

## JOURNAL OF THE SENATE

## Sixty-fourth Legislative Assembly

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Bismarck, April 21, 2015

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

The prayer was offered by Pastor Paul Schauer, Sunne Lutheran Church, Wilton.

The roll was called and all members were present.

A quorum was declared by the President.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HCR 3047, which motion prevailed.

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

**Engrossed HCR 3047:** Sens. Dever, Davison, Marcellais

**MOTION**

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

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

**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 1333.

**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:

**HCR 3047:** Sens. Dever; Davison; Marcellais

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Vigasaa to replace Rep. Boehning on the Conference Committee on SB 2340.

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Thoreson to replace Rep. Boehning on the Conference Committee on SB 2006.

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Skarphol to replace Rep. Boehning on the Conference Committee on HB 1022.

**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 1249.

**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 1005, HB 1008, HB 1151, HB 1367, HB 1443.

**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 1001, HB 1409.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2144.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2144, SB 2199.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2150, SB 2284.

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

**MR. SPEAKER:** The President has signed: SB 2011, SB 2035, SB 2046, SB 2166, SB 2332, SB 2349, SB 2377.

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

**MR. SPEAKER:** The President has signed: SB 2144, SB 2150, SB 2199, SB 2284.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1106, HB 1113, HB 1210, HB 1229, HB 1282, HB 1360, HB 1406.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 21, 2015: SB 2011, SB 2035, SB 2046, SB 2166, SB 2332, SB 2349, SB 2377.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 21, 2015: SB 2144, SB 2150, SB 2199, SB 2284.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2005, as engrossed:** Your conference committee (Sens. Carlisle, Bowman, Robinson and Reps. Kempenich, Brandenburg, Hogan) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1354-1355, adopt amendments as follows, and place SB 2005 on the Seventh order:

That the House recede from its amendments as printed on pages 1354 and 1355 of the Senate Journal and pages 1537 and 1538 of the House Journal and that Engrossed Senate Bill No. 2005 be amended as follows:

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	175,357	310,713
Coal severance payments	252,800	(7,800)	245,000
Property tax relief credits	0	<u>250,000,000</u>	<u>250,000,000</u>
Total general fund	\$1,797,631	\$250,259,724	\$252,057,355"

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	73,699
Nonoil transportation funding	<u>100,000,000</u>	<u>0</u>
Total general fund	\$309,535,838	\$250,073,699"

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 - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$1,396,437	\$1,507,665	(\$6,023)	\$1,501,642	\$1,501,642	
Operating expenses	135,356	237,014	73,699	310,713	257,014	53,699
Coal severance payments	252,800	245,000		245,000	245,000	
Accrued leave payments	13,038					
Property Tax Relief		226,800,000	23,200,000	250,000,000	250,000,000	
Total all funds	\$1,797,631	\$228,789,679	\$23,267,676	\$252,057,355	\$252,003,656	\$53,699
Less estimated income	0	0	0	0	0	0
General fund	\$1,797,631	\$228,789,679	\$23,267,676	\$252,057,355	\$252,003,656	\$53,699
FTE	8.00	8.00	0.00	8.00	8.00	0.00

#### Department No. 120 - State Treasurer - Detail of Conference Committee 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 Conference Committee Changes
Salaries and wages	(\$6,023)			(\$6,023)
Operating expenses			73,699	73,699
Coal severance payments				
Accrued leave payments				
Property Tax Relief		23,200,000		23,200,000
Total all funds	(\$6,023)	\$23,200,000	\$73,699	\$23,267,676
Less estimated income	0	0	0	0
General fund	(\$6,023)	\$23,200,000	\$73,699	\$23,267,676
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, the same as the House version.

<sup>3</sup> One-time funding is added for information technology costs related to oil and gas gross production tax formula changes and state aid distribution changes. The House has added \$20,000 related to oil and gas gross production tax formula changes.

This amendment provides for state-paid property tax relief of 12 percent, the same as the House version. The Senate version provided for 11 percent.

Engrossed SB 2005 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SCR 4010, as engrossed:** Your conference committee (Sens. Hogue, Armstrong, Grabinger and Reps. Kasper, Louser, Amerman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1069, adopt amendments as follows, and place SCR 4010 on the Seventh order:

That the House recede from its amendments as printed on page 1069 of the Senate Journal and pages 1233 and 1234 of the House Journal and that Engrossed Senate Concurrent Resolution No. 4010 be amended as follows:

Page 1, line 5, after "selected" insert "and would prohibit an individual from being seated in the legislative assembly if the individual does not live in the district from which selected"

Page 1, line 10, replace "primary" with "general"

Page 1, replace lines 12 through 20 with:

**"SECTION 1. AMENDMENT.** Section 5 of article IV of the Constitution of North Dakota is amended and reenacted as follows:

**Section 5.** Each ~~person~~individual elected or appointed to the legislative assembly must be, on the day of the election or appointment, a qualified elector in the district from which the member was ~~chosen~~selected and must have been a resident of the state for one year immediately prior to that election. An individual may not serve in the legislative assembly unless the individual lives in the district from which selected."

Renumber accordingly

Engrossed SCR 4010 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1409, as engrossed:** Your conference committee (Sens. Schaible, Unruh, Murphy and Reps. Porter, Nathe, Muscha) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1304, adopt amendments as follows, and place HB 1409 on the Seventh order:

That the Senate recede from its amendments as printed on page 1304 of the House Journal and page 1001 of the Senate Journal and that Engrossed House Bill No. 1409 be amended as follows:

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

Page 1, line 1, after the second comma insert "subdivision c of subsection 1 of section 54-17.8-06,"

Page 1, line 1, after the second "and" insert "section"

Page 1, line 2, after "fund" insert "and the outdoor heritage advisory board"

Page 1, line 3, remove "and"

Page 1, line 3, after "date" insert "; and to declare an emergency"

Page 1, line 9, after "organizations" insert ", with higher priority given"

Page 1, line 10, after "conservation" insert "practices"

Page 2, line 17, replace the second "twenty-five" with "ten"

Page 3, after line 17, insert:

**"SECTION 3. AMENDMENT.** Subdivision c of subsection 1 of section 54-17.8-06 of the North Dakota Century Code is amended and reenacted as follows:

- c. Four members from the conservation community. The governor shall appoint ~~from a list of nominations one member from ducks unlimited of North Dakota, one member from the North Dakota chapter of pheasants forever, and two~~the members from the conservation community at large of statewide conservation groups."

Page 12, after line 27, insert:

**"SECTION 6. EMERGENCY.** Subsection 2 of section 54-17.8-05 as amended by section 2 of this Act is declared to be an emergency measure."

Renumber accordingly

Engrossed HB 1409 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1367, as engrossed:** Your conference committee (Sens. Armstrong, Casper, Grabinger and Reps. Brabandt, K. Koppelman, Delmore) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1372-1374, adopt amendments as follows, and place HB 1367 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1372-1374 of the House Journal and pages 1101-1103 of the Senate Journal and that Engrossed House Bill No. 1367 be amended as follows:

Page 1, line 1, after "12.1-32-06.1" insert ", subsections 1 and 3 of section 12.1-32-07, subsection 2 of section 19-03.4-03, and section 29-01-20"

Page 1, line 2, after the first "to" insert "drug paraphernalia, custody and return of stolen property, and"

Page 1, line 2, after "impose" insert "supervision, conditions, and"

Page 1, line 2, after "probation" insert "; to provide for a legislative management study; and to provide a penalty"

Page 1, line 8, remove "total"

Page 1, line 15, after "section" insert an underscored comma

Page 1, line 15, remove "total"

Page 1, line 17, remove "class C"

Page 1, line 17, remove the underscored comma

Page 1, line 18, replace "ten" with "offense subject to section 12.1-32-09.1, a felony offense subject to section 12.1-32-02.1, which involves the use of a firearm or dangerous weapon, a second or subsequent violation of section 12.1-17-07.1, a second or subsequent violation of any domestic violence protection order, a violation of chapter 12.1-41, or a violation of section 14-09-22; three"

Page 1, line 18, replace "all" with "any"

Page 1, line 18, replace "offenses, and" with "offense:"

Page 1, line 18 after "misdemeanor" insert "; and three hundred sixty days for a class B misdemeanor offense"

Page 2, line 19, remove "periods"

Page 2, line 19, overstrike "of"

Page 2, line 23, remove "or probation"

Page 2, line 24, after "deferment" insert "or the total time on probation authorized under this section"

Page 2, line 24, after the underscored period insert:

- "a. For class B and greater felony offenses, an offense subject to section 12.1-32-09.1, a felony offense subject to section 12.1-32-02.1, which involves the use of a firearm or dangerous weapon, a second or subsequent violation of section 12.1-17-07.1, a second or subsequent violation of any domestic violence protection order, a violation of chapter 12.1-41, or a violation of section 14-09-22, the total time on probation may not exceed ten years.
- b. For all other felony offenses, the total time on probation may not exceed five years.
- c. For misdemeanor cases, the total time on probation may not exceed three years.
- d."

Page 3, after line 6, insert:

**"SECTION 2. AMENDMENT.** Subsections 1 and 3 of section 12.1-32-07 of the North Dakota Century Code are amended and reenacted as follows:

1. When the court imposes probation upon conviction for a felony offense subject to section 12.1-32-09.1 or 12.1-32-02.1, a second or subsequent violation of section 12.1-17-07.1, a second or subsequent violation of any domestic violence protection order, a violation of chapter 12.1-41, a violation of section 14-09-22, or a felony offense under chapter 39-08, the court shall place the defendant under the supervision and management of the department of corrections and rehabilitation. When the court imposes probation upon conviction or order of disposition in all other felony cases, the court may place the defendant under the supervision and management of the department of corrections and rehabilitation. In class A misdemeanor cases, the court may place the defendant under the supervision and management of the department of corrections and rehabilitation or other responsible party. In all other cases, the court may place the defendant under the supervision and management of a community corrections program other than the department of corrections and rehabilitation. ~~If an appropriate community corrections program is not reasonably available, the court may place the defendant under the supervision and management of the department of corrections and rehabilitation. The department of corrections and rehabilitation may arrange for the supervision and management of the defendant by a community corrections program selected by the department of corrections and rehabilitation.~~ A community corrections program means a program for the supervision of a defendant, including monitoring and enforcement of terms and conditions of probation set by the court ~~or pursuant to a conditional release from the physical custody of a correctional facility or the department of corrections and rehabilitation.~~
3. The court shall provide as an explicit condition of every probation that the defendant may not possess a firearm, destructive device, or other dangerous weapon while the defendant is on probation. Except when the offense is a misdemeanor offense under section 12.1-17-01, 12.1-17-01.1, 12.1-17-05, or 12.1-17-07.1, or chapter 14-07.1, the court may waive this condition of probation if the defendant has pled guilty to, or has been found guilty of, a misdemeanor or infraction offense, the misdemeanor or infraction is the defendant's first offense, and the court has made a specific finding on the record before imposition of a sentence or a probation that there is good cause to waive the condition. The court may not waive this condition of probation if the court places the defendant under the supervision and management of the department of corrections and rehabilitation. The court shall provide as an explicit condition of probation that the defendant may not willfully defraud a urine test administered as a condition of probation. Unless waived on the record by the court, the court shall also provide as a condition of probation that the defendant undergo various agreed-to community

constraints and conditions as intermediate measures of the department of corrections and rehabilitation to avoid revocation, which may include:

- a. Community service;
- b. Day reporting;
- c. Curfew;
- d. Home confinement;
- e. House arrest;
- f. Electronic monitoring;
- g. Residential halfway house;
- h. Intensive supervision program; or
- i. Up to five nonsuccessive periods of incarceration during any twelve-month period, each of which may not exceed forty-eight consecutive hours; or
- j. Participation in the twenty-four seven sobriety program.

**SECTION 3. AMENDMENT.** Subsection 2 of section 19-03.4-03 of the North Dakota Century Code, as amended in section 1 of Senate Bill No. 2030, as approved by the sixty-fourth legislative assembly, is amended and reenacted as follows:

2. A person may not use or possess with the intent to use drug paraphernalia to inject, ingest, inhale, or otherwise induce into the human body a controlled substance, other than marijuana, classified in schedule I, II, or III of chapter 19 - 03.1. A person violating this subsection is guilty of a class A misdemeanor. If a person previously has been convicted of an offense under this ~~chapter~~ title, other than an offense related to marijuana, or an equivalent offense from another court in the United States, a violation of this subsection is a class C felony.

**SECTION 4. AMENDMENT.** Section 29-01-20 of the North Dakota Century Code is amended and reenacted as follows:

**29-01-20. Stolen property to be held by peace officer.**

1. ~~When~~Except as provided in subsection 2, whenever property alleged to have been stolen or embezzled comes into the custody of a peace officer, the peace officer shall hold it subject to the order of the magistrate authorized by section 29-01-21 to direct the disposal thereof.
2. Subsection 1 does not apply to:
  - a. Consumer goods, as defined in section 41-09-02; and
  - b. Goods covered by a certificate of title if proof of certificate of title is presented to the peace officer.

**SECTION 5. LEGISLATIVE MANAGEMENT STUDY - SEIZED PROPERTY.**

During the 2015-16 interim, the legislative management shall consider studying the return of property that comes into the custody of or is seized by peace officers across North Dakota. 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

Engrossed HB 1367 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1151, as reengrossed:** Your conference committee (Sens. Flakoll, Holmberg, Oban and Reps. Sanford, Streyle, Boe) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1461-1462, adopt amendments as follows, and place HB 1151 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1684 and 1685 of the House Journal and pages 1461, 1462, and 1502 of the Senate Journal and that Reengrossed House Bill No. 1151 be amended as follows:

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

Page 1, line 19, replace "five" with "seven"

Page 1, line 20, after the period insert "The first two million dollars in matching grants awarded to each institution must be used for student scholarships that comply with section 15-10-53."

Page 2, line 8, replace "forward" with "retain up to"

Page 2, line 9, remove "the office of the governor, to"

Page 3, line 8, after "3." insert:

- "a. The board may award an additional five hundred thousand dollars in matching grants to institutions that have been awarded one million dollars in matching grants under subsection 1 and apply for an additional matching grant.
- b. An application submitted under this subsection must meet the same criteria as an original application.
- c. The board shall consider each application submitted under this subsection in chronological order.
- d. If the funding provided under this subsection is insufficient to provide a matching grant in the amount of one dollar for every two dollars raised by the institutional foundation, the board shall award a lesser amount.

4."

Page 3, line 8, replace "forward" with "retain up to"

Page 3, line 9, remove "the office of the governor, to"

Page 5, after line 3, insert:

**"SECTION 7. LEGISLATIVE MANAGEMENT STUDY - HIGHER EDUCATION MATCHING GRANTS.** During the 2015-16 interim, the legislative management shall consider studying the provision of matching grants to institutions of higher education, as set forth in sections 15-10-48 through 15-10-53, for the purposes of ensuring that the statutory parameters provide sufficient direction, provide flexibility to accommodate changing circumstances and needs, and ultimately enable the delivery of the greatest possible benefits to the students attending institutions of higher education in this state. 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 5, line 6, replace "\$19,000,000" with "\$21,000,000, or so much of the sum as may be necessary, and out of any moneys in the student loan trust fund in the state treasury, not otherwise appropriated, the sum of \$2,500,000"



Renumber accordingly

# STATEMENT OF PURPOSE OF AMENDMENT:

## House Bill No. 1151 - University System Office - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Challenge grant program		\$19,000,000	\$4,500,000	\$23,500,000	\$25,500,000	(\$2,000,000)
Total all funds	\$0	\$19,000,000	\$4,500,000	\$23,500,000	\$25,500,000	(\$2,000,000)
Less estimated income	0	0	2,500,000	2,500,000	2,500,000	0
General fund	\$0	\$19,000,000	\$2,000,000	\$21,000,000	\$23,000,000	(\$2,000,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

## Department No. 215 - University System Office - Detail of Conference Committee Changes

	Increases Funding for the Challenge Grant Program <sup>1</sup>	Total Conference Committee Changes
Challenge grant program	\$4,500,000	\$4,500,000
Total all funds	\$4,500,000	\$4,500,000
Less estimated income	2,500,000	2,500,000
General fund	\$2,000,000	\$2,000,000
FTE	0.00	0.00

<sup>1</sup> Funding of \$2 million from the general fund and \$2.5 million from the student loan trust fund is added to provide a total of \$23.5 million for the challenge grant program. The House version provided \$19 million from the general fund for the program and the Senate version provided \$23 million from the general fund and \$2.5 million from the student loan trust fund for the program.

This amendment also provides for the following which were included in the Senate version:

- Increases the amount of matching grants available to North Dakota State University and the University of North Dakota from \$5 million to \$7 million each and requires the first \$2 million of matching grants awarded to each institution to be used for student scholarships.
- Provides an additional \$500,000 to be awarded to nonresearch and private institutions that have fully utilized the original \$1 million of grant funding available to the institution.
- Allows the State Board of Higher Education, rather than the Governor's office, to retain one-quarter of 1 percent of grants awarded to be used for administrative costs of the program.
- Provides for a Legislative Management study of higher education matching grants.

Reengrossed HB 1151 was placed on the Seventh order of business on the calendar.

## REPORT OF CONFERENCE COMMITTEE

**HB 1008, as engrossed:** Your conference committee (Sens. Carlisle, Wanzek, Robinson and Reps. Thoreson, Vigesaa, Hogan) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1414-1415 and place HB 1008 on the Seventh order.

Engrossed HB 1008 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1005, as engrossed:** Your conference committee (Sens. Carlisle, Bowman, Heckaman and Reps. Silbernagel, J. Nelson, Holman) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1298-1299 and place HB 1005 on the Seventh order.

Engrossed HB 1005 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1001, as engrossed:** Your conference committee (Sens. Holmberg, Bowman, Heckaman and Reps. Vigesaa, Thoreson, Hogan) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1422-1424, adopt amendments as follows, and place HB 1001 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1422-1424 of the House Journal and pages 1143-1145 of the Senate Journal and that Engrossed House Bill No. 1001 be amended as follows:

Page 1, line 3, after "54-03-20" insert ", 54-35-06,"

Page 1, line 4, after "compensation" insert "and expenditures"

Page 1, line 4, after the semicolon insert "to provide for a legislative management study;"

Page 1, replace lines 17 through 21 with:

"Salaries and wages	\$9,205,759	\$811,614	\$10,017,373
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets	0	416,800	416,800
National conference of state legislatures	233,286	7,977	241,263
Total general fund	\$13,379,971	\$2,345,396	\$15,725,367"

Page 2, replace lines 3 through 10 with:

"Salaries and wages	\$8,660,860	\$885,837	\$9,546,697
Accrued leave payments	143,087	(143,087)	0
Operating expenses	3,753,527	(271,091)	3,482,436
Capital assets	0	30,000	30,000
Total all funds	\$12,557,474	\$501,659	\$13,059,133
Less estimated income	69,999	1	70,000
Total general fund	\$12,487,475	\$501,658	\$12,989,133
Full-time equivalent positions	37.00	0.00	37.00"

Page 2, replace lines 15 through 17 with:

"Grand total general fund	\$25,867,446	\$2,847,054	\$28,714,500
Grand total special funds	69,999	1	70,000
Grand total all funds	\$25,937,445	\$2,847,055	\$28,784,500"

Page 2, replace lines 24 through 29 with:

"Legislative wing equipment and improvements	\$500,000	\$400,000
Information technology projects	42,000	0
Information technology equipment	0	603,050
LEGEND maintenance	0	191,760
Council of State Governments conference	0	350,000
Total general fund	\$542,000	\$1,544,810"

Page 9, after line 18, insert:

**"SECTION 8. AMENDMENT.** Section 54-35-06 of the North Dakota Century Code is amended and reenacted as follows:

**54-35-06. Officers - Accept funds - Expenditures.**

The legislative management shall select a chairman and a vice chairman from its own members and may prescribe its own rules of procedure. The legislative management may appoint a secretary who need not be a member, and shall appoint a director who must be in charge of the legislative council and who must be paid such salary as the legislative management may determine. The director may employ such persons and obtain the assistance of such research agencies as determined necessary. The director may use available funds for salary adjustments to assist with staff recruitment, retention, and recognition of exceptional performance. The legislative management and the legislative council may accept and use any funds made available through the terms of any agreement made with any agency whatsoever for the accomplishment of the purpose of this chapter. Expenditures of funds made available by legislative appropriation must be made in accordance with rules or motions duly approved by the legislative management."

Page 10, after line 17, insert:

**"SECTION 11. LEGISLATIVE MANAGEMENT STUDY - FINANCING STATE CONSTRUCTION PROJECTS.** During the 2015-16 interim, the legislative management shall consider studying the use of bonding to finance state building, road, and water construction projects. If conducted, the study must include consideration of the effect that financing state construction projects with existing oil revenue has had on both the construction industry and the oil and gas industry. 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 10, line 18, replace "8" with "9"

Page 10, line 19, replace "9" with "10"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****House Bill No. 1001 - Summary of Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Legislative Assembly						
Total all funds	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367	\$15,725,367	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367	\$15,725,367	\$0
Legislative Council						
Total all funds	\$12,557,474	\$13,086,236	(\$27,103)	\$13,059,133	\$13,059,133	\$0
Less estimated income	69,999	70,000	0	70,000	70,000	0
General fund	\$12,487,475	\$13,016,236	(\$27,103)	\$12,989,133	\$12,989,133	\$0
Bill total						
Total all funds	\$25,937,445	\$28,587,163	\$197,337	\$28,784,500	\$28,784,500	\$0
Less estimated income	69,999	70,000	0	70,000	70,000	0
General fund	\$25,867,446	\$28,517,163	\$197,337	\$28,714,500	\$28,714,500	\$0

**House Bill No. 1001 - Legislative Assembly - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$9,205,759	\$10,192,933	(\$175,560)	\$10,017,373	\$10,017,373	
Operating expenses	3,940,926	5,049,931		5,049,931	5,049,931	
Capital assets		16,800	400,000	416,800	416,800	
National conf of state legislatures	233,286	241,263		241,263	241,263	
Total all funds	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367	\$15,725,367	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367	\$15,725,367	\$0

FTE	0.00	0.00	0.00	0.00	0.00
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**Department No. 150 - Legislative Assembly - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds One-Time Funding for Committee Room Renovations <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	(\$175,560)		(\$175,560)
Operating expenses			
Capital assets		400,000	400,000
National conf of state legislatures			
Total all funds	(\$175,560)	\$400,000	\$224,440
Less estimated income	0	0	0
General fund	(\$175,560)	\$400,000	\$224,440
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 added for committee room renovations.

**House Bill No. 1001 - Legislative Council - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$8,660,860	\$9,425,957	\$120,740	\$9,546,697	\$9,546,697	
Operating expenses	3,753,527	3,482,436		3,482,436	3,482,436	
Capital assets		30,000		30,000	30,000	
Accrued leave payments	143,087	147,843	(147,843)			
Total all funds	\$12,557,474	\$13,086,236	(\$27,103)	\$13,059,133	\$13,059,133	\$0
Less estimated income	69,999	70,000	0	70,000	70,000	0
General fund	\$12,487,475	\$13,016,236	(\$27,103)	\$12,989,133	\$12,989,133	\$0
FTE	37.00	37.00	0.00	37.00	37.00	0.00

**Department No. 160 - Legislative Council - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Moves Funding for Accrued Leave <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	(\$27,103)	\$147,843	\$120,740
Operating expenses			
Capital assets			
Accrued leave payments		(147,843)	(147,843)
Total all funds	(\$27,103)	\$0	(\$27,103)
Less estimated income	0	0	0
General fund	(\$27,103)	\$0	(\$27,103)
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> Funding provided in the accrued leave line item is moved to the salaries and wages line item.

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This amendment also adds sections to:

- Amendment Section 54-35-06 relating to Legislative Council expenditures; and
- Provide a section to provide for a Legislative Management study of the use of bonding to finance state building, road, and water construction projects.

Engrossed HB 1001 was placed on the Seventh order of business on the calendar.

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

**HB 1443, as engrossed:** Your conference committee (Sens. Carlisle, Holmberg, Heckaman and Reps. Streyle, Vigesaa, Boe) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1506-1507, adopt amendments as follows, and place HB 1443 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1306 and 1307 of the Senate Journal and pages 1506 and 1507 of the House Journal and that Engrossed House Bill No. 1443 be amended as follows:

Page 1, line 3, after the second semicolon insert "and"

Page 1, line 3, remove "; to provide an effective"

Page 1, line 4, remove "date; and to provide an expiration date"

Page 1, line 8, remove "(Effective through June 30, 2017)"

Page 1, line 15, replace "one and one-half" with "two"

Page 1, line 22, remove "new construction and"

Page 1, line 23, remove "renovation of critical access hospitals."

Page 2, line 2, remove "not to"

Page 2, line 3, remove "exceed seven million dollars for an eligible critical access hospital loan and"

Page 2, line 4, replace "each for all other eligible loans" with "per loan"

Page 2, line 4, remove "The total amount of loans"

Page 2, line 5, remove "issued for critical access hospitals may not exceed thirty-five million dollars."

Page 2, remove lines 24 through 31

Page 3, remove lines 1 through 30

Page 4, remove lines 1 through 3

Page 4, line 10, remove "However, this section does not apply to loans for critical access hospitals."

Page 4, remove lines 11 through 15

Renumber accordingly

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

This amendment:

- Changes the interest rate on loans from 1.5 to 2 percent, which is the same as the Senate version, but .5 percent more than the House version.

- Removes critical access hospitals from eligible projects, which is the same as the Senate version. The House version included critical access hospitals.
- Removes telecommunications conduit infrastructure from eligible projects effective July 1, 2017, which was included in the House version. The Senate version also remove telecommunications conduit infrastructure.
- Retains the limitation of \$15 million per loan, which was included in the House version. The Senate removed the loan limitations.
- Removes a section of legislative intent added by the House related to critical access hospital loan limitations, which is the same as the Senate version.
- Provides that certain political subdivisions that received funds under Senate Bill No. 2103 are ineligible for loans during the 2015-17 biennium, which is the same as the House version. The Senate version precluded political subdivisions that received funds under Senate Bill No. 2103 or that were anticipated to receive funds from the oil and gas impact grant fund or the oil and gas gross production tax formula from receiving a loan.

Engrossed HB 1443 was placed on the Seventh order of business on the calendar.

**THE SENATE RECOGNIZED THE PRESENCE OF:**

Former Senator Stan Lyson

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. CARLISLE MOVED** that the conference committee report on Engrossed SB 2005 as printed on SJ pages 1567-1570 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2005, as amended, was placed on the Eleventh order of business.

**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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Reengrossed SB 2005 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. HOGUE MOVED** that the conference committee report on Engrossed SCR 4010 as printed on SJ pages 1572-1574 be adopted, which motion prevailed on a voice vote.

Engrossed SCR 4010, as amended, was placed on the Eleventh order of business.

**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 44 YEAS, 3 NAYS, 0 EXCUSED, 0 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; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Unruh; Wanzek; Wardner

**NAYS:** Mathern; Triplett; Warner

Reengrossed SCR 4010 was declared adopted on a recorded roll call vote.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. HOLMBERG MOVED** that the conference committee report on Reengrossed HB 1001 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1001, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1001:** A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; to amend and reenact sections 54-03-20, 54-35-06, and 54-35-10 of the North Dakota Century Code, relating to legislative compensation and expenditures; to provide for a legislative management study; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Reengrossed HB 1001, as amended, passed and the emergency clause was declared carried.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. FLAKOLL MOVED** that the conference committee report on Reengrossed HB 1151 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1151, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1151:** A BILL for an Act to amend and reenact sections 15-10-48, 15-10-49, 15-10-50, 15-10-51, 15-10-52, and 15-10-53 of the North Dakota Century Code, relating to matching grants for the advancement of academics at institutions of higher education; to provide for a legislative management study; 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 40 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Casper;

Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Holmberg; Krebsbach; Laffen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wardner; Warner

**NAYS:** Bekkedahl; Hogue; Kilzer; Klein; Larsen; Miller; Wanzek

Reengrossed HB 1151, as amended, passed.

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

**SEN. CARLISLE MOVED** that the conference committee report on Reengrossed HB 1443 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1443, as amended, was placed on the Fourteenth order of business.

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

**HB 1443:** A BILL for an Act to create and enact section 6-09-49 of the North Dakota Century Code, relating to creation of the infrastructure revolving loan fund; to provide a statement of legislative intent; to provide for transfers; and to provide a continuing 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Reengrossed HB 1443, as amended, passed.

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

**SEN. SCHAIBLE MOVED** that the conference committee report on Reengrossed HB 1409 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1409, as amended, was placed on the Fourteenth order of business.

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

**HB 1409:** A BILL for an Act to amend and reenact sections 54-17.8-03 and 54-17.8-05, subdivision c of subsection 1 of section 54-17.8-06, and section 57-51-15 of the North Dakota Century Code, relating to the funding and purposes of the outdoor heritage fund and the outdoor heritage advisory board; 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 40 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson; Bowman; Hogue; Klein; Larsen; Lee, J.; Miller

Reengrossed HB 1409, as amended, passed and the emergency clause was declared carried.



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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. ARMSTRONG MOVED** that the conference committee report on Reengrossed HB 1367 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1367, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1367:** A BILL for an Act to amend and reenact section 12.1-32-06.1, subsections 1 and 3 of section 12.1-32-07, subsection 2 of section 19-03.4-03, and section 29-01-20 of the North Dakota Century Code, relating to drug paraphernalia, custody and return of stolen property, and court authority to impose supervision, conditions, and additional periods of probation; to provide for a legislative management study; and to provide a penalty.

**ROLL CALL**

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

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

**NAYS:** Burckhard

Reengrossed HB 1367, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. CARLISLE MOVED** that the conference committee report on Reengrossed HB 1008 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. CARLISLE MOVED** that the conference committee report on Reengrossed HB 1005 be adopted, which motion prevailed on a voice vote.

**MOTION**

**SEN. KLEIN MOVED** that Sen. Oban replace Sen. Marcellais on the Conference Committee on SB 2178, which motion prevailed on a voice vote.

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

**MR. SPEAKER:** The President has appointed Sen. Oban to replace Sen. Marcellais on the Conference Committee on SB 2178.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report on: HB 1005, HB 1008.

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

**MR. SPEAKER:** The Senate 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 and subsequently passed: HB 1151, HB 1367, HB 1443.

**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 1001, HB 1409.

**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 1054, HB 1056, HB 1464.

**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 2001.

**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 1007.

**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 2002.

**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 2009.

**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: SB 2027.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Wednesday, April 22, 2015, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1054, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1054 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide for a legislative management study;"

Page 3, line 16, replace "fifty" with "ten"

Page 3, line 23, after the period insert "If the property was not classified as nonproductive agricultural land in the preceding taxable year, the assessor must confirm that the property qualifies for that classification by conducting a site inspection of the property and reporting the conclusion from that inspection to the county board of equalization."

Page 3, line 23, replace "The" with "If the property was classified as nonproductive agricultural land in the preceding taxable year, the"

Page 3, line 23, remove "thereafter"

Page 3, line 27, overstrike "board of"

Page 3, line 27, overstrike "commissioners" and insert immediately thereafter "board of equalization"

Page 4, overstrike lines 5 and 6

Page 4, line 24, remove the overstrike over "~~which are listed in~~"

Page 4, line 25, remove the overstrike over "~~descending order of significance to the assessment determination~~"

Page 4, line 26, after "surveys" insert ", using guidelines established by the state supervisor of assessments for use and application of the soil survey data"

Page 4, line 26, remove "It is"

Page 4, remove lines 27 through 30

Page 5, remove the overstrike over lines 5 and 6

Page 5, line 26, remove "contiguous."

Page 5, line 27, remove ", if the assessor confirms the existence of those conditions"

Page 5, line 29, remove "the soil survey"

Page 5, line 30, remove "determinations."

Page 5, line 30, remove the second underscored comma

Page 6, after line 13, insert:

**"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - AGRICULTURAL PROPERTY ASSESSMENT UNIFORMITY.** During the 2015-16 interim, the legislative management shall consider studying the most accurate and equitable means of achieving uniformity in agricultural property assessments. As a basis for this determination, the committee or task force selected to conduct the study shall gather the best information available to compare and consider each county's method of assessment of agricultural property, including detailed information for each county on application of modifiers or other methods of adjusting valuations. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

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

**HB 1056, as engrossed:** Your conference committee (Sens. Unruh, Cook, Triplett and Reps. Owens, Dockter, Haak) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1218-1219, adopt amendments as follows, and place HB 1056 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1218 and 1219 of the House Journal and pages 922 and 923 of the Senate Journal and that Engrossed House Bill No. 1056 be amended as follows:

Page 1, line 3, after the semicolon insert "to provide for a legislative management study of the consolidation of elections and a legislative management study of statutory references to political subdivisions;"

Page 1, line 19, replace "after receipt of a petition" with "and approval"

Page 1, line 19, replace "residing within the district" with "voting on the question at an annual or special meeting of electors called by the board of directors"

Page 1, line 20, after the underscored period insert "If an election to approve or reauthorize an excess levy will be held at an annual or special meeting of electors of the district called by the board of directors, notice of the meeting and the proposed excess levy election must be provided by at least one publication in the official newspaper of each county in which the district is located at least seven days, but not more than fourteen days, before the date of the public meeting. The published notice must include the amount of the proposed tax rate increase in mills and the duration for which elector approval of the increase is sought and must include the location where, and hours during which, ballots may be cast.

Votes to approve or disapprove the levy increase must be cast on the date of the meeting. The polling place must remain open for at least six hours on the date of the meeting. The secretary-treasurer of the district shall prepare and distribute to qualified electors at the polling place paper ballots to conduct the election on the

question of increased levy authority. Three election judges to receive and count the ballots, who are qualified electors of the district but not members of the board, must be selected at least seven days before the meeting by approval of a majority of the members of the board. A marked ballot must be delivered to one of the judges, folded to conceal its contents, the judge shall deposit it in the ballot box, and another judge shall enter the name of the elector who cast the ballot in the poll book. When the election is closed, the judges shall count the ballots and announce the result. Results of the election must be certified by the secretary-treasurer of the district and each of the election judges to the tax commissioner and to the county auditor of each county in which the district is located within ten days after the election. The certificate must include a statement of the question as it appeared on the ballot, together with the total number of votes cast in favor, and the number of votes cast against, authorizing the excess levy."

Page 1, line 21, remove "petition of"

Page 1, line 22, replace "eight" with "ten"

Page 1, line 22, overstrike "No signature on the petition may be considered valid"

Page 1, line 23, overstrike "if made more than ninety days prior to receipt of the petition."

Page 2, after line 19, insert:

**"SECTION 3. 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 4. LEGISLATIVE MANAGEMENT STUDY - STATUTORY REFERENCES TO POLITICAL SUBDIVISIONS.** During the 2015-16 interim, the legislative management shall consider studying statutory usage of various references to political subdivisions and the feasibility of differentiating references to political subdivisions based on whether the governing body is elected or appointed. 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

Engrossed HB 1056 was placed on the Seventh order of business on the calendar.

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

**HB 1007, as engrossed:** Your conference committee (Sens. Kilzer, Bowman, Robinson and Reps. Kreidt, J. Nelson, Holman) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1424-1426, adopt amendments as follows, and place HB 1007 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1424-1426 of the House Journal and pages 1170-1172 of the Senate Journal and that Engrossed House Bill No. 1007 be amended as follows:

Page 1, replace line 11 with:

"Salaries and wages	\$15,874,867	\$1,630,113	\$17,504,980"
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Page 1, replace lines 13 through 17 with:

"Operating expenses	5,408,850	(97,850)	5,311,000
Capital assets	<u>501,040</u>	<u>395,003</u>	<u>896,043</u>
Total all funds	\$22,242,953	\$1,469,070	\$23,712,023
Less estimated income	<u>15,081,100</u>	<u>(66,802)</u>	<u>15,014,298</u>
Total general fund	\$7,161,853	\$1,535,872	\$8,697,725"

Page 2, replace line 1 with:

"Shop addition	788,200	126,800"
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Page 2, replace lines 3 through 6 with:

"Equipment	<u>0</u>	<u>326,360</u>
Total all funds	\$1,909,200	\$536,160
Less estimated income	<u>1,348,700</u>	<u>405,330</u>
Total general fund	\$560,500	\$130,830"

Page 2, line 18, replace "\$84,500" with "\$132,500"

Page 2, line 22, replace "\$325,000" with "\$788,200"

Page 2, line 23, replace "and up to \$463,200 from" with a comma

Page 2, line 24, remove ", which in total may not exceed \$788,200"

Page 2, remove lines 26 through 28

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1007 - Veterans' Home - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$15,874,867	\$17,635,653	(\$130,673)	\$17,504,980	\$17,934,604	(\$429,624)
Operating expenses	5,408,850	5,306,000	5,000	5,311,000	5,311,000	
Capital assets	501,040	595,413	300,630	896,043	896,043	
Accrued leave payments	458,196					
Pedestrian Bridge					550,000	(550,000)
Total all funds	\$22,242,953	\$23,537,066	\$174,957	\$23,712,023	\$24,691,647	(\$979,624)
Less estimated income	<u>15,081,100</u>	<u>14,714,408</u>	<u>299,890</u>	<u>15,014,298</u>	<u>15,965,922</u>	<u>(951,624)</u>
General fund	\$7,161,853	\$8,822,658	(\$124,933)	\$8,697,725	\$8,725,725	(\$28,000)
FTE	120.72	120.72	0.00	120.72	120.72	0.00

#### Department No. 313 - Veterans' Home - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Removes Funding for Housing Allowance <sup>2</sup>	Adds Funding for Repairs to Administrator's Residence <sup>3</sup>	Adds One-Time Funding for Equipment <sup>4</sup>	Adds One-Time Funding for Construction of a Resident Workshop <sup>5</sup>	Total Conference Committee Changes
Salaries and wages	(\$110,673)	(\$20,000)				(\$130,673)
Operating expenses			5,000			5,000
Capital assets			15,000	158,830	126,800	300,630
Accrued leave payments						
Pedestrian Bridge						
Total all funds	(\$110,673)	(\$20,000)	\$20,000	\$158,830	\$126,800	\$174,957
Less estimated income	<u>14,260</u>	<u>(15,000)</u>	<u>15,000</u>	<u>158,830</u>	<u>126,800</u>	<u>299,890</u>
General fund	(\$124,933)	(\$5,000)	\$5,000	\$0	\$0	(\$124,933)
FTE	0.00	0.00	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> A housing allowance for the administrator of the Veterans' Home is removed, the same as the Senate version.

<sup>3</sup> Funding is provided for repairs to the administrator's residence, including \$15,000 for replacing shingles and fascia and \$5,000 for bat removal, the same as the Senate version.

<sup>4</sup> One-time funding is added for equipment, including a toolcat (\$28,000) and seven patient lifts (\$130,830) from special funds to provide a total of \$326,360 for equipment. The Senate had included \$28,000 of this funding from the general fund.

<sup>5</sup> One-time funding from special funds is added for construction of a resident workshop to provide a total of \$915,000. Of this amount, \$788,200 is from other funds available during the 2013-15 biennium and \$126,800 appropriated for the 2015-17 biennium.

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This amendment also provides:

- Removes a section added by the Senate authorizing the agency to use Melvin Norgard memorial fund, litigation proceeds, or other funds to construct a pedestrian bridge.
- Authorizes the Veterans' Home to transfer up to \$132,500 during the 2013-15 biennium from the operating expense line item to the capital assets line item for removing asbestos from the previous Veterans' Home facility (\$84,500) and to implement a new phone system (\$48,000), the same as the Senate version.
- Authorizes the use of up to \$788,200 from Melvin Norgard memorial fund and litigation proceeds and other funds available during the 2013-15 biennium for the construction of a shop addition. The Senate also added this section.
- Removes a section requiring the Veterans' Home use funding provided for operating expenses in the 2015-17 biennium for a new phone system, the Senate also removed this section.

Engrossed HB 1007 was placed on the Seventh order of business on the calendar.

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

**HB 1464, as engrossed:** Your conference committee (Sens. Casper, Luick, Nelson and Reps. Larson, Paur, Delmore) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1003 and place HB 1464 on the Seventh order.

Engrossed HB 1464 was placed on the Seventh order of business on the calendar.

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

**Jane Schaible, Secretary**