24.1-15, subsection 2 of section 19-24.1-18, subsection 13 of section 19-24.1-32, and section 19-24.1-37 of the North Dakota Century Code, relating to the medical marijuana program; to provide for the destroying or redacting of social security numbers in the department's possession; and to declare an emergency.

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

Reps. Lefor, Schatz, Steiner and Sens. Elkin, Wardner introduced:

**HB 1120:** A BILL for an Act to authorize the state board of higher education to convey the arts building at Dickinson state university.

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

Reps. Pyle, Hoverson, Howe, Longmuir, O'Brien, Roers Jones and Sens. Bekkedahl, Luick, Meyer introduced:

**HB 1121:** A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 16.1-07-15 of the North Dakota Century Code, relating to early voting election precincts.

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

Reps. Pyle, Hoverson, Howe, Mitskog, O'Brien, Roers Jones and Sens. Bekkedahl, Luick introduced:

**HB 1122:** A BILL for an Act to amend and reenact sections 15.1-21-02.5, 15.1-21-02.6, and 15.1-21-02.8 of the North Dakota Century Code, relating to eligibility for the North Dakota academic scholarship for high school students enrolled in dual-credit courses.

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

Reps. Schobinger, Kasper, Lefor, Mitskog and Sens. Klein, Krebsbach, Mathern introduced:

**HB 1123:** A BILL for an Act to create and enact a new section to chapter 26.1-39 of the North Dakota Century Code, relating to property and casualty insurance risk rating; and to provide for application.

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

Rep. Weisz and Sen. J. Lee introduced:

**HB 1124:** A BILL for an Act to create and enact a new subsection to section 50-24.4-15 of the North Dakota Century Code, relating to nursing home rate setting.

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

Reps. Richter, Fisher, Jones, Lefor and Sens. Bekkedahl, Clemens, Davison introduced:

**HB 1125:** A BILL for an Act to amend and reenact section 15.1-27-16 of the North Dakota Century Code, relating to plans for cooperating school districts.

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

Rep. Weisz and Sen. J. Lee introduced:

**HB 1126:** A BILL for an Act to amend and reenact section 23-09.3-08.1 of the North Dakota Century Code, relating to basic care facility end-of-life services.

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

Reps. Laning, B. Anderson, Tveit and Sen. Anderson introduced:

**HB 1127:** A BILL for an Act to amend and reenact sections 10-15-08.1, 10-19.1-13, and 10-32.1-11, subsection 14 of section 10-32.1-92, section 10-33-10, subdivision I of subsection 1 of section 10-33-140, subsection 3 of section 10-34-04, subdivision I of subsection 1 of section 10-36-08, section 45-10.2-10, subsection 13 of section 45-10.2-109, sections 45-11-01, 45-13-04.1, 45-22-04, and 45-23-03, subsection 13 of section 45-23-08, and section 47-25-03 of the North Dakota Century Code, relating to the names of cooperatives, corporations, limited liability companies, domestic and foreign real estate investment trusts, limited partnerships, fictitious partnerships, and limited liability partnerships; and to provide a contingent effective date.

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

Reps. Laning, Trottier and Sens. Dever, Marcellais introduced:

**HB 1128:** A BILL for an Act to provide an appropriation to the department of veterans' affairs for the training of service dogs for North Dakota veterans with posttraumatic stress disorder.

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

Reps. Laning, Trottier and Sen. Marcellais introduced:

**HB 1129:** A BILL for an Act to amend and reenact section 37-18-04 of the North Dakota Century Code, relating to duties of the commissioner of veterans' affairs.

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

Reps. Laning, Trottier and Sen. Marcellais introduced:

**HB 1130:** A BILL for an Act to amend and reenact section 37-14-14 of the North Dakota Century Code, relating to the authority of the administrative committee on veterans' affairs to establish goals and objectives for expenditures of the veterans' postwar trust fund.

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

Reps. Laning, Trottier and Sens. Dever, Marcellais introduced:

**HB 1131:** A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to exempting the sale of commemorative memorial coins from sales tax; to amend and reenact section 37-18-12 and subsection 2 of section 37-18-15 of the North Dakota Century Code, relating to

funding authority of the department of veterans' affairs and veteran commemorative coins; to provide a continuing appropriation; and to provide for retroactive application.

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

Reps. Lefor, Bosch, Meier and Sens. Burckhard, D. Larson, Wardner introduced:

**HB 1132:** A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to an exemption from open records laws for background interviews regarding law enforcement officer job applicants.

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

Reps. Porter, Bosch, Kreidt, Toman and Sens. Cook, Unruh introduced:

**HB 1133:** A BILL for an Act to create and enact a new section to chapter 49-05 of the North Dakota Century Code, relating to limiting increases on electrical rates.

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

Reps. Pollert, Boe, D. Johnson, Trottier and Sens. Erbele, Klein, Wanzek introduced:

**HB 1134:** A BILL for an Act to create and enact a new section to chapter 4.1-41 of the North Dakota Century Code, relating to commercial feed; and to amend and reenact sections 4.1-41-01, 4.1-41-02, 4.1-41-04, 4.1-41-05, 4.1-41-06, 4.1-41-07, 4.1-41-09, 4.1-41-10, 4.1-41-11, 4.1-41-13, 4.1-41-16, and 4.1-41-18 of the North Dakota Century Code, relating to commercial feed.

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

Reps. Boschee, Adams, Fegley, Hanson, Hatlestad, M. Johnson, Magrum, Pyle, Strinden and Sens. Bakke, Clemens, Dwyer introduced:

**HB 1135:** A BILL for an Act to amend and reenact subsections 9 and 10 of section 39-01-15 and section 39-04-10.2 of the North Dakota Century Code, relating to parking spaces for the mobility impaired; and to provide a penalty.

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

Reps. Keiser, Bosch, Lefor and Sens. Burckhard, Klein, Vedaa introduced:

**HB 1136:** A BILL for an Act to amend and reenact section 48-01.2-06 of the North Dakota Century Code, relating to bid requirements for public improvements.

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

Reps. Keiser, Bosch, O'Brien and Sen. Burckhard introduced:

**HB 1137:** A BILL for an Act to create and enact two new sections to chapter 26.1-02 of the North Dakota Century Code, relating to electronic delivery of insurance notices and documents; and to repeal section 26.1-39-26 of the North Dakota Century Code, relating to electronic delivery of property and casualty insurance notices and documents.

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

Reps. Keiser, O'Brien introduced:

**HB 1138:** A BILL for an Act to amend and reenact subsection 2 of section 26.1-02-27 of the North Dakota Century Code, relating to annual privacy notices.

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

Rep. Keiser and Sen. Klein introduced:

**HB 1139:** A BILL for an Act to create and enact section 26.1-02-31 of the North Dakota Century Code, relating to confidentiality of insurance department records; and to amend and reenact section 26.1-02-30 of the North Dakota Century Code, relating to confidentiality of consumer assistance records.

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

Reps. Keiser, Lefor and Sen. Klein introduced:

**HB 1140:** A BILL for an Act to amend and reenact subsections 3 and 4 of section 26.1-39-11 and subsections 4 and 5 of section 26.1-40-01 of the North Dakota Century Code, relating to the renewal of an insurance policy with altered terms.

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

Reps. Keiser, Howe, Longmuir, Zubke and Sens. Bekkedahl, Klein, Unruh introduced:

**HB 1141:** A BILL for an Act to amend and reenact section 54-44.3-20 of the North Dakota Century Code, relating to exceptions to classified service.

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

Rep. Keiser and Sen. Klein introduced:

**HB 1142:** A BILL for an Act to create and enact a new section to chapter 26.1-02 of the North Dakota Century Code, relating to interpretation of the state's insurance laws.

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

Rep. Keiser and Sen. Klein introduced:

**HB 1143:** A BILL for an Act to create and enact a new section to chapter 39-21 of the North Dakota Century Code, relating to prohibiting the manufacturing, sale, and installation of a counterfeit supplemental restraint system component and nonfunctional airbag; and to provide a penalty.

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

Reps. Keiser, Kasper introduced:

**HB 1144:** A BILL for an Act to create and enact section 26.1-26-04.1 of the North Dakota Century Code, relating to fees for insurance services.

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

Reps. Toman, Johnston, B. Koppelman, Simons and Sen. Kannianen introduced:

**HB 1145:** A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to limitations on the introduction of legislative bills prepared by executive branch agencies and the judicial branch.

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

Reps. McWilliams, Kading, D. Ruby, Simons, Skroch and Sen. O. Larsen introduced:

**HB 1146:** A BILL for an Act to amend and reenact subsection 2 of section 4.1-31-01 of the North Dakota Century Code, relating to the inclusion of rabbits in the definition of animal for meat inspection.

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

Reps. Lefor, Devlin, Heinert, K. Koppelman, Roers Jones, M. Ruby and Sen. Wardner introduced:

**HB 1147:** A BILL for an Act to create and enact a new section to chapter 40-18 of the North Dakota Century Code, relating to the location of a proceeding before a municipal judge and the use of reliable electronic means.

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

Reps. Boschee, Becker, Dobervich, K. Koppelman, Magrum, McWilliams, Roers Jones, Sanford, Vetter and Sens. Bakke, Dwyer introduced:

**HB 1148:** A BILL for an Act to create and enact a new subsection to section 19-24.1-32 of the North Dakota Century Code, relating to possession of firearms or dangerous weapons.

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

Reps. D. Johnson, Kempenich, Monson, Vigesaa and Sens. Dotzenrod, Schaible, Wanzek introduced:

**HB 1149:** A BILL for an Act to create and enact a new section to chapter 4.1-47 of the North Dakota Century Code, relating to noxious weed certification.

