

JOURNAL OF THE HOUSE

Sixty-fourth Legislative Assembly

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Bismarck, April 22, 2015

The House convened at 8:00 a.m., with Speaker Belter presiding.

The prayer was offered by Aruna Seth, Spiritual Advisor, Bismarck-Mandan Unitarian Fellowship.

The roll was called and all members were present except Representatives Boehning and Frantsvog.

A quorum was declared by the Speaker.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. MONSON MOVED that the conference committee report on Engrossed HB 1019 as printed on HJ pages 1866-1867 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1019: A BILL for an Act to provide an appropriation for defraying the expenses of the state board for career and technical education.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looysen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Boehning; Frantsvog

Reengrossed HB 1019 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. DAMSCHEN MOVED that the conference committee report on Reengrossed HB 1234 as printed on HJ page 1867 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1234: A BILL for an Act to amend and reenact section 50-24.4-15 of the North Dakota Century Code, relating to nursing home rate determination.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim;

Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Boehning; Frantsvog

Reengrossed HB 1234 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. FEHR MOVED that the conference committee report on Engrossed HB 1396 as printed on HJ pages 1867-1871 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1396: A BILL for an Act to provide student loan repayment programs for health care professionals; to repeal chapters 43-12.2 and 43-17.2 of the North Dakota Century Code, relating to student loan repayment programs for health care professionals; to provide for a continuing appropriation; and to provide for an application.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 77 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Brandenburg; Carlson; Delmore; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Porter; Rohr; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Trottier; Vigesaa; Wallman; Zubke; Speaker Belter

NAYS: Becker, Rick C.; Bellew; Brabandt; Damschen; Delzer; Dosch; Kading; Koppelman, B.; Koppelman, K.; Olson; Pollert; Ruby; Streyle; Toman; Weisz

ABSENT AND NOT VOTING: Boehning; Frantsvog

Reengrossed HB 1396 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KEMPENICH MOVED that the conference committee report on Engrossed SB 2005 as printed on HJ pages 1871-1872 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2005: A BILL for an Act to provide an appropriation for defraying the expenses of the state treasurer; and to amend and reenact sections 54-11-13 and 57-20-07.2 of the North Dakota Century Code, relating to the salary of the state treasurer and state-paid property tax relief credit.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trotter; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Boehning; Frantsvog

Engrossed SB 2005, as amended, passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KASPER MOVED that the conference committee report on Engrossed SCR 4010 as printed on HJ page 1873 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4010: A concurrent resolution to amend and reenact section 5 of article IV of the Constitution of North Dakota, relating to residency requirements of members of the legislative assembly.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read. The roll was called and there were 75 YEAS, 17 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dockter; Dosch; Fehr; Froseth; Haak; Hatlestad; Hawken; Headland; Hofstad; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Muscha; Nathe; Nelson, J.; Olson; Onstad; Owens; Paur; Pollert; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trotter; Vigasaa; Weisz; Zubke

NAYS: Amerman; Anderson, P.; Boe; Delzer; Glassheim; Guggisberg; Hanson; Hogan; Holman; Kelsh; Kretschmar; Mooney; Nelson, M.; Oversen; Porter; Wallman; Speaker Belter

ABSENT AND NOT VOTING: Boehning; Frantsvog

Engrossed SCR 4010, as amended, was declared adopted on a recorded roll call vote.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1019, HB 1234, HB 1396.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2005, SCR 4010.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report on: HB 1464.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1056.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1007.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently failed to pass: HB 1054.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1001, HB 1005, HB 1008, HB 1151, HB 1367, HB 1409, HB 1443.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1016, HB 1024, HB 1321, HB 1333.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: Your signature is respectfully requested on: SB 2001, SB 2002, SB 2009.

REPORT OF CONFERENCE COMMITTEE

HB 1009, as engrossed: Your conference committee (Sens. Krebsbach, Bowman and Reps. Schmidt, Dosch, Guggisberg) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1341-1342, adopt further amendments as follows, and place HB 1009 on the Seventh order:

That the House accede to the Senate amendments as printed on pages 1574 and 1575 of the House Journal and pages 1341 and 1342 of the Senate Journal and that Engrossed House Bill No. 1009 be further amended as follows:

Page 1, line 2, after the semicolon insert "to create and enact a new section to chapter 4-02.1 of the North Dakota Century Code, relating to repair and maintenance of asphalt areas on the state fairgrounds; to provide legislative intent; and to provide for a legislative management study;"

Page 2, after line 2, insert:

"SECTION 3. A new section to chapter 4-02.1 of the North Dakota Century Code is created and enacted as follows:

Repair and maintenance of asphalt area.

The state fair association shall pay for the cost of any general repair or maintenance of the asphalt area on the state fairgrounds from revenue sources other than the state general fund.

SECTION 4. LEGISLATIVE INTENT - 2011 FLOOD EVENT. It is the intent of the sixty-fourth legislative assembly that the \$1,000,000 from the general fund appropriated in section 1 of this Act is the final appropriation of funds to defray expenses to the state fair relating to damages caused to asphalt by the 2011 flood event.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - MAINTENANCE AND REPAIR OF STATE PROPERTY. During the 2015-16 interim, the legislative management shall consider studying the maintenance and repair of state property and the source of funds to be used for maintenance and repair costs. The study must review current processes being used by state agencies to identify and address maintenance and repairs of state property and the appropriateness of the source of funds being used for these maintenance and repair projects. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1009 - State Fair Association - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets		\$250,000	\$750,000	\$1,000,000	\$1,000,000	
Premiums	546,000	570,000		570,000	570,000	
Total all funds	\$546,000	\$820,000	\$750,000	\$1,570,000	\$1,570,000	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$546,000	\$820,000	\$750,000	\$1,570,000	\$1,570,000	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department No. 665 - State Fair Association - Detail of Conference Committee Changes

	Adds Funding for Fairgrounds Asphalt Overlay ¹	Total Conference Committee Changes
Capital assets	\$750,000	\$750,000
Premiums		
Total all funds	\$750,000	\$750,000
Less estimated income	0	0
General fund	\$750,000	\$750,000
FTE	0.00	0.00

¹ One-time funding for the asphalt overlay project on the fairgrounds is increased to provide a total of \$1 million, the same as the Senate version and \$750,000 more than the House version.

This amendment also adds sections to:

- Create a new section to North Dakota Century Code Chapter 4-02.1, relating to general repair and maintenance of the asphalt area on the state fairgrounds.
- Provide legislative intent related to State Fair Association funding resulting from the 2011 flood event.
- Provide for a Legislative Management study related to maintenance and repair of state property.

Engrossed HB 1009 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1046, as reengrossed: Your conference committee (Sens. Dever, Larsen, Axness and Reps. D. Anderson, B. Anderson, Mooney) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1608, adopt amendments as follows, and place HB 1046 on the Seventh order:

That the Senate recede from its amendments as printed on page 1608 of the House Journal and page 922 of the Senate Journal and that House Bill No. 1046 be amended as follows:

Page 1, line 2, after "programming" insert "; and to provide an appropriation"

Page 1, line 7, replace "\$250,000" with "\$375,000"

Page 1, after line 12, insert:

"SECTION 2. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - TRAUMATIC BRAIN INJURY REGIONAL RESOURCE COORDINATION. There is appropriated out of any moneys in the general fund in the state treasury, not

otherwise appropriated, the sum of \$50,000, or so much of the sum as may be necessary, to the department of human services for the purpose of coordinating services for individuals with traumatic brain injury in each human service region, for the biennium beginning July 1, 2015, and ending June 30, 2017. The department may contract for the provision of services under this section."

