

## JOURNAL OF THE HOUSE

## Sixty-fourth Legislative Assembly

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Bismarck, April 28, 2015

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

The prayer was offered by Deacon Joel Melarvie.

The roll was called and all members were present except Representatives Boehning, Frantsvog, Glassheim, Strinden, and Wallman.

A quorum was declared by the Speaker.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. SCHMIDT MOVED** that the conference committee report on Engrossed SB 2020 as printed on HJ pages 2125-2134 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2020:** A BILL for an Act to provide an appropriation for defraying the expenses of the state water commission; to provide exemptions; to create and enact three new sections to chapter 61-02 of the North Dakota Century Code, relating to a Bank of North Dakota line of credit, to the state water commission cost-share policy, and to North Dakota outdoor heritage fund grants and cost-share; to amend and reenact section 54-35-02.7 of the North Dakota Century Code, relating to the water topics overview committee; to provide legislative intent; to designate funding; to provide contingent allocations; to provide for a report to the legislative assembly; to provide for legislative management reports; to provide for a legislative management study; to provide for a state water commission study; 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Boehning; Frantsvog; Glassheim; Strinden

Engrossed SB 2020, as amended, passed and the emergency clause was declared carried.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. WEISZ MOVED** that the conference committee report on Engrossed SB 2206 as printed on HJ pages 2119-2122 be adopted, which motion failed on a verification vote.

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

**MR. PRESIDENT:** The House has not adopted the conference committee report on: SB 2206.

**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 2020.

**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: SB 2016.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SCR 4003.

**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 1003.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1059.

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

**MR. SPEAKER:** The President has signed: HB 1059.

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

**MR. SPEAKER:** The President has signed: SB 2012, SB 2143.

**ANNOUNCEMENT**

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

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

**EDUCATION COMMISSION OF THE STATES**

**REP. VIGESAA NOMINATED** Rep. Nathe to the Education Commission of the States.

**MOTION**

**REP. LARSON MOVED** that nominations cease and that a unanimous ballot be cast for Rep. Nathe, which motion prevailed on a voice vote.

Rep. Nathe was elected to the Education Commission of the States.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1010, as engrossed:** Your conference committee (Sens. Sorvaag, Erbele, Mathern and Reps. Kreidt, Silbernagel, Holman) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1415-1416, adopt amendments as follows, and place HB 1010 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1415 and 1416 of the House Journal and pages 1146 and 1147 of the Senate Journal and that Engrossed House Bill No. 1010 be amended as follows:

Page 1, line 2, after "arts" insert "; and to provide a report to the appropriations committees"

Page 1, replace lines 11 through 17 with:

"Salaries and wages	\$790,756	\$95,541	\$886,297
Accrued leave payments	7,933	(7,933)	0
Operating expenses	338,023	38,563	376,586
Grants	<u>2,102,307</u>	<u>125,000</u>	<u>2,227,307</u>
Total all funds	\$3,239,019	\$251,171	\$3,490,190
Less estimated income	<u>1,744,917</u>	<u>550</u>	<u>1,745,467</u>
Total general fund	\$1,494,102	\$250,621	\$1,744,723"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1010 - Council on the Arts - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$790,756	\$889,308	(\$3,011)	\$886,297	\$886,297	
Operating expenses	338,023	366,586	10,000	376,586	377,369	(783)
Grants	2,102,307	2,102,307	125,000	2,227,307	2,302,307	(75,000)
Accrued leave payments	7,933					
Total all funds	\$3,239,019	\$3,358,201	\$131,989	\$3,490,190	\$3,565,973	(\$75,783)
Less estimated income	1,744,917	1,745,467	0	1,745,467	1,745,467	0
General fund	\$1,494,102	\$1,612,734	\$131,989	\$1,744,723	\$1,820,506	(\$75,783)
FTE	5.00	5.00	0.00	5.00	5.00	0.00

**Department No. 709 - Council on the Arts - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adjusts Inflationary Increases <sup>2</sup>	Increases Grant Funding <sup>3</sup>	Total Conference Committee Changes
Salaries and wages	(\$3,011)			(\$3,011)
Operating expenses		10,000		10,000
Grants			125,000	125,000
Accrued leave payments				
Total all funds	(\$3,011)	\$10,000	\$125,000	\$131,989
Less estimated income	0	0	0	0
General fund	(\$3,011)	\$10,000	\$125,000	\$131,989
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> Funding is adjusted for inflationary increases. The Senate version increased funding \$10,783.

<sup>3</sup> Funding is added for ongoing grant funding, the Senate version provided one-time funding of \$200,000 for grants.

Engrossed HB 1010 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. KREIDT MOVED** that the conference committee report on Engrossed HB 1010 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1010:** A BILL for an Act to provide an appropriation for defraying the expenses of the council on the arts; and to provide a report to the appropriations committees.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 71 YEAS, 19 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**NAYS:** Becker, Rick C.; Bellew; Brabandt; Delzer; Dosch; Kading; Kiefert; Koppelman, B.; Laning; Louser; Olson; Rohr; Ruby; Schatz; Skarphol; Streyle; Toman; Trotter; Weisz

**ABSENT AND NOT VOTING:** Boehning; Frantsvog; Glassheim; Holman

Reengrossed HB 1010 passed.

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#### REPORT OF CONFERENCE COMMITTEE

**HB 1012, as engrossed:** Your conference committee (Sens. G. Lee, O'Connell, Sorvaag and Reps. Brandenburg, Thoreson, Onstad) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1498-1502, adopt amendments as follows, and place HB 1012 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1498-1502 of the House Journal and pages 1290-1294 of the Senate Journal and that Engrossed House Bill No. 1012 be amended as follows:

Page 1, line 5, remove "to provide legislative intent;"

Page 1, line 5, replace "and" with "to provide for a department of transportation study; to provide a report to the legislative management; to provide for a report to the legislative council;"

Page 1, line 6, after "exemptions" insert "; and to provide for application"

Page 1, replace lines 16 through 22 with:

"Salaries and wages	\$187,477,585	\$20,300,693	\$207,778,278
Accrued leave payments	7,280,897	(7,280,897)	0
Operating expenses	376,721,715	19,101,036	395,822,751
Capital assets	727,911,207	379,785,753	1,107,696,960
Grants	79,788,030	(16,870,000)	62,918,030
Total all funds	\$1,379,179,434	\$395,036,585	\$1,774,216,019
Less estimated income	<u>1,379,179,434</u>	<u>394,976,585</u>	<u>1,774,156,019</u>
Total general fund	\$0	\$60,000	\$60,000
Full-time equivalent positions	1,079.50	1.00	1,080.50"

Page 2, replace lines 4 through 18 with:

"General fund transfer to highway fund	\$541,600,000	\$0
Enhanced state highway investments	1,161,600,000	503,115,558
TIGER III federal railroad program	10,000,000	0
General license plate issue	6,820,000	0
Contingent general fund transfer to public transportation fund	1,100,000	0
Airplane replacement	4,500,000	0
Transportation distribution to oil-producing counties	160,000,000	0
Transportation distribution to non-oil-producing counties	120,000,000	0
Recreational road access	0	2,000,000
Vehicle registration and titling system replacement	0	2,500,000
Truck size and weight harmonization study	0	60,000
Total all funds	\$2,005,620,000	\$507,675,558
Total special funds	<u>541,600,000</u>	<u>507,615,558</u>
Total general fund	\$1,464,020,000	\$60,000"

Page 2, line 30, replace "\$504,115,558" with "\$503,115,558"

Page 3, after line 3, insert:

**"SECTION 5. APPROPRIATION - DEPARTMENT OF TRANSPORTATION - MOTOR COACH REIMBURSEMENT.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of

\$1,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of reimbursing costs incurred from motor coach operations, for the biennium beginning July 1, 2015, and ending June 30, 2017. The funding provided in this section is considered a one-time funding item."

Page 3, line 6, replace "\$1,000,000" with "\$2,000,000"

Page 3, line 12, after "**APPROPRIATION**" insert "- **STRATEGIC INVESTMENT AND IMPROVEMENTS FUND**"

Page 3, line 14, replace "\$2,000,000" with "\$7,000,000"

Page 4, line 2, after the period insert "The funding provided in this section is considered a one-time funding item."

Page 4, replace lines 3 through 9 with:

**"SECTION 9. DEPARTMENT OF TRANSPORTATION - TRUCK SIZE AND WEIGHT HARMONIZATION.** The operating expenses line item in section 1 of this Act, includes the sum of \$60,000 from the general fund, for the department of transportation to collaborate with the upper great plains transportation institute to study the impacts in this state of harmonizing truck size and weight regulations with states in the western states transportation alliance regarding standard commercial truck envelope limits of 129,000 pounds gross vehicle combination weight or 100 foot cargo carrying length and potential implications, for the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 10. LEGISLATIVE MANAGEMENT STUDY - TRUCK SIZE AND WEIGHT HARMONIZATION.** During the 2015-16 interim, the legislative management shall study the truck size and weight provisions under chapter 39-12, relating to size, width, and height restrictions, in order to ensure the state of North Dakota may harmonize its truck size and weight regulations with the regulations of the states in the western states transportation alliance, and shall utilize the findings of the collaborative study of the department of transportation and the upper great plains transportation institute to determine appropriate changes to state law. 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 11. APPROPRIATION - CONTINGENT TRANSFERS - GENERAL FUND TO PUBLIC TRANSPORTATION FUND.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so much of the sum as may be necessary, which the office of management and budget shall transfer to the public transportation fund pursuant to this section during the biennium beginning July 1, 2015, and ending June 30, 2017. The office of management and budget shall transfer the sum of \$100,000 on July 1, 2015, if deposits in the public transportation fund from the highway tax distribution fund are \$5,200,000 or less during the period beginning July 1, 2014, and ending June 30, 2015. The office of management and budget shall transfer the sum of \$100,000 on July 1, 2016, if deposits in the public transportation fund from the highway tax distribution fund are \$5,200,000 or less during the period beginning July 1, 2015, and ending June 30, 2016.