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

Reps. Tveit, Damschen, Laning and Sens. O. Larsen, Wanzek introduced:

**HB 1150:** A BILL for an Act to amend and reenact subsection 1 of section 47-16-07.1 of the North Dakota Century Code, relating to lessor security deposit limitations.

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

Reps. Tveit, Boschee, Richter, D. Ruby, Trottier and Sen. O. Larsen introduced:

**HB 1151:** A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-06 of the North Dakota Century Code, relating to the fee for failure to stop at a stop sign and failure to display lighted headlamps, taillamps, and illuminating devices; and to provide a penalty.

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

Reps. Brandenburg, Boe, Kempenich, Kreidt and Sens. Bekkedahl, Dotzenrod, Erbele, Wanzek introduced:

**HB 1152:** A BILL for an Act to amend and reenact section 15.1-27-04.1 of the North Dakota Century Code, relating to state foundation aid payments to school districts.  
Was read the first time and referred to the **Education Committee**.

Reps. Brandenburg, Boe and Sen. Wanzek introduced:

**HB 1153:** A BILL for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to a partial property tax exemption for grain elevator property used for personal use; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Roers Jones, Beadle, Blum, Heinert and Sen. Myrdal introduced:

**HB 1154:** A BILL for an Act to amend and reenact section 39-07-01 of the North Dakota Century Code, relating to a bicycle and a ridden animal being deemed a vehicle.  
Was read the first time and referred to the **Transportation Committee**.

Reps. Roers Jones, Beadle, Becker, Blum, Boschee, Vetter and Sens. Oban, J. Roers introduced:

**HB 1155:** A BILL for an Act to create and enact section 19-03.4-01.1 of the North Dakota Century Code, relating to marijuana paraphernalia; to amend and reenact sections 19-03.1-22.3, 19-03.1-23, 19-03.1-23.1, 19-03.4-03, 19-03.4-04, 19-03.4-05, and subsection 29 of section 40-05-02 of the North Dakota Century Code, relating to possession of marijuana and marijuana paraphernalia; to provide for a legislative management study; and to provide a penalty.  
Was read the first time and referred to the **Judiciary Committee**.

Reps. Howe, Dockter, K. Koppelman, Schauer and Sen. Wanzek introduced:

**HB 1156:** A BILL for an Act to create and enact sections 26.1-39-27 and 26.1-39-28 of the North Dakota Century Code, relating to the inception and termination times of specific insurance and rulemaking authority of the insurance commissioner; and to declare an emergency.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

Rep. B. Koppelman introduced:

**HB 1157:** A BILL for an Act to amend and reenact section 43-09-09 of the North Dakota Century Code, relating to regulation of low-voltage electrical systems.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. B. Koppelman, Dockter, Ertelt, Hatlestad, Headland, Kasper, Kempenich, K. Koppelman and Sens. Clemens, Kannianen, Unruh introduced:

**HB 1158:** A BILL for an Act to create and enact a new subsection to section 57-39.2-12 and a new subsection to section 57-40.2-06 of the North Dakota Century Code, relating to an exception to the payment of sales and use taxes; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. B. Koppelman, Delzer, Dockter, Ertelt, Hatlestad, Headland, Kasper, Kempenich, Schmidt and Sens. Clemens, Kannianen, Unruh introduced:

**HB 1159:** A BILL for an Act to amend and reenact section 57-40.2-03.3 of the North Dakota Century Code, relating to payment of use tax by contractors; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. B. Koppelman, Karls, Louser, Schauer and Sens. Hogue, Schaible, Unruh introduced:

**HB 1160:** A BILL for an Act to create and enact section 62.1-02-02.1 of the North Dakota Century Code, relating to the sale of firearms; and to provide a penalty.  
Was read the first time and referred to the **Energy and Natural Resources Committee**.

Reps. B. Koppelman, Beadle, Jones, K. Koppelman, Louser, Schauer and Sens. Hogue, Luick, Poolman, Schaible introduced:

**HB 1161:** A BILL for an Act to create and enact a new section to chapter 51-28 of the North Dakota Century Code, relating to prohibiting false information from being entered into a telephone caller identification system with the intent to deceive, defraud, or mislead; and to provide a penalty.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. B. Koppelman, Ertelt, Johnston, Jones, K. Koppelman, Magrum, Roers Jones and Sens. Clemens, Dwyer, Hogue, Luick, Myrdal introduced:

**HB 1162:** A BILL for an Act to amend and reenact subsection 7 of section 12.1-32-01 of the North Dakota Century Code, relating to multiple convictions of the same infraction; and to provide a penalty.

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

Reps. B. Koppelman, Ertelt, Johnston, Karls, K. Koppelman, Magrum and Sens. Luick, Myrdal introduced:

**HB 1163:** A BILL for an Act to amend and reenact subsection 1 of section 62.1-02-04, subsection 1 of section 62.1-02-05, and section 62.1-02-10 of the North Dakota Century Code, relating to the possession of firearms or dangerous weapons; and to provide a penalty.

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

Reps. Roers Jones, Beadle, Blum, Boschee, Heinert and Sen. Luick introduced:

**HB 1164:** A BILL for an Act to create and enact two new subsections to section 19-03.1-23 of the North Dakota Century Code, relating to drug court participation; to amend and reenact subsection 9 of section 12.1-32-02 and section 39-08-01.5 of the North Dakota Century Code, relating to drug court participation; and to provide a penalty.

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

Reps. Vetter, Becker, Ertelt, Kading, Klemin, B. Koppelman, Louser, O'Brien, Sanford and Sens. O. Larsen, Meyer introduced:

**HB 1165:** A BILL for an Act to create and enact sections 11-33-17.1, 40-47-05.1, and 58-03-14.1 of the North Dakota Century Code, relating to nonconforming structures.

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

Reps. D. Johnson, C. Johnson, Jones, Kempenich and Sens. Dotzenrod, Patten, Schaible introduced:

**HB 1166:** A BILL for an Act to amend and reenact section 4.1-73-01 of the North Dakota Century Code, relating to freeze branding.

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

Reps. Magrum, Ertelt, Johnston, McWilliams, Satrom, Simons and Sens. Luick, Mathern, Schaible introduced:

**HB 1167:** A BILL for an Act to amend and reenact subsection 3 of section 49-22-05.1 of the North Dakota Century Code, relating to exclusion and avoidance areas for a wind turbine; and to provide for application.

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

Reps. Magrum, Grueneich, Jones, Laning, Satrom and Sens. Dotzenrod, Hogan, Mathern, Schaible introduced:

**HB 1168:** A BILL for an Act to provide an appropriation to the department of veterans' affairs for the purchase of a transport van.

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

Reps. Schauer, K. Koppelman, Satrom, Strinden and Sen. Clemens introduced:

**HB 1169:** A BILL for an Act to create and enact a new section to chapter 1-03 of the North Dakota Century Code, relating to annual observance of Patriots' Day.

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

Reps. Grueneich, Blum, Dockter, Headland, Satrom, Vigesaa and Sen. Wanzek introduced:

**HB 1170:** A BILL for an Act to amend and reenact subsection 3 of section 15.1-06-04 and section 15.1-27-23 of the North Dakota Century Code, relating to school calendar days on days of inclement weather.

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

Reps. Grueneich, Blum, Dockter, Headland, Howe, Mitskog, Pollert, Satrom and Sens. Cook, Wanzek introduced:

**HB 1171:** A BILL for an Act to create and enact two new sections to chapter 6-09 of the North Dakota Century Code, relating to the development and implementation of a skilled workforce student grant program; to provide a continuing appropriation; to provide for a transfer; to provide an expiration date; and to declare an emergency.

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

Rep. Keiser introduced:

**HB 1172:** A BILL for an Act to amend and reenact section 43-25-05.1 of the North Dakota Century Code, relating to reporting requirements of the board of massage therapy.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

Rep. Keiser introduced:

**HB 1173:** A BILL for an Act to amend and reenact section 28-34-01 of the North Dakota Century Code, relating to costs of appeals of local government decisions.  
Was read the first time and referred to the **Judiciary Committee**.

Reps. Bellew, Dockter, Martinson, Nathe, Rohr, M. Ruby, Trottier and Sens. Dever, Schaible introduced:

**HB 1174:** A BILL for an Act to create an enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an individual income tax deduction for social security benefits; to amend and reenact subsection 5 of section 57-02-08.1 and section 57-38-01.28 of the North Dakota Century Code, relating to the homestead tax credit and the marriage penalty credit; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Devlin, Holman, Kading, Vigesaa and Sens. Bekkedahl, Heckaman, O. Larsen, Unruh introduced:

**HB 1175:** A BILL for an Act to amend and reenact section 43-17-01, subsection 9 of section 43-17-02, sections 43-17-02.1 and 43-17-02.2, subdivision aa of subsection 1 of section 43-17-31, and section 43-17-31.1 of the North Dakota Century Code, relating to regulation of physician assistants.  
Was read the first time and referred to the **Human Services Committee**.

Reps. Monson, Kreidt, Vigesaa and Sens. Klein, Luick, Rust introduced:

**HB 1176:** A BILL for an Act to amend and reenact sections 26.1-13-01, 26.1-13-05, 26.1-13-07, 26.1-13-10, 26.1-13-11, 26.1-13-12, 26.1-13-14, 26.1-13-15, 26.1-13-19, 26.1-13-21, 26.1-13-23, 26.1-13-28, 26.1-13-29, and 26.1-13-34 and subsection 7 of section 26.1-42.1-02 of the North Dakota Century Code, relating to county mutual insurance companies; and to repeal sections 26.1-13-20, 26.1-13-22, 26.1-13-24, 26.1-13-25, 26.1-13-26, 26.1-13-27, 26.1-13-31, 26.1-13-32, and 26.1-13-33 of the North Dakota Century Code, relating to county mutual insurance companies.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Magrum, Hanson, Jones, Laning and Sens. Mathern, Schaible introduced:

**HB 1177:** A BILL for an Act to provide an appropriation to the department of veterans' affairs for a national service officer grant program.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Magrum, Jones, Laning, Satrom and Sens. Anderson, Dotzenrod, Hogan, J. Lee, Mathern introduced:

**HB 1178:** A BILL for an Act to provide an appropriation to the department of veterans' affairs for stand down events.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Roers Jones, Beadle, Boschee, Heinert and Sens. J. Lee, Oban, Rust introduced:

**HB 1179:** A BILL for an Act to amend and reenact subsection 4 of section 39-06.1-10 and section 39-06.1-11 of the North Dakota Century Code, relating to the issuance of temporary restricted licenses to operators participating in the twenty-four seven sobriety program.  
Was read the first time and referred to the **Transportation Committee**.