Renumber accordingly

Reengrossed HB 1046 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1176, as engrossed: Your conference committee (Sens. Sorvaag, Bowman, O'Connell and Reps. Delzer, Kempenich, Boe) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1363-1369, adopt amendments as follows, and place HB 1176 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1363-1369 of the House Journal and pages 1147-1153 of the Senate Journal and that Engrossed House Bill No. 1176 be amended as follows:

Page 1, line 1, after "sections" insert "15-08.1-08,"

Page 1, line 1, after "57-51-01" insert a comma

Page 1, line 2, after the first "to" insert "the unobligated balance of the strategic investment and improvements fund and"

Page 1, line 3, after third semicolon insert "to provide for a legislative management study;"

Page 1, after line 5, insert:

"SECTION 1. AMENDMENT. Section 15-08.1-08 of the North Dakota Century Code is amended and reenacted as follows:

15-08.1-08. Income - Expenses - Reimbursement - Creation of strategic investment and improvements fund - Legislative intent-~~Contingent transfer to legacy fund.~~

The income derived from the sale, lease, and management of the mineral interests acquired by the board of university and school lands pursuant to this chapter and other funds as provided by law must, after deducting the expenses of sale, lease, and management of the property, be deposited in a fund to be known as the strategic investment and improvements fund. The corpus and interest of such trust may be expended as the legislative assembly may provide for one-time expenditures relating to improving state infrastructure or for initiatives to improve the efficiency and effectiveness of state government. It is the intent of the legislative assembly that moneys in the fund may be included in draft appropriation acts under section 54-44.1-06 and may be appropriated by the legislative assembly, but only to the extent that the moneys are estimated to be available at the beginning of the biennium in which the appropriations are authorized. ~~If the unobligated balance in the fund at the end of any month exceeds three hundred million dollars, twenty-five percent of any revenues received for deposit in the fund in the subsequent month must be deposited instead into the legacy fund. For purposes of this section, "unobligated balance in the fund" means the balance in the fund reduced by appropriations or transfers from the fund authorized by the legislative assembly, guarantee reserve fund requirements under section 6-09.7-05, and any fund balance designated by the board of university and school lands relating to potential title disputes related to certain riverbed leases."~~

Page 1, line 17, after "means" insert "for the period beginning September 1, 2015, and ending August 31, 2017."

Page 1, line 18, remove the overstrike over "one"

Page 1, line 18, remove "seven"

Page 1, line 19, remove "and one-half"

Page 1, line 21, after "Dakota" insert ". 'Hub city' means, after August 31, 2017, a city with a population of twelve thousand five hundred or more, according to the last official decennial federal census, which has more than one percent of its private covered employment engaged in the mining industry, according to annual data compiled by job service North Dakota"

Page 4, line 4, after "Allocate" insert ". for the period beginning September 1, 2015, and ending August 31, 2017."

Page 4, line 4, after "city" insert ". which is located in a county that received an allocation under subsection 2."

Page 4, line 8, after "Dakota" insert "and after August 31, 2017, allocate to each hub city, which is located in a county that received an allocation under subsection 2, a monthly amount that will provide a total allocation of three hundred seventy-five thousand dollars per fiscal year for each full or partial percentage point of its private covered employment engaged in the mining industry, according to annual data compiled by job service North Dakota"

Page 4, line 9, after "b." insert "Allocate, for the period beginning September 1, 2015, and ending August 31, 2017, to each hub city, which is located in a county that did not receive an allocation under subsection 2, a monthly amount that will provide a total allocation of two hundred fifty thousand dollars per fiscal year for each full or partial percentage point of its private covered employment engaged in oil and gas-related employment, according to annual data compiled by job service North Dakota and after August 31, 2017, allocate to each hub city, which is located in a county that did not receive an allocation under subsection 2, a monthly amount that will provide a total allocation of two hundred fifty thousand dollars per fiscal year for each full or partial percentage point of its private covered employment engaged in the mining industry, according to annual data compiled by job service North Dakota;

c."

Page 4, line 9, after "Allocate" insert ". for the period beginning September 1, 2015, and ending August 31, 2017."

Page 4, line 9, after "district" insert ". which is located in a county that received an allocation under subsection 2."

Page 4, line 13, after "Dakota" insert "and after August 31, 2017, allocate to each hub city school district, which is located in a county that received an allocation under subsection 2, a monthly amount that will provide a total allocation of one hundred twenty-five thousand dollars per fiscal year for each full or partial percentage point of the hub city's private covered employment engaged in the mining industry, according to annual data compiled by job service North Dakota, provided that hub city school districts, which are located in a county that did not receive an allocation under subsection 2, must be excluded from the allocations under this subdivision"

Page 4, line 14, replace "c." with "d."

Page 4, line 19, replace "d." with "e."

Page 4, line 20, after "biennium" insert "for the 2015-17 biennium, and not in an amount exceeding one hundred million dollars per biennium thereafter"

Page 4, line 21, replace "e." with "f."

Page 4, line 25, replace "f." with "g."

Page 4, line 30, replace "g." with "h."

Page 6, line 16, remove the overstrike over "Sixty"

Page 6, line 16, remove "Sixty-four"

Page 7, line 6, remove the overstrike over "Three"

Page 7, line 6, remove "Two"

Page 7, line 16, remove the overstrike over "Three"

Page 7, line 16, remove "Two"

Page 7, line 26, remove the overstrike over "Nine"

Page 7, line 26, remove "Seven"

Page 14, line 17, replace "The" with "One-half of the"

Page 14, line 19, after "county" insert "based on county major collector roadway miles"

Page 14, line 22, after the period insert "One-half of the distributions must be based on the most recent data compiled by the upper great plains transportation institute regarding North Dakota's county, township, and tribal road and bridge infrastructure needs. The distribution to each non-oil-producing county based on total estimated road and bridge investment needs must be proportional to each non-oil-producing county's total estimated road and bridge investment needs for the years 2015 to 2034 identified by the upper great plains transportation institute relative to the combined total estimated road and bridge investment needs for the years 2015 to 2034 identified by the upper great plains transportation institute of all the eligible non-oil-producing counties under this subsection."

Page 15, line 2, after "state" insert "or which improve traffic safety"

Page 15, replace lines 3 through 5 with

- "(1) Roadways and bridges must provide at least one of the following:
 - (a) Continuity and connectivity to efficiently integrate and improve major paved and unpaved corridors within the county and across county borders;
 - (b) Connectivity to significant traffic generators; or
 - (c) Direct improvement in traffic safety."

Page 15, line 31, replace the first comma with "and"

Page 15, line 31, replace the second comma with "costs incurred on related projects as of July 1, 2015,"

Page 15, line 31, after "and" insert "may be applied to"

Page 16, line 14, replace "\$139,626,588" with "\$139,300,000"

Page 16, line 20, remove "to taxing districts"

Page 16, line 25, replace "\$10,000,000" with "\$48,000,000"

Page 16, line 27, after "office" insert ", in consultation with the aeronautics commission,"

Page 17, line 1, remove "\$10,000,000, or so much of the sum as may be necessary, for grants to hub cities. A"

Page 17, remove lines 2 through 6

Page 17, line 7, replace "3. \$20,000,000" with "\$30,000,000"

Page 17, line 9, remove ". A school district is eligible"

Page 17, replace lines 10 through 13 with "and must be distributed based on oil and gas gross production tax distribution payments to school districts. The distribution to each school district must be proportional to each school district's total distribution payments under subdivision b of subsection 1, subdivision b of subsection 4, or subdivision b of subsection 5 of section 57-51-15, for the period beginning September 1, 2013, and ending August 31, 2014, relative to the combined total of all distribution payments to school districts under subdivision b of subsection 1, subdivision b of subsection 4, and subdivision b of subsection 5 of section 57-51-15, for the period beginning September 1, 2013, and ending August 31, 2014.

3. \$10,000,000, or so much of the sum as may be necessary, for grants to law enforcement agencies impacted by oil and gas development. The director of the energy infrastructure and impact office, in consultation with the drug and violent crime policy board of the attorney general's office, shall adopt grant procedures and requirements necessary for the distribution of grants under this subsection. The grants must be distributed to law enforcement agencies in oil-impacted counties where crime-related activities have increased or in other counties if the crime-related activities in oil-impacted counties originated in any of those counties.
4. Notwithstanding chapter 57-62, \$10,000,000, or so much of the sum as may be necessary, for grants to critical access hospitals in oil-producing counties and in counties contiguous to an oil-producing county to address the effects of oil and gas-related economic development activities. The director of the energy infrastructure and impact office, in consultation with the department of human services, shall adopt grant procedures and requirements necessary for the distribution of grants under this subsection. One-half of the grant funding must be distributed in January of each year of the biennium.
5. Notwithstanding chapter 57-62, \$8,000,000, or so much of the sum as may be necessary, for grants to certain eligible counties. The grants must be distributed in equal amounts to each eligible county. For purposes of this subsection, "eligible counties" means the two counties that received the fifth and sixth highest amount of total allocations under subsection 2 of section 57-51-15, for the period beginning September 1, 2013, and ending August 31, 2014.
6. Notwithstanding chapter 57-62, \$6,000,000, or so much of the sum as may be necessary, for grants to emergency medical services providers for expenditures that would mitigate negative effects of oil and gas-related development affecting emergency medical services providers providing services in oil-producing counties, including the need for increased emergency medical services providers services, staff, equipment, coverage, and personnel training. The director of the energy infrastructure and impact office may develop grant procedures and requirements necessary for the distribution of grants under this subsection.
7. \$5,000,000, or so much of the sum as may be necessary, for grants to eligible political subdivisions. For purposes of this subsection, "eligible political subdivisions" means counties, cities, organized townships, or other taxing districts in the seven counties that individually received total allocations of less than \$5,000,000 under subsection 2 of section 57-51-15, for the period beginning September 1, 2013, and ending August 31, 2014.
8. Notwithstanding chapter 57-62, \$4,000,000, or so much of the sum as may be necessary, for grants to nursing homes, basic care facilities, and providers of home health services and hospice programs in oil-producing counties to address the effects of oil and gas and related development activities. The director of the energy infrastructure and impact office, in

consultation with key stakeholders, shall adopt grant procedures and requirements necessary for the distribution of grants under this subsection. Of the \$4,000,000, up to \$500,000 must be distributed to home health services and hospice programs in the two hub cities as defined under section 57-51-01 that received the two highest total allocations under subsection 1 of section 57-51-15 for the period beginning September 1, 2013, and ending August 31, 2014. The remaining amount must be distributed to nursing homes and basic care facilities.