**SECTION 12. DEPARTMENT OF TRANSPORTATION STUDY - REPORT TO LEGISLATIVE MANAGEMENT.** The department of transportation shall study state funding distributions and allocations to public transportation providers. The study must include a review of distributions and allocations, including contingent funding provided, a review of distribution and allocation formulas, and the public transportation providers use of the funds received from the distributions, allocations, and contingent funding, including uses for operating costs and capital asset purchases. The department of transportation shall report to the legislative management regarding the results of its study by June 30, 2016."

Page 4, line 17, replace "\$504,115,558" with "\$503,115,558"

Page 5, line 11, remove "into"

Page 5, line 12, after "At" insert "least one year before"

Page 5, line 13, remove "current"

Page 5, line 13, remove "into"

Page 5, line 15, remove "into"

Page 5, after line 23, insert:

**"SECTION 18. RAIL SAFETY - REPORT TO LEGISLATIVE MANAGEMENT.** The department of transportation shall report to a committee designated by the legislative management, regarding the department's updated North Dakota state rail plan and the director of the department of transportation shall post the department's updated North Dakota state rail plan report on the department's public website and provide an electronic copy to the legislative council for placement on the legislative branch public website for the biennium beginning July 1, 2015, and ending June 30, 2017."

Page 6, replace lines 6 through 19 with:

**"SECTION 21. APPLICATION.** Section 17 of this Act applies to applicable contracts, regardless of whether entered before or after the effective date of this Act."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1012 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
State Treasurer						
Total all funds	\$0	\$8,000,000	\$0	\$8,000,000	\$8,000,000	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$8,000,000	\$0	\$8,000,000	\$8,000,000	\$0
Department of Transportation						
Total all funds	\$1,379,179,434	\$2,277,030,434	\$10,501,143	\$2,287,531,577	\$2,290,401,577	(\$2,870,000)
Less estimated income	1,379,179,434	1,771,914,876	9,241,143	1,781,156,019	1,781,326,019	(170,000)
General fund	\$0	\$505,115,558	\$1,260,000	\$506,375,558	\$509,075,558	(\$2,700,000)
Bill total						
Total all funds	\$1,379,179,434	\$2,285,030,434	\$10,501,143	\$2,295,531,577	\$2,298,401,577	(\$2,870,000)
Less estimated income	1,379,179,434	1,771,914,876	9,241,143	1,781,156,019	1,781,326,019	(170,000)
General fund	\$0	\$513,115,558	\$1,260,000	\$514,375,558	\$517,075,558	(\$2,700,000)

#### House Bill No. 1012 - State Treasurer - Conference Committee Action

The conference committee did not change the House or Senate version.

#### House Bill No. 1012 - Department of Transportation - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$187,477,585	\$208,387,135	(\$608,857)	\$207,778,278	\$207,778,278	
Operating expenses	376,721,715	395,173,751	649,000	395,822,751	395,822,751	
Capital assets	727,911,207	1,102,685,960	5,011,000	1,107,696,960	1,104,096,960	3,600,000
Grants	79,788,030	63,668,030	(750,000)	62,918,030	63,668,030	(750,000)
Accrued leave payments	7,280,897					
General fund transfer to highway fund		504,115,558	(1,000,000)	503,115,558	504,115,558	(1,000,000)
Short line railroad program		2,000,000	5,000,000	7,000,000	10,000,000	(3,000,000)
General fund trans. to special road fund		1,000,000	1,000,000	2,000,000	3,000,000	(1,000,000)
City grants					20,000	(20,000)
Contingent transfer			200,000	200,000	1,900,000	(1,700,000)

Motor coach reimbursement			1,000,000	1,000,000		1,000,000
Total all funds	\$1,379,179,434	\$2,277,030,434	\$10,501,143	\$2,287,531,577	\$2,290,401,577	(\$2,870,000)
Less estimated income	1,379,179,434	1,771,914,876	9,241,143	1,781,156,019	1,781,326,019	(170,000)
General fund	\$0	\$505,115,558	\$1,260,000	\$506,375,558	\$509,075,558	(\$2,700,000)
FTE	1079.50	1079.50	1.00	1080.50	1080.50	0.00

### Department No. 801 - Department of Transportation - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for New Environmental Scientist III <sup>2</sup>	Adjusts Funding for Maintenance Management System <sup>3</sup>	Adds Funding for Highway Projects <sup>4</sup>	Adjusts Funding for Motor Coach Reimbursement <sup>5</sup>	Reduces One- Time Funding for Enhanced State Infrastructure Investments <sup>6</sup>
Salaries and wages	(\$811,779)	\$202,922				
Operating expenses			589,000			
Capital assets			(589,000)	5,600,000		(1,000,000)
Grants					(750,000)	
Accrued leave payments						
General fund transfer to highway fund						(1,000,000)
Short line railroad program						
General fund trans. to special road fund						
City grants						
Contingent transfer						
Motor coach reimbursement					1,000,000	
Total all funds	(\$811,779)	\$202,922	\$0	\$5,600,000	\$250,000	(\$2,000,000)
Less estimated income	(811,779)	202,922	0	5,600,000	(750,000)	(1,000,000)
General fund	\$0	\$0	\$0	\$0	\$1,000,000	(\$1,000,000)
FTE	0.00	1.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for Recreational Road Access Improvements <sup>7</sup>	Adds One-Time Funding for Short Line Railroad Program <sup>8</sup>	Adds One-Time Funding for Truck Size and Weight Harmonization Study <sup>9</sup>	Transfers Funding to Special Road Fund <sup>10</sup>	Adds Contingent Transfer to Public Transportation Fund <sup>11</sup>	Total Conference Committee Changes
Salaries and wages						(\$608,857)
Operating expenses			60,000			649,000
Capital assets	1,000,000					5,011,000
Grants						(750,000)
Accrued leave payments						
General fund transfer to highway fund						(1,000,000)
Short line railroad program		5,000,000				5,000,000
General fund trans. to special road fund				1,000,000		1,000,000
City grants						
Contingent transfer					200,000	200,000
Motor coach reimbursement						1,000,000
Total all funds	\$1,000,000	\$5,000,000	\$60,000	\$1,000,000	\$200,000	\$10,501,143
Less estimated income	1,000,000	5,000,000	0	0	0	9,241,143
General fund	\$0	\$0	\$60,000	\$1,000,000	\$200,000	\$1,260,000
FTE	0.00	0.00	0.00	0.00	0.00	1.00

<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 added from other funds for a new environment scientist III FTE position (\$195,143) and related salary increase (\$7,779), the same as the Senate version.

<sup>3</sup> Funding is adjusted from the capital assets line item to the operating expenses line item for the maintenance management system, the same as the Senate version.

<sup>4</sup> The conference committee added funding to the capital assets line due to additional revenues available in the highway tax distribution fund to the Department of Transportation

for highway projects.

<sup>5</sup> The conference committee added a section providing a \$1 million appropriation from the general fund to the Department of Transportation for offsetting costs incurred from motor coach operations and removed special fund authority of \$750,000 in the grants line item. The Senate and House versions provided \$750,000 in special funds authority.

<sup>6</sup> The conference committee removed \$1 million in enhanced state infrastructure investments and reduced the general fund transfer to the highway fund by \$1 million to \$503,115,558.

<sup>7</sup> The conference committee increased one-time funding from \$1 million to \$2 million from the special road fund for improvements to roads that lead to recreational areas. The Senate provided \$3 million.

<sup>8</sup> Funding from the strategic investment and improvements fund for the Department of Transportation's short line railroad program is increased by the conference committee from \$2 million to \$7 million. The Senate provided \$10 million.

<sup>9</sup> A section is added appropriating one-time funding from the general fund for the Department of Transportation to collaborate with the Upper Great Plains Transportation Institute to study the impacts in this state of harmonizing truck size and weight regulations with states in the Western States Transportation Alliance, the same as the Senate version.

<sup>10</sup> The one-time general fund transfer to the special road fund for improvements to roads that lead to recreational areas is increased by the conference committee from \$1 million to \$2 million. The Senate provided for a \$3 million transfer.

<sup>11</sup> Adds a section providing an appropriation and contingent transfer from the general fund to the public transportation fund for making a \$100,000 transfer on July 1, 2015, if deposits in the public transportation fund from the highway tax distribution fund are \$5,200,000 or less during the fiscal year 2015 and another transfer of \$100,000 on July 1, 2016, if deposits in the public transportation fund from the highway tax distribution fund are \$5,200,000 or less during the fiscal year 2016. The Senate version provided \$950,000 annually if deposits were \$5.6 million or less.

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This amendment also:

- Reduces the appropriation and transfer from the general fund to the highway fund from \$504,115,558 to \$503,115,558.
- Provides for a Legislative Management study regarding truck size and weight harmonization, the same as the Senate version.
- Removes a section that provided legislative intent for the Department of Transportation to refrain from using any of the funds appropriated to the department for the 2015-17 biennium for construction or repair of buildings or any new information technology improvements unless the department receives federal funding of at least the amount anticipated by the 64th Legislative Assembly, the same as the Senate version.
- Reduces the enhanced state highway investments carryover authority from \$504,115,558 to \$503,115,558.

Sections added by the Senate that are not included in this amendment include:

- A section appropriating one-time funding from the strategic investment and improvements fund to provide \$20,000 for grants to eligible cities.
- A section requiring the Department of Transportation to report to the Legislative Management on rail safety.

Engrossed HB 1012 was placed on the Seventh order of business on the calendar.



**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. BRANDENBURG MOVED** that the conference committee report on Engrossed HB 1012 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1012:** A BILL for an Act to provide appropriations for defraying the expenses of the department of transportation; to provide an appropriation to the state treasurer for allocations to townships in non-oil-producing counties; to provide for transfers; to amend and reenact section 39-02-03 of the North Dakota Century Code, relating to department of transportation motor vehicle branch offices; to provide for legislative management studies; to provide for a department of transportation study; to provide for a report to the legislative management; to provide for a report to the legislative council; to provide exemptions; and to provide for application.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Boehning; Frantsvog; Glassheim; Holman

Reengrossed HB 1012 passed.

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**REPORT OF CONFERENCE COMMITTEE**

**HB 1022, as engrossed:** Your conference committee (Sens. Kilzer, Carlisle, Robinson and Reps. Thoreson, Boehning, Hogan) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1299-1301, adopt amendments as follows, and place HB 1022 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1299-1301 of the House Journal and pages 1036 and 1037 of the Senate Journal and that Engrossed House Bill No. 1021 be amended as follows:

Page 1, line 2, after "indigents" insert "; to amend and reenact subsection 6 of section 54-61-01 of the North Dakota Century Code, relating to the commission on legal counsel for indigents; and to provide for a report to the sixty-fifth legislative assembly"

Page 1, replace lines 12 and 13 with:

"Commission on legal counsel for indigents	\$14,304,404	\$5,891,758	\$20,196,162"
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Page 1, replace lines 15 through 17 with:

"Total all funds	\$14,421,276	\$5,774,886	\$20,196,162
Less special funds	2,497,866	(390,952)	2,106,914
Total general fund	\$11,923,410	\$6,165,838	\$18,089,248"

Page 1, after line 18, insert:

**"SECTION 2. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - CONTRACT SERVICE FEES.** The commission on legal counsel for indigents line item in section 1 of this Act, includes the sum of \$200,000 from the strategic investment and improvements fund for contract service fees. The funding provided is considered a one-time funding item.

**SECTION 3. AMENDMENT.** Subsection 6 of section 54-61-01 of the North Dakota Century Code is amended and reenacted as follows:

6. A member of the commission is entitled to reimbursement for travel and expenses as provided by law for other state officers. If not otherwise employed by the state of North Dakota, a member is entitled to receive per diem compensation of sixty-two dollars and fifty cents for each day devoted to attending meetings or performing other duties relating to the official business of the commission. A member of the commission who is a member of the legislative assembly is entitled to receive per diem compensation at the rate as provided under section 54-35-10 for each day devoted to attending meetings or performing other duties relating to the official business of the commission. The legislative council shall pay the per diem compensation and reimbursement for travel and expenses as provided by law for any member of the commission who is a member of the legislative assembly.

**SECTION 4. ELIGIBILITY FOR SERVICES - REPORT TO SIXTY-FIFTH LEGISLATIVE ASSEMBLY.** The commission on legal counsel for indigents shall report to the sixty-fifth legislative assembly regarding the effectiveness of limits and procedures used to ensure that defense services are provided only to indigent clients."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1022 - Commission on Legal Counsel for Indigents - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Commission on legal counsel for indigents	\$14,304,404	\$20,026,275	\$169,887	\$20,196,162	\$20,196,162	
Accrued leave payments	116,872					
Total all funds	\$14,421,276	\$20,026,275	\$169,887	\$20,196,162	\$20,196,162	\$0
Less estimated income	2,497,866	1,906,914	200,000	2,106,914	1,906,914	200,000
General fund	\$11,923,410	\$18,119,361	(\$30,113)	\$18,089,248	\$18,289,248	(\$200,000)
FTE	33.00	40.00	0.00	40.00	40.00	0.00

#### Department No. 188 - Commission on Legal Counsel for Indigents - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for Legal Contract Services <sup>2</sup>	Total Conference Committee Changes
Commission on legal counsel for indigents	(\$30,113)	\$200,000	\$169,887
Accrued leave payments			
Total all funds	(\$30,113)	\$200,000	\$169,887
Less estimated income	0	200,000	200,000
General fund	(\$30,113)	\$0	(\$30,113)
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 contract fees for legal services related to increasing case loads from the strategic investment and improvements fund to provide a total of \$4.4 million. The Senate provided \$200,000 for these fees from the general fund.

This amendment also adds:

- An amendment to North Dakota Century Code Section 54-61-01, which provides a member of the Commission on Legal Counsel for Indigents who is also a legislator is entitled to receive per diem compensation as provided under Section 54-35-10. The Legislative Council is required to pay the per diem and travel and related expenses for the legislators. The Senate added the section but did not require the Legislative Council to pay the per diem and travel and expenses for the legislators.
- A new section requiring the agency to report to the 65th Legislative Assembly regarding the effectiveness of limits and procedures to provide defense services to only those individuals who are indigent.
- A new section providing one-time funding of \$200,000 from the strategic investment and improvements fund for contract fee services.

Engrossed HB 1022 was placed on the Seventh order of business on the calendar.

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

**REP. THORESON MOVED** that the conference committee report on Engrossed HB 1022 be adopted, which motion prevailed on a voice vote.

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

**HB 1022:** A BILL for an Act to provide an appropriation for defraying the expenses of the commission on legal counsel for indigents; to amend and reenact subsection 6 of section 54-61-01 of the North Dakota Century Code, relating to the commission on legal counsel for indigents; and to provide for a report to the sixty-fifth legislative assembly.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 85 YEAS, 5 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**NAYS:** Becker, Rick C.; Bellew; Brabandt; Dosch; Schatz

**ABSENT AND NOT VOTING:** Boehning; Frantsvog; Glassheim; Holman

Reengrossed HB 1022 passed.

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

**SB 2016, as engrossed:** Your conference committee (Sens. Holmberg, Bowman, Robinson and Reps. Brandenburg, Skarphol, Hogan) recommends that the **HOUSE RECEDE**

from the House amendments as printed on SJ pages 1481-1486, adopt amendments as follows, and place SB 2016 on the Seventh order:

That the House recede from its amendments as printed on pages 1481-1486 of the Senate Journal and pages 1653-1657 of the House Journal and that Engrossed Senate Bill No. 2016 be amended as follows:

Page 1, line 2, after the first semicolon insert "to provide an appropriation to the information technology department;"

Page 1, line 2, after the third semicolon insert "to provide a statement of legislative intent;"

Page 1, replace line 13 with:

"Salaries and wages	\$6,063,904	\$636,876	\$6,700,780"
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Page 1, replace line 17 with:

"Civil air patrol	287,451	24,322	311,773"
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Page 1, replace lines 19 through 22 with:

"Air guard contract	11,483,158	(3,428,604)	8,054,554
Army guard contract	59,192,835	750,414	59,943,249
Veterans' cemetery	647,005	164,481	811,486
Reintegration program	1,491,980	411,763	1,903,743"

Page 1, remove line 24

Page 2, replace lines 1 and 2 with:

"Total all funds	\$87,318,968	(\$1,355,432)	\$85,963,536
Less estimated income	<u>70,164,642</u>	<u>(3,230,290)</u>	<u>66,934,352</u>
Total general fund	\$17,154,326	\$1,874,858	\$19,029,184"

Page 2, replace lines 7 and 8 with:

"Salaries and wages	\$10,553,021	\$1,816,888	\$12,369,909
Operating expenses	8,364,488	2,882,981	11,247,469"

Page 2, replace lines 10 and 11 with:

"Grants	19,373,247	500,000	19,873,247
Disaster costs	147,718,567	(39,553,083)	108,165,484"

Page 2, replace lines 14 through 16 with:

"Total all funds	\$186,975,218	(\$33,953,109)	\$153,022,109
Less estimated income	<u>177,679,955</u>	<u>(38,461,780)</u>	<u>139,218,175</u>
Total general fund	\$9,295,263	\$4,508,671	\$13,803,934"

Page 2, replace lines 21 through 23 with:

"Grand total general fund	\$26,449,589	\$7,883,529	\$34,333,118
Grand total special funds	<u>247,844,597</u>	<u>(39,692,070)</u>	<u>208,152,527</u>
Grand total all funds	\$274,294,186	(\$31,808,541)	\$242,485,645"

Page 3, replace line 5 with:

"Disaster coordination contract	1,500,000	200,000"
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Page 3, replace lines 16 through 20 with:

"Firefighter stipends	0	500,000
Firefighter training	<u>0</u>	<u>1,200,000</u>

Total all funds	\$6,751,240	\$4,715,000
Less estimated income	<u>2,000,000</u>	<u>1,769,500</u>
Total general fund	\$4,751,240	\$2,945,500"

Page 3, remove lines 25 through 31

Page 4, line 4, after "providing" insert "for repair and replacement of infrastructure and"

Page 4, line 5, replace "organized" with "recreation"

Page 4, after line 8, insert:

**"SECTION 4. APPROPRIATION - INFORMATION TECHNOLOGY**

**DEPARTMENT.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,500,000, or so much of the sum as may be necessary, to the information technology department for the purpose of planning and coordinating the implementation of the statewide radio interoperability network as provided in section 6 of this Act, for the biennium beginning July 1, 2015, and ending June 30, 2017. The funding provided in this section is considered a one-time funding item.

**SECTION 5. STATEWIDE RADIO INTEROPERABILITY NETWORK - LEGISLATIVE INTENT - REPORT TO THE SIXTY-FIFTH LEGISLATIVE**

**ASSEMBLY.** The information technology department, under the direction of the statewide interoperability executive committee, shall determine the feasibility and desirability of implementing a statewide radio interoperability network. The department shall consult with representatives of political subdivisions and private entities affected by the implementation of the network to determine participation in the project. If the department determines it is feasible and desirable to proceed with the project, the department shall enter into agreements, including joint powers agreements, with affected entities to delineate the roles and responsibilities of each entity to implement the project. The agreements must detail estimated future project costs to be paid by each entity.

The information technology department shall report to the appropriations committees of the sixty-fifth legislative assembly regarding the department's evaluation of the project, participation by affected entities, and recommendations for proceeding with the project or discontinuing future participation. It is the intent of the sixty-fourth legislative assembly that future legislative appropriations be provided for the state's share of the core project if the information technology department determines it is feasible and desirable to proceed with the project.

**SECTION 6. STATE RADIO POSITIONS - REALIGNMENT.** The salaries and wages line item in subdivision 2 of section 1 of this Act includes \$192,621 from the general fund to realign state radio dispatch positions within the employee classification system.

**SECTION 7. INSURANCE TAX DISTRIBUTION FUND - FIRE DEPARTMENT PAYMENTS - FIREFIGHTER TRAINING STIPENDS.**

Notwithstanding chapter 18-04, the insurance commissioner, as requested by the director of the department of emergency services, shall provide up to \$500,000 of funding appropriated from the insurance tax distribution fund in section 2 of Senate Bill No. 2010 as approved by the sixty-fourth legislative assembly, to the department of emergency services for the purpose of providing stipends to firefighters participating in approved training activities, for the biennium beginning July 1, 2015, and ending June 30, 2017. Any funds not used pursuant to this section by June 30, 2017, must be retained in the insurance tax distribution fund for disbursement to fire districts during the 2017-19 biennium."

Page 5, line 13, replace "these purposes" with "the collecting of information on North Dakotans who served in a theatre or area of armed conflict since the Vietnam conflict"

Page 6, line 25, after "to" insert "repair and replacement of infrastructure and"

Renumber accordingly

# STATEMENT OF PURPOSE OF AMENDMENT:

## Senate Bill No. 2016 - Summary of Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Information Technology Department						
Total all funds	\$0	\$0	\$1,500,000	\$1,500,000	\$1,500,000	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$1,500,000	\$1,500,000	\$1,500,000	\$0
Adjutant General						
Total all funds	\$87,318,968	\$86,076,472	(\$112,936)	\$85,963,536	\$85,963,536	\$0
Less estimated income	70,164,642	66,999,975	(65,623)	66,934,352	66,934,352	0
General fund	\$17,154,326	\$19,076,497	(\$47,313)	\$19,029,184	\$19,029,184	\$0
Department of Emergency Services						
Total all funds	\$186,975,218	\$166,387,463	(\$11,365,354)	\$155,022,109	\$153,122,109	\$1,900,000
Less estimated income	177,679,955	145,941,897	(4,723,722)	141,218,175	140,518,175	700,000
General fund	\$9,295,263	\$20,445,566	(\$6,641,632)	\$13,803,934	\$12,603,934	\$1,200,000
Bill total						
Total all funds	\$274,294,186	\$252,463,935	(\$9,978,290)	\$242,485,645	\$240,585,645	\$1,900,000
Less estimated income	247,844,597	212,941,872	(4,789,345)	208,152,527	207,452,527	700,000
General fund	\$26,449,589	\$39,522,063	(\$5,188,945)	\$34,333,118	\$33,133,118	\$1,200,000

## Senate Bill No. 2016 - Information Technology Department - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Operating expenses			\$1,500,000	\$1,500,000	\$1,500,000	
Total all funds	\$0	\$0	\$1,500,000	\$1,500,000	\$1,500,000	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$1,500,000	\$1,500,000	\$1,500,000	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

## Department No. 112 - Information Technology Department - Detail of Conference Committee Changes

	Adds One-Time Funding for Statewide Radio Interoperability Network <sup>1</sup>	Total Conference Committee Changes
Operating expenses	\$1,500,000	\$1,500,000
Total all funds	\$1,500,000	\$1,500,000
Less estimated income	0	0
General fund	\$1,500,000	\$1,500,000
FTE	0.00	0.00

<sup>1</sup> One-time funding of \$1.5 million from the general fund is provided for planning and coordinating the implementation of the statewide radio interoperability network, the same as the House version.

This amendment also directs the Information Technology Department to consult with representatives of political subdivisions and private entities affected by the implementation of the statewide radio interoperability network to determine participation in the project, the same as the House version.

**Senate Bill No. 2016 - Adjutant General - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$6,063,904	\$6,725,625	(\$24,845)	\$6,700,780	\$6,700,780	
Operating expenses	4,112,891	4,322,891		4,322,891	4,322,891	
Capital assets	200,632	388,046		388,046	388,046	
Grants	509,514	1,009,514		1,009,514	1,009,514	
Civil air patrol	287,451	312,526	(753)	311,773	311,773	
Tuition, recruiting, and retention	2,517,500	2,517,500		2,517,500	2,517,500	
Air guard contract	11,483,158	8,078,647	(24,093)	8,054,554	8,054,554	
Army guard contract	59,192,835	59,996,706	(53,457)	59,943,249	59,943,249	
Veterans' cemetery	647,005	815,251	(3,765)	811,486	811,486	
Reintegration program	1,491,980	1,909,766	(6,023)	1,903,743	1,903,743	
Accrued leave payments	812,098					
Total all funds	\$87,318,968	\$86,076,472	(\$112,936)	\$85,963,536	\$85,963,536	\$0
Less estimated income	70,164,642	66,999,975	(65,623)	66,934,352	66,934,352	0
General fund	\$17,154,326	\$19,076,497	(\$47,313)	\$19,029,184	\$19,029,184	\$0
FTE	177.00	165.00	0.00	165.00	165.00	0.00

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

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Total Conference Committee Changes
Salaries and wages	(\$24,845)	(\$24,845)
Operating expenses		
Capital assets		
Grants		
Civil air patrol	(753)	(753)
Tuition, recruiting, and retention		
Air guard contract	(24,093)	(24,093)
Army guard contract	(53,457)	(53,457)
Veterans' cemetery	(3,765)	(3,765)
Reintegration program	(6,023)	(6,023)
Accrued leave payments		
Total all funds	(\$112,936)	(\$112,936)
Less estimated income	(65,623)	(65,623)
General fund	(\$47,313)	(\$47,313)
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, the same as the House version.

**Senate Bill No. 2016 - Department of Emergency Services - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$10,553,021	\$12,231,220	\$138,689	\$12,369,909	\$12,369,909	
Operating expenses	8,364,488	15,947,469	(4,700,000)	11,247,469	10,547,469	700,000
Capital assets	682,000	740,000		740,000	740,000	
Grants	19,373,247	21,673,247	(1,800,000)	19,873,247	18,673,247	1,200,000
Disaster costs	147,718,567	108,169,527	(4,043)	108,165,484	108,165,484	
Accrued leave payments	283,895					
Radio Communications		626,000		626,000	626,000	
Disaster costs - State share		5,000,000	(5,000,000)			
Chronic flooding assistance		2,000,000		2,000,000	2,000,000	
Total all funds	\$186,975,218	\$166,387,463	(\$11,365,354)	\$155,022,109	\$153,122,109	\$1,900,000
Less estimated income	177,679,955	145,941,897	(4,723,722)	141,218,175	140,518,175	700,000
General fund	\$9,295,263	\$20,445,566	(\$6,641,632)	\$13,803,934	\$12,603,934	\$1,200,000
FTE	69.00	69.00	0.00	69.00	69.00	0.00

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

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for State Radio Dispatch Positions <sup>2</sup>	Adds Funding for Firefighter Training Stipends <sup>3</sup>	Removes Funding from the State Disaster Relief Fund <sup>4</sup>	Adds One-Time Funding for Firefighter Training <sup>5</sup>	Removes One- Time Funding for Grants to Fire Departments <sup>6</sup>
Salaries and wages	(\$53,932)	\$192,621				
Operating expenses			500,000			
Capital assets						
Grants					1,200,000	(3,000,000)
Disaster costs	(4,043)					
Accrued leave payments						
Radio Communications						
Disaster costs - State share				(5,000,000)		
Chronic flooding assistance						
Total all funds	(\$57,975)	\$192,621	\$500,000	(\$5,000,000)	\$1,200,000	(\$3,000,000)
Less estimated income	(23,722)	0	500,000	(5,000,000)	0	0
General fund	(\$34,253)	\$192,621	\$0	\$0	\$1,200,000	(\$3,000,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Removes One- Time Funding for Radio Communication s Improvement <sup>7</sup>	Reduces One- Time Funding for Disaster Volunteer Coordination <sup>8</sup>	Total Conference Committee Changes
Salaries and wages			\$138,689
Operating expenses	(5,000,000)	(200,000)	(4,700,000)
Capital assets			
Grants			(1,800,000)
Disaster costs			(4,043)
Accrued leave payments			
Radio Communications			
Disaster costs - State share			(5,000,000)
Chronic flooding assistance			
Total all funds	(\$5,000,000)	(\$200,000)	(\$11,365,354)
Less estimated income	0	(200,000)	(4,723,722)
General fund	(\$5,000,000)	\$0	(\$6,641,632)
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, the same as the House version.

<sup>2</sup> Funding of \$192,621 from the general fund is provided to realign State Radio dispatch positions within the employee classification system, the same as the House version.

<sup>3</sup> Funding of \$500,000 provided by the Insurance Commissioner to the Department of Emergency Services from the insurance tax distribution fund is appropriated for stipends to firefighters participating in approved training activities.

<sup>4</sup> Funding of \$5 million from the state disaster relief fund appropriated to the Adjutant General in a separate section in the bill to provide the required state share of funding for defraying expenses associated with presidentially declared disasters is removed, the same as the House version.

<sup>5</sup> One-time funding of \$1.2 million from the general fund is provided for grants to a firefighter training facility in Grand Forks County. The training facility is to consult or cooperate with Burlington Northern Santa Fe Railway, Soo Line Railroad, and regional emergency services providers to provide training for North Dakota fire departments. This funding was not included in the House or Senate versions.

<sup>6</sup> One-time funding of \$3 million for grants to fire departments to purchase equipment for train derailment fires is removed, the same as the House version.

<sup>7</sup> One-time funding of \$5 million from the general fund for the radio communications



improvement project is removed, the same as the House version.

<sup>8</sup> One-time funding from the state disaster relief fund for disaster volunteer coordination is reduced from \$400,000 to \$200,000. The House version removed all \$400,000.

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This amendment also:

- Amends the section providing an appropriation for removal debris and other health hazards in a recreation service district experiencing chronic flooding to allow the funds to also be used for repairing and replacing infrastructure, the same as the House version.
- Adds a new section to identify \$192,621 of the amount provided from the general fund for salaries and wages in subdivision 2 of Section 1, is to realign State Radio dispatch positions within the employee classification system, the same as the House version.
- Requires the Insurance Commissioner to provide \$500,000 from the insurance tax distribution fund to the Department of Emergency Services for stipends to firefighters participating in training.

Engrossed SB 2016 was placed on the Seventh order of business on the calendar.

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

**REP. BRANDENBURG MOVED** that the conference committee report on Engrossed SB 2016 be adopted, which motion prevailed on a voice vote.

#### **SECOND READING OF SENATE BILL**

**SB 2016:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the adjutant general; to provide an appropriation to the information technology department; to provide for transfers; to provide exemptions; to provide a statement of legislative intent; 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 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Boehning; Frantsvog; Glassheim; Headland; Holman; Mitskog

Engrossed SB 2016, as amended, passed and the emergency clause was declared carried.

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

**SCR 4003, as reengrossed:** Your conference committee (Sens. Flakoll, Rust, Schneider and Reps. Kretschmar, Maragos, P. Anderson) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 1140-1141, adopt further amendments as follows, and place SCR 4003 on the Seventh order:

That the Senate accede to the House amendments as printed on pages 1140 and 1141 of

the Senate Journal and page 1287 the House Journal and that Reengrossed Senate Concurrent Resolution No. 4003 be further amended as follows:

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

Page 1, line 10, replace "June" with "November"

Renumber accordingly

Reengrossed SCR 4003 was placed on the Seventh order of business on the calendar.

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

**REP. KRETSCHMAR MOVED** that the conference committee report on Engrossed SCR 4003 be adopted, which motion prevailed on a voice vote.

#### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4003:** A concurrent resolution to amend and reenact section 24 of article X of the Constitution of North Dakota, relating to the foundation aid stabilization fund.

#### **ROLL CALL**

The question being on the final adoption of the amended resolution, which has been read. The roll was called and there were 68 YEAS, 21 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Hawken; Hofstad; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke; Speaker Belter

**NAYS:** Amerman; Anderson, P.; Boe; Boschee; Delmore; Guggisberg; Haak; Hanson; Hogan; Hunskor; Keiser; Kelsh; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Schneider; Wallman

**ABSENT AND NOT VOTING:** Boehning; Frantsvog; Glassheim; Headland; Holman

Engrossed SCR 4003, as amended, was declared adopted on a recorded roll call vote.

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#### **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: SB 2206.

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

**SB 2206, as engrossed:** Your conference committee (Sens. Dever, J. Lee, Warner and Reps. Weisz, Hofstad, Muscha) recommends that the **HOUSE RECEDE** from the House amendments, adopt amendments as follows, and place SB 2206 on the Seventh order:

That the House recede from its amendments as printed on page 1504 of the Senate Journal and pages 1311-1313 and pages 1658 and 1659 of the House Journal and that Engrossed Senate Bill No. 2206 be amended as follows:

Page 1, line 4, after "50-24.1-14" insert ", subsection 3 of section 57-15-01.1, and subsection 34 of section 57-15-06.7"

Page 1, line 6, after "expense" insert "and reduction of county property tax levy authority for social service board budgets to reflect county savings from programs funded at state expense"

Page 1, line 9, replace "establish a social services financing commission" with "provide for a legislative management study"

Page 1, line 9, remove "to provide an"

Page 1, line 10, remove "expiration date;"

Page 1, line 22, remove "beginning"

Page 1, line 23, replace "and continuing for succeeding years must identify" with "may not exceed an amount determined using the departmental budget submitted in 2014 by the county social service board as a starting point, subtracting"

Page 1, line 24, after "responsibility" insert "for 2014"

Page 2, line 2, after "services" insert ", and applying to the resulting amount the percentage salary and benefits increase provided by legislative appropriations for state employees for taxable year 2015. For purposes of this subdivision, the reduction in the county's social service funding responsibility derived from transferring the county social service costs identified in this subdivision from the county social service board to the department of human services includes the following"

Page 2, line 3, replace "incurred" with "that would have been paid"

Page 2, line 7, replace "incurred" with "which would have been paid by the county"

Page 2, line 9, replace "incurred" with "which would have been paid by the county"

Page 2, line 11, replace "incurred" with "which would have been paid by the county"

Page 2, line 13, replace "incurred" with "which would have been paid by the county"

Page 2, line 15, replace "incurred" with "which would have been paid by the county"

Page 2, line 20, after "b." insert "The departmental budget submitted by the county social service board in 2016 for the 2017 budget may not exceed an amount determined using the 2015 departmental budget as a starting point and applying to that amount the percentage salary and benefits increase provided by legislative appropriations for state employees for 2016."

c."

Page 2, line 21, after "paid" insert "by the county"

Page 2, line 22, after the first "department" insert "of human services"

Page 2, line 22, after the second "department" insert "of human services"

Page 2, line 24, remove "The amount reported must equal the"

Page 2, replace lines 25 through 31 with:

"The county share of the human service budget must be funded entirely from the county's property tax levy for that purpose and the county may not use funds from any other source to supplement the human services budget, with the exception that the county may make use of the identifiable amount of other sources the county has used to supplement its human services budget for 2015 and the county may use grant funds that may be available to the county under section 50-06-20.1.

d. The department of human services shall develop a process to review a request from a county social service board for any proposed increase in staff needed as a result of significantly increased

caseloads for state-funded human services programs, if the increase in staff would result in the county exceeding the budget limitation established under this subsection. As part of its review process, the department shall review countywide caseload information and consider the option of multicounty sharing of staff. If the department approves a request for a proposed increase in staff, the county budget limitation established under subdivision b may be increased by the amount determined necessary by the department to fund the approved additional staff."

Page 6, line 3, replace "is not subject to" with "must be implemented through"

Page 6, line 4, replace "shall develop" with "may adopt emergency rules, without application of the grounds for emergency rulemaking otherwise required under section 28-32-03, to set out the"

Page 7, after line 6, insert:

**"SECTION 9. AMENDMENT.** Subsection 3 of section 57-15-01.1 of the North Dakota Century Code is amended and reenacted as follows:

3. A taxing district may elect to levy the amount levied in dollars in the base year. Any levy under this section must be specifically approved by a resolution approved by the governing body of the taxing district. Before determining the levy limitation under this section, the dollar amount levied in the base year must be:
  - a. Reduced by an amount equal to the sum determined by application of the base year's calculated mill rate for that taxing district to the final base year taxable valuation of any taxable property and property exempt by local discretion or charitable status which is not included in the taxing district for the budget year but was included in the taxing district for the base year.
  - b. Increased by an amount equal to the sum determined by the application of the base year's calculated mill rate for that taxing district to the final budget year taxable valuation of any taxable property or property exempt by local discretion or charitable status which was not included in the taxing district for the base year but which is included in the taxing district for the budget year.
  - c. Reduced to reflect expired temporary mill levy increases authorized by the electors of the taxing district. For purposes of this subdivision, an expired temporary mill levy increase does not include a school district general fund mill rate exceeding one hundred ten mills which has expired or has not received approval of electors for an extension under subsection 2 of section 57-64-03.
  - d. If the base year is a taxable year before 2013, reduced by the amount of state aid under chapter 15.1-27, which is determined by multiplying the budget year taxable valuation of the school district by the lesser of:
    - (1) The base year mill rate of the school district minus sixty mills; or
    - (2) Fifty mills.
  - e. If the base year is a taxable year before 2016, the base year human services county levy in dollars must be reduced to the amount of the county social service board budget levy for the budget year as determined under section 11-23-01.

**SECTION 10. AMENDMENT.** Subsection 34 of section 57-15-06.7 of the North Dakota Century Code is amended and reenacted as follows:

34. Counties levying an annual tax for human services purposes as provided in section 50-06.2-05 may levy a tax not exceeding the lesser of twenty mills or the number of mills determined by dividing the county budget limitation in dollars as determined under section 11-23-01 by the taxable valuation of the county."

Page 7, remove lines 9 through 31

Page 8, replace lines 1 through 14 with:

**"SECTION 12. LEGISLATIVE MANAGEMENT STUDY - SOCIAL SERVICES  
FINANCE PROGRAM TRANSITION.**

1. During the 2015-16 interim, the legislative management shall conduct a study to develop a proposed transition plan for transferring the costs of operating social services programs from county property tax levies to state general fund appropriations.
2. If a county social services finance working group is established, upon request of the legislative management the working group shall report its progress and findings. The membership of the working group may include:
  - a. The director of the department of human services or the director's designee;
  - b. The chief financial officer of the department of humans services;
  - c. Two members representing elected county officials identified in section 11-10-02 as selected by the North Dakota association of counties;
  - d. The tax commissioner or the commissioner's designee;
  - e. The director of the office of management and budget or the director's designee;
  - f. Two county social services directors selected by the North Dakota county social services directors association; and
  - g. One member representing the North Dakota association of counties.
3. Under this section, a proposed transition plan must include a timeline for the major milestones of the transition plan, considerations for the transition, estimated costs, a plan to require a property tax reduction for the amount of the budgeted savings brought about by the transfer of county social services costs to the state, a plan resulting in the elimination of the county social services levy under section 50-06.2-05, and potential legislation to implement recommended changes. The study must include consideration of the feasibility of implementing the proposed transition plan.
4. 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 8, line 15, remove "2, 3, 4, 5, 7, 8, and"

Page 8, line 15, after "9" insert ", and 10 of this Act become effective on August 1, 2015.  
Sections 2, 3, 4, 5, 7, 8, and 11 of this Act"

Page 8, remove lines 17 and 18

Renumber accordingly

Engrossed SB 2206 was placed on the Seventh order of business on the calendar.

### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. WEISZ MOVED** that the conference committee report on Reengrossed SB 2206 be adopted, which motion prevailed on a voice vote.

### SECOND READING OF SENATE BILL

**SB 2206:** A BILL for an Act to create and enact sections 50-06-05.8 and 50-06-20.1 of the North Dakota Century Code, relating to the department of human services assuming certain costs of certain social service programs and to the establishment of a human services grant program; to amend and reenact sections 11-23-01, 50-01.2-00.1, 50-03-08, 50-06-20, 50-09-27, and 50-24.1-14, subsection 3 of section 57-15-01.1, and subsection 34 of section 57-15-06.7 of the North Dakota Century Code, relating to county social service board budgets and programs funded at state expense and reduction of county property tax levy authority for social service board budgets to reflect county savings from programs funded at state expense; to repeal sections 50-03-09, 50-06.2-05.1, and 50-09-21.1 of the North Dakota Century Code, relating to the county's share of medical assistance for therapeutic foster care, service payments to the elderly and disabled, and the county share of foster care costs; 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 86 YEAS, 3 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

**NAYS:** Delzer; Dosch; Schatz

**ABSENT AND NOT VOTING:** Boehning; Frantsvog; Glassheim; Headland; Holman

Engrossed SB 2206, as amended, passed and the emergency clause was declared carried.

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### 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 1010, HB 1012, HB 1022.

### 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 2016.

### 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 2206.

### 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: SCR 4003.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1003, HB 1011, HB 1013, HB 1018, HB 1139.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** Your signature is respectfully requested on: SB 2008, SB 2019.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: SB 2008, SB 2019.

**ANNOUNCEMENT**

**SPEAKER BELTER ANNOUNCED** that the House would stand in recess until 3:00 p.m.

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

**REPORT OF PROCEDURAL COMMITTEE**

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

Page 2034, line 36, replace "12 and 13" with "11 and 12"

Page 2034, line 39, replace "18 through 20" with "17 through 19"

Page 2034, line 43, replace "26" with "25"

Page 2034, line 45, replace "30" with "29"

Page 2035, line 2, replace "6 through 11" with "7 through 12"

Page 2035, line 7, replace "24" with "25"

Page 2035, line 8, replace "3, line 30" with "4, line 1"

Page 2035, line 9, replace "2" with "4"

Page 2035, line 11, replace "3" with "5"

Page 2035, line 12, replace "5" with "7"

Page 2035, line 13, replace "6" with "8"

Page 2035, line 34, replace "21" with "23"

Page 2035, line 44, replace "22" with "24"

Page 2035, line 45, replace "24" with "26"

**REP. KRETSCHMAR MOVED** that the report be adopted, which motion prevailed on a voice vote.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1014, as engrossed:** Your conference committee (Sens. Carlisle, Heckaman, Bowman and Reps. Brandenburg, Kempenich, Hogan) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1507-1514, adopt amendments as follows, and place HB 1014 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1507-1514 of the House Journal and pages 1294-1302 of the Senate Journal and that Engrossed House Bill No. 1014 be amended as follows:

Page 1, line 3, after the first semicolon insert "to provide a contingent appropriation;"

Page 1, line 3, replace "to provide legislative intent;" with "to create and enact a new section to chapter 6-09, of the North Dakota Century Code, relating to a North Dakota financial center;"

Page 1, line 5, replace "and" with a comma

Page 1, line 5, after "Laws" insert ", and section 9 of House Bill No. 1358, as approved by the sixty-fourth legislative assembly"

Page 1, line 6, remove the first "and"

Page 1, line 6, after "program" insert ", and a transfer from the abandoned oil and gas well plugging and site reclamation fund"

Page 1, line 6, replace the second "and" with "to provide exemptions; to provide legislative intent; to provide for transfers; to provide for contingent transfers; to provide for a report to the legislative council; to provide for reports to legislative management and appropriations committees; to provide a contingent effective date;"

Page 1, line 7, after "date" insert "; and to declare an emergency"

Page 1, remove lines 19 through 24

Page 2, replace lines 1 through 3 with:

"Salaries and wages	\$17,873,876	\$5,041,695	\$22,915,571
Accrued leave payments	347,696	(347,696)	0
Operating expenses	4,775,576	4,187,144	8,962,720
Capital assets	0	13,666,822	13,666,822
Grants	19,500,000	(14,500,000)	5,000,000
Grants - bond payments	19,809,969	(4,769,140)	15,040,829
Total all funds	\$62,307,117	\$3,278,825	\$65,585,942
Less estimated income	40,973,792	(10,354,023)	30,619,769
Total general fund	\$21,333,325	\$13,632,848	\$34,966,173
Full-time equivalent positions	98.75	23.00	121.75"

Page 2, replace lines 8 through 11 with:

"Bank of North Dakota operations	\$51,523,916	\$7,018,385	\$58,542,301
Accrued leave payments	881,231	(881,231)	0
Capital assets	745,000	17,000,000	17,745,000
Total special funds	\$53,150,147	\$23,137,154	\$76,287,301"

Page 2, replace line 17 with:

"Salaries and wages	\$29,141,750	\$7,137,148	\$36,278,898"
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Page 2, replace line 22 with:

"Total from mill and elevator fund	\$52,123,557	\$12,192,341	\$64,315,898"
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Page 2, replace line 28 with:

"Salaries and wages	\$7,434,877	\$310,157	\$7,745,034"
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Page 3, replace line 2 with:

"Total special funds	\$41,007,491	(\$3,487,402)	\$37,520,089"
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Page 3, replace lines 8 through 10 with:

"Grand total general fund	\$21,333,325	\$13,632,848	\$34,966,173
Grand total special funds	187,254,987	31,488,070	218,743,057
Grand total all funds	\$208,588,312	\$45,120,918	\$253,709,230"

Page 3, replace line 17 with:

"Possible litigation	1,000,000	2,500,000"
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Page 3, after line 26, insert:



"Financial center project	0	17,000,000
Core library expansion project	0	13,625,322"

Page 3, remove line 30

Page 4, replace lines 1 and 2 with:

"Total all funds	\$68,060,800	\$38,745,965
Total special fund	<u>51,500,000</u>	<u>30,625,322</u>
Total general fund	\$16,560,800	\$8,120,643"

Page 5, after line 9, insert:

**"SECTION 7. TRANSFER - BANK OF NORTH DAKOTA - HOUSING INCENTIVE FUND.** The Bank of North Dakota shall transfer the sum of \$5,000,000 from the Bank's current earnings and undivided profits to the housing incentive fund for the period beginning with the effective date of this Act, and ending June 30, 2017.

**SECTION 8. CONTINGENT TRANSFER - BANK OF NORTH DAKOTA - HOUSING INCENTIVE FUND.** The Bank of North Dakota shall transfer the sum of \$5,000,000 from the Bank's current earnings and undivided profits to the housing incentive fund for the period beginning July 1, 2015, and ending June 30, 2017, if the Bank's net income, reported in accordance with financial accounting standards board accounting standards, for the calendar year 2015 exceeds \$130,000,000. The funding provided in this section may be used only for housing incentive fund awards in cities with a population of fewer than 12,500 according to the last official decennial federal census."

Page 5, remove lines 30 and 31

Page 6, replace lines 1 through 5 with:

**"SECTION 13. BANK OF NORTH DAKOTA - MEDICAL PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION PROGRAM.** The Bank of North Dakota shall develop a medical partnership in assisting community expansion program to assist in the financing of critical access hospital medical infrastructure projects, for the period beginning with the effective date of this Act, and ending June 30, 2017. The Bank shall adopt policies and procedures to implement this program. Notwithstanding section 6-09.14-03, the Bank may originate loans under this program or participate with a lead financial institution. Eligible projects that receive funding for an interest rate buydown under this program are not subject to the community commitment requirement in section 6-09.14-03, the maximum interest rate buydown limitation in subsection 4 of section 6-09.14-04, or the state grantor recipient reporting requirement in section 54-60.1-05."

Page 6, after line 21, insert:

**"SECTION 15. CONTINGENT APPROPRIATION - INDUSTRIAL COMMISSION FUNDING.** The amount of \$556,260 from the general fund and five full-time equivalent positions included in subdivision 1 of section 1 of this Act may be spent only in accordance with provisions of this section if the monthly average drilling rig count exceeds one hundred forty drilling rigs. The industrial commission shall notify the office of management and budget and the legislative council each time one or more full-time equivalent positions is authorized to be hired. For purposes of this section, the "monthly average drilling rig count" means the number, rounded to the nearest whole number, calculated by dividing the sum of the daily drilling rig counts for a calendar month by the number of days in the month. Of the \$556,260 and the five full-time equivalent positions in this section, the industrial commission may spend funding and hire full-time equivalent positions, as follows:

1. \$166,878, of which \$126,072 is from the salaries and wages line item and \$40,806 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds one hundred forty drilling rigs.

2. In addition to the funding and full-time equivalent positions authorized in subsection 1, \$139,065, of which \$105,060 is from the salaries and wages line item and \$34,005 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds one hundred fifty-five drilling rigs.
3. In addition to the funding and full-time equivalent positions authorized in subsections 1 and 2, \$111,252, of which \$84,048 is from the salaries and wages line item and \$27,204 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds one hundred seventy drilling rigs.
4. In addition to the funding and full-time equivalent positions authorized in subsections 1 through 3, \$83,439, of which \$63,036 is from the salaries and wages line item and \$20,403 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds one hundred eighty-five drilling rigs.
5. In addition to the funding and full-time equivalent positions authorized in subsections 1 through 4, \$55,626, of which \$42,024 is from the salaries and wages line item and \$13,602 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds two hundred drilling rigs.

**SECTION 16.** A new section to chapter 6-09 of the North Dakota Century Code is created and enacted as follows:

**North Dakota financial center - Lease rates - Payments in lieu of taxes.**

The North Dakota financial center is a building that is owned by the Bank of North Dakota and is adjacent to the building in which the Bank of North Dakota is housed. The Bank of North Dakota shall lease the space in the North Dakota financial center to other state agencies based on market rate lease prices. The Bank of North Dakota shall make payments in lieu of property taxes in the manner and according to the conditions and procedures that would apply if the building were privately owned.

Page 7, line 2, after the period insert "The origination fee assessed to grant recipients may not exceed five percent of the project award."

Page 10, replace lines 8 through 13 with:

**"SECTION 22. AMENDMENT.** Section 9 of House Bill No. 1358, as approved by the sixty-fourth legislative assembly, is amended and reenacted as follows:

**SECTION 9. APPROPRIATIONTRANSFER - ABANDONED OIL AND GAS WELL PLUGGING AND SITE RECLAMATION FUND TO THE OIL AND GAS RESEARCH FUND - INDUSTRIAL COMMISSION.**

Notwithstanding section 38-08-04.5, there is appropriated out of any moneys in the abandoned oil and gas well plugging site and reclamation fund in the state treasury, not otherwise appropriated, The office of management and budget shall transfer the sum of \$500,000, or so much of the sum as may be necessary, to the industrial commission from the abandoned oil and gas well plugging and site reclamation fund to the oil and gas research fund, for the biennium beginning July 1, 2015, and ending June 30, 2017. The office of management and budget shall transfer the funds provided under this section at the request of the industrial commission. The industrial commission shall use the funding provided under this section for the purpose of conducting a pilot program involving the oil and gas research council in conjunction with research facilities in this state to determine the best techniques for remediating salt and any other contamination from the soil surrounding waste pits reclaimed by trenching between 1951 and 1984 in the north central portion of this state, for the biennium beginning July 1, 2015, and ending

June 30, 2017. The industrial commission may not require a research facility to provide matching funds to participate in the program authorized under this section.

**SECTION 23. HOUSING FINANCE AGENCY - FLOOD-IMPACTED HOUSING ASSISTANCE - EXEMPTION.** The amount appropriated for flood-impacted housing assistance in section 4 of chapter 16 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended funds are available during the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 24. INDUSTRIAL COMMISSION - POSSIBLE FEDERAL AGENCY LITIGATION - EXEMPTION.** The amount appropriated for possible federal agency litigation in subdivision 1 of section 1 of chapter 45 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended funds are available during the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 25. INDUSTRIAL COMMISSION - CORE LIBRARY EXPANSION PROJECT - EXEMPTION - LEGISLATIVE MANAGEMENT REPORT - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The capital assets line item in subdivision 1 of section 1 of this Act includes \$13,625,322 from the strategic investment and improvements fund for the purpose of expanding the core library. The funding appropriated for this purpose is not subject to section 54-44.1-11 and any unexpended funds are available during the biennium beginning July 1, 2017, and ending June 30, 2019. The industrial commission shall report to the legislative management and to the appropriations committees of the sixty-fifth legislative assembly on the use of the funding provided for the core library project, including the amounts spent to date and the amounts anticipated to be continued into the 2017-19 biennium, and on the progress of the project.

**SECTION 26. CONTINGENT FUNDING - BANK OF NORTH DAKOTA - NORTH DAKOTA FINANCIAL CENTER - EXEMPTION - LEGISLATIVE MANAGEMENT REPORT.** The capital assets line item in subdivision 2 of section 1 of this Act includes \$17,000,000 from the assets of the Bank of North Dakota for the purpose of constructing a North Dakota financial center on a site adjacent to the existing building in which the Bank is located. The Bank may spend the funding only if the Bank's net income, reported in accordance with financial accounting standards board accounting standards, for calendar year 2015 exceeds \$125,000,000. The funding appropriated for this purpose is not subject to section 54-44.1-11 and any unexpended funds are available during the biennium beginning July 1, 2017, and ending June 30, 2019. The Bank of North Dakota shall report to the legislative management and to the appropriations committees of the sixty-fifth legislative assembly on the use of the funding provided for the North Dakota financial center, including the amounts spent to date and the amounts anticipated to be continued into the 2017-19 biennium, and on the progress of the project.

**SECTION 27. CONTINGENT EFFECTIVE DATE.** Section 16 of this Act is effective only if the Bank of North Dakota's net income, reported in accordance with financial accounting standards board accounting standards, for calendar year 2015 exceeds \$125,000,000.

**SECTION 28. EMERGENCY.** The amount of \$13,625,322 from the strategic investment and improvements fund in the capital assets line item in subdivision 1 of section 1 of this Act for the core library expansion project and sections 7 and 13 of this Act are declared to be an emergency measure."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1014 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Industrial Commission						
Total all funds	\$62,307,117	\$48,588,205	\$16,997,737	\$65,585,942	\$67,254,762	(\$1,668,820)

Less estimated income	40,973,792	16,999,407	13,620,362	30,619,769	16,994,447	13,625,322
General fund	\$21,333,325	\$31,588,798	\$3,377,375	\$34,966,173	\$50,260,315	(\$15,294,142)
Bank of North Dakota						
Total all funds	\$53,150,147	\$59,425,831	\$16,861,470	\$76,287,301	\$76,287,301	\$0
Less estimated income	53,150,147	59,425,831	16,861,470	76,287,301	76,287,301	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Housing Finance Agency						
Total all funds	\$41,007,491	\$37,553,592	\$9,966,497	\$47,520,089	\$47,520,089	\$0
Less estimated income	41,007,491	37,553,592	9,966,497	47,520,089	37,520,089	10,000,000
General fund	\$0	\$0	\$0	\$0	\$10,000,000	(\$10,000,000)
Mill and Elevator						
Total all funds	\$52,123,557	\$64,016,571	\$299,327	\$64,315,898	\$64,315,898	\$0
Less estimated income	52,123,557	64,016,571	299,327	64,315,898	64,315,898	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Bill total						
Total all funds	\$208,588,312	\$209,584,199	\$44,125,031	\$253,709,230	\$255,378,050	(\$1,668,820)
Less estimated income	187,254,987	177,995,401	40,747,656	218,743,057	195,117,735	23,625,322
General fund	\$21,333,325	\$31,588,798	\$3,377,375	\$34,966,173	\$60,260,315	(\$25,294,142)

### House Bill No. 1014 - Industrial Commission - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$17,873,876	\$22,218,954	\$696,617	\$22,915,571	\$24,176,381	(\$1,260,810)
Operating expenses	4,775,576	6,328,422	2,634,298	8,962,720	9,370,730	(408,010)
Capital assets			13,666,822	13,666,822	13,666,822	
Grants	19,500,000	5,000,000		5,000,000	5,000,000	
Grants - bond payments	19,809,969	15,040,829		15,040,829	15,040,829	
Accrued leave payments	347,696					
Total all funds	\$62,307,117	\$48,588,205	\$16,997,737	\$65,585,942	\$67,254,762	(\$1,668,820)
Less estimated income	40,973,792	16,999,407	13,620,362	30,619,769	16,994,447	13,625,322
General fund	\$21,333,325	\$31,588,798	\$3,377,375	\$34,966,173	\$50,260,315	(\$15,294,142)
FTE	98.75	114.75	7.00	121.75	126.75	(5.00)

### Department No. 405 - Industrial Commission - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for FTE Positions <sup>2</sup>	Adds Funding for Contingent FTE Positions <sup>3</sup>	Adds Funding for Increased Core Library Operating Expenses <sup>4</sup>	Adds One-Time Funding for Possible Litigation <sup>5</sup>	Adds One-Time Funding for Core Library Expansion Project <sup>6</sup>
Salaries and wages	(\$84,323)	\$360,700	\$420,240			
Operating expenses		19,278	136,020	20,500	2,500,000	
Capital assets						13,625,322
Grants						
Grants - bond payments						
Accrued leave payments						
Total all funds	(\$84,323)	\$379,978	\$556,260	\$20,500	\$2,500,000	\$13,625,322
Less estimated income	(4,960)	0	0	0	0	13,625,322
General fund	(\$79,363)	\$379,978	\$556,260	\$20,500	\$2,500,000	\$0
FTE	0.00	2.00	5.00	0.00	0.00	0.00

	Corrects Funding for ATV's and Trailers <sup>7</sup>	Total Conference Committee Changes
Salaries and wages		\$696,617
Operating expenses	(41,500)	2,634,298
Capital assets	41,500	13,666,822
Grants		
Grants - bond payments		
Accrued leave payments		
Total all funds	\$0	\$16,997,737
Less estimated income	0	13,620,362
General fund	\$0	\$3,377,375
	0.00	7.00

FTE

<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 the general fund and FTE positions are added:

	FTE Positions	Salaries and Wages	Operating Expenses	Total General Fund
Pipeline regulatory supervisor position	1.00	\$230,700	\$9,639	\$240,339
Administrative assistant position	1.00	130,000	9,639	139,639
Total	2.00	\$360,700	\$19,278	\$379,978

Reengrossed House Bill No. 1358 provides for a pipeline regulatory program. Of the funding from the general fund and the FTE positions included in this amendment, the Industrial Commission anticipates using the following for the implementation of a pipeline regulatory program:

	FTE Positions	Total General Fund
Engineering technician position (Included in House version)	4.00	\$864,683
Reclamation specialist position (Included in House version)	1.00	230,911
Pipeline engineering technician position (Included in House version)	1.00	162,018
Pipeline regulatory supervisor position (added by Senate and shown above)	1.00	240,339
Administrative assistant (added by Senate and shown above)	1.00	139,639
Total	8.00	\$1,637,590

The conference committee version reflects the same changes included in the Senate version. The House version did not include funding for the pipeline regulatory supervisor position and administrative assistant position.

<sup>3</sup> Funding is added for 5 petroleum engineering contingency FTE positions. One position is added for every 15 drilling rigs when the monthly average drilling rig count exceeds 140 drilling rigs as identified in Section 15 of the bill. Each additional position includes a decreasing amount of funding for salaries and operating expenses since subsequent positions are anticipated to be added later in the biennium than the previous position. The Senate version included 10 contingency FTE positions and \$2,225,080 of funding from the general fund. The House version did not include any contingency FTE positions.

<sup>4</sup> This amendment adds funding for increased operating expenses related to the core library expansion project, which is the same as the Senate version. The House version did not include this funding.

<sup>5</sup> One-time funding is added for possible litigation costs related to hydraulic fracturing and other regulatory disputes, which is the same as the Senate version. The House version removed funding for possible litigation costs.

<sup>6</sup> One-time funding from the strategic investment and improvements fund is added for a core library expansion project. The Senate version included funding from the general fund, the House version did not include funding.

<sup>7</sup> This amendment changes the funding for ATV's and trailers from the operating expenses line item to the capital assets line item. Both the House and the Senate versions included funding for ATV's and trailers.

This amendment also:

- Adds a section to identify the criteria for the 5 petroleum engineering contingency FTE positions. The Senate version also included criteria for contingency FTE

- positions, but the House version did not include any contingency FTE positions.
- Adds a section to provide technical corrections to Engrossed House Bill No. 1358 related to a transfer from the abandoned oil and gas well plugging and site reclamation fund. The House and Senate versions did not include this section.
  - Provides an exemption for 2013-15 biennium litigation funding from the general fund, which is the same as the Senate version. The House version did not provide an exemption.
  - Provides an emergency clause for the core library expansion project funding, requires the Industrial Commission to report to the Legislative Management on the progress of the project, and provides carryover authority for the funding into the 2017-19 biennium. The Senate version included these changes, but the House version did not.

#### House Bill No. 1014 - Bank of North Dakota - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Capital assets	\$745,000	\$745,000	\$17,000,000	\$17,745,000	\$17,745,000	
Bank of North Dakota operations	51,523,916	58,680,831	(138,530)	58,542,301	58,542,301	
Accrued leave payments	881,231					
Total all funds	\$53,150,147	\$59,425,831	\$16,861,470	\$76,287,301	\$76,287,301	\$0
Less estimated income	53,150,147	59,425,831	16,861,470	76,287,301	76,287,301	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	179.50	181.50	0.00	181.50	181.50	0.00

#### Department No. 471 - Bank of North Dakota - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Contingent Funding For Financial Center Project <sup>2</sup>	Total Conference Committee Changes
Capital assets		\$17,000,000	\$17,000,000
Bank of North Dakota operations	(138,530)		(138,530)
Accrued leave payments			
Total all funds	(\$138,530)	\$17,000,000	\$16,861,470
Less estimated income	(138,530)	17,000,000	16,861,470
General fund	\$0	\$0	\$0
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 from the Bank of North Dakota's assets is added for a financial center construction project contingent upon the Bank's profits exceeding \$125 million in calendar year 2015. The Senate version included \$17 million for the project without a contingency. The House version did not include funding for a financial center construction project.

This amendment also:

- Provides for a medical partnership in assisting community expansion program to provide interest rate buydowns for medical infrastructure loans for the 2015-17 biennium and provides an emergency clause for the program, which is the same as the Senate version. The House version did not include a medical partnership in assisting community expansion program.
- Requires the Bank of North Dakota to make payments in lieu of property taxes on a

financial center building constructed on the Bank's property. The Senate version included this requirement, the House version did not include a financial center building project.

- Provides an exemption for funding for the construction of a financial center and requires the Industrial Commission to report to the Legislative Management on the progress of the project, which is the same as the Senate version. The House version did not include an exemption or report.

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#### House Bill No. 1014 - Housing Finance Agency - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$7,434,877	\$7,778,537	(\$33,503)	\$7,745,034	\$7,745,034	
Operating expenses	3,791,758	3,744,275		3,744,275	3,744,275	
Grants	29,533,050	25,930,780		25,930,780	25,930,780	
HFA contingencies	100,000	100,000		100,000	100,000	
Accrued leave payments	147,806					
Housing incentive fund			10,000,000	10,000,000	10,000,000	
Total all funds	\$41,007,491	\$37,553,592	\$9,966,497	\$47,520,089	\$47,520,089	\$0
Less estimated income	41,007,491	37,553,592	9,966,497	47,520,089	37,520,089	10,000,000
General fund	\$0	\$0	\$0	\$0	\$10,000,000	(\$10,000,000)
FTE	46.00	46.00	0.00	46.00	46.00	0.00

#### Department No. 473 - Housing Finance Agency - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Transfers to Housing Incentive Fund <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	(\$33,503)		(\$33,503)
Operating expenses			
Grants			
HFA contingencies			
Accrued leave payments			
Housing incentive fund		10,000,000	10,000,000
Total all funds	(\$33,503)	\$10,000,000	\$9,966,497
Less estimated income	(33,503)	10,000,000	9,966,497
General fund	\$0	\$0	\$0
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> Adds a section to provide for a transfer of \$5 million from Bank of North Dakota profits to the housing incentive fund and provides an emergency clause for the transfer. In addition, adds a contingent transfer of \$5 million from Bank profits to the housing incentive fund if the the Bank's profits for calendar year 2015 exceed \$130 million. The Senate version included a transfer of \$10 million from the general fund, but the House version did not include a transfer to the housing incentive fund.

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This amendment provides an exemption for 2013-15 biennium flood-impacted housing assistance funding from the state disaster relief fund. The Senate version also included this exemption, but the House version did not provide an exemption.

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**House Bill No. 1014 - Mill and Elevator - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$29,141,750	\$35,979,571	\$299,327	\$36,278,898	\$36,278,898	
Operating expenses	21,796,000	27,327,000		27,327,000	27,327,000	
Contingencies	400,000	500,000		500,000	500,000	
Agriculture promotion	210,000	210,000		210,000	210,000	
Accrued