Reps. Kreidt, Devlin, Hatlestad, Kasper, Meier, Monson, Pollert, Rohr, D. Ruby, Vigesaa and Sens. Schaible, Unruh introduced:

**HB 1180:** A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to exempting sports cars from the number plate display requirements.  
Was read the first time and referred to the **Transportation Committee**.

Rep. Keiser and Sen. Klein introduced:

**HB 1181:** A BILL for an Act to create and enact chapter 6-15 of the North Dakota Century

Code, relating to the regulation of guaranteed asset protection waivers; to provide a penalty; and to provide for application.

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

Reps. Kading, Bellew, Ertelt, Johnston, Laning, Toman introduced:

**HB 1182:** A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to limitations on increases in property assessments for property tax purposes; and to provide an effective date.

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

Reps. Kading, Blum, Meier, Schneider, Vetter and Sens. O. Larsen, D. Larson introduced:

**HB 1183:** A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-02.1, sections 19-03.1-23 and 19-03.1-23.4, paragraph 3 of subdivision e of subsection 1 of section 19-03.1-36, subdivision e of subsection 5 of section 19-03.1-36, subsection 1 of section 19-03.1-45, subsection 2 of section 29-29.5-08, and subsection 29 of section 40-05-02 of the North Dakota Century Code, relating to mandatory sentences for offenses relating to controlled substances; and to repeal section 19-03.1-23.2 of the North Dakota Century Code, relating to deferred imposition of sentence and suspension of sentence.

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

Reps. Kading, Becker, Ertelt, Johnston, Laning, D. Ruby, M. Ruby, Toman and Sen. O. Larsen introduced:

**HB 1184:** A BILL for an Act to amend and reenact sections 2-06-08, 32-15-01, and 40-22-05, subsection 2 of section 61-16.1-09, section 61-24.8-06, and subsection 2 of section 61-40-05 of the North Dakota Century Code, relating to eliminating the ability of state and local government authorities from using quick take eminent domain; and to repeal sections 11-10-26 and 24-01-22.1 of the North Dakota Century Code, relating to appeals related to acquiring a right of way through the use of quick take eminent domain.

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

Reps. Kading, Blum, Meier, Vetter and Sen. O. Larsen introduced:

**HB 1185:** A BILL for an Act to create and enact a new subsection to section 12.1-32-07 of the North Dakota Century Code, relating to petitions for revocation of probation; to amend and reenact subsection 9 of section 12.1-32-02 of the North Dakota Century Code, relating to reduction of felonies to misdemeanors by operation of law; and to provide a penalty.

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

Reps. Kempenich, B. Anderson, Brandenburg, Schatz and Sens. Elkin, Patten introduced:

**HB 1186:** A BILL for an Act to amend and reenact section 54-44-16 of the North Dakota Century Code, relating to oil and gas tax revenue hedging.

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

Reps. Kempenich, Brandenburg, K. Koppelman and Sens. J. Lee, Schaible introduced:

**HB 1187:** A BILL for an Act to create and enact a new subsection to section 54-11-01 of the North Dakota Century Code, relating to duties of the state treasurer; to amend and reenact sections 10-15-49 and 47-30.1-24.1, subsection 6 of section 57-38-57, and subsections 3 and 8 of section 57-39.2-23 of the North Dakota Century Code, relating to abandoned property; and to repeal section 15-02-05.2 of the North Dakota Century Code, relating to the administrator of abandoned property.

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

Reps. Keiser, Jones introduced:

**HB 1188:** A BILL for an Act to amend and reenact section 65-05-09.3 of the North Dakota Century Code, relating to the termination of benefits upon retirement; and to provide for application.

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

Rep. Brandenburg introduced:

**HB 1189:** A BILL for an Act to amend and reenact subsection 3 of section 43-41-12 and sections 50-25.1-05.1, 50-25.1-05.2, 50-25.1-05.4, 50-25.1-13, and 50-25.1-19 of the North Dakota Century Code, relating to child abuse and neglect; and to provide for a penalty.

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

Reps. D. Ruby, Becker, Boschee, Johnston, Kasper and Sens. Heckaman, Hogue, Krebsbach, J. Roers introduced:

**HB 1190:** A BILL for an Act to amend and reenact section 5-01-17 of the North Dakota Century Code, relating to domestic winery licenses.

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

Reps. Kempenich, Nathe and Sen. Klein introduced:

**HB 1191:** A BILL for an Act to create and enact a new section to chapter 54-10 and a new section to chapter 54-44.1 of the North Dakota Century Code, relating to the duty of the state auditor to report consecutive audit findings and the reduction of agency appropriations by the office of management and budget.

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

Reps. Keiser, Martinson and Sen. Unruh introduced:

**HB 1192:** A BILL for an Act to create and enact section 61-33-01.1 of the North Dakota Century Code, relating to defining and delineating the ordinary high water mark of a navigable body of water; and to amend and reenact section 61-33-01 and subdivision e of subsection 3 of section 61-33.1-03 of the North Dakota Century Code, relating to the definition and determination of ordinary high water mark.

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

Reps. Johnston, Becker, Devlin, B. Koppelman, Lefor, Marschall, D. Ruby, Schatz and Sens. Kreun, O. Larsen, J. Roers, Sorvaag introduced:

**HB 1193:** A BILL for an Act to create and enact a new section to chapter 34-06 of the North Dakota Century Code, relating to a living wage mandate prohibition for political subdivisions; and to provide for application.

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

Rep. Keiser and Sen. Heckaman introduced:

**HB 1194:** A BILL for an Act to create and enact section 50-24.1-40 of the North Dakota Century Code, relating to medical assistance tribal health care coordination agreements; to amend and reenact section 50-24.1-37 of the North Dakota Century Code, relating to Medicaid expansion; to provide for a report to the legislative management; to provide a continuing appropriation; to provide a contingent expiration date; and to declare an emergency.

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

Reps. Keiser, D. Ruby introduced:

**HB 1195:** A BILL for an Act to create and enact section 51-07-30 and chapter 51-37 of the North Dakota Century Code, relating to consumer contract clauses and the use of certain marketing practices involving automatic renewal; to provide a penalty; and to provide for application.

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

Reps. Keiser, D. Ruby introduced:

**HB 1196:** A BILL for an Act to create and enact section 57-40.3-01.1 of the North Dakota Century Code, relating to motor vehicle purchase price adjustments; to amend and reenact subsection 5 of section 57-40.3-01 of the North Dakota Century Code, relating to the purchase price of a motor vehicle; and to provide an effective date.

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

Rep. Keiser introduced:

**HB 1197:** A BILL for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to autonomous vehicle data ownership.

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

Reps. D. Ruby, Becker, Heinert, Kasper, Louser and Sens. Burckhard, Oban introduced:

**HB 1198:** A BILL for an Act to amend and reenact section 39-10-03 of the North Dakota Century Code, relating to class A authorized emergency vehicles.

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

Reps. D. Ruby, Becker, Jones, Kasper, Keiser, Lefor, Louser and Sens. Burckhard, Kreun, Oban introduced:

**HB 1199:** A BILL for an Act to amend and reenact section 39-10-18 of the North Dakota Century Code, relating to following a motor vehicle too closely.  
Was read the first time and referred to the **Transportation Committee**.

Reps. D. Ruby, Becker, Johnston, Kasper, Laning, Lefor, Marschall and Sens. Hogue, Kreun, Vedaa introduced:

**HB 1200:** A BILL for an Act to create and enact section 23-29-07.12 and a new section to chapter 23.1-08 of the North Dakota Century Code, relating to prohibiting a political subdivision from regulating an auxiliary container; to amend and reenact sections 23-29-03 and 23.1-08-02 of the North Dakota Century Code, relating to the definition of auxiliary container; to provide an effective date; and to provide an expiration date.  
Was read the first time and referred to the **Political Subdivisions Committee**.

Rep. Klemin and Sen. J. Roers introduced:

**HB 1201:** A BILL for an Act to amend and reenact subsection 11 of section 16.1-01-09.1 and subsection 4 of section 44-08-21 of the North Dakota Century Code, relating to recalling elected officials.  
Was read the first time and referred to the **Political Subdivisions Committee**.

Reps. Delzer, Porter, Zubke and Sen. Schaible introduced:

**HB 1202:** A BILL for an Act to amend and reenact subsection 6 of section 54-17.8-06 of the North Dakota Century Code, relating to the recommendations of the North Dakota outdoor heritage advisory board.  
Was read the first time and referred to the **Energy and Natural Resources Committee**.