9. \$3,000,000, or so much of the sum as may be necessary, for grants to fire protection districts for expenditures that would mitigate negative effects of oil and gas-related development affecting fire protection districts providing services in oil-producing counties, including the need for increased fire protection district services, staff, equipment, coverage, and personnel training. The director of the energy infrastructure and impact office may develop grant procedures and requirements necessary for the distribution of grants under this subsection.
10. Notwithstanding chapter 57-62, \$2,000,000, or so much of the sum as may be necessary, for grants to providers that serve individuals with developmental disabilities located in oil-producing counties to address the effects of oil and gas-related development activities. The director of the energy infrastructure and impact office, in consultation with the department of human services, shall adopt grant procedures and requirements necessary for the distribution of grants under this subsection. The grants must be distributed in January of each year of the biennium, based on the number of full-time equivalent positions of each provider as determined by the department of human services. When setting rates for the entities receiving grants under this section, the department of human services shall exclude grant income received under this section as an offset to costs.
11. Notwithstanding chapter 57-62, \$2,000,000, or so much of the sum as may be necessary, for grants to domestic violence sexual assault organizations as defined in section 14-07.1-01 that are located in oil-producing counties to address the effects of oil and gas-related development activities. The director of the energy infrastructure and impact office, in consultation with the department of commerce, shall adopt grant procedures and requirements necessary for the distribution of grants under this subsection. The requirements must include required local matching funds of at least two dollars of nonstate funds for each dollar of grant funds.
12. \$2,000,000, or so much of the sum as may be necessary, for grants to local district health units that are located in oil-producing counties to address the effects of oil and gas-related development activities. The director of the energy infrastructure and impact office, in consultation with the state department of health, shall adopt grant procedures and requirements necessary for the distribution of grants under this subsection.
13. \$1,700,000, or so much of the sum as may be necessary, to each eligible city. For purposes of this subsection, an "eligible city" means a city in an area impacted by oil and gas development with a population of more than 1,453, but fewer than 1,603 according to the last official decennial federal census."

Page 17, line 14, replace "4." with "14."

Page 17, line 18, replace "5." with "15."

Page 17, line 22, replace "6." with "16."

Page 17, after line 25, insert:

"SECTION 6. LEGISLATIVE MANAGEMENT STUDY - OIL AND GAS TAX REVENUE ALLOCATION FORMULAS. During the 2015-16 interim, the legislative management shall consider studying the oil and gas tax revenue allocation formulas. The study must include consideration of current and historical allocations to political subdivisions and the appropriate level of oil and gas tax revenue allocations to political subdivisions based on infrastructure and other needs. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Page 17, line 26, after the second boldfaced period insert "Section 1 of this Act is effective for tax collections received by the tax commissioner and for royalty, bonus, and other revenues received for deposit into the strategic investment and improvements fund after June 30, 2015."

Page 17, line 26, replace "1" with "2"

Page 17, line 26, replace "2" with "3"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1176 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Department of Trust Lands						
Total all funds	\$0	\$139,626,588	(\$326,588)	\$139,300,000	\$139,300,000	\$0
Less estimated income	0	139,626,588	(326,588)	139,300,000	139,300,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Department of Transportation						
Total all funds	\$0	\$112,000,000	\$0	\$112,000,000	\$112,000,000	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$112,000,000	\$0	\$112,000,000	\$112,000,000	\$0
Bill total						
Total all funds	\$0	\$251,626,588	(\$326,588)	\$251,300,000	\$251,300,000	\$0
Less estimated income	0	139,626,588	(326,588)	139,300,000	139,300,000	0
General fund	\$0	\$112,000,000	\$0	\$112,000,000	\$112,000,000	\$0

House Bill No. 1176 - Department of Trust Lands - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Oil and gas impact grants		\$139,626,588	(\$326,588)	\$139,300,000	\$139,300,000	
Total all funds	\$0	\$139,626,588	(\$326,588)	\$139,300,000	\$139,300,000	\$0
Less estimated income	0	139,626,588	(326,588)	139,300,000	139,300,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department No. 226 - Department of Trust Lands - Detail of Conference Committee Changes

	Adjusts Funding for Administrative Costs ¹	Total Conference Committee Changes
Oil and gas impact grants	(\$326,588)	(\$326,588)
Total all funds	(\$326,588)	(\$326,588)
Less estimated income	(326,588)	(326,588)
General fund	\$0	\$0
FTE	0.00	0.00

¹ The Senate reduced the funding for grants to provide additional funding for administrative costs.

The Conference Committee version provides additional designations for grants from the oil and gas impact grant fund compared to the House and Senate versions as shown in the schedule below.

House Bill No. 1176 - Department of Transportation - Conference Committee Action

The Conference Committee version provides for distributing \$56 million based on county major collector roadway miles and \$56 million based on total estimated road and bridge investment needs. The House version was based on county major collector roadway miles, and the Senate version was based on estimated unmet road and bridge investment needs.

House Bill No. 1176 - Other Changes - Conference Committee Action

House Version [15.0329.05000]	Senate Version [15.0329.05013]	Proposed Conference Committee Version [15.0329.05019]
Contingent transfers to legacy fund <ul style="list-style-type: none"> Same as current law. 	Contingent transfers to legacy fund <ul style="list-style-type: none"> Removes the contingent transfer of 25 percent of revenue from the strategic investment and improvements fund to the legacy fund when the unobligated balance of the strategic investment and improvements fund exceeds \$300 million. 	Contingent transfers to legacy fund <ul style="list-style-type: none"> Removes the contingent transfer of 25 percent of revenue from the strategic investment and improvements fund to the legacy fund when the unobligated balance of the strategic investment and improvements fund exceeds \$300 million. (Same as Senate)
Hub cities and hub city school districts <ul style="list-style-type: none"> Changes the definition of a hub city related to employment percentages from employment in the mining industry to oil and gas-related employment, increases the required employment percentage from 1 to 7.5 percent, and clarifies that the hub cities' allocation percentages be updated annually. 	Hub cities and hub city school districts <ul style="list-style-type: none"> Changes the definition of a hub city related to employment percentages from employment in the mining industry to oil and gas-related employment and clarifies that the hub cities' allocation percentages be updated annually. Allocates \$375,000 per full or partial employment percentage point to hub cities located in oil-producing counties. Allocates \$250,000 per full or partial employment percentage point to hub cities located in non-oil-producing counties. Allocates \$125,000 per full or partial employment percentage point to hub city school districts located in oil-producing counties and excludes hub city school districts located in non-oil-producing counties from allocations. 	Hub cities and hub city school districts <ul style="list-style-type: none"> Changes the definition of a hub city related to employment percentages from employment in the mining industry to oil and gas-related employment only for the 2015-17 biennium and clarifies that the hub cities' allocation percentages be updated annually. Allocates \$375,000 per full or partial employment percentage point to hub cities located in oil-producing counties based on oil and gas-related employment for the 2015-17 biennium and based on mining employment after the 2015-17 biennium. Allocates \$250,000 per full or partial employment percentage point to hub cities located in non-oil-producing counties based on oil and gas-related employment for the 2015-17 biennium and based on mining employment after the 2015-17 biennium. Allocates \$125,000 per full or partial employment percentage point to hub city school districts located in oil-producing counties and excludes hub city school districts located in non-oil-producing counties from allocations based on oil and gas-related employment for the 2015-17 biennium and based on mining employment after the 2015-17 biennium.
Additional school district allocation <ul style="list-style-type: none"> Allocates \$1.5 million each fiscal year to each county that received more than \$5 million, but less than \$30 million of oil and gas tax collections in the prior state fiscal year for distributions to school districts, excluding hub city school districts. 	Additional school district allocation <ul style="list-style-type: none"> Allocates \$1.5 million each fiscal year to each county that received more than \$5 million, but less than \$30 million of oil and gas tax collections in the prior state fiscal year for distributions to school districts, excluding hub city school districts. (Same as House) 	Additional school district allocation <ul style="list-style-type: none"> Allocates \$1.5 million each fiscal year to each county that received more than \$5 million, but less than \$30 million of oil and gas tax collections in the prior state fiscal year for distributions to school districts, excluding hub city school districts. (Same as House and Senate)
Oil and gas impact grant fund allocations <ul style="list-style-type: none"> Decreases the oil and gas gross production tax revenue collections allocated to the oil and gas impact grant fund from \$240 million per biennium to \$140 million per biennium. 	Oil and gas impact grant fund allocations <ul style="list-style-type: none"> Decreases the oil and gas gross production tax revenue collections allocated to the oil and gas impact grant fund from \$240 million per biennium to \$140 million per biennium. (Same as House) 	Oil and gas impact grant fund allocations <ul style="list-style-type: none"> Decreases the oil and gas gross production tax revenue collections allocated to the oil and gas impact grant fund from \$240 million per biennium to \$140 million per biennium for the 2015-17 biennium and decreases the allocation to \$100 million in subsequent bienniums.

