

## JOURNAL OF THE SENATE

## Sixty-fourth Legislative Assembly

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Bismarck, April 10, 2015

The Senate convened at 9:00 a.m., with President Pro Tempore Dever presiding.

The prayer was offered by Pastor Lee Herberg, First Lutheran Church, Mandan.

The roll was called and all members were present except Senators Laffen, Miller, and Oehlke.

A quorum was declared by the President Pro Tempore.

## CONSIDERATION OF AMENDMENTS

**HB 1021, as engrossed: SEN. WANZEK (Appropriations Committee) MOVED** that the amendments on SJ pages 1323-1324 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

## SECOND READING OF HOUSE BILL

**HB 1021:** A BILL for an Act to provide an appropriation for defraying the expenses of the information technology department; to provide a statement of legislative intent; and to provide for transfers.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Laffen; Miller; Oehlke

Engrossed HB 1021, as amended, passed.

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## CONSIDERATION OF AMENDMENTS

**HB 1025, as engrossed: SEN. ROBINSON (Appropriations Committee) MOVED** that the amendments on SJ pages 1324-1325 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

## SECOND READING OF HOUSE BILL

**HB 1025:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of veterans' affairs; and to provide an exemption.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Laffen; Miller; Oehlke

Engrossed HB 1025, as amended, passed.

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#### **CONSIDERATION OF AMENDMENTS**

**HB 1406, as engrossed: SEN. COOK (Finance and Taxation Committee) MOVED** that the amendments on SJ pages 1326-1327 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

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

**HB 1406:** A BILL for an Act to create and enact chapter 57-39.8 of the North Dakota Century Code, relating to authorizing entry of state-tribal agreements for administration and collection of state and tribal sales, use, and gross receipts taxes imposed and collected within the exterior boundaries of the Standing Rock Reservation within this state.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Laffen; Miller; Oehlke

Engrossed HB 1406, as amended, passed.

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

**HB 1285:** A BILL for an Act to provide an appropriation to the department of commerce to provide grants to organizations that provide domestic violence shelters.

#### **ROLL CALL**

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

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Kilzer

**ABSENT AND NOT VOTING:** Laffen; Miller; Oehlke

Reengrossed HB 1285 passed.

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

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1392, which motion prevailed.

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

**HB 1392:** Sens. Laffen, Unruh, Dotzenrod

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. KLEIN MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2340 as printed on SJ page 1320 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

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

**Engrossed SB 2340:** Sens. Laffen, Bekkedahl, Dotzenrod.

**MOTION**

**SEN. KLEIN MOVED** that the Senate stand in recess until 12:30 p.m., which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with President Pro Tempore Dever presiding.

**REPORT OF STANDING COMMITTEE**

**HB 1002, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1002 was placed on the Sixth order on the calendar.

Page 1, replace lines 15 through 20 with:

"Salaries and wages	\$9,851,552	\$1,557,557	\$11,409,109
Accrued leave payments	531,696	(531,696)	0
Operating expenses	2,754,254	390,745	3,144,999
Capital assets	0	970,227	970,227
Judges retirement	75,017	4,571	79,588
Guardianship monitoring program	<u>70,000</u>	<u>233,789</u>	<u>303,789</u>
Total general fund	\$13,282,519	\$2,625,193	\$15,907,712"

Page 2, replace lines 1 through 9 with:

"Salaries and wages	\$61,177,621	\$11,167,914	\$72,345,535
Accrued leave payments	2,399,277	(2,399,277)	0
Operating expenses	20,847,479	2,815,008	23,662,487
Capital assets	0	1,968,460	1,968,460
Judges retirement	500,936	(92,287)	408,649
UND central legal research	<u>80,000</u>	<u>0</u>	<u>80,000</u>
Total all funds	\$85,005,313	\$13,459,818	\$98,465,131
Less estimated income	<u>1,808,090</u>	<u>114,060</u>	<u>1,922,150</u>
Total general fund	\$83,197,223	\$13,345,758	\$96,542,981"

Page 2, replace lines 14 through 18 with:

"Judicial conduct commission and disciplinary board	<u>\$1,020,874</u>	<u>\$106,613</u>	<u>\$1,127,487</u>
Total all funds	\$1,020,874	\$106,613	\$1,127,487
Less estimated income	<u>367,499</u>	<u>77,157</u>	<u>444,656</u>
Total general fund	\$653,375	\$29,456	\$682,831"

Page 2, replace lines 23 through 26 with:

"Grand total general fund	\$97,133,117	\$16,000,407	\$113,133,524
Grand total special funds	<u>2,175,589</u>	<u>191,217</u>	<u>2,366,806</u>
Grand total all funds	\$99,308,706	\$16,191,624	\$115,500,330
Full-time equivalent positions	363.00	30.00	393.00"

Page 3, replace line 6 with:

"Office equipment and furniture	\$331,470	\$220,000
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Page 3, replace line 13 with:

"Disaster recovery project	0	2,000,000
Facility space expansion	0	1,107,227"

Page 3, replace line 15 with:

"Total general fund	\$1,172,876	\$4,350,687"
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Page 3, line 27, replace the second "one" with "two"

Page 3, line 28, replace "judge" with "judges"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1002 - Summary of Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Supreme Court				
Total all funds	\$13,282,519	\$14,837,374	\$1,070,338	\$15,907,712
Less estimated income	0	0	0	0
General fund	\$13,282,519	\$14,837,374	\$1,070,338	\$15,907,712
District Courts				
Total all funds	\$85,005,313	\$97,966,175	\$498,956	\$98,465,131
Less estimated income	1,808,090	1,922,150	0	1,922,150
General fund	\$83,197,223	\$96,044,025	\$498,956	\$96,542,981
Judicial Conduct Commission				
Total all funds	\$1,020,874	\$1,130,499	(\$3,012)	\$1,127,487
Less estimated income	367,499	444,656	0	444,656
General fund	\$653,375	\$685,843	(\$3,012)	\$682,831
Bill total				
Total all funds	\$99,308,706	\$113,934,048	\$1,566,282	\$115,500,330
Less estimated income	2,175,589	2,366,806	0	2,366,806
General fund	\$97,133,117	\$111,567,242	\$1,566,282	\$113,133,524

#### House Bill No. 1002 - Supreme Court - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$9,851,552	\$11,445,245	(\$36,136)	\$11,409,109
Operating expenses	2,754,254	3,007,999	137,000	3,144,999
Capital assets			970,227	970,227
Judges' retirement	75,017	79,588		79,588
Guardianship training	70,000	304,542	(753)	303,789
Accrued leave payments	531,696			
Total all funds	\$13,282,519	\$14,837,374	\$1,070,338	\$15,907,712
Less estimated income	0	0	0	0
General fund	\$13,282,519	\$14,837,374	\$1,070,338	\$15,907,712
FTE	45.00	47.00	0.00	47.00

#### Department No. 181 - Supreme Court - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for Supreme Court Facility Expansion <sup>2</sup>	Total Senate Changes
Salaries and wages	(\$36,136)		(\$36,136)
Operating expenses		137,000	137,000
Capital assets		970,227	970,227
Judges' retirement			
Guardianship training	(753)		(753)
Accrued leave payments			
Total all funds	(\$36,889)	\$1,107,227	\$1,070,338
Less estimated income	0	0	0
General fund	(\$36,889)	\$1,107,227	\$1,070,338
FTE	0.00	0.00	0.00

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

<sup>2</sup> One-time funding is provided for Supreme Court facility expansion to renovate a portion of the former Information Technology Department space within the Capitol.