Reps. Delzer, Pollert and Sens. Holmberg, Wardner introduced:

**HB 1203:** A BILL for an Act to amend and reenact section 37-17.1-22 of the North Dakota Century Code, relating to response and recovery costs of disasters or emergencies.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Rep. Dockter introduced:

**HB 1204:** A BILL for an Act to create and enact a new section to chapter 13-05 of the North Dakota Century Code, relating to collection agency payment by credit card; and to amend and reenact section 13-05-01.1 of the North Dakota Century Code, relating to definitions applicable to collection agencies.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Dockter, Headland, Howe, Porter and Sen. Cook introduced:

**HB 1205:** A BILL for an Act to amend and reenact subsection 2 of section 57-39.2-04.15 of the North Dakota Century Code, relating to a sales and use tax exemption for materials used to construct a fertilizer or chemical processing facility; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Rep. Porter introduced:

**HB 1206:** A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to possession of a concealed firearm or dangerous weapon at a public gathering.  
Was read the first time and referred to the **Energy and Natural Resources Committee**.

Reps. Zubke, D. Anderson, Guggisberg and Sens. Bekkedahl, Kreun introduced:

**HB 1207:** A BILL for an Act to amend and reenact section 32-15-32 of the North Dakota Century Code, relating to reasonable costs awarded to a defendant.  
Was read the first time and referred to the **Judiciary Committee**.

Reps. M. Ruby, Dobervich, Longmuir, Mitskog, Mock, Pyle and Sens. Burckhard, Oban, Wardner introduced:

**HB 1208:** A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to the creation of a teacher reimbursement program; to provide an appropriation; and to provide for a transfer.  
Was read the first time and referred to the **Education Committee**.

Reps. M. Ruby, Eidson, Grueneich, Johnston, Monson, Simons and Sens. Bekkedahl, O. Larsen, Meyer introduced:

**HB 1209:** A BILL for an Act to amend and reenact section 20.1-05-04 of the North Dakota

Century Code, relating to the use of dogs in the recovery of big game.  
Was read the first time and referred to the **Energy and Natural Resources Committee**.

Reps. Kading, Heinert, Howe, Louser, M. Ruby, Trottier and Sens. Kannianen, Unruh introduced:

**HB 1210:** A BILL for an Act to amend and reenact section 40-21-01 of the North Dakota Century Code, relating to qualified electors in city elections.  
Was read the first time and referred to the **Political Subdivisions Committee**.

Reps. Kading, Blum, Meier, Vetter and Sen. Davison introduced:

**HB 1211:** A BILL for an Act to amend and reenact sections 12-54.1-01, 12-54.1-03, 12-59-08, subsections 2 and 6 of section 12.1-32-06.1, subsection 1 of section 12.1-32-07, subsection 1 of section 15.1-09-33.4, and subsection 3 of section 62.1-01-01 of the North Dakota Century Code, relating to performance-based and meritorious sentence reduction credit, medical parole, length and supervision of probation, student misconduct, and definition of a firearm; and to repeal section 12.1-32-09.1 of the North Dakota Century Code, relating to sentencing violent offenders; and to provide for retroactive application.  
Was read the first time and referred to the **Judiciary Committee**.

Reps. Kreidt, Kempenich, Porter, Rohr, Toman, Tveit and Sens. Schaible, Unruh introduced:  
**HB 1212:** A BILL for an Act to amend and reenact subsection 1 of section 11-39-02 of the North Dakota Century Code, relating to county fair association membership.

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

Reps. Monson, Damschen, Hoverson, Mock, D. Ruby and Sen. Myrdal introduced:

**HB 1213:** A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales tax exemption for sales by a thrift store of a nonprofit corporation; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Dockter, Hatlestad, Headland and Sens. Bekkedahl, Cook introduced:

**HB 1214:** A BILL for an Act to amend and reenact section 57-39.4-31 of the North Dakota Century Code, relating to membership of the streamlined sales tax governing board.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Kading, Strinden and Sen. Davison introduced:

**HB 1215:** A BILL for an Act to create and enact a new section to chapter 43-11 of the North Dakota Century Code, relating to cosmetology apprenticeships; and to amend and reenact sections 43-11-01, 43-11-13, 43-11-14, 43-11-21, and 43-11-28 of the North Dakota Century Code, relating to cosmetology apprenticeships.  
Was read the first time and referred to the **Human Services Committee**.

Reps. Kading, Blum, Meier, Trottier and Sens. Kannianen, O. Larsen introduced:

**HB 1216:** A BILL for an Act to create and enact a new subsection to section 12.1-32-02 of the North Dakota Century Code, relating to sentences of imprisonment.  
Was read the first time and referred to the **Judiciary Committee**.

Reps. Toman, Becker, Dockter, Ertelt, Kading, Schauer introduced:

**HB 1217:** A BILL for an Act to create and enact a new section to chapter 49-02 of the North Dakota Century Code, relating to competition between the government and private industry and to require a report to the legislative management.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Rep. Keiser introduced:

**HB 1218:** A BILL for an Act to create and enact chapter 39-35 of the North Dakota Century Code, relating to consumer towing protection; to amend and reenact sections 23.1-15-03, 23.1-15-05, 39-26-04, 39-26-06, 39-26-07, and subsection 2 of section 39-26-08 of the North Dakota Century Code, relating to custody of abandoned vehicles, notice to owners of abandoned vehicles, and right to reclaim an abandoned vehicle; to provide a penalty; and to provide an effective date.  
Was read the first time and referred to the **Transportation Committee**.

Rep. Keiser introduced:

**HB 1219:** A BILL for an Act to create and enact chapter 26.1-26.8 and chapter 26.1-39.2 of

the North Dakota Century Code, relating to public adjuster licensing and to contracts between insured homeowners and residential contractors; to amend and reenact subdivision mm of subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks; and to provide a penalty.

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

Rep. Keiser and Sen. Kreun introduced:

**HB 1220:** A BILL for an Act to amend and reenact section 35-31-03 of the North Dakota Century Code, relating to priority of agricultural supplier liens; and to provide for application.

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

Reps. Satrom, Blum, Jones, Paulson, Paur, Vetter introduced:

**HB 1221:** A BILL for an Act to amend and reenact sections 15-08-19, 57-20-26, and 57-28-01 of the North Dakota Century Code, relating to the period of property tax delinquency before foreclosure of a tax lien; to provide for application; and to provide an effective date.

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

Reps. Hoverson, Becker, Bellew, Magrum, D. Ruby, M. Ruby, Simons introduced:

**HB 1222:** A BILL for an Act to amend and reenact section 6-09-38, subsection 1 of section 12.1-32-09, sections 26.1-26-42, 27-17-06, 40-57.1-06, and 40-57.1-07, subsection 11 of section 40-58-20, sections 40-63-01, 40-63-02, 40-63-03, and 52-08-10, subsection 14 of section 57-01-02, section 57-01-13, subsection 4 of section 57-01-15.1, paragraph 3 of subdivision b of subsection 15 of section 57-02-08, and sections 57-38-01.28, 57-38-30, and 57-38-30.3 of the North Dakota Century Code, relating to the elimination of individual and corporate income tax and the imposition of a flat individual and corporate income tax at a rate of one percent; to repeal sections 40-57.1-04, 40-57.1-04.4, 40-63-04, 40-63-06, 40-63-07, 40-63-09, and 40-63-10 and chapters 52-02.1, 57-38, 57-38.1, 57-38.3, 57-38.4, 57-38.5, and 57-38.6 of the North Dakota Century Code, relating to the elimination of individual and corporate income tax; and to provide an effective date.

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

Reps. Heinert, K. Koppelman, Meier, Roers Jones and Sens. Oban, Unruh introduced:

**HB 1223:** A BILL for an Act to create and enact a new subsection to section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol to exercise general police powers; and to amend and reenact subsections 12 and 16 of section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol.

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

Reps. Heinert, D. Anderson, Brandenburg, Kading, Meier and Sens. Oban, Unruh introduced:

**HB 1224:** A BILL for an Act to amend and reenact section 11-35-02 of the North Dakota Century Code, relating to zoning of territory adjacent to cities.

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

Reps. Steiner, Guggisberg, Hatlestad, Keiser, Meier, M. Nelson, Rohr and Sens. Bekkedahl, Unruh introduced:

**HB 1225:** A BILL for an Act to provide for a legislative management study of future energy innovation; and to provide an appropriation.

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

Reps. Boschee, Hoverson, Magrum, McWilliams, Monson and Sens. Bakke, Hogan introduced:

**HB 1226:** A BILL for an Act to amend and reenact sections 30.1-23-01 and 30.1-23-02 of the North Dakota Century Code, relating to the collection of property by affidavit and the effect of the affidavit.

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

Reps. Vetter, Becker, Dockter, Kading, Kasper, Simons and Sens. Kannianen, J. Roers, Sorvaag introduced:

**HB 1227:** A BILL for an Act to create and enact section 47-16-02.2 of the North Dakota Century Code, relating to prohibiting residential rental licensure fees.

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

Reps. Hoverson, Becker, Bellew, Johnston, Kasper, Magrum, M. Nelson, Paulson, D. Ruby, Strinden and Sen. O. Larsen introduced:

**HB 1228:** A BILL for an Act to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to local control of education.

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

Reps. Pyle, Becker, M. Johnson, Johnston, Marschall, D. Ruby, Schreiber-Beck and Sen. Unruh introduced:

**HB 1229:** A BILL for an Act to amend and reenact sections 11-11-35 and 16.1-15-32 of the North Dakota Century Code, relating to county notification requirements.

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

Reps. Schreiber-Beck, D. Anderson, Hatlestad, Roers Jones, Zubke and Sens. Klein, Kreun, J. Roers introduced:

**HB 1230:** A BILL for an Act to amend and reenact section 54-06-37 of the North Dakota Century Code, relating to the lease of a manned aircraft in an emergency.

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

Reps. Becker, Johnston, Marschall, M. Ruby, Satrom, Simons and Sens. Myrdal, Unruh introduced:

**HB 1231:** A BILL for an Act to amend and reenact subsection 1 of section 29-29.4-05 of the North Dakota Century Code, relating to prohibited uses for unmanned aerial vehicles.

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

Reps. M. Ruby, Becker, Blum, C. Johnson, Johnston, Lefor, Mock, D. Ruby and Sens. O. Larsen, Schaible, Vedaa introduced:

**HB 1232:** A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to taxidermist and meat processor certifications for transporting big game animals in the state from areas with documented cases of chronic wasting disease.

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

Reps. Roers Jones, Beadle, Boschee, M. Johnson, Pyle, Satrom and Sen. Oban introduced:

**HB 1233:** A BILL for an Act to amend and reenact subsection 2 of section 57-38-01.21 of the North Dakota Century Code, relating to an income tax credit for charitable contributions to a qualified endowment or a qualified nonprofit organization; and to provide an effective date.

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

Reps. Roers Jones, Boschee, Satrom and Sens. Myrdal, Oban introduced:

**HB 1234:** A BILL for an Act to amend and reenact sections 29-06-05.2 and 29-06-15 of the North Dakota Century Code, relating to the authority of federal agents.

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

Reps. P. Anderson, Hager, Hanson, Mitskog, Schneider and Sens. Davison, Oban introduced:

**HB 1235:** A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to a corporate income tax credit and an employer deduction for reimbursement of employee child care expenditures; and to provide an effective date.

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

Reps. P. Anderson, Guggisberg, Hager, J. Nelson, Schneider and Sen. Davison introduced:

**HB 1236:** A BILL for an Act to amend and reenact sections 12.1-31-03, 12.1-31-03.1, and 51-32-01 of the North Dakota Century Code, relating to the prohibition of an individual under nineteen years of age from purchasing and using tobacco products; and to provide a penalty.

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

Reps. Roers Jones, Sanford, Schneider and Sen. Clemens introduced:

**HB 1237:** A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North

Dakota Century Code, relating to child sexual abuse education in schools.  
Was read the first time and referred to the **Education Committee**.

Rep. Owens introduced:

**HB 1238:** A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to a fee for electric vehicles.

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

Rep. Owens and Sen. Kreun introduced:

**HB 1239:** A BILL for an Act to amend and reenact sections 12.1-01-05 and 39-06.1-06, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to the effect of state law on city or county ordinances and to statutory fees for noncriminal traffic offenses; and to provide a penalty.

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

Reps. Mitskog, Becker, Boschee, Roers Jones, D. Ruby and Sens. Burckhard, Oban, J. Roers introduced:

**HB 1240:** A BILL for an Act to create and enact a new section to chapter 65-01 of the North Dakota Century Code, relating to workforce safety and insurance pilot program; to amend and reenact section 65-05.1-06.3 of the North Dakota Century Code, relating to rehabilitation services pilot programs; and to provide for a report to legislative management.

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

Reps. Louser, Blum, Kading, Owens and Sens. D. Larson, Meyer introduced:

**HB 1241:** A BILL for an Act to create and enact two new subdivisions to subsection 2 of section 57-38-30.3 and chapter 54-38.7 of the North Dakota Century Code, relating to an individual income tax deduction for contributions made to a first-time home buyer savings account; and to provide an effective date.

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

Reps. Louser, Becker, Blum, Schatz and Sens. Meyer, Unruh introduced:

**HB 1242:** A BILL for an Act to amend and reenact subsection 3 of section 5-02-06 of the North Dakota Century Code, relating to prohibitions for an individual under twenty-one years of age; and to provide a penalty.

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

Reps. Louser, Fisher, Lefor, Vetter and Sens. D. Larson, Meyer introduced:

**HB 1243:** A BILL for an Act to amend and reenact sections 47-10-11, 47-19-01, and 47-19-46 of the North Dakota Century Code, relating to recording of easements.

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

Reps. K. Koppelman, Magrum and Sen. Bakke introduced:

**HB 1244:** A BILL for an Act to amend and reenact section 40-05-06, subsection 3 of section 40-18-01, and section 40-18-14 of the North Dakota Century Code, relating to city fines and penalties and jurisdiction of municipal judges; and to provide a penalty.

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

Reps. Dockter, Headland introduced:

**HB 1245:** A BILL for an Act to amend and reenact subsection 11 of section 53-06.1-01 and section 53-06.1-08.2 of the North Dakota Century Code, relating to electronic pull tab devices.

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

Reps. D. Anderson, Porter, Schreiber-Beck, Strinden introduced:

**HB 1246:** A BILL for an Act to amend and reenact section 20.1-03-11 of the North Dakota Century Code, relating to gratis tags for hunting moose and antelope.

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

Reps. Monson, Damschen, Hoverson, D. Ruby and Sens. Luick, Myrdal introduced:

**HB 1247:** A BILL for an Act to create and enact section 65-04-04.5 of the North Dakota Century Code, relating to minimum premium payments.

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

Reps. Hanson, Dockter, Eidson, Trottier and Sens. Dever, Dotzenrod introduced:

**HB 1248:** A BILL for an Act to create and enact a new section to chapter 37-14 and a new section to chapter 57-38 of the North Dakota Century Code, relating to the creation of the veterans' services fund and optional income tax contributions to the fund; and to provide a continuing appropriation.

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

Reps. Owens, D. Johnson, Pyle, Schreiber-Beck, Zubke and Sens. Kreun, Rust introduced:

**HB 1249:** A BILL for an Act to amend and reenact sections 15.1-06-04 and 15.1-07-34 of the North Dakota Century Code, relating to increasing teacher professional development days and requirements.

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

Rep. Louser introduced:

**HB 1250:** A BILL for an Act to amend and reenact section 43-23-05.1 of the North Dakota Century Code, relating to licensure of organization of a real estate salesperson, broker, or broker associate.

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

Reps. Louser, Adams, Beadle, Blum, Boschee, B. Koppelman, Lefor, Mock, D. Ruby and Sens. D. Larson, Meyer introduced:

**HB 1251:** A BILL for an Act to create and enact a new section to chapter 43-23 of the North Dakota Century Code, relating to property disclosure requirements.

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

Reps. Louser, Becker, Blum, Kading, Kasper, K. Koppelman and Sens. Burckhard, Hogue, Poolman, Unruh introduced:

**HB 1252:** A BILL for an Act to create and enact a new subsection to section 12.1-34-02 of the North Dakota Century Code, relating to rights of victims; and to amend and reenact subsection 1 of section 12.1-32-02, subsection 1 of section 12.1-32-08, and subsection 10 of section 12.1-34-01 of the North Dakota Century Code, relating to contact with victims, the definition of victim, and restitution.

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

Reps. Kading, Blum, McWilliams, Schneider and Sen. Kannianen introduced:

**HB 1253:** A BILL for an Act to amend and reenact section 12.1-33-02.1 of the North Dakota Century Code, relating to a criminal conviction and state licensure.

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

Reps. Dockter, Howe and Sen. Meyer introduced:

**HB 1254:** A BILL for an Act to create and enact section 53-06.1-10.3 of the North Dakota Century Code, relating to the authorization of sports betting as a game of chance; and to amend and reenact section 53-06.1-03 of the North Dakota Century Code, relating to authorization of sports betting as a game of chance.

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

Reps. Roers Jones, Beadle, Boschee, Heinert and Sens. Elkin, Myrdal, Robinson introduced:

**HB 1255:** A BILL for an Act to amend and reenact section 49-10.1-05 of the North Dakota Century Code, relating to the powers of railroad police.

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

Reps. Roers Jones, Beadle, Becker, Boschee, Brandenburg, Heinert and Sens. Burckhard, Luick, Oban, J. Roers introduced:

**HB 1256:** A BILL for an Act to create and enact chapter 12-60.1 of the North Dakota Century Code, relating to sealing of criminal records; and to amend and reenact subsection 1 of section 12.1-41-14, subsection 4 of section 50-09-32, and subdivision e of subsection 1 of section 62.1-04-03 of the North Dakota Century Code, relating to sealing of criminal records.

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

Reps. Grueneich, Ertelt, Headland, Nathe, D. Ruby, M. Ruby, Satrom, Trottier introduced:

**HB 1257:** A BILL for an Act to amend and reenact section 20.1-08-04.5 of the North Dakota Century Code, relating to the use of scopes on muzzleloading firearms for individuals over sixty-five years of age.

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

Reps. Hanson, K. Koppelman, Roers Jones, Satrom and Sens. Dwyer, Myrdal introduced:

**HB 1258:** A BILL for an Act to provide for the creation of a pretrial services program pilot project within the department of corrections and rehabilitation; to provide for a report to the legislative assembly; and to provide an appropriation.

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

Reps. Satrom, Grueneich, C. Johnson, Jones, Paulson, Schauer and Sen. Wanzek introduced:

**HB 1259:** A BILL for an Act to create and enact a new section to chapter 25-13 of the North Dakota Century Code, relating to the misrepresentation of a pet as a service animal; and to provide a penalty.

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

Reps. Satrom, Jones, Paulson, Schauer, Strinden introduced:

**HB 1260:** A BILL for an Act to amend and reenact sections 50-25.1-02 and 50-25.1-03 of the North Dakota Century Code, relating to the reporting of a mental injury of a child; and to provide a penalty.

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

Reps. Satrom, Grueneich, D. Johnson, Jones, Paulson, Schauer, Vetter introduced:

**HB 1261:** A BILL for an Act to amend and reenact section 57-28-20 of the North Dakota Century Code, relating to the disposition of proceeds from tax lien foreclosures.

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

Reps. Satrom, Jones, Paulson, Schauer and Sen. Clemens introduced:

**HB 1262:** A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to the establishment of a school safety and crisis hotline program; and to provide for a continuing appropriation.

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

Reps. Dockter, Grueneich, D. Ruby and Sen. Rust introduced:

**HB 1263:** A BILL for an Act to amend and reenact sections 23.1-15-01, 23.1-15-03, 23.1-15-05, 23.1-15-06, and 23.1-15-07 of the North Dakota Century Code, relating to custody and disposition of abandoned motor vehicles; to provide a penalty; and to declare an emergency.