North Dakota outdoor heritage fund allocations

- Increases the amount allocated to the North Dakota outdoor heritage fund from 4 to 8 percent and increases the allocation limit from \$15 million per fiscal year to \$20 million per fiscal year.

Allocations and distributions to political subdivisions

- Removes the June 30, 2015, expiration date of the oil and gas gross production tax formula changes made by the 2013 Legislative Assembly in House Bill No. 1358.
- Technical corrections to the distributions to political subdivisions in North Dakota Century Code Sections 57-51-15(4) and 57-51-15(5) to provide clarity and consistency.
- Provides additional reporting requirements for counties and school districts, including requirements to report revenues and expenditures, ending fund balances, and detailed information on the amounts expended from the allocations.
- Increases the amount allocated to counties related to the 4 percent of the 5 percent oil and gas gross production tax from 25 to 30 percent of all revenue above \$5 million.
- Changes the determination of counties that received \$5 million or more from the total allocations received in the most recently completed state fiscal year to the total allocations received in state fiscal year 2014.
- Changes the amounts allocated to political subdivisions within counties that received \$5 million or more of oil and gas tax as follows:

	Proposed Changes
County general fund	64%
Cities	20%
Schools	5%
Townships (equal)	2%
Townships (road miles)	2%
Hub cities	7%

Other sections

- Provides funding of \$112 million from the general fund to the Department of Transportation for paved and unpaved road and bridge projects in counties that received no allocation or less than \$5 million in annual oil tax allocations in state fiscal year 2014. The funding distributions are based on county major collector roadway miles.

North Dakota outdoor heritage fund allocations

- Increases the amount allocated to the North Dakota outdoor heritage fund from 4 to 8 percent and increases the allocation limit from \$15 million per fiscal year to \$20 million per fiscal year. (Same as House)

Allocations and distributions to political subdivisions

- Removes the June 30, 2015, expiration date of the oil and gas gross production tax formula changes made by the 2013 Legislative Assembly in House Bill No. 1358. (Same as House)
- Technical corrections to the distributions to political subdivisions in Sections 57-51-15(4) and 57-51-15(5) to provide clarity and consistency. (Same as House)
- Provides additional reporting requirements for counties and school districts, including requirements to report revenues and expenditures, ending fund balances, and detailed information on the amounts expended from the allocations. (Same as House)
- Increases the amount allocated to counties related to the 4 percent of the 5 percent oil and gas gross production tax from 25 to 30 percent of all revenue above \$5 million. (Same as House)
- Changes the determination of counties that received \$5 million or more from the total allocations received in the most recently completed state fiscal year to the total allocations received in state fiscal year 2014. (Same as House)
- Uses the following current law percentages for the amounts allocated to political subdivisions within counties that received \$5 million or more of oil and gas tax:

	Current Law
County general fund	60%
Cities	20%
Schools	5%
Townships (equal)	3%
Townships (road miles)	3%
Hub cities	9%

Other sections

- Provides funding of \$112 million from the general fund to the Department of Transportation for paved and unpaved road and bridge projects in counties that received no allocation or less than \$5 million in annual oil tax allocations in state fiscal year 2014. The funding distributions are based on estimated unmet road and bridge investment needs.

North Dakota outdoor heritage fund allocations

- Increases the amount allocated to the North Dakota outdoor heritage fund from 4 to 8 percent and increases the allocation limit from \$15 million per fiscal year to \$20 million per fiscal year. (Same as House and Senate)

Allocations and distributions to political subdivisions

- Removes the June 30, 2015, expiration date of the oil and gas gross production tax formula changes made by the 2013 Legislative Assembly in House Bill No. 1358. (Same as House and Senate)
- Technical corrections to the distributions to political subdivisions in Sections 57-51-15(4) and 57-51-15(5) to provide clarity and consistency. (Same as House and Senate)
- Provides additional reporting requirements for counties and school districts, including requirements to report revenues and expenditures, ending fund balances, and detailed information on the amounts expended from the allocations. (Same as House and Senate)
- Increases the amount allocated to counties related to the 4 percent of the 5 percent oil and gas gross production tax from 25 to 30 percent of all revenue above \$5 million. (Same as House and Senate)
- Changes the determination of counties that received \$5 million or more from the total allocations received in the most recently completed state fiscal year to the total allocations received in state fiscal year 2014. (Same as House and Senate)
- Uses the following current law percentages for the amounts allocated to political subdivisions within counties that received \$5 million or more of oil and gas tax (Same as Senate):

	Current Law
County general fund	60%
Cities	20%
Schools	5%
Townships (equal)	3%
Townships (road miles)	3%
Hub cities	9%

Other sections

- Provides funding of \$112 million from the general fund to the Department of Transportation for paved and unpaved road and bridge projects in counties that received no allocation or less than \$5 million in annual oil tax allocations in state fiscal year 2014. One-half of the funding distributions are based on county major collector roadway miles and one-half of the distributions are based on data compiled by the Upper Great Plains Transportation Institute related to estimated road and bridge investment needs.

<ul style="list-style-type: none"> • Appropriates \$139.6 million (\$140 million allocated to the fund less approximately \$400,000 for administrative costs) from the oil and gas impact grant fund to the Department of Trust Lands for oil impact grants. Based on the proposed changes, approximately \$98.8 million is undesignated and \$40.8 million is designated as follows: <ul style="list-style-type: none"> \$10 million for airports \$10 million for hub cities \$20 million for school districts \$800,000 to certain eligible cities 	<ul style="list-style-type: none"> • Appropriates \$139.3 million (\$140 million allocated to the fund less approximately \$700,000 for administrative costs) from the oil and gas impact grant fund to the Department of Trust Lands for oil impact grants. Based on the proposed changes, approximately \$8.5 million is undesignated and \$130.8 million is designated as follows: <ul style="list-style-type: none"> \$48 million for airports \$30 million for school districts \$10 million for law enforcement agencies \$10 million for critical access hospitals \$8 million for certain eligible counties \$6 million for emergency medical services providers \$5 million for eligible political subdivisions \$4 million for nursing homes and hospice programs \$3 million for fire protection districts \$2 million for providers serving individuals with developmental disabilities \$2 million for domestic violence sexual assault organizations \$2 million local district health units \$800,000 to certain eligible cities 	<ul style="list-style-type: none"> • Appropriates \$139.3 million (\$140 million allocated to the fund less approximately \$700,000 for administrative costs) from the oil and gas impact grant fund to the Department of Trust Lands for oil impact grants. Based on the proposed changes, approximately \$6.8 million is undesignated and \$132.5 million is designated as follows: <ul style="list-style-type: none"> \$48 million for airports \$30 million for school districts \$10 million for law enforcement agencies \$10 million for critical access hospitals \$8 million for certain eligible counties \$6 million for emergency medical services providers \$5 million for eligible political subdivisions \$4 million for nursing homes and hospice programs \$3 million for fire protection districts \$2 million for providers serving individuals with developmental disabilities \$2 million for domestic violence sexual assault organizations \$2 million local district health units \$1.7 million to an eligible city \$800,000 to certain eligible cities • Provides for a legislative management study of oil and gas tax allocations
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Engrossed HB 1176 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1377, as engrossed: Your conference committee (Sens. Sorvaag, Bowman, O'Connell and Reps. Delzer, Kempenich, Boe) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1807-1808, adopt amendments as follows, and place HB 1377 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1807 and 1808 of the House Journal and pages 1345-1347 of the Senate Journal and that Engrossed House Bill No. 1377 be amended as follows:

Page 1, line 1, replace "next biennium K-12 fund" with "political subdivision allocation fund"

Page 1, line 2, after "15-08.1-08" insert ", 57-51.1-07.3,"

Page 1, line 4, after the first semicolon insert "to repeal sections 15.1-27-45 and 57-64-05 of the North Dakota Century Code, relating to the property tax relief sustainability fund; to provide a continuing appropriation; to provide for a legislative management study; to provide a moratorium on county road fees;"

Page 2, line 5, replace "**Next biennium K-12 fund**" with "**Political subdivision allocation fund - Oil and gas tax revenue allocations to political subdivisions - State treasurer - Continuing appropriation**"

Page 2, replace lines 6 through 8 with:

"There is created in the state treasury the political subdivision allocation fund. The fund consists of oil and gas tax revenue deposited in the fund pursuant to chapter 57-51.1. All moneys in the fund are appropriated to the state treasurer on a continuing basis for the purpose of allocations to political subdivisions in oil-producing counties.

1. If the balance of the fund exceeds ten million dollars on March first of each odd-numbered year, within thirty-one days, the state treasurer shall allocate all moneys in the fund to eligible political subdivisions in oil-producing counties based on each political subdivision's oil and gas gross production tax allocations under subsection 4 or subsection 5 of section 57-51-15 in the most recently completed formula allocation year.

The allocation to each eligible political subdivision must be proportional to each political subdivision's total oil and gas gross production tax allocation under subsection 4 or subsection 5 of section 57-51-15 in the most recently completed formula allocation year relative to the combined total of all oil and gas gross production tax allocations under subsection 4 and subsection 5 of section 57-51-15 in the most recently completed formula allocation year. For purposes of this subsection, "formula allocation year" means the period beginning September first of an odd-numbered year and ending August thirty-first of the following even-numbered year.

2. If the balance of the fund exceeds ten million dollars on August first of each odd-numbered year, within thirty-one days, the state treasurer shall allocate all moneys in the fund to eligible political subdivisions in oil-producing counties based on each political subdivision's oil and gas gross production tax allocations under subsection 4 or subsection 5 of section 57-51-15 in the most recently completed formula allocation year. The allocation to each eligible political subdivision must be proportional to each political subdivision's total oil and gas gross production tax allocation under subsection 4 or subsection 5 of section 57-51-15 in the most recently completed formula allocation year relative to the combined total of all oil and gas gross production tax allocations under subsection 4 and subsection 5 of section 57-51-15 in the most recently completed formula allocation year. For purposes of this subsection, "formula allocation year" means the period beginning September first of an odd-numbered year and ending August thirty-first of the following even-numbered year.

SECTION 3. AMENDMENT. Section 57-51.1-07.3 of the North Dakota Century Code is amended and reenacted as follows:

57-51.1-07.3. Oil and gas research fund - Deposits - Continuing appropriation.

There is established a special fund in the state treasury to be known as the oil and gas research fund. Before depositing oil and gas gross production tax and oil extraction tax revenues in the general fund, ~~property tax relief sustainability fund~~, strategic investment and improvements fund, or the state disaster relief fund, two percent of the revenues must be deposited monthly into the oil and gas research fund, up to ten million dollars per biennium. All moneys deposited in the oil and gas research fund and interest on all such moneys are appropriated as a continuing appropriation to the council to be used for purposes stated in chapter 54-17.6."

Page 2, line 23, after the overstruck ending parenthesis insert "**(Effective through June 30, 2017)**"

Page 2, line 27, remove the overstrike over "~~The next~~"

Page 2, line 27, after "~~thousand~~" insert "three hundred million"

Page 2, line 27, remove the overstrike over "~~dollars into~~"

Page 2, line 28, remove the overstrike over "~~the~~"

Page 2, line 28, remove the overstrike over "~~tax relief~~"

Page 2, line 28, remove the overstrike over "~~fund~~"

Page 2, line 28, remove "The next seven hundred twelve million dollars"

Page 2, line 29, remove "into the next biennium K-12 fund"

Page 2, remove line 31

Page 3, line 1, remove the overstrike over "~~4:~~"

Page 3, line 1, remove "5."

Page 3, line 3, remove the overstrike over "5:"

Page 3, line 3, remove "6."

Page 3, line 6, remove the overstrike over "6:"

Page 3, line 6, remove "7."

Page 3, line 6, overstrike "into the strategic investment and improvements fund" and insert immediately thereafter ":

a. Seventy percent into the strategic investment and improvements fund; and

b. Thirty percent into the political subdivision allocation fund

(Effective after June 30, 2017) State share of oil and gas taxes - Deposits.

From the revenues designated for deposit in the state general fund under chapters 57-51 and 57-51.1, the state treasurer shall deposit the revenues received each biennium as follows:

1. The first two hundred million dollars into the state general fund;
2. The next three hundred million dollars into the tax relief fund;
3. The next one hundred million dollars into the state general fund;
4. The next one hundred million dollars into the strategic investment and improvements fund;
5. The next twenty-two million dollars into the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than twenty-five million dollars; and
6. Any additional revenues into the strategic investment and improvements fund.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - UNIFORM TRUCK

PERMITTING. During the 2015-16 interim, the legislative management shall study truck permitting systems in oil and gas producing counties. The study must review the North Dakota association of oil and gas producing counties' uniform county truck permit program, including the system's integration with the highway patrol's online electronic truck permitting and routing system and the communications between county representatives and industry representatives regarding road conditions. The study must evaluate the appropriateness of additional fees assessed by the board of county commissioners and other local authorities to the oil and gas industry related to additional road permitting fees and analyze other relevant data regarding uniform truck permitting fees and procedures. The study must include input from representatives of the North Dakota petroleum council, representatives of the North Dakota association of oil and gas producing counties, and other interested persons. The legislative management shall report its findings and recommendations, if any, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

SECTION 6. MORATORIUM ON ADDITIONAL FEES FOR USE OF COUNTY

ROADS. For the period beginning June 1, 2015, through June 30, 2017, notwithstanding the provisions of chapter 39-12, the board of county commissioners and other local authorities having control of roads may not impose any additional fees for the use of county roads, except the fees established in the North Dakota association of oil and gas producing counties' uniform county truck permit program, unless an operator, company, or individual requests and agrees to pay the additional fees. However, the board of county commissioners and other local authorities may

issue penalties to operators, companies, or individuals who violate posted road restrictions.

SECTION 7. REPEAL. Sections 15.1-27-45 and 57-64-05 of the North Dakota Century Code are repealed."

Page 3, line 7, replace "This" with "Sections 1, 2, 3, and 4 of this"

Page 3, line 7, replace "is" with "are"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment:

- Changes the state share of oil and gas tax allocations to reduce the allocation to the property tax relief sustainability fund from \$341.79 million to \$300 million. The Senate version reduced the allocation from \$341.79 million to \$250 million. The House version added an allocation of \$712 million to a next biennium K-12 fund and moved the allocation to property tax relief sustainability fund after the second general fund allocation.
- Changes the state share of oil and gas tax allocations to reduce the allocation of remaining revenue to the strategic investment and improvements fund from 100 percent to 70 percent and to provide an allocation of 30 percent to a newly created political subdivision allocation fund, which is the same as the Senate version. The House version did not change current law, which allocates 100 percent of the remaining revenue to the strategic investment and improvements fund.
- Creates a political subdivision allocation fund and provides a continuing appropriation to the State Treasurer to allocate funding to political subdivisions. The allocations from the fund to the political subdivisions are based on oil and gas tax allocations to political subdivisions in the first year of the biennium. The Senate version also created the political subdivision allocation fund, but the House version did not include this new fund.
- Renames the property tax relief sustainability fund the tax relief fund and repeals two sections of North Dakota Century Code related to the property tax relief sustainability fund, since those sections are no longer needed. Neither the House nor the Senate versions included these changes.
- Provides an expiration date for the changes to the allocations of the state's share of oil and gas tax revenue. This change was not made by either the House or the Senate.
- Provides for a legislative management study of uniform truck permitting. This study was not included in the House or the Senate versions.
- Provides for a moratorium on additional fees for use of county roads assessed by counties and other local authorities. This change was not made by either the House or the Senate.

Engrossed HB 1377 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1217, as engrossed: Your conference committee (Sens. Burckhard, Grabinger, J. Lee and Reps. Hatlestad, Rich S. Becker, Oversen) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1416, adopt amendments as follows, and place HB 1217 on the Seventh order:

That the Senate recede from its amendments as printed on page 1416 of the House Journal and pages 1153 and 1154 of the Senate Journal and that Engrossed House Bill No. 1217 be amended as follows:

Page 2, line 14, remove the underscored colon

Page 2, line 15, replace "(1) A" with "a"

Page 2, line 15, after the first underscored comma insert "protection order under section 14-07.1-02, ex parte temporary"

Page 2, line 15, after the second underscored comma insert "order prohibiting contact."

Page 2, remove lines 17 through 26

Renumber accordingly

Engrossed HB 1217 was placed on the Seventh order of business on the calendar.

ANNOUNCEMENT

SPEAKER BELTER ANNOUNCED that the House stand in recess until 1:00 p.m.

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

CORRECTION AND REVISION OF THE JOURNAL

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

Page 1821, remove lines 46-48

REP. KRETSCHMAR MOVED that the report be adopted, which motion prevailed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. D. ANDERSON MOVED that the conference committee report on Reengrossed HB 1046 as printed on HJ page 1608 be adopted, which motion prevailed on a voice vote.

MOTION

REP. VIGESAA MOVED that HB 1046 be held until all Chamber computers show the same bill version, which motion prevailed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. HATLESTAD MOVED that the conference committee report on Engrossed HB 1217 as printed on HJ page 1416 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1217: A BILL for an Act to amend and reenact sections 14-02.5-02 and 47-16-17.1 of the North Dakota Century Code, relating to the rental of a dwelling to a victim of domestic violence.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Hunsakor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Glassheim; Holman; Kading; Nelson, M.

ABSENT AND NOT VOTING: Boehning; Frantsvog

Reengrossed HB 1217 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KEMPENICH MOVED that the conference committee report on Engrossed HB 1176 as printed on HJ pages 1363-1369 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1176: A BILL for an Act to amend and reenact sections 15-08.1-08, 57-51-01, and 57-51-15 of the North Dakota Century Code, relating to the unobligated balance of the strategic investment and improvements fund and oil and gas gross production tax definitions and allocations; to provide appropriations; to provide exemptions; to provide for reports to the budget section; to provide for a legislative management study; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Dosch

ABSENT AND NOT VOTING: Boehning; Frantsvog

Reengrossed HB 1176 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KEMPENICH MOVED that the conference committee report on Engrossed HB 1377 as printed on HJ pages 1807-1808 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1377: A BILL for an Act to create the political subdivision allocation fund; to amend and reenact sections 15-08.1-08, 57-51.1-07.3, and 57-51.1-07.5 of the North Dakota Century Code, relating to the unobligated balance of the strategic investment and improvements fund and the state share of oil and gas tax allocations; to repeal sections 15.1-27-45 and 57-64-05 of the North Dakota Century Code, relating to the property tax relief sustainability fund; to provide a continuing appropriation; to provide for a legislative management study; to provide a moratorium on county road fees; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan;

Holman; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Boehning; Frantsvog

Reengrossed HB 1377 passed and the emergency clause was declared carried.

MOTION

REP. VIGESAA MOVED that HB 1046 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1046: A BILL for an Act to provide an appropriation to the department of human services for costs relating to expanded traumatic brain injury programming; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Pollert; Porter; Rohr; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Bellew; Paur; Ruby

ABSENT AND NOT VOTING: Boehning; Frantsvog

Reengrossed HB 1046 passed.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1046.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1176, HB 1217.

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

MR. PRESIDENT: The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1377.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2017, SB 2120, SB 2304.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1019, HB 1234, HB 1396.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The President has signed: HB 1001, HB 1005, HB 1008, HB 1016, HB 1024, HB 1151, HB 1321, HB 1333, HB 1367, HB 1409, HB 1443.

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

MR. PRESIDENT: The Speaker has signed: HB 1001, HB 1005, HB 1008, HB 1016, HB 1024, HB 1151, HB 1321, HB 1333, HB 1367, HB 1409, HB 1443.

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

MR. PRESIDENT: The Speaker has signed: SB 2001, SB 2002, SB 2009.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 22, 2015: HB 1001, HB 1005, HB 1008, HB 1016, HB 1024, HB 1151, HB 1321, HB 1333, HB 1367, HB 1409, HB 1443.

REPORT OF CONFERENCE COMMITTEE

HB 1359, as reengrossed: Your conference committee (Sens. Dever, Larsen, Warner and Reps. Hofstad, Weisz, Oversen) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1303-1304, adopt amendments as follows, and place HB 1359 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1303 and 1304 of the House Journal and page 909 of the Senate Journal and that Reengrossed House Bill No. 1359 be amended as follows:

Page 1, line 1, replace "50-24.5-02" with "50-24.5-02.3"

Page 1, line 2, after "rates" insert "; and to amend and reenact sections 50-32-02 and 50-32-04 of the North Dakota Century Code, relating to assisted living facilities"

Page 1, line 4, replace "50-24.5-02" with "50-24.5-02.3"

Page 1, line 6, replace "**50-24.5-02**" with "**50-24.5-02.3**"

Page 1, line 14, remove "The department shall establish limits on actual allowable historical operating cost"

Page 1, replace lines 15 through 24 with "For the rate year beginning July 1, 2016, the department shall establish the limits by using the average of the highest and lowest rates from the 2014 rate year. The direct care limit must be ninety-five percent of the average and the indirect care limit must be ninety percent of the average. Beginning with the July 1, 2017, rate year, the department shall adjust the limits by using the cost percentage change from the prior two rate years, within the limits of legislative appropriations."

Page 2, line 1, after the second underscored comma insert "within the limits of legislative appropriations."

Page 2, line 2, replace "twenty" with "thirty"

Page 2, after line 4, insert:

"5. Within the limits of legislative appropriations, the department shall establish an uncompensated care expense of one hundred eighty days.

SECTION 2. AMENDMENT. Section 50-32-02 of the North Dakota Century Code is amended and reenacted as follows:

50-32-02. Licensing of assisted living facilities - Penalty.

1. An entity may not keep, operate, conduct, manage, or maintain an assisted living facility or use the term "assisted living" in its advertising unless it is licensed by the department.
2. An assisted living facility shall pay to the department an annual license fee of seventy-five dollars for each facility. License fees collected under this section must be deposited in the department's operating fund in the state treasury. An expenditure from the fund is subject to appropriation by the legislative assembly.
3. An assisted living facility shall apply annually to the department for a license. After the fifty-ninth day following the notification of noncompliance with annual licensing, the department may assess a fine of up to fifty dollars per day against an entity that provides assisted living services or uses the term assisted living in its marketing without a license approved by the department. Fines collected under this section must be deposited in the department's operating fund in the state treasury. An expenditure from the fund is subject to appropriation by the legislative assembly.
4. If there are one or more deficiencies or a pattern of deficiencies related to quality of care or compliance with licensing requirements, the department may issue a provisional license. A provisional license may not be valid for more than ninety days. A provisional license may be renewed once for no longer than an additional ninety days. If the deficiencies have not been corrected upon the expiration of a provisional license, the department may deny the assisted living facility's application or revoke its license.
5. Religious orders providing individualized support services to vowed members residing in the order's retirement housing are not subject to this chapter.
- 5-6. No more than two people may occupy one bedroom of each living unit of an assisted living facility.

SECTION 3. AMENDMENT. Section 50-32-04 of the North Dakota Century Code is amended and reenacted as follows:

50-32-04. Assisted living facility health services - Limitations on hospice services.

1. An entity may provide health services to individuals residing in an assisted living facility owned or operated by that entity. For purposes of this ~~section~~subsection, health services means services provided to an individual for the purpose of preventing disease and promoting, maintaining, or restoring health or minimizing the effects of illness or disability.
2. A tenant of an assisted living facility who is in need of hospice services and who exceeds tenancy criteria, as determined by the facility, may remain in the facility only if the tenant contracts with a third party, such as a hospice agency, or utilizes family support, or both, to meet those needs."

Renumber accordingly

Reengrossed HB 1359 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2304, as engrossed: Your conference committee (Sens. Poolman, Davison, Dever and Reps. Kasper, Steiner, Schneider) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1433-1434, adopt amendments as follows, and place SB 2304 on the Seventh order:

That the House recede from its amendments as printed on pages 1433 and 1434 of the Senate Journal and pages 1598-1600 of the House Journal and that Engrossed Senate Bill No. 2304 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for the design of a governor's residence; to provide an appropriation to the office of management and budget for the demolition of the current governor's residence and the construction of a new residence; and to provide an appropriation to the governor's office for temporary housing expenses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1. GOVERNOR'S RESIDENCE - ARCHITECT AND
ENGINEERING SERVICES - FUNDRAISING AND PROJECT OVERSIGHT
COMMITTEE.**

1. The office of management and budget shall procure architect and engineering professional services pursuant to chapter 54-44.7 for the design of a governor's residence that must include space to accommodate meetings and events. The office of management and budget project selection committee, which must include the majority and minority leaders of the house of representatives or their designees, and the majority and minority leaders of the senate or their designees, shall require the selected person or firm to provide at least three preliminary designs to be presented at a public meeting of the capitol grounds planning commission. A member of the legislative assembly who attends the public input hearing is entitled to receive expense reimbursement for attending the meeting. The director of the facility management division of the office of management and budget or the director's designee shall serve as the project manager. A member of the legislative assembly serving on the project selection committee is entitled to receive compensation in the amount provided per day for members of the legislative management under section 54-35-10 for attending meetings.
2. The members of the 501(c)(3) Friends of the Residence and the capitol grounds planning commission shall appoint a fundraising task force to coordinate volunteer fundraising for the donations appropriated under section 2 of this Act. Upon request of the legislative management, the Friends of the Residence shall report to the legislative management regarding the fundraising plans of the task force and the progress of fundraising efforts. All donations received for the project must be deposited in a dedicated account by the Friends of the Residence and transferred to the capitol building account upon the request of the capitol grounds planning commission.

SECTION 2. APPROPRIATION - GOVERNOR'S RESIDENCE PROJECT.

There is appropriated out of any moneys in the capitol building fund in the state treasury, not otherwise appropriated, the sum of \$4,000,000, or so much of the sum as may be necessary, and from funds derived from private donations, the sum of \$1,000,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of designing and constructing a governor's residence in accordance with this Act, for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 3. CONSTRUCTION AUTHORIZATION - ADDITIONAL INCOME.

Section 2 of this Act includes \$5,000,000, of which \$4,000,000 is from the capitol building fund and \$1,000,000 is from funds to be raised from private donations and deposited in the capitol building fund, for the demolition of the existing governor's residence, the design and construction of a new residence, and for fixtures and furniture for the new residence. Construction may not begin until the capitol grounds planning commission certifies to the office of management and budget that, of the special funds required to complete the project, at least \$500,000 in cash has been received and placed in the capitol building fund designated for the sole purpose of constructing the project authorized in this Act. If more than \$1,000,000 in donated funds is raised, the office of management and budget may seek emergency

commission and budget section approval to spend the excess funds for upgraded fixtures and furniture for the new residence. Any increased spending authority for the project may not be used to expand the scope of the project.

SECTION 4. APPROPRIATION - TEMPORARY HOUSING EXPENSES.

There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000, or so much of the sum as may be necessary, to the governor's office for temporary housing expenses for the governor during the demolition of the existing governor's residence and construction of a new residence, for the biennium beginning July 1, 2015, and ending June 30, 2017. The funding provided in this section is considered a one-time funding item. Any funds not used for temporary housing expenses may not be spent for any other purpose and must be canceled in accordance with section 54-44.1-11."

Renumber accordingly

Engrossed SB 2304 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2017, as engrossed: Your conference committee (Sens. Wanzek, Carlisle, O'Connell and Reps. Brandenburg, Thoreson, Onstad) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1123-1124, adopt amendments as follows, and place SB 2017 on the Seventh order:

That the House recede from its amendments as printed on pages 1123 and 1124 of the Senate Journal and pages 1346 and 1347 of the House Journal and that Engrossed Senate Bill No. 2017 be amended as follows:

Page 1, line 3, replace "governor's" with "a gubernatorial"

Page 1, line 3, after the semicolon insert "to provide for a legislative management study;"

Page 1, remove lines 14 through 24

Page 2, replace lines 1 through 3 with:

"Salaries and wages	\$25,899,606	\$3,770,636	\$29,670,242
Operating expenses	12,956,728	712,216	13,668,944
Capital assets	3,885,061	1,612,935	5,497,996
Grants	7,122,500	211,912	7,334,412
Land habitat and deer depredation	12,707,403	4,215,278	16,922,681
Noxious weed control	650,000	50,000	700,000
Missouri River enforcement	275,939	6,601	282,540
Grants, gifts, and donations	800,000	27,519	827,519
Nongame wildlife conservation	120,000	0	120,000
Lonetree reservoir	1,935,636	(112,631)	1,823,005
Wildlife services	384,400	0	384,400
Accrued leave payments	<u>816,366</u>	<u>(816,366)</u>	<u>0</u>
Total special funds	\$67,553,639	\$9,678,100	\$77,231,739
Full-time equivalent positions	158.00	5.00	163.00"

Page 2, after line 23, insert:

"SECTION 4. LEGISLATIVE MANAGEMENT STUDY - LICENSES FOR FUNDRAISING. During the 2015-16 interim, the legislative management shall consider studying game and fish department licenses provided to entities for the purpose of fundraising. The study must include a review of the present law in this and other states and the feasibility and desirability of allowing the game and fish department to issue these licenses using procedures and within limits established by the legislative assembly. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2017 - Game and Fish Department - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$25,899,606	\$29,580,362	\$89,880	\$29,670,242	\$29,470,896	\$199,346
Operating expenses	12,956,728	13,595,263	73,681	13,668,944	13,595,263	73,681
Capital assets	3,885,061	5,497,996		5,497,996	5,097,996	400,000
Grants	7,122,500	7,334,412		7,334,412	7,334,412	
Land habitat and deer depredation	12,707,403	16,927,951	(5,270)	16,922,681	16,922,681	
Noxious weed control	650,000	700,000		700,000	700,000	
Missouri River enforcement	275,939	282,994	(454)	282,540	282,540	
Grants, gifts, and donations	800,000	828,272	(753)	827,519	827,519	
Nongame wildlife conservation	120,000	120,000		120,000	120,000	
Lonetree reservoir	1,935,636	1,826,017	(3,012)	1,823,005	1,823,005	
Wildlife services	384,400	384,400		384,400	384,400	
Accrued leave payments	816,366					
Total all funds	\$67,553,639	\$77,077,667	\$154,072	\$77,231,739	\$76,558,712	\$673,027
Less estimated income	67,553,639	77,077,667	154,072	77,231,739	76,558,712	673,027
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	158.00	161.00	2.00	163.00	161.00	2.00

Department No. 720 - Game and Fish Department - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Adds Funding for New Administrative Assistant I ²	Adds Funding for New Licensing Specialist II ³	Adds One-Time Funding for Licensing System Programming Costs ⁴	Total Conference Committee Changes
Salaries and wages	(\$109,466)	\$99,673	\$99,673		\$89,880
Operating expenses			18,300	55,381	73,681
Capital assets					
Grants					
Land habitat and deer depredation	(5,270)				(5,270)
Noxious weed control					
Missouri River enforcement	(454)				(454)
Grants, gifts, and donations	(753)				(753)
Nongame wildlife conservation					
Lonetree reservoir	(3,012)				(3,012)
Wildlife services					
Accrued leave payments					
Total all funds	(\$118,955)	\$99,673	\$117,973	\$55,381	\$154,072
Less estimated income	(118,955)	99,673	117,973	55,381	154,072
General fund	\$0	\$0	\$0	\$0	\$0
FTE	0.00	1.00	1.00	0.00	2.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding is added from special funds for a new administrative assistant I FTE position (\$92,966) and related salary increases (\$3,142) and health insurance increase (\$3,565) for the Williston area.

³ Funding is added from special funds for a new licensing specialist II FTE position (\$92,966) and related salary increases (\$3,142), health insurance increase (\$3,565), and operating expenses (\$18,300) relating to provisions of House Bill No. 1158.

⁴ One-time funding from other funds is added for programming costs for the licensing system that is required by House Bill No. 1158.

A section is added to provide for a Legislative Management study regarding Game and Fish

Department licenses provided to entities for the purpose of fundraising.

Engrossed SB 2017 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2120, as engrossed: Your conference committee (Sens. Laffen, Hogue, Triplett and Reps. Froseth, Lefor, Hunsakor) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 866, adopt amendments as follows, and place SB 2120 on the Seventh order:

That the House recede from its amendments as printed on page 866 of the Senate Journal and page 1004 of the House Journal and that Engrossed Senate Bill No. 2120 be amended as follows:

Page 1, line 1, after "subsection" insert "3 of section 49-22-03 and subsection"

Page 1, line 2, after "to" insert "the definition of construction and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 3 of section 49-22-03 of the North Dakota Century Code is amended and reenacted as follows:

3. "Construction" includes any clearing of land, excavation, or other action that would affect the environment of the site after April 9, 1975, but does not include activities:
 - a. Conducted wholly within the geographic location for which a utility has previously obtained a certificate or permit under this chapter, or on which a facility was constructed before April 9, 1975, if:
 - (1) The activities are within the boundaries of the construction of the same type of facility as the existing type of facility as identified in a subdivision of subsections 5 or 12 of this section and the activities are:
 - (a) Within the geographic boundaries of a previously issued certificate or permit;
 - (b) For an energy conversion facility constructed before April 9, 1975, within the geographic location on which the facility was built; or
 - (c) For a transmission facility constructed before April 9, 1975, within a width of three hundred fifty feet [106.68 meters] on either side of the centerline;
 - (2) Except as provided in subdivision b, the activities do not affect any known exclusion or avoidance area; ~~and~~
 - (3) The activities are for the construction:
 - (a) Of a new energy conversion facility;
 - (b) Of a new gas, liquid, or electric transmission facility;
 - (c) To improve the existing energy conversion facility or gas, liquid, or electric transmission facility; or
 - (d) To increase or decrease the capacity of the existing energy conversion facility or gas, liquid, or electric transmission facility; and
 - (4) Before conducting any activities, the utility certifies in writing to the commission that ~~the~~

- (a) The activities will not affect any known exclusion or avoidance area;
 - (b) The activities are for the construction:
 - [1] Of a new energy conversion facility;
 - [2] Of a new gas, liquid, or electric transmission facility;
 - [3] To improve the existing energy conversion facility or gas, liquid, or electric transmission facility; or
 - [4] To increase or decrease the capacity of the existing energy conversion facility or gas, liquid, or electric transmission facility; and the
 - (c) The utility will comply with all applicable conditions and protections in siting laws and rules and commission orders previously issued for any part of the facility.
- b. Otherwise qualifying for exclusion under subdivision a, except that the activities are expected to affect a known avoidance area and the utility before conducting any activities:
 - (1) Certifies in writing to the commission that:
 - (a) The activities will not affect any known exclusion area; and
 - (b) The activities are for the construction:
 - [1] Of a new energy conversion facility;
 - [2] Of a new gas, liquid, or electric transmission facility;
 - [3] To improve the existing energy conversion facility or gas, liquid, or electric transmission facility; or
 - [4] To increase or decrease the capacity of the existing energy conversion facility or gas, liquid, or electric transmission facility; and
 - (c) The utility will comply with all applicable conditions and protections in siting laws and rules and commission orders previously issued for any part of the facility;
 - (2) Notifies the commission in writing that the activities are expected to impact an avoidance area and provides information on the specific avoidance area expected to be impacted and the reasons why impact cannot be avoided; and
 - (3) Receives the commission's written approval for the impact to the avoidance area, based on a determination that there is no reasonable alternative to the expected impact. If the commission does not approve impacting the avoidance area, the utility must obtain siting authority under this chapter for the affected portion of the site or route. If the commission fails to act on the notification required by this subdivision within thirty days of the utility's filing the notification, the impact to the avoidance area is deemed approved.
- c. Incident to preliminary engineering or environmental studies."

Renumber accordingly

Engrossed SB 2120 was placed on the Seventh order of business on the calendar.

ANNOUNCEMENT

SPEAKER BELTER ANNOUNCED that the House stand in recess until 4:30 p.m.

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

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Tony Clark, Commissioner, Federal Energy Regulatory Commission

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. SCHMIDT MOVED that the conference committee report on Engrossed HB 1009 as printed on HJ pages 1341-1342 be adopted, which motion failed on a verification vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. HOFSTAD MOVED that the conference committee report on Reengrossed HB 1359 as printed on HJ pages 1303-1304 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1359: A BILL for an Act to create and enact section 50-24.5-02.3 of the North Dakota Century Code, relating to basic care payment rates; and to amend and reenact sections 50-32-02 and 50-32-04 of the North Dakota Century Code, relating to assisted living facilities.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Brabandt

ABSENT AND NOT VOTING: Boehning; Devlin; Frantsvog

Reengrossed HB 1359 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. BRANDENBURG MOVED that the conference committee report on Reengrossed SB 2017 as printed on HJ pages 1346-1347 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2017: A BILL for an Act to provide an appropriation for defraying the expenses of the game and fish department; to create and enact a new section to chapter 20.1-08 of the North Dakota Century Code, relating to a gubernatorial proclamation concerning the hunting of elk; to provide for a legislative management study; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 87 YEAS, 4 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Becker, Rick C.; Bellew; Delzer; Klein

ABSENT AND NOT VOTING: Boehning; Devlin; Frantsvog

Engrossed SB 2017, as amended, passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. FROSETH MOVED that the conference committee report on Engrossed SB 2120 as printed on HJ page 1004 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2120: A BILL for an Act to amend and reenact subsection 3 of section 49-22-03 and subsection 1 of section 49-22-22 of the North Dakota Century Code, relating to the definition of construction and energy conversion and transmission facility siting application fees.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Boehning; Devlin; Frantsvog

Engrossed SB 2120, as amended, passed.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The President has appointed Sen. Erbele to replace Sen. Wanzek on the Conference Committee on SB 2014.

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

MR. PRESIDENT: The House has not adopted the conference committee report on: HB 1009.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1359.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2017, SB 2120.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2143, SB 2205.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1046, HB 1176, HB 1217.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1377.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: Your signature is respectfully requested on: SB 2005, SCR 4010.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The President has signed: SB 2001, SB 2002, SB 2009.

MOTION

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

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, Seventh, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Thursday, April 23, 2015, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

HB 1399, as engrossed: Your conference committee (Sens. Hogue, Casper, Nelson and Reps. Maragos, Brabandt, M. Johnson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1298, adopt amendments as follows, and place HB 1399 on the Seventh order:

That the Senate recede from its amendments as printed on page 1298 of the House Journal and page 1073 of the Senate Journal and that Engrossed House Bill No. 1399 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 14-05-24.1 of the North Dakota Century Code, relating to termination of spousal support; to provide for a legislative management study; and to provide for application.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 14-05-24.1 of the North Dakota Century Code is amended and reenacted as follows:

14-05-24.1. Spousal support.

1. Taking into consideration the circumstances of the parties, the court may require one party to pay spousal support to the other party for any limited period of time in accordance with this section. The court may modify its spousal support orders.
2. Unless otherwise agreed to by the parties in writing, spousal support is terminated upon the remarriage of the spouse receiving support. Immediately upon remarriage, the spouse receiving support shall provide

notice of the remarriage to the payor spouse at the last known address of the payor spouse.

3. Unless otherwise agreed to by the parties in writing, upon an order of the court based upon a preponderance of the evidence that the spouse receiving support has been habitually cohabiting with another individual in a relationship analogous to a marriage for one year or more, the court shall terminate spousal support.
4. Subsections 2 and 3 do not apply to rehabilitative spousal support.

SECTION 2. LEGISLATIVE MANAGEMENT STUDY - SPOUSAL SUPPORT. During the 2015-16 interim, the legislative management shall consider studying the types of spousal support ordered by the district courts and the desirability of providing statutory guidance for awards of spousal support. The legislative management shall report its findings and recommendations, together with any proposed legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

SECTION 3. APPLICATION. Subsection 2 of section 1 of this Act applies to any spousal support order, regardless of date of issuance, but applies only to spousal support payments accruing after the effective date of this Act. Subsection 3 of section 1 of this Act applies to any spousal support order, regardless of the date of issuance, but applies only to spousal support payments accruing after a court order for termination of spousal support."

Renumber accordingly

Engrossed HB 1399 was placed on the Seventh order of business on the calendar.

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

Buell J. Reich, Chief Clerk