### House Bill No. 1002 - District Courts - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$61,177,621	\$72,029,075	\$316,460	\$72,345,535
Operating expenses	20,847,479	23,699,991	(37,504)	23,662,487
Capital assets		1,748,460	220,000	1,968,460
Judges' retirement	500,936	408,649		408,649
UND central legal research	80,000	80,000		80,000
Accrued leave payments	2,399,277			
Total all funds	\$85,005,313	\$97,966,175	\$498,956	\$98,465,131
Less estimated income	1,808,090	1,922,150	0	1,922,150
General fund	\$83,197,223	\$96,044,025	\$498,956	\$96,542,981
FTE	314.00	340.00	2.00	342.00

### Department No. 182 - District Courts - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds New Judge and Court Reporter <sup>2</sup>	Increases Funding for Juvenile Court Program Services <sup>3</sup>	Reduces One- Time Funding for the Information Technology Disaster Recovery Site <sup>4</sup>	Adds One-Time Funding for Equipment over \$5,000 <sup>5</sup>	Total Senate Changes
Salaries and wages	(\$252,615)	\$569,075				\$316,460
Operating expenses		34,168	100,000	(171,672)		(37,504)
Capital assets					220,000	220,000
Judges' retirement						
UND central legal research						
Accrued leave payments						
Total all funds	(\$252,615)	\$603,243	\$100,000	(\$171,672)	\$220,000	\$498,956
Less estimated income	0	0	0	0	0	0
General fund	(\$252,615)	\$603,243	\$100,000	(\$171,672)	\$220,000	\$498,956
FTE	0.00	2.00	0.00	0.00	0.00	2.00

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

<sup>2</sup> Funding is provided for a new judge and court reporter (\$547,772) and related operating expense (\$34,168) and salary increase (\$21,303) for the Northwest Judicial District.

<sup>3</sup> Funding is increased to expand intensive in-home programs and to provide additional youth cultural achievement programs in addition to the current juvenile court program services.

<sup>4</sup> One-time funding is reduced for the information technology disaster recovery site.

<sup>5</sup> One-time funding is provided for equipment over \$5,000.

Section 5 is changed to reflect an additional judge in the Northwest Judicial District to be assigned pursuant to Article VI, Section 10, of the Constitution of North Dakota and to be assigned to chambers by the Supreme Court.

### House Bill No. 1002 - Judicial Conduct Commission - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Judicial conduct commission	\$1,020,874	\$1,130,499	(\$3,012)	\$1,127,487
	\$1,020,874	\$1,130,499	(\$3,012)	\$1,127,487

Total all funds				
Less estimated income	367,499	444,656	0	444,656
General fund	\$653,375	\$685,843	(\$3,012)	\$682,831
FTE	4.00	4.00	0.00	4.00

### Department No. 183 - Judicial Conduct Commission - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Total Senate Changes
Judicial conduct commission	(\$3,012)	(\$3,012)
Total all funds	(\$3,012)	(\$3,012)
Less estimated income	0	0
General fund	(\$3,012)	(\$3,012)
FTE	0.00	0.00

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

### REPORT OF STANDING COMMITTEE

**HB 1004, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1004 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the first "and"

Page 1, line 3, after "program" insert "; to provide a statement of legislative intent; and to provide for legislative management studies"

Page 1, replace lines 13 through 23 with:

"Salaries and wages	\$54,757,510	\$9,711,166	\$64,468,676
Accrued leave payments	2,223,289	(2,223,289)	0
Operating expenses	37,305,014	7,301,524	44,606,538
Capital assets	2,224,288	1,494,944	3,719,232
Grants	57,510,729	1,451,031	58,961,760
Tobacco prevention	5,544,251	1,369,464	6,913,715
WIC food payments	<u>24,659,861</u>	<u>(4,459,861)</u>	<u>20,200,000</u>
Total all funds	\$184,224,942	\$14,644,979	\$198,869,921
Less estimated income	<u>139,303,434</u>	<u>4,617,530</u>	<u>143,920,964</u>
Total general fund	\$44,921,508	\$10,027,449	\$54,948,957
Full-time equivalent positions	354.00	13.00	367.00"

Page 2, after line 9, insert:

"Forensic examiner x-ray equipment	0	44,000"
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Page 2, replace lines 11 through 13 with:

"Total all funds	\$1,245,000	\$824,000
Less estimated income	<u>265,000</u>	<u>488,000</u>
Total general fund	\$980,000	\$336,000"

Page 3, after line 10, insert:

**"SECTION 5. LEGISLATIVE INTENT - DIVISION OF FOOD AND LODGING LICENSE FEES.** It is the intent of the sixty-fourth legislative assembly that the division of food and lodging of the state department of health, based on risk and pursuant to audit recommendations, adjust division of food and lodging license fees to generate up to \$150,000 of additional special fund revenue. The state department

of health shall use the additional special fund revenue as appropriated in section 1 of this Act to fund a portion of the costs related to additional full-time equivalent inspection positions in the division of food and lodging.

**SECTION 6. LEGISLATIVE MANAGEMENT STUDY - UNIVERSITY OF NORTH DAKOTA FORENSIC PATHOLOGY CENTER.** During the 2015-16 interim, the legislative management shall consider studying the feasibility and desirability of the university of North Dakota acquiring the building that houses the university of North Dakota forensic pathology center. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

**SECTION 7. LEGISLATIVE MANAGEMENT STUDY - WASTE MANAGEMENT.** During the 2015-16 interim, the legislative management shall consider studying onsite sewage disposal in the state, including areas of the state lacking environmental programs to address onsite sewage disposal, lack of uniform standards for disposal, regulation authority, and the impact of onsite sewage disposal and waste management on industry and the public. 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. 1004 - State Department of Health - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$54,757,510	\$61,864,139	\$2,604,537	\$64,468,676
Operating expenses	37,305,014	40,605,327	4,001,211	44,606,538
Capital assets	2,224,288	3,488,810	230,422	3,719,232
Grants	57,510,729	55,901,090	3,060,670	58,961,760
Tobacco prevention	5,544,251	6,413,715	500,000	6,913,715
WIC food payments	24,659,861	20,200,000		20,200,000
Accrued leave payments	2,223,289			
Total all funds	\$184,224,942	\$188,473,081	\$10,396,840	\$198,869,921
Less estimated income	139,303,434	138,320,871	5,600,093	143,920,964
General fund	\$44,921,508	\$50,152,210	\$4,796,747	\$54,948,957
FTE	354.00	361.00	6.00	367.00

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

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for Targeted Equity <sup>2</sup>	Adds Funding for Food & Lodging Inspectors <sup>3</sup>	Adds Funding for Environmental Health Positions <sup>4</sup>	Adds Funding for Environmental Health Section Legal Fees <sup>5</sup>	Adds One-Time Funding for Forensic Examiner Equipment <sup>6</sup>
Salaries and wages	(\$254,175)	\$1,559,659	\$270,638	\$560,582		
Operating expenses			55,850	117,936	270,000	
Capital assets						44,000
Grants						
Tobacco prevention						
WIC food payments						
Accrued leave payments						
Total all funds	(\$254,175)	\$1,559,659	\$326,488	\$678,518	\$270,000	\$44,000
Less estimated income	(108,257)	0	150,000	0	0	0
General fund	(\$145,918)	\$1,559,659	\$176,488	\$678,518	\$270,000	\$44,000
FTE	0.00	0.00	2.00	4.00	0.00	0.00

	Adjusts Funding for Women's Way <sup>7</sup>	Increases Funding for Rural EMS Grants <sup>8</sup>	Increases Funding for Tobacco Prevention <sup>9</sup>	Adds Funding for Federal Grants <sup>10</sup>	Increases Funding for Local Public Health Units <sup>11</sup>	Adds Funding for Cardiac System of Care <sup>12</sup>
Salaries and wages				\$467,833		
Operating expenses				3,357,425		200,000
Capital assets				186,422		
Grants		1,100,000		1,460,670	500,000	

Tobacco prevention			500,000			
WIC food payments						
Accrued leave payments						
Total all funds	\$0	\$1,100,000	\$500,000	\$5,472,350	\$500,000	\$200,000
Less estimated income	(414,000)	0	500,000	5,472,350	0	0
General fund	\$414,000	\$1,100,000	\$0	\$0	\$500,000	\$200,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	<b>Total Senate Changes</b>
Salaries and wages	\$2,604,537
Operating expenses	4,001,211
Capital assets	230,422
Grants	3,060,670
Tobacco prevention	500,000
WIC food payments	
Accrued leave payments	
Total all funds	\$10,396,840
Less estimated income	5,600,093
General fund	\$4,796,747
FTE	6.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month and to reflect FTE adjustments made by the Senate.