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

Reps. Blum, Beadle, Becker, Eidson, Kading, K. Koppelman, Louser, Marschall, M. Ruby, Vetter and Sens. Bekkedahl, Elkin introduced:

**HB 1264:** A BILL for an Act to amend and reenact subdivisions h and i of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limitations on multilane highways.

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

Reps. Blum, Beadle, Becker, Dockter, Headland, C. Johnson, Louser, Marschall and Sens. Kreun, Patten, J. Roers introduced:

**HB 1265:** A BILL for an Act to provide for a legislative management study of state parks.

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

Reps. K. Koppelman, Fegley, Heinert, Magrum, Mock, M. Ruby, Schauer, Schneider and Sens. Oban, J. Roers, Vedaa introduced:

**HB 1266:** A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-02 and section 39-07-07 of the North Dakota Century Code, relating to noncriminal traffic violations and halting an individual for violating traffic regulations; and to repeal section 39-07-07.1 of the North Dakota Century Code, relating to providing envelopes for traffic and parking violations on state charitable or penal institution property or state capitol grounds.

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

Reps. Hoverson, Jones, Paulson, Satrom introduced:

**HB 1267:** A BILL for an Act to amend and reenact subsection 2 of section 14-02.4-03 and section 34-06-05.1 of the North Dakota Century Code, relating to employer's discriminatory practices and one day of rest; and to provide a penalty.

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

Reps. Fegley, D. Anderson, Jones, J. Nelson introduced:

**HB 1268:** A BILL for an Act to amend and reenact section 23-27-04.6 of the North Dakota Century Code, relating to the authority of a quick response unit.

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

Reps. Fegley, Jones, J. Nelson, M. Ruby introduced:

**HB 1269:** A BILL for an Act to amend and reenact section 23-27-01 of the North Dakota Century Code, relating to ambulance service partnerships.

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

Reps. Klemin, Blum, Boschee, Dockter, Heinert, Keiser, Meier, Nathe, Roers Jones and Sens. Dever, Dwyer, Oban introduced:

**HB 1270:** A BILL for an Act to create and enact subsection 5 of section 16.1-04-02 of the North Dakota Century Code, relating to district party chairman approval of polling places; and to amend and reenact subsection 2 of section 16.1-04-01, subdivision c of subsection 2 of section 16.1-07-15, and subsection 1 of section 16.1-11.1-01 of the North Dakota Century Code, relating to requirements to establish or alter precinct boundaries and polling places.

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

Reps. Klemin, Roers Jones and Sen. Dwyer introduced:

**HB 1271:** A BILL for an Act to amend and reenact subsection 6 of section 11-18-02.2 and section 30.1-32.1-06 of the North Dakota Century Code, relating to statements of full consideration being filed with the county recorder and transfer on death deed requirements.

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

Reps. P. Anderson, Mock, Schneider and Sen. Piepkorn introduced:

**HB 1272:** A BILL for an Act to amend and reenact section 19-24.1-01, subsection 2 of section 19-24.1-03, section 19-24.1-11, and subsection 4 of section 19-24.1-21 of the North Dakota Century Code, relating to medical marijuana.

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

Reps. P. Anderson, Adams, Dobervich, Guggisberg, Hager, Mitskog, Schneider and Sen. Robinson introduced:

**HB 1273:** A BILL for an Act to create and enact a new chapter to title 15 of the North Dakota Century Code, relating to the creation of a senior year tuition waiver program for North Dakota students attending North Dakota university system institutions.

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

Reps. P. Anderson, Dobervich, Hager, D. Johnson, J. Nelson, Schneider and Sen. Hogan introduced:

**HB 1274:** A BILL for an Act to create and enact a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 and a new section to chapter 39-10 of the North Dakota Century Code, relating to smoking in a motor vehicle with a child present; to amend and reenact subsection 2 of section 39-06.1-06 of the North Dakota Century Code, relating to statutory fees; and to provide a penalty.

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

Reps. K. Koppelman, D. Anderson, Hatlestad, Heinert, Lefor, Louser, Toman and Sens. Heckaman, Kreun, J. Roers introduced:

**HB 1275:** A BILL for an Act to amend and reenact section 28-32-02 of the North Dakota Century Code, relating to limitations on the adoption of administrative rules.

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

Reps. K. Koppelman, Devlin, Hatlestad, Karls, Louser, Pollert, Satrom, Schauer and Sens. Heckaman, Hogan, Kannianen introduced:

**HB 1276:** A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for a birth resulting in stillbirth; and to provide for retroactive application.

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

Reps. Satrom, Roers Jones, Rohr, Schneider and Sen. Clemens introduced:

**HB 1277:** A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North

Dakota Century Code, relating to medically accurate and age-appropriate sexual abuse education in schools.

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

Reps. Meier, Dockter, Kading, Lefor, Rohr, Skroch, Steiner and Sens. Bekkedahl, Cook, Poolman introduced:

**HB 1278:** A BILL for an Act to amend and reenact subsection 3 of section 53-06.1-11.1 of the North Dakota Century Code, relating to eligible uses of net proceeds by licensed gaming organizations.

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

Reps. Beadle, Buffalo and Sen. J. Roers introduced:

**HB 1279:** A BILL for an Act to amend and reenact section 43-06-04 of the North Dakota Century Code, relating to membership of the board of chiropractic examiners; and to provide for application.

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

Reps. Beadle, Buffalo and Sen. K. Roers introduced:

**HB 1280:** A BILL for an Act to amend and reenact section 26.1-30-18 and subsection 3 of section 39-08-20 of the North Dakota Century Code, relating to inception and expiration of insurance policies.

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

Reps. Beadle, Boschee, Louser and Sen. Meyer introduced:

**HB 1281:** A BILL for an Act to amend and reenact subsection 4 of section 43-23-08 of the North Dakota Century Code, relating to the required number of continuing education hours for a real estate salesperson; and to provide an effective date.

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

Reps. Schneider, Adams, Buffalo, Dobervich, Guggisberg, Hanson, McWilliams, Mitskog, Roers Jones, Satrom and Sens. Bakke, Dwyer introduced:

**HB 1282:** A BILL for an Act to create and enact a new section to chapter 12.1-33 of the North Dakota Century Code, relating to limitations on public employer consideration of criminal background.

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

Reps. Skroch, Becker, Ertelt, Fegley, Johnston, Jones, Roers Jones, M. Ruby, Vetter and Sen. O. Larsen introduced:

**HB 1283:** A BILL for an Act to create and enact a new section to chapter 19-24.1 of the North Dakota Century Code, relating to medical marijuana written certifications; and to amend and reenact subsections 3 and 40 of section 19-24.1-01, subsection 2 of section 19-24.1-03, and subsection 3 of section 19-24.1-11 of the North Dakota Century Code, relating to access to medical marijuana.

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

Rep. Headland and Sen. Wanzek introduced:

**HB 1284:** A BILL for an Act to create and enact section 32-16-49 of the North Dakota Century Code, relating to equitable buyouts of cotenant interests in an estate of inheritance subject to a partition; and to amend and reenact section 30.1-20-11 of the North Dakota Century Code, relating to partitions.

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

Reps. Skroch, Ertelt, Fegley, Johnston, Jones, Karls, Rohr, M. Ruby, Schneider and Sens. Myrdal, Poolman introduced:

**HB 1285:** A BILL for an Act to amend and reenact section 50-25.1-15 of the North Dakota Century Code, relating to abandoned infants at certain locations.

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

Reps. Becker, Blum, Johnston, Paur, Pyle, Satrom, Simons, Strinden and Sens. Hogue, Kannianen, Luick, Unruh introduced:

**HB 1286:** A BILL for an Act to create and enact two new sections to chapter 29-31.1 of the North Dakota Century Code, relating to reporting seizures and forfeitures, and prohibiting adoptive seizures; to create and enact sections 29-31.1-04.1, 29-31.1-04.2, 29-31.1-04.3, 29-31.1-04.4, 29-31.1-04.5, 29-31.1-04.6, 29-31.1-04.7, 29-31.1-04.8, and 29-31.1-04.9 of the North Dakota Century Code, relating to

manner of forfeiture, forfeiture proceeding as civil action, disposition of property, and hearing on contested forfeiture and proportionality; to amend and reenact sections 12.1-06.1-05 and 12.1-06.1-06, subsection 2 of section 12.1-23.1-03, sections 19-03.1-36, 20.1-10-01, 20.1-10-03, and 20.1-10-07, subsection 1 of section 27-20-03, subsection 1 of section 28-04-03, sections 29-27-02.1, 29-31.1-01, 29-31.1-03, 29-31.1-04, 29-31.1-05, and 29-31.1-06, subsection 1 of section 29-31.1-07, sections 29-31.1-08, 29-31.1-09, 39-03-18, and 39-08-01.3, subsection 2 of section 39-30-03, section 39-30-04, subsection 1 of section 39-30-05, sections 40-11-13, 47-21.1-04, 54-12-14, 57-36-14, and 62.1-01-02, and subsection 2 of section 62.1-05-01 of the North Dakota Century Code, relating to racketeering, forfeiture of controlled substances, forfeiture of confiscated hunting and fishing equipment, juvenile court jurisdiction, property forfeiture and disposition, highway patrol and attorney general assets forfeiture fund, and forfeiture of dangerous weapons and firearms; to repeal sections 19-03.1-36.1, 19-03.1-36.2, 19-03.1-36.3, 19-03.1-36.4, 19-03.1-36.5, 19-03.1-36.6, 19-03.1-36.7, 20.1-10-04, and 29-31.1-10, and chapter 32-14 of the North Dakota Century Code, relating to forfeiture proceedings, forfeiture disposition, and actions to recover forfeitures; and to provide an appropriation.

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

Reps. Satrom, Becker, Jones, Paulson, Paur, Schauer introduced:

**HB 1287:** A BILL for an Act to amend and reenact section 15.1-13-10 of the North Dakota Century Code, relating to initial teaching licenses for individuals completing alternative teacher certification program.

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

Reps. Schneider, Adams, P. Anderson, Dobervich, Guggisberg, Hager, Mitskog, O'Brien, Strinden and Sen. Kreun introduced:

**HB 1288:** A BILL for an Act to amend and reenact section 18-01-03.1 of the North Dakota Century Code, relating to duties of the fire marshal to provide education regarding fire safety code requirements.

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

Reps. Simons, Becker, Ertelt, Hoverson, McWilliams, Paulson, Vetter introduced:

**HB 1289:** A BILL for an Act to amend and reenact subsection 1 of section 28-34-01, section 57-12-01.1, and subsection 2 of section 57-23-06, of the North Dakota Century Code, relating to notice filings and property valuation spot checks; and to provide an effective date.

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

Reps. Simons, Becker, Ertelt, Johnston, Jones, McWilliams, M. Nelson, D. Ruby, M. Ruby and Sens. Hogue, O. Larsen, Myrdal introduced:

**HB 1290:** A BILL for an Act to create and enact a new section to chapter 29-29 of the North Dakota Century Code, relating to prohibiting entry onto private land without permission.

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

Reps. Mock, D. Johnson, Kempenich, Owens, D. Ruby, Vigesaa, Weisz and Sens. Bakke, Clemens, Dwyer, G. Lee, Oehlke introduced:

**HB 1291:** A BILL for an Act to amend and reenact section 39-04-12, subsection 1 of section 39-04-18, and subsection 4 of section 39-04-19 of the North Dakota Century Code, relating to semitrailer and farm trailer plates; and to provide for application.

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

Reps. Schmidt, Dockter, B. Koppelman introduced:

**HB 1292:** A BILL for an Act to amend and reenact subsection 5 of section 57-40.3-01 of the North Dakota Century Code, relating to the definition of purchase price for motor vehicle excise tax purposes.

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

Reps. K. Koppelman, Ertelt, Jones, Louser, Magrum, Marschall, Satrom, Schauer, Westlind and Sens. Kannianen, Myrdal, Rust introduced:

**HB 1293:** A BILL for an Act to create and enact a new section to chapter 47-16 of the North Dakota Century Code, relating to retail business leases or agreements; to amend and reenact subsection 2 of section 14-02.4-03 and section 34-06-05.1 of the North

Dakota Century Code, relating to employer's discriminatory practices and one day of rest; and to provide a contingent effective date.

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

Reps. Mitskog, D. Anderson, Mock, M. Ruby and Sen. Bekkedahl introduced:

**HB 1294:** A BILL for an Act to create and enact a new section to chapter 20.1-07 of the North Dakota Century Code, relating to duty to check traps and snares; and to provide a penalty.

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

Reps. Beadle, Blum, Grueneich, McWilliams and Sens. Patten, K. Roers introduced:

**HB 1295:** A BILL for an Act to create and enact section 53-06.1-10.3 of the North Dakota Century Code, relating to the authorization of sports betting as a game of chance; and to amend and reenact section 53-06.1-03 of the North Dakota Century Code, relating to authorization of sports betting as a game of chance.

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

Reps. Mock, Heinert, K. Koppelman, Satrom and Sens. Dwyer, Kreun, D. Larson introduced:

**HB 1296:** A BILL for an Act to amend and reenact section 39-10-71 of the North Dakota Century Code, relating to fleeing or attempting to elude a peace officer; and to provide a penalty.

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

Reps. M. Nelson, Becker, Ertelt, Magrum, D. Ruby, Simons introduced:

**HB 1297:** A BILL for an Act to amend and reenact section 11-33.2-03, subsections 1 and 2 of section 23-25-11, subsections 1 and 2 of section 23.1-06-15, sections 40-47-06, 40-48-03, 40-48-26, and 40-51.2-05, subsection 2 of section 40-51.2-07, section 40-51.2-11, and subsection 1 of section 40-51.2-13 of the North Dakota Century Code, relating to extraterritorial zoning and subdivision authority; to repeal sections 11-35-02, 40-47-01.1, 40-48-18, 40-51.2-02.1, 40-51.2-02.2, and 61-35-26.3 of the North Dakota Century Code, relating to zoning and subdivision authority; and to provide a contingent effective date.

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

Reps. M. Nelson, P. Anderson, Hager, Holman, Mitskog, J. Nelson introduced:

**HB 1298:** A BILL for an Act to create and enact section 54-21-18.1 of the North Dakota Century Code, relating to accessibility of the state capitol.

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

Reps. M. Nelson, P. Anderson, Louser, Simons introduced:

**HB 1299:** A BILL for an Act to amend and reenact section 47-05-02.1 of the North Dakota Century Code, relating to the duration of easements on the use of real property for pipelines.

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

Reps. M. Nelson, Becker, Hager, Holman, Mitskog introduced:

**HB 1300:** A BILL for an Act to provide for a study by the state department of health of a nurse triage program; and to provide a report to the legislative management.

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

Reps. M. Nelson, Hager, Holman, Mitskog introduced:

**HB 1301:** A BILL for an Act to create a new section to chapter 39-01 of the North Dakota Century Code, relating to a long term study of roadway center rumble strips; to amend and reenact section 54-27-19, subsection 1 of section 57-43.1-02, and subsection 1 of section 57-43.2-02 of the North Dakota Century Code, relating to highway tax distribution fund allocations and the tax imposed on motor vehicle fuels and special fuels; to provide for a department of transportation study; to provide for a report to the legislative management; and to provide an effective date.

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

Reps. M. Nelson, P. Anderson, Becker, Simons introduced:

**HB 1302:** A BILL for an Act to create and enact a new section to chapter 32-15 of the North Dakota Century Code, relating to the sale of property acquired by eminent domain or acquired when the property was eligible for taking by eminent domain, but no longer needed for a public purpose; and to amend and reenact section 24-01-28 of the

North Dakota Century Code, relating to vacating property acquired through eminent domain for highways.

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

Rep. M. Nelson introduced:

**HB 1303:** A BILL for an Act to provide an appropriation to the parks and recreation department for improving access to national grasslands and for defending any lawsuits relating to access to the national grasslands; and to provide for a report.

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

Reps. M. Nelson, Hoverson introduced:

**HB 1304:** A BILL for an Act to amend and reenact section 48-01.2-06 of the North Dakota Century Code, relating to bid requirements for public improvements.

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

Rep. M. Nelson introduced:

**HB 1305:** A BILL for an Act to create and enact a new chapter to title 51 of the North Dakota Century Code, relating to product repair practices; and to provide a penalty.

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

Rep. M. Nelson introduced:

**HB 1306:** A BILL for an Act to amend and reenact sections 15-01-01 and 54-17-02 of the North Dakota Century Code, relating to membership of the board of university and school lands and the industrial commission; to provide an effective date; and to provide a contingent effective date.

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

Reps. Satrom, Beadle, Becker, Schauer introduced:

**HB 1307:** A BILL for an Act to amend and reenact subsection 4 of section 21-03-07, sections 40-22-01, 40-22-05, 40-22-09, 40-22-15, 40-22-17, 40-23-07, 40-23-11, 40-23-15, 40-23-19, 40-23.1-09, 40-23.1-13, and 40-26-02 of the North Dakota Century Code, relating to special assessments.

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

Reps. M. Ruby, Hoverson, Johnston, Marschall, Paulson, Porter, D. Ruby and Sens. Hogue, O. Larsen, Vedaa introduced:

**HB 1308:** A BILL for an Act to amend and reenact subsection 8 of section 62.1-01-01 relating to the definition of machine gun, submachine gun, or fully automatic rifle.

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

Reps. Becker, Ertelt, Hoverson, Kasper, Louser, M. Ruby and Sens. Kannianen, Luick, Myrdal, Osland, Unruh, Vedaa introduced:

**HB 1309:** A BILL for an Act to create and enact a new section to chapter 62.1-01 of the North Dakota Century Code, relating to the limitation on enforcing or providing assistance regarding violations of federal firearm laws.

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

Reps. Becker, Johnston, Kasper, Louser, Paur, M. Ruby, Simons and Sens. Kannianen, Luick, Myrdal, Unruh, Vedaa introduced:

**HB 1310:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to the possession of a firearm or dangerous weapon at a public gathering.

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

Reps. Buffalo, Beadle, Dobervich, Fegley, Hager, Jones, M. Nelson, Satrom and Sens. Clemens, Heckaman, Hogan, Kannianen introduced:

**HB 1311:** A BILL for an Act to amend and reenact subsection 2 of section 54-12-33 of the North Dakota Century Code, relating to law enforcement training on missing and murdered indigenous people.

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

Reps. Jones, Damschen, Fegley, Hatlestad, Kasper, Laning, Longmuir, Steiner and Sens. Kannianen, Klein, J. Roers, Unruh introduced:

**HB 1312:** A BILL for an Act to amend and reenact section 35-24-01 of the North Dakota Century Code, relating to definitions pertaining to a well or pipeline construction lien.

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

Reps. Buffalo, Beadle, Dobervich, Fegley, Hager, Jones, M. Nelson, Satrom and Sens. Clemens, Heckaman, Hogan, Kannianen introduced:

**HB 1313:** A BILL for an Act to amend and reenact subsection 1 of section 54-12-34 of the North Dakota Century Code, relating to the collection of data on missing and murdered indigenous people in the criminal justice data information sharing system.

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

Reps. Damschen, D. Anderson and Sens. Luick, Myrdal introduced:

**HB 1314:** A BILL for an Act to amend and reenact subsection 2 of section 61-16-08 of the North Dakota Century Code, relating to compensation and reimbursement of water resource district board members.

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

Reps. McWilliams, Boschee, Lefor, Mock, J. Nelson, D. Ruby, Satrom, Simons and Sens. Hogan, O. Larsen, D. Larson, Mathern introduced:

**HB 1315:** A BILL for an Act to create and enact a new chapter to title 50 of the North Dakota Century Code, relating to community transitional housing; and to provide an appropriation.

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

Reps. Pyle, Becker, Ertelt, Hoverson, Johnston, Marschall and Sens. Bekkedahl, Luick introduced:

**HB 1316:** A BILL for an Act to amend and reenact section 37-18-11 of the North Dakota Century Code, relating to maintenance of records of veterans' and veterans' dependents.

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

Reps. Simons, Becker, Ertelt, Hoverson, Johnston, Jones, B. Koppelman, Marschall, D. Ruby, M. Ruby, Toman and Sen. O. Larsen introduced:

**HB 1317:** A BILL for an Act to create and enact a new section to chapter 62.1-01 of the North Dakota Century Code, relating to the restriction on the possession of a firearm or dangerous weapon.

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

Reps. Lefor, Blum, Holman, Johnston and Sens. Hogan, Klein, Poolman introduced:

**HB 1318:** A BILL for an Act to amend and reenact sections 43-10.1-03.1 and 50-24.1-02.3 of the North Dakota Century Code, relating to Medicaid assets exempt for funeral expenses.

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

Reps. Becker, Blum, Dockter, Hoverson, Johnston, Louser, Simons, Steiner and Sens. Meyer, Unruh introduced:

**HB 1319:** A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the suspension of income tax return filing requirements; to amend and reenact sections 57-38-01.28, 57-38-30, and 57-38-30.3 of the North Dakota Century Code, relating to replacing the corporate, individual, estate, and trust income tax rate schedule with a flat income tax rate of zero percent; and to provide an effective date.

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

Reps. Pollert, Headland and Sens. G. Lee, Wanzek introduced:

**HB 1320:** A BILL for an Act to amend and reenact section 40-33-16, subsections 11 and 27 of section 61-24-08, and subsection 8 of section 61-39-05 of the North Dakota Century Code, relating to Red River valley water supply project contract terms and elimination of voter approval requirements.

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

Reps. Ertelt, Hoverson, Lefor, McWilliams, Paulson, Rohr, M. Ruby, Steiner, Toman and Sens. Clemens, O. Larsen, Luick introduced:

**HB 1321:** A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for taxpayers whose children receive nonpublic school or home education; and to provide an effective date.

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

Reps. Ertelt, Johnston, Jones, Kiefert, B. Koppelman, Magrum, Paur, D. Ruby, Steiner, Vetter and Sens. Kannianen, O. Larsen introduced:

**HB 1322:** A BILL for an Act to create and enact a new subsection to section 62.1-04-03 of the North Dakota Century Code, relating to the destruction of records pertaining to class 1 and class 2 firearm and dangerous weapon licenses.

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

Reps. Paur, Becker, K. Koppelman, Satrom and Sens. Klein, Myrdal introduced:

**HB 1323:** A BILL for an Act to amend and reenact subsection 6 of section 12.1-01-04, subsection 1 of section 62.1-01-01, and section 62.1-04-01 of the North Dakota Century Code, relating to the definition of dangerous weapon.

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

Reps. K. Koppelman, Paulson, Schauer, Strinden, Toman and Sens. Kannianen, Rust, Vedaa introduced:

**HB 1324:** A BILL for an Act to create and enact subsection 10 of section 15-18.1-02 of the North Dakota Century Code, relating to exemptions from postsecondary education institution minimum standards.

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

Reps. Ertelt, Becker, Karls, Kiefert, Magrum, Paur, D. Ruby, Skroch and Sens. Kannianen, O. Larsen, Myrdal introduced:

**HB 1325:** A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to possession of firearms or dangerous weapons at a public gathering.

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

Reps. Ertelt, Becker, Johnston, Jones, B. Koppelman, Magrum, Paur, D. Ruby and Sens. Kannianen, O. Larsen introduced:

**HB 1326:** A BILL for an Act to amend and reenact subsection 8 of section 62.1-01-01 of the North Dakota Century Code, relating to the definition of machine gun, submachine gun, or fully automatic rifle.

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

Reps. Paur, Hatlestad, Satrom and Sens. Clemens, Dotzenrod introduced:

**HB 1327:** A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-06 of the North Dakota Century Code, relating to the fee for failure to stop at a stop sign; and to provide a penalty.

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

Reps. Ertelt, C. Johnson, Pyle, Richter and Sens. Kreun, Luick introduced:

**HB 1328:** A BILL for an Act to amend and reenact section 57-15-08 and subsection 14 of section 57-15-10 of the North Dakota Century Code, relating to mill levy limitations in cities and excess levy limitations for cemetery purposes; and to provide an effective date.

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

#### **FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Legislative Management introduced:  
(Budget Section)

**HCR 3001:** A concurrent resolution authorizing the Budget Section of the Legislative Management to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress.

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

Legislative Management introduced:  
(Information Technology Committee)

**HCR 3002:** A concurrent resolution requesting the Legislative Management to study the potential benefits of distributed ledger technology and blockchain for state government.

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

Reps. Vetter, C. Johnson, Blum, O'Brien, Schauer, Magrum, Beadle and Sens. Vedaa,

Kreun, Meyer introduced:

**HCR 3003:** A concurrent resolution requesting the Legislative Management to consider studying the state's unemployment compensation system, including methods to improve the system and the feasibility and desirability of placing greater emphasis on job training for unemployed and seasonal workers.

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

Rep. Toman introduced:

**HCR 3004:** A concurrent resolution requesting the Legislative Management to study the potential benefit value of blockchain technology implementation and utilization in state government administration and affairs.

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

Reps. Schatz, Kempenich, Strinden, Dockter and Sens. Krebsbach, Kannianen, Oehlke introduced:

**HCR 3005:** A concurrent resolution urging Congress and the President of the United States to protect American consumers by advancing a coordinated effort to address, promote, and provide an effective and innovative solution to combat illegal, unsolicited, and unwanted robocalls.

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

Reps. Delzer, Boschee, Pollert and Sens. Heckaman, Holmberg, Wardner introduced:

**HCR 3006:** A concurrent resolution to amend and reenact section 7 of article IV of the Constitution of North Dakota, relating to reconvening of the legislative assembly to consider a veto.

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

Reps. Louser, Becker, Blum, Kasper, Lefor, D. Ruby and Sens. Hogue, Meyer introduced:

**HCR 3007:** A concurrent resolution to amend and reenact sections 2, 3, 5, 6, 7, 8, and 9 of article III of the Constitution of North Dakota, relating to an alternative process for enacting initiated measures.

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

Reps. Paulson, Hoverson, Johnston, M. Nelson, M. Ruby, Simons and Sens. Kannianen, O. Larsen introduced:

**HCR 3008:** A concurrent resolution to amend and reenact section 2 of article IX of the Constitution of North Dakota, relating to allowable uses of the common schools trust fund.

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

Reps. Roers Jones, M. Johnson, O'Brien, Pyle, Schreiber-Beck and Sens. J. Lee, Oban, J. Roers, Unruh introduced:

**HCR 3009:** A concurrent resolution recognizing the 100th anniversary of the ratification of the 19th Amendment to the United States Constitution, which provided women the right to vote, and urging Congress to continue working to provide equal rights to women.

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

Reps. Vetter, Becker, Bellew, Ertelt, C. Johnson, Kading, D. Ruby and Sens. Kannianen, Unruh introduced:

**HCR 3010:** A concurrent resolution to amend and reenact section 9 of article III of the Constitution of North Dakota, relating to initiated measures for constitutional amendments.

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

Reps. Schreiber-Beck, D. Johnson, Longmuir, Marschall, Pyle, Zubke and Sens. Fors, Kreun, Oban, Vedaa introduced:

**HCR 3011:** A concurrent resolution directing the Legislative Management to consider studying those provisions of the North Dakota Century Code which relate to the provision of elementary and secondary education.

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

Rep. M. Nelson introduced:

**HCR 3012:** A concurrent resolution to amend and reenact section 3 of article IX of the Constitution of North Dakota, relating to the members of the board of university and

school lands; and to provide an effective date.

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

Rep. M. Nelson introduced:

**HCR 3013:** A concurrent resolution to create and enact section 26 of article I of the Constitution of North Dakota, relating to exercising eminent domain over certain mineral rights and pore space for the benefit of private industry; and to amend and reenact section 16 of article I of the Constitution of North Dakota, relating to an exception to the limitations on exercising eminent domain.

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

Reps. Beadle, Blum, Dockter, Howe, Lefor, Mock, Pyle, Roers Jones, M. Ruby introduced:

**HCR 3014:** A concurrent resolution congratulating Carson Wentz for his outstanding season, culminating with a 2018 National Football League Super Bowl Championship for the Philadelphia Eagles.

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

Reps. Satrom, Schauer, Vetter introduced:

**HCR 3015:** A concurrent resolution directing the Legislative Management to consider studying best practices to reduce offender recidivism, increase educational opportunities, prepare incarcerated offenders to rejoin their communities, and encourage communities to reintegrate previously incarcerated individuals into society.

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

Reps. Becker, Blum, Hatlestad, Hoverson, Johnston, Marschall, M. Ruby, Satrom and Sens. Bekkedahl, Davison, Meyer, Unruh introduced:

**HCR 3016:** A concurrent resolution to amend and reenact subsection 1 of section 6 of article VIII and sections 12 and 13 of article IX of the Constitution of North Dakota, relating to the names, locations, and missions of the institutions of higher education.

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

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

**Buell J. Reich, Chief Clerk**