<sup>2</sup> Funding for targeted equity is added, the same as the executive recommendation.

<sup>3</sup> Funding is added for 2 food and lodging inspectors to provide a total of 3 new FTE food and lodging inspectors, 2 less than the executive recommendation. Funding is provided for salaries and wages (\$260,958), related salary increase funding (\$9,680), and operating expenses (\$55,850). The funding source is also changed to provide \$150,000 of the cost of the 2 FTE positions is provided from special funds available as a result of fee increases.

<sup>4</sup> Funding is added for 4 FTE positions--municipal facilities (1 FTE position), waste management (1 FTE position), and water quality (2 FTE positions) to meet increased demands in oil-impacted areas, including salaries and wages (\$540,407), related salary increase funding (\$20,175), and operating expenses (\$117,936).

<sup>5</sup> Funding is provided for increased legal fees in the Environmental Health Section of the department.

<sup>6</sup> One-time funding is added for digital x-ray equipment for the forensic examiner.

<sup>7</sup> Funding for the Women's Way program is adjusted to provide \$414,000 from the general fund, instead of the community health trust fund.

<sup>8</sup> Funding is increased by \$1.1 million from the general fund for rural emergency medical services grants to provide a total of \$8.94 million, of which \$1.25 million is from the insurance tax distribution fund, the same as the executive recommendation.

<sup>9</sup> Funding for tobacco prevention is increased to provide for a grant from the Tobacco Prevention and Control Executive Committee to be used for the Centers for Disease Control *Best Practices for Comprehensive Tobacco Prevention and Control Programs*.

<sup>10</sup> Funding is added for federal grants anticipated by the department, including funding for colorectal cancer screening capacity, stroke prevention, and Ebola emergency preparedness, lab capacity, and hospital preparedness.

<sup>11</sup> Funding for grants to local public health units is increased by \$500,000 to provide a total of \$4.75 million from the general fund, \$250,000 less than the executive recommendation.



<sup>12</sup> Funding is added for cardiac system of care.

This amendment also adds:

- A section of legislative intent to provide the Division of Food and Lodging of the State Department of Health, based on risk and pursuant to audit recommendations, adjust food and lodging division license fees to generate up to \$150,000 of additional special fund revenue and that the department use the additional special fund revenue to fund a portion of the costs related to additional full-time equivalent inspection positions in the Division Food and Lodging.
- A section to provide for a Legislative Management study of the feasibility and desirability of the University of North Dakota acquiring the building that houses the University of North Dakota Forensic Pathology Center.
- A section to provide for a Legislative Management study of onsite sewage disposal in the state, including areas of the state lacking environmental programs to address onsite sewage disposal, lack of uniform standards for disposal, regulation authority, and the impact of onsite sewage disposal and waste management on industry and the public.

#### REPORT OF STANDING COMMITTEE

**HB 1009, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1009 was placed on the Sixth order on the calendar.

Page 1, replace line 11 with:

"Capital assets	\$0	\$1,000,000	\$1,000,000"
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Page 1, replace line 13 with:

"Total general fund	\$546,000	\$1,024,000	\$1,570,000"
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Page 1, replace lines 20 and 21 with:

"Asphalt overlay project		<u>0</u>	<u>1,000,000</u>
Total general fund		\$2,750,000	\$1,000,000"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1009 - State Fair Association - Senate Action

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

#### Department No. 665 - State Fair Association - Detail of Senate Changes

	Adds Funding for Fair Grounds Asphalt Overlay <sup>1</sup>	Total Senate 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

<sup>1</sup> One-time funding for the asphalt overlay project on the fairgrounds is increased from \$250,000 as approved by the House to \$1 million.

#### REPORT OF STANDING COMMITTEE

**HB 1013, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1013 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the second "and"

Page 1, line 3, after "funds" insert "; and to amend and reenact section 57-62-05 of the North Dakota Century Code, relating to the timing of grant recommendations"

Page 1, replace lines 13 through 21 with:

"Salaries and wages	\$5,157,015	\$1,127,949	\$6,284,964
Accrued leave payments	108,541	(108,541)	0
Operating expenses	1,925,863	127,039	2,052,902
Contingencies	200,000	(100,000)	100,000
Energy infrastructure and impact office	<u>700,826</u>	<u>(826)</u>	<u>700,000</u>
Total all funds	\$8,092,245	\$1,045,621	\$9,137,866
Less estimated income	<u>8,092,245</u>	<u>1,045,621</u>	<u>9,137,866</u>
Total general fund	\$0	\$0	\$0
Full-time equivalent positions	31.00	3.00	34.00"

Page 2, line 13, remove "section 1 of"

Page 2, after line 31, insert:

**"SECTION 5. AMENDMENT.** Section 57-62-05 of the North Dakota Century Code is amended and reenacted as follows:

**57-62-05. Powers and duties of energy infrastructure and impact office director.**

The energy infrastructure and impact office director shall:

1. Develop a plan for the assistance, through financial grants for services and facilities, of counties, cities, school districts, and other political subdivisions in coal development and oil and gas development impact areas.
2. Establish procedures and provide proper forms to political subdivisions for use in making application for funds for impact assistance as provided in this chapter.
3. Make grants disbursements to counties, cities, school districts, and other taxing districts for grants awarded by the board of university and school lands pursuant to chapter 15-01, as provided in this chapter and within the appropriations made for such purposes. In determining the amount of impact grants for which political subdivisions are eligible, consideration must be given to the amount of revenue to which such political subdivisions will be entitled from taxes upon the real property of coal and oil and gas development plants and from other tax or fund distribution formulas provided by law.
4. Receive and review applications for impact assistance pursuant to this chapter.

5. Make recommendations, ~~not less than once each calendar quarter~~, to the board of university and school lands on grants to counties, cities, school districts, and other political subdivisions in oil and gas development impact areas based on identified needs, and other sources of revenue available to the political subdivision."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1013 - Department of Trust Lands - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$5,157,015	\$5,991,846	\$293,118	\$6,284,964
Operating expenses	1,925,863	1,896,372	156,530	2,052,902
Energy infrastructure and impact office	700,826	373,412	326,588	700,000
Contingencies	200,000	100,000		100,000
Accrued leave payments	108,541			
Total all funds	\$8,092,245	\$8,361,630	\$776,236	\$9,137,866
Less estimated income	8,092,245	8,361,630	776,236	9,137,866
General fund	\$0	\$0	\$0	\$0
FTE	31.00	32.00	2.00	34.00

#### Department No. 226 - Department of Trust Lands - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for FTE Positions <sup>2</sup>	Adds Funding for Office Space Rental <sup>3</sup>	Adds Funding for Energy Infrastructure and Impact Office <sup>4</sup>	Total Senate Changes
Salaries and wages	(\$25,598)	\$318,716			\$293,118
Operating expenses		66,530	90,000		156,530
Energy infrastructure and impact office				326,588	326,588
Contingencies					
Accrued leave payments					
Total all funds	(\$25,598)	\$385,246	\$90,000	\$326,588	\$776,236
Less estimated income	(25,598)	385,246	90,000	326,588	776,236
General fund	\$0	\$0	\$0	\$0	\$0
FTE	0.00	2.00	0.00	0.00	2.00

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

<sup>2</sup> The following funding from special funds and FTE positions are added:

	FTE Positions	Salaries and Wages	Operating Expenses	Total Special Funds
Public information officer position	1.00	\$165,013	\$33,265	\$198,278
Compliance officer position	1.00	153,703	33,265	186,968
Total	2.00	\$318,716	\$66,530	\$385,246

<sup>3</sup> Funding from special funds is added for office space rental.

<sup>4</sup> Funding is added for administrative costs of the energy infrastructure and impact office to provide total funding of \$700,000 from the oil and gas impact grant fund. The House version provided \$373,412 from the oil and gas impact grant fund.

#### REPORT OF STANDING COMMITTEE

**HB 1046, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1046, as amended, was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1113: Energy and Natural Resources Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1113 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "a new"

Page 1, line 1, after "subsection" inset "3"

Page 2, line 12, remove the overstrike over "~~and regulation of the processing, generation, or disposal~~"

Page 2, line 14, remove the overstrike over the overstruck colon

Page 2, remove the overstrike over lines 15 through 17

Page 2, line 18, remove the overstrike over "b."

Page 2, line 19, remove the overstrike over "~~A written determination of the action to be taken which is based upon findings~~"

Page 2, remove the overstrike over lines 20 and 21

Page 2, line 22, after "d." insert "c."

Page 2, line 22, remove the overstrike over "~~For each licensed activity which has a significant impact on the human~~"

Page 2, remove the overstrike over lines 23 through 30

Page 3, line 1, after "e." insert "d."

Page 3, line 1, remove the overstrike over "~~A prohibition of any major construction with respect to the activities to be~~"

Page 3, remove the overstrike over line 2

Page 3, line 3, after "f." insert "e."

Page 3, line 3, remove the overstrike over "~~An assurance that management of source material, byproduct material, or other~~"

Page 3, remove the overstrike over lines 4 through 9

Page 3, line 10, remove the overstrike over "b. ~~An opportunity for judicial review~~"

Page 3, line 10, remove "by rules a procedure for the handling of"

Page 3, remove line 11

Page 3, line 12, remove "opportunity, after public notice, for written comments and a public hearing"

Page 4, line 23, remove "For multiple violations, penalties may"

Page 4, remove lines 24 and 25

Page 4, line 26, replace "knowingly" with "willingly"

Page 4, line 30, replace "knowingly" with "willingly"

Page 5, line 3, remove "For multiple violations, penalties may be assessed up to the maximum"

Page 5, remove line 4

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1219, as engrossed: Energy and Natural Resources Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1219 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first comma insert "and"

Page 1, line 2, remove ", subsections 7 and 8 of section"

Page 1, line 3, remove "62.1-04-03, and section 62.1-05-01"

Page 4, remove lines 3 through 31

Page 5, remove lines 1 and 2

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1377, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1377 was placed on the Sixth order on the calendar.

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

Page 1, line 4, after the first semicolon insert "to provide a continuing appropriation;"

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."

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

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

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

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

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 \$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.

- 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.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1102:** Your conference committee (Sens. Klein, Campbell, Murphy and Reps. Ruby, Keiser, Boschee) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1297 and place HB 1102 on the Seventh order.

HB 1102 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1206, as engrossed:** Your conference committee (Sens. Rust, Campbell, Axness and Reps. Owens, Meier, Delmore) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1132, adopt amendments as follows, and place HB 1206 on the Seventh order:

That the Senate recede from its amendments as printed on page 1132 of the House Journal and pages 869 and 870 of the Senate Journal and that Engrossed House Bill No. 1206 be amended as follows:

Page 1, line 1, replace "39-16-38" with "39-08-20.2"

Page 1, line 4, after the semicolon insert "to provide a penalty;"

Page 1, line 11, replace "39-16-38" with "39-08-20.2"

Page 1, line 13, replace "**39-16-38**" with "**39-08-20.2**"

Page 1, line 13, after "insurance" insert "**- Report - Penalty**"

Page 1, line 14, replace "financial responsibility as defined in this chapter" with "the requirement of a motor vehicle liability policy under section 39-08-20"

Page 1, line 15, replace "Special" with "However, special"

Page 1, line 15, after the underscored period insert "Failure to provide satisfactory evidence of liability coverage required under this section within ten days after a police officer has requested evidence of liability coverage is an infraction punishable solely by a fine of one hundred fifty dollars for a first violation and is an infraction punishable solely by a fine of three hundred dollars for a second or subsequent violation in three years. A municipal court or district court shall make a report of a violation of this section to the secretary of state for any special mobile equipment owned or operated by a contractor licensed under chapter 43-07."

Renumber accordingly

Engrossed HB 1206 was placed on the Seventh order of business on the calendar.

#### CONSIDERATION OF AMENDMENTS

**HB 1013, as engrossed:** **SEN. KREBSBACH (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1013:** A BILL for an Act to provide an appropriation for defraying the expenses of the commissioner of university and school lands; to provide for transfers; to provide for distributions from permanent funds; and to amend and reenact section 57-62-05 of the North Dakota Century Code, relating to the timing of grant recommendations.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Laffen; Miller; Oehlke

Engrossed HB 1013, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1002, as engrossed: SEN. HECKAMAN (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1002:** A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to provide for the establishment of additional district court judgeships; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of supreme and district court judges.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Laffen; Miller; Oehlke

Engrossed HB 1002, as amended, passed.

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#### REPORT OF STANDING COMMITTEE

**HB 1358, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1358, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on pages 999 and 1000 of the Senate Journal, Reengrossed House Bill No. 1358 is amended as follows:

Page 1, line 3, after "reenact" insert "subsection 18 of section 38-08-02,"

Page 1, line 6, replace "pipeline bonds" with "pipelines"

Page 1, after line 10 insert:

**"SECTION 1. AMENDMENT.** Subsection 18 of section 38-08-02 of the North Dakota Century Code is amended and reenacted as follows:

18. "Underground gathering pipeline" means an underground gas or liquid pipeline ~~that~~with associated above ground equipment which is designed for or capable of transporting crude oil, natural gas, carbon dioxide, or water produced in association with oil and gas which is not subject to chapter 49-22. As used in this subsection, "associated above ground equipment" means equipment and property located above ground level, which is incidental to and necessary for or useful for transporting crude



oil, natural gas, carbon dioxide, or water produced in association with oil and gas from a production facility. As used in this subsection, "equipment and property" includes a pump, a compressor, storage, leak detection or monitoring equipment, and any other facility or structure."

Page 1, line 15, replace "The operator of an" with "The application of this section is limited to an"

Page 1, line 15, after "pipeline" insert "that is"

Page 1, line 15, after "transfer" insert "crude"

Page 1, line 16, after "and" insert "which was"

Page 1, line 17, remove ", shall file with the commission engineering design drawings and a"

Page 1, remove lines 18 through 20

Page 1, line 21, remove "leak detection and monitoring technologies be installed by the operator of these pipelines"

Page 1, line 21, after the underscored period insert "Upon request, the operator shall provide the commission the underground gathering pipeline engineering construction design drawings and specifications, list of independent inspectors, and a plan for leak protection and monitoring for the underground gathering pipeline. Within sixty days of an underground gathering pipeline being placed into service, the operator of that pipeline shall file with the commission an independent inspector's certificate of hydrostatic or pneumatic testing of the underground gathering pipeline."

Page 2, line 25, replace "adversely affected" with "impacted"

Page 2, line 26, after "development" insert an underscored comma

Page 2, line 26, replace "which" with "that"

Page 2, line 29, after the underscored period insert "Land and water degraded by any willful act of the current or any former surface owner are not eligible for reclamation or restoration."

Page 3, line 24, replace "intended to transfer" with "transferring"

Page 4, line 7, remove "A surface owner may request a review of the temporarily abandoned"

Page 4, remove lines 8 through 10

Page 4, line 11, remove "review of the temporarily abandoned status every two years."

Page 4, line 22, after the period insert "A surface owner may request a review of the temporarily abandoned status of a well that has been on temporarily abandoned status for at least seven years. The commission shall require notice and hearing to review the temporarily abandoned status. After notice and hearing, the surface owner may request a review of the temporarily abandoned status every two years."

Page 4, line 27, replace "shall" with "may"

Page 4, line 28, replace "from" with "into"

Page 5, line 12, after "of" insert "crude oil and"

Page 5, line 19, after "of" insert "crude oil and"

Page 5, line 19, after "pipelines" insert ", determine the feasibility and cost effectiveness of requiring leak detection and monitoring technology on new and existing pipeline systems,"

Page 5, line 22, after "water" insert "and crude oil"

Page 5, line 23, remove "on pipeline flow monitoring"

Page 5, line 23, replace "working" with "pipeline"

Page 5, line 24, after "detection" insert "and monitoring"

Page 5, line 30, replace "removing" with "remediating"

Page 5, line 30, after "salt" insert "and any other contamination"

ReNUMBER accordingly

#### **STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment requires pipeline operators to file reports with the Industrial Commission within 60 days of placing the pipeline into service. This amendment also clarifies that pipelines are used to transport crude oil.

#### **CONSIDERATION OF AMENDMENTS**

**HB 1358, as reengrossed and amended: SEN. ARMSTRONG (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

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

**HB 1358:** A BILL for an Act to create and enact a new section to chapter 38-08 and a new subsection to section 38-08-26 of the North Dakota Century Code, relating to the operation of underground gathering pipelines and the sharing of information by a surface owner; to amend and reenact subsection 18 of section 38-08-02, subdivisions d and l of subsection 1 of section 38-08-04, subsection 6 of section 38-08-04, and section 38-08-04.5 of the North Dakota Century Code, relating to an exception to confidentiality of well data, to underground gathering pipelines, to temporarily abandoned status, and the uses of the abandoned oil and gas well plugging and site reclamation fund; to provide a report to the legislative management; to provide a transfer; to provide an appropriation; and to declare an emergency.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Laffen; Miller; Oehlke

Reengrossed HB 1358, as amended, passed and the emergency clause was declared carried.

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#### **MOTION**

**SEN. KLEIN MOVED** that a committee of two be appointed to escort ND US Senator Heidi Heitkamp to the rostrum, which motion prevailed.

The President appointed Sens. J. Lee and Oban to the Escort Committee.

**REMARKS OF ND US SENATOR HEIDI HEITKAMP**

Thank you. Thank you. I know a little bit about how extraordinarily busy you are and how important this time is for making deals and finalizing the work. And I just watched a unanimous vote, thinking boy I miss those days. I miss the days when people can sit down and actually work across the aisle and come up with a package that everybody can support and everybody can be proud that they're moving the state in the right direction. It's a feeling you don't get very often in Washington, D.C. But I will tell you how extraordinarily proud I am of representing the state. Most of you know that I am in a caucus of two. It's the "you weren't supposed to be here" caucus. According to Nate Silver, I had an 8% chance of getting elected to the United States Senate, so everybody was quite surprised and wanted to meet me right away. I used to tease them that they thought I was a unicorn, that I didn't really exist, because I was a Democrat who got elected in a state that the President lost by 21 points. I think it speaks to North Dakota's political culture that they are looking for solutions and they are looking for people who will work across the aisle, people who will resolve challenges. Every day it is an enormously gratifying sense and it motivates me every day that the state that I represent is the state of North Dakota with people who believe in working together, people who believe in meeting the challenges of actually making decisions and moving on and living to have a discussion later on.

I also have an amazing opportunity to tell the story of North Dakota every day. It's a place that has peaked a lot of curiosity. When you think about it, you think about an economy that was the fastest growing economy in the country. An economy that, the blank spot in the map, the flyover area of our country all of a sudden became center stage. We were blessed for a lot of years with high commodity prices, low dollar values, which added to our economic opportunity. Now our challenge is \$3/bushel corn, with maybe \$1 basis and some of your rural elevators and our challenge is taking a look at our uncertainty in terms of the oil patch. But what I can tell you with all that commodity uncertainty, the one thing that is not uncertain, is the quality of our people, is the opportunity we have every day to serve people who are just good, good folks. I think our strength has always been in our people and our strength has always been in the land that we inhabit. So even though we are facing these challenges of low commodity prices and high dollar values, I have no doubt, as I'm sure you don't, that North Dakota will continue to thrive, and grow and provide huge opportunities to the children that we raise here.

Hope isn't a strategy. We have to look at those things that present challenges into the future. I remember the last time I was here, I was talking about the challenge of providing housing, the challenges of providing services to this growing economy. Our challenge today, I think, is recruitment and retention of a workforce. We hear it everywhere. I could do this if I could find people. I was with an engineering firm in Fargo yesterday, asked them their biggest challenge. You would think maybe it's regulation of the government, and they said no, it's finding qualified workers. What we have to do, is I think, we have to understand that we have an opportunity not only to buy fancy ad campaigns, "The Good Life". I see the ads all over North Dakota, come to the good life. It's not enough have a slogan. We have to have reality behind that slogan. I know that "Millennials" are not "Baby Boomers" in terms of how they see opportunity and how they see how they are going to raise their kids and make a life where they live. If we really intend to retain and recruit a new workforce, we have to better understand the values and the culture of the new workforce that we are creating, because the reality is, they can go anywhere. If you want to be an accountant, you don't have to live in North Dakota to provide accountancy services. If you want to be a radiologist, guess what, you don't have to live in North Dakota to be a radiologist. If you want to write software programs for Blue Cross and Blue Shield, you don't have to live in North Dakota to do that. Their jobs are transportable. They have to want to live in our state. So how do we create that environment? I think the first thing we have to do is be welcoming. We cannot discriminate, against anyone for any reason. That is irrational. We have to have a culture of welcoming people. I think that when the message gets sent that we aren't welcoming, we do great damage, and no matter how much money you spend in an ad campaign, you can't overcome that obstacle.

I think we have to support our universities and colleges and the Tribal colleges. You know there might be a real inclination that we all have right now, given the budget constraints that you have, to pull back, and I would tell you that your inclination is to pour more. Not irrationally or wrongly, but invest in that research. Invest in those people. Invest in those opportunities. That's what's going to make the difference long-term for those economic opportunities. 95% of all business in the state of North Dakota is small business and we have a start up culture. If you don't believe me, go visit the Million Cups people. Go to an

event that I went to yesterday in Fargo where we were sitting around with people who wanted to start up new businesses and innovate. It's here, but we have to nurture it, and we have to support it. And we'll continue to fight for those federal dollars that are North Dakota's fair share of research dollars, but we have to continue to send the message that we value education. We have to nurture our children. They're the future workforce and that means Head Start. That means good quality health care. That means leaving no child without the same opportunities that all children have in our state. That means working with Native American groups, with Native American Tribal groups, to build a better opportunity for Native American kids, whether it's in Fargo or whether it's up in Turtle Mountain. They are the workforce of our future.

I think safety has to be our top priority. I've been everywhere in the state of North Dakota. We're challenged in rural areas providing fire service, providing ambulance service, providing law enforcement service, and when we stop protecting people in rural America, people will stop living in rural America. That's a challenge that we have to meet. That's a challenge that I've been working very hard on the Homeland Security Committee for us to meet that challenge.

I want to put a special plug in for behavior and mental health. Why do I say that? I have spent hours with school principals, I have spent hours with law enforcement, I have spent hours with firefighters and ambulances and you might think that they all have an issue. You know the first thing they want to talk about, they want to talk about behavior and mental health. I was sitting with a group in Fargo, where the Fargo/Moorhead Ambulance came in and they told us that they could pretty much tell me that over a very short period of time, 3 people in the Fargo/Moorhead Area who had been calling ambulance, one every other day and you had no choice, had cost that system almost a million dollars. That's a tragedy. That's a waste. That's wrong. But the worst thing about that is those people didn't get help. Because we don't have workforce and we don't have parity in mental and behavior health. Across the country and in North Dakota. And we're going to fight to make sure that we get families the help that they need, whether they're fighting addiction or whether they're fighting bipolar disease, whether they're fighting depression, whether they're fighting an epidemic of suicide. We have to do better. This is not a social issue. It's not a woman's issue. This is an economic issue. When you see the rates of problems in behavior and mental health. And so we hope that we'll be great partners.

I want to say something, too, about my experience in North Dakota. I first ran when I was 28 years old. I was driving around North Dakota, hadn't spent a lot of time looking at North Dakota. And I remember that moment when I drove up over the Pembina Gorge. I didn't even know the Pembina Gorge existed. It was early in the morning and I saw that come off and I stopped the car and I got out, 28 years old, and I said, "No matter what happens in this election, I will always remember this moment, that I saw the beauty of this spot". What's the value of that beauty? What's the value of a vista overlooking the Little Missouri? What's the value, culturally, of the Elkhorn Ranch? What are the values of these places? I will tell you with great certainty, this is the inheritance of our children. If we don't perceive the value, then we surely will sacrifice that inheritance, I think for short term gain. So, be with me, when you think about what you want your children to experience, what you want your grandchildren to experience in our state. It makes a difference and it makes a difference economically, as those "Millennials" are looking for that experience. They are going to look to states that protect that experience.

Finally, I want to say that probably the biggest challenge that I have in representing you, is trying to strike that balance between regulation that protects consumer products and keeps us safe. The regulation that allows your business to have a level playing field. That regulation that protects our clean water and our food regulation, and the regulation that doesn't make a lot of sense in America. We have been fighting a lot of the regulation that we don't think makes a lot of sense. Whether it is the greatly expanded waters of the United States. Whether it is 111D in coal country, whether it is resource performance standards. Whatever it is, we're there fighting that fight. But it is a little like "Whack-a-mole". One gets resolved, the next one crops up. The challenges continue, and literally millions and billions of dollars are spent not resolving issues in America, but in partisan and perhaps legal fights. And so I've started a project, with a friend of mine, the newest redhead to the Senate, a guy named James Langford. We're serious about this. And we've opened up a portal saying cut red tape. We are going to be looking at systematically changing the way we do regulation of the federal government. But too often what we hear from is K Street, we hear from groups like you who send us resolutions. We want to hear from Main Street. And I want you all to

really consider, as you're working with your constituents to encourage them to use that portal. I think it can make a huge difference in identifying those regulations that have long ago served their purpose or never achieved their rightful purpose.

We've got big challenges ahead of us in this country. Whether it is national security, whether it's homeland security, or whether it is economic security and responsible fiscal policy. Huge and enormous challenges. We live in an incredibly dangerous world. And we live in a world that is challenged by a new economy. But I will tell you this, there is not one day where I am not optimistic, because we are Americans. We've never given up. We've never met a challenge that we didn't think we could exceed and that goes double for us in North Dakota.

Thank you so much for the opportunity to visit with you. Thanks for continuing to work with our office and with my office. Thank you so much for your service to the great state of North Dakota and your constituents. Have a great day.

#### **MOTION**

**SEN. KLEIN MOVED** that the remarks of ND US Senator Heidi Heitkamp be printed in the Journal, which motion prevailed.

#### **CONSIDERATION OF AMENDMENTS**

**HB 1377, as engrossed: SEN. SORVAAG (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, 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 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 provide a continuing appropriation; 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, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Campbell; Carlisle; Casper; Cook; Davison; Dever; Flakoll; Grabinger; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Poolman; Rust; Sinner; Wardner; Warner

**ABSENT AND NOT VOTING:** Laffen; Miller; Oehlke

Engrossed HB 1377, as amended, passed and the emergency clause was declared carried.

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#### **CONSIDERATION OF AMENDMENTS**

**HB 1113: SEN. TRIPLETT (Energy and Natural Resources Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

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

**HB 1113:** A BILL for an Act to create and enact subsection 3 to section 23-20.1-04.1 of the North Dakota Century Code, relating to custody of land used for disposal of radioactive material; to amend and reenact sections 23-01-36, 23-20.1-04.3, 23-20.1-04.4, 23-20.1-06, and 23-20.1-10 of the North Dakota Century Code, relating to the licensing and regulation of radioactive material; to repeal section 23-20.1-09.1 of the North Dakota Century Code, relating to the confidentiality of radioactive material records; and to provide a penalty.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Laffen; Miller; Oehlke

HB 1113, as amended, passed.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1285.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1002, HB 1013, HB 1113.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1021, HB 1025, HB 1406.

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

**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1358.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2005, SB 2048, SB 2258.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2005**

Page 1, replace lines 12 through 17 with:

"Salaries and wages	\$1,396,437	\$105,205	\$1,501,642
Accrued leave payments	13,038	(13,038)	0
Operating expenses	135,356	121,658	257,014
Coal severance payments	252,800	(7,800)	245,000
Property tax relief credits	0	250,000,000	250,000,000
Total general fund	\$1,797,631	\$250,206,025	\$252,003,656"

Page 1, remove line 24

Page 2, replace lines 1 through 6 with:

"IT developmental costs	\$377,591	\$0
Property tax relief	200,000,000	250,000,000
Township road distributions	8,760,000	0
Township distribution correction	385,000	0
Information technology costs	13,247	20,000
Non-oil transportation funding	100,000,000	0
Total general fund	\$309,535,838	\$250,020,000"

Page 2, line 11, replace "\$226,800,000" with "\$250,000,000"

Page 2, line 27, remove the overstrike over "twelve"

Page 2, line 27, remove "eleven"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2005 - State Treasurer - House Action**

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$1,396,437	\$1,507,665	(\$6,023)	\$1,501,642
Operating expenses	135,356	237,014	20,000	257,014
Coal severance payments	252,800	245,000		245,000
Accrued leave payments	13,038			
Property Tax Relief		226,800,000	23,200,000	250,000,000
Total all funds	\$1,797,631	\$228,789,679	\$23,213,977	\$252,003,656
Less estimated income	0	0	0	0
General fund	\$1,797,631	\$228,789,679	\$23,213,977	\$252,003,656
FTE	8.00	8.00	0.00	8.00

**Department No. 120 - State Treasurer - Detail of House Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Increases One- Time Funding for State Paid Property Tax Relief <sup>2</sup>	Adds One-Time Funding for Information Technology Costs <sup>3</sup>	Total House Changes
Salaries and wages	(\$6,023)			(\$6,023)
Operating expenses			20,000	20,000
Coal severance payments				
Accrued leave payments				
Property Tax Relief		23,200,000		23,200,000
Total all funds	(\$6,023)	\$23,200,000	\$20,000	\$23,213,977
Less estimated income	0	0	0	0
General fund	(\$6,023)	\$23,200,000	\$20,000	\$23,213,977
FTE	0.00	0.00	0.00	0.00

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

<sup>2</sup> One-time funding from the general fund is increased for the state-paid property tax relief program to provide a total of \$250 million.

<sup>3</sup> One-time funding is added for information technology costs related to oil and gas gross production tax formula changes.

This amendment provides for state-paid property tax relief of 12 percent. The Senate version provided for 11 percent.

**HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2048**

In lieu of the amendments adopted by the House as printed on pages 1284-1286 of the House Journal, Engrossed Senate Bill No. 2048 is amended as follows:

Page 1, remove lines 5 through 22

Page 1, line 24, replace "FTE" with "ACTIVITIES FACILITATION"

Page 2, line 1, replace "\$166,092" with "\$100,000"

Page 2, line 2, remove "hiring one full-time"

Page 2, line 3, replace "equivalent employee to facilitate" with "facilitating"

Page 2, line 5, replace "REPORTS" with "REPORT"

Page 2, line 7, replace "\$2,000,000" with "\$750,000"

Page 2, line 8, replace "addressing" with "establishing and administering a voucher system to address underserved areas and"

Page 2, line 9, remove "including intervention, detoxification, and"

Page 2, remove lines 10 through 15"

Page 2, line 16, replace "the use of these funds by July 1, 2016" with "and to assist in the payment of addiction treatment services provided by private licensed substance abuse treatment programs, for the period beginning July 1, 2016, and ending June 30, 2017. Services eligible for the voucher program include only those levels of care recognized as effective by the American society of addiction medicine, with particular emphasis given to underserved areas and programs focusing on youth services. The department of human services shall ensure that a private licensed substance abuse treatment program accepting vouchers under this Act collects and reports process and outcome measures. The department of human services shall develop requirements and provide training and technical assistance to a private licensed substance abuse treatment program accepting vouchers under this Act. A private licensed substance abuse treatment program accepting vouchers under this Act shall provide evidence-based services. Before July 1, 2016, the department of human services shall provide a report to the legislative management regarding the rules adopted to establish and administer the voucher system to assist in the payment of addiction treatment services provided by private licensed substance abuse treatment programs"

Page 2, after line 16, insert:

**"SECTION 3. DEPARTMENT OF HUMAN SERVICES ANALYSIS - REPORT.** During the 2015-16 interim, the department of human services shall perform a cost-benefit analysis of the substance abuse treatment voucher system. The analysis must determine whether the program has allowed or will allow for cost savings in other department programs. The department of human services shall report to the appropriations committees of the sixty-fifth legislative assembly on the results of the cost-benefit analysis.

**SECTION 4. ADVISORY COMMITTEE - MENTAL AND BEHAVIORAL HEALTH ISSUES - INCORPORATION IN TEACHER PREPARATION PROGRAMS - REPORT TO LEGISLATIVE MANAGEMENT.**

1. During the 2015-16 interim, the state board of higher education shall convene an advisory committee to address the desirability and feasibility of increasing the exposure of students enrolled in teacher preparation programs to the variety of mental and behavioral health issues that the students are likely to encounter upon commencement of their professional teaching careers.
2. The membership of the advisory committee must be determined by a majority of the following:
  - a. The commissioner of higher education;
  - b. The superintendent of public instruction;
  - c. The director of the department of human services;
  - d. The director of the state department of health;
  - e. A representative of the education standards and practices board;
  - f. A member of the house of representatives, appointed by the legislative management; and
  - g. A member of the senate, appointed by the legislative management.



3. The membership of the advisory committee must be geographically balanced and include:
  - a. Representatives of public and private teacher education programs in the state;
  - b. Providers of behavioral health services to children under the age of eighteen;
  - c. Providers of mental health services to children under the age of eighteen;
  - d. Representatives of mental health advocacy organizations;
  - e. Representatives of the juvenile court;
  - f. Representatives of law enforcement; and
  - g. Representatives of Indian tribes in this state.
4. The committee shall meet as necessary to achieve the objective set forth in subsection 1 and shall present a report before September 1, 2016, to a committee designated by the legislative management."

Page 2, line 19, replace "network" with "networks"

Page 2, line 21, after the first comma insert "and"

Page 2, line 21, after the second "and" insert "must"

Page 2, line 23, replace "along" with "together"

Page 2, remove lines 26 through 31

Page 3, remove lines 1 through 3

Page 3, line 11, replace "include consideration of developing" with "address the development of"

Page 3, line 12, replace "noncertified" with "nonlicensed"

Page 3, line 12, replace the second "and" with ", the"

Page 3, line 13, replace "the" with "of"

Page 3, line 16, replace "along" with "together"

Renumber accordingly

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2258**

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of the state employee leave system."

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - STATE EMPLOYEE LEAVE SYSTEM.** During the 2015-16 interim, the legislative management shall consider studying the state employee leave system to determine whether it is preferable to keep the current state employee leave system or for the state to switch to a paid time off (PTO) system for state employee leave. 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

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2002, SB 2278.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2002**

Page 1, line 2, replace "an exemption" with "exemptions"

Page 1, line 2, remove the second "and"

Page 1, line 4, after "state" insert "; to provide for legislative management studies; and to declare an emergency"

Page 1, replace line 16 with:

"Salaries and wages	\$3,753,869	\$1,024,004	\$4,777,873"
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Page 1, replace line 18 with:

"Operating expenses	2,579,597	2,179,339	4,758,936"
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Page 1, replace lines 20 through 23 with:

"Election reform	<u>5,143,115</u>	<u>(2,439,580)</u>	<u>2,703,535</u>
Total all funds	\$11,567,412	\$680,932	\$12,248,344
Less estimated income	<u>5,844,417</u>	<u>(2,360,240)</u>	<u>3,484,177</u>
Total general fund	\$5,722,995	\$3,041,172	\$8,764,167"

Page 2, replace lines 11 through 13 with:

"Grand total general fund	\$6,043,495	\$3,041,172	\$9,084,667
Grand total special funds	<u>5,844,417</u>	<u>(2,360,240)</u>	<u>3,484,177</u>
Grand total all funds	\$11,887,912	\$680,932	\$12,568,844"

Page 2, replace lines 23 and 24 with:

"Technology project		<u>0</u>	<u>2,100,000</u>
Total general fund		\$603,354	\$2,100,000"

Page 3, after line 3, insert:

**"SECTION 4. EXEMPTION.** The amounts appropriated to the secretary of state in subdivision 2 of section 1 of Engrossed Senate Bill No. 2023, as approved by the sixty-fourth legislative assembly, are not subject to the provisions of section 54-44.1-11. Any unexpended funds from these appropriations are available for completing the central indexing computer project and the business process modeling services contract during the biennium beginning July 1, 2015, and ending June 30, 2017."

Page 3, after line 10, insert:

**"SECTION 6. LEGISLATIVE MANAGEMENT STUDY.** During the 2015-16 interim, the legislative management shall consider studying the feasibility and desirability of the secretary of state's office utilizing software which would allow employees of the office to monitor and report billable hours in order to improve efficiency and productivity within the secretary of state's office. The legislative management shall report its findings and recommendations, along with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

**SECTION 7. LEGISLATIVE MANAGEMENT STUDY - CONSOLIDATION OF ELECTIONS.** During the 2015-16 interim, the legislative management shall consider studying the feasibility and desirability of consolidating all political

subdivision and school district elections with the statewide primary election and the holding of all special elections on other specified dates during any year. If the legislative management conducts the study, the legislative management shall seek input and participation from the secretary of state; representatives of cities, counties, school districts, and other political subdivisions; and representatives of political parties. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

**SECTION 8. EMERGENCY.** Section 4 of this Act is declared to be an emergency measure."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2002 - Summary of House Action

	Base Budget	Senate Version	House Changes	House Version
Secretary of State				
Total all funds	\$11,567,412	\$13,523,297	(\$1,274,953)	\$12,248,344
Less estimated income	5,844,417	3,784,288	(300,111)	3,484,177
General fund	\$5,722,995	\$9,739,009	(\$974,842)	\$8,764,167
Public Printing				
Total all funds	\$320,500	\$320,500	\$0	\$320,500
Less estimated income	0	0	0	0
General fund	\$320,500	\$320,500	\$0	\$320,500
Bill total				
Total all funds	\$11,887,912	\$13,843,797	(\$1,274,953)	\$12,568,844
Less estimated income	5,844,417	3,784,288	(300,111)	3,484,177
General fund	\$6,043,495	\$10,059,509	(\$974,842)	\$9,084,667

#### Senate Bill No. 2002 - Secretary of State - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$3,753,869	\$5,077,715	(\$299,842)	\$4,777,873
Operating expenses	2,579,597	5,733,295	(974,359)	4,758,936
Petition review	8,000	8,000		8,000
Election reform	5,143,115	2,704,287	(752)	2,703,535
Accrued leave payments	82,831			
Total all funds	\$11,567,412	\$13,523,297	(\$1,274,953)	\$12,248,344
Less estimated income	5,844,417	3,784,288	(300,111)	3,484,177
General fund	\$5,722,995	\$9,739,009	(\$974,842)	\$8,764,167
FTE	28.00	34.00	0.00	34.00

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

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Removes Overtime and Operating Expenses Increases <sup>2</sup>	Reduces One-Time Funding for Software Project <sup>3</sup>	Total House Changes
Salaries and wages	(\$24,842)	(\$275,000)		(\$299,842)
Operating expenses		(24,359)	(950,000)	(974,359)
Petition review				
Election reform	(752)			(752)
Accrued leave payments				
Total all funds	(\$25,594)	(\$299,359)	(\$950,000)	(\$1,274,953)
Less estimated income	(752)	(299,359)	0	(300,111)
General fund	(\$24,842)	\$0	(\$950,000)	(\$974,842)
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised

premium estimate of \$1,130.22 per month.

<sup>2</sup> Increased funding is removed for overtime and operating expenses associated with increased office workload.

<sup>3</sup> One-time funding is adjusted to complete the agency's software project of \$3,050,000 is reduced to \$2,100,000.

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This amendment also provides:

- An exemption for the \$1.35 million deficiency appropriation provided in Engrossed Senate Bill No. 2023 to repay a Bank of North Dakota loan (\$950,000) and to provide funding for increased business processing modeling services (\$400,000). The exemption allows the Secretary of State to continue any remaining funding into the 2015-17 biennium to complete the computer project.
- A legislative study of the feasibility and desirability of the Secretary of State's office using software to monitor efficiency and productivity within the Secretary of State's office.
- A legislative study of the feasibility and desirability of consolidating all political subdivision and school district elections with the statewide primary election and the holding of all special elections on other specified dates during any year.
- An emergency clause for the exemption related to the \$1.35 million deficiency appropriation.

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2278

Page 1, line 3, after the semicolon insert "to repeal section 43-07-05 of the North Dakota Century Code, relating to contractor license fees;"

Page 3, line 26, after the boldfaced period insert "**Classes of licenses -**"

Page 3, line 26, after "**fees**" insert "**- License renewal fees**"

Page 3, overstrike line 27 and insert immediately thereafter:

1. Four classes of licenses may be issued under this chapter, which must be designated as class A, B, C, and D licenses. A holder of a license engage in the contracting business within this state subject to the following limitations:
  - a. The holder of a class A license is subject to no limitation as to the value of any single contract project.
  - b. The holder of a class B license is not entitled to engage in the construction of any single contract project of a value in excess of five hundred thousand dollars.
  - c. The holder of a class C license is not entitled to engage in the construction of any single contract project of a value in excess of three hundred thousand dollars.
  - d. The holder of a class D license is not entitled to engage in the construction of any single contract project of a value in excess of one hundred thousand dollars.
2. When applying"

Page 3, line 29, overstrike "1." and insert immediately thereafter "a."

Page 3, line 29, replace "five" with "four"

Page 3, line 29, after "hundred" insert "fifty"

Page 3, line 30, overstrike "2." and insert immediately thereafter "b."

Page 3, line 30, replace "four" with "three"

Page 3, line 31, overstrike "3." and insert immediately thereafter "c."

Page 3, line 31, replace "three" with "two"

Page 3, line 31, after "fifty" insert "twenty-five"

Page 4, line 1, overstrike "4." and insert immediately thereafter "d."

Page 4, line 1, replace "two" with "one"

Page 4, line 1, after "dollars" insert: ".

3. For a certificate of renewal for a license, the licensee shall pay to the registrar the following fees:

a. For a class A license the sum of ninety dollars.

b. For a class B license the sum of sixty dollars.

c. For a class C license the sum of forty-five dollars.

d. For a class D license the sum of thirty dollars"

Page 4, after line 2, insert:

"4."

Page 5, line 14, overstrike "a" and insert immediately thereafter "the"

Page 5, line 14, overstrike "equal to twenty"

Page 5, line 15, overstrike "percent of the license fee"

Page 6, after line 25, insert:

"**SECTION 7. REPEAL.** Section 43-07-05 of the North Dakota Century Code is repealed."

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2116.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2242.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2340, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2340:** Sens. Laffen; Bekkedahl; Dotzenrod

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1432.

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1049 and HB 1054, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1049:** Reps. Hofstad; Silbernagel; Muscha

**HB 1054:** Reps. Owens; Headland; Schneider

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

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

**HB 1392:** Sens. Laffen; Unruh; Dotzenrod

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: SB 2259.

**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 1256.

**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 2092.

**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 2233.

**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 2347.

**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 2367.

**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 2367.

**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: SB 2052.

**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: SB 2188.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently failed to pass: SCR 4011.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2007, SB 2320.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1034, HB 1051, HB 1111, HB 1112, HB 1136, HB 1141, HB 1165, HB 1264, HB 1304, HB 1305, HB 1328, HB 1366, HB 1387, HB 1393.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1241, HB 1450, HB 1456,

HB 1457.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2007.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2320.

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

**MR. SPEAKER:** The President has signed: SB 2007, SB 2320.

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

**MR. SPEAKER:** The President has signed: HB 1241, HB 1450, HB 1456, HB 1457.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1033, HB 1040, HB 1072, HB 1085, HB 1197, HB 1201, HB 1284, HB 1340, HB 1379, HB 1469.

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

**MR. PRESIDENT:** The Speaker has signed: HCR 3028, HCR 3039, HCR 3051, HCR 3055, HCR 3056.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 10, 2015: SB 2004, SB 2043, SB 2189, SB 2214, SB 2250, SB 2271, SB 2274, SB 2348.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 10, 2015: SB 2007, SB 2320.

**MOTION**

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

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Monday, April 13, 2015, which motion prevailed.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1256, as engrossed:** Your conference committee (Sens. Dever, Larsen, Warner and Reps. D. Anderson, Porter, Mooney) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1085, adopt amendments as follows, and place HB 1256 on the Seventh order:

That the Senate recede from its amendments as printed on page 834 of the Senate Journal and page 1085 of the House Journal and that House Bill No. 1256 be amended as follows:

Page 1, line 4, after "injury" insert "; and to provide for a legislative management study."

Page 1, line 12, after the second underscored comma insert "nontraumatic"

Page 1, line 12, after the third underscored comma insert "nontraumatic"

Page 1, line 12, after the fourth underscored comma insert "stroke."

Page 6, after line 9, insert:

**"SECTION 12. LEGISLATIVE MANAGEMENT STUDY.** During the 2015-16 interim, the legislative management shall consider studying brain injury care, specifically gathering client data from all brain injury service providers under contract with the department of human services, including information on brain injury type, age of consent, age of referral, number of brain injuries, and whether the individual was included or excluded from the service. The legislative management shall report its findings and recommendations with any legislation required to implement the recommendations to the sixty-fifth legislative assembly."

Renumber accordingly

Engrossed HB 1256 was placed on the Seventh order of business on the calendar.

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

**Jane Schaible, Secretary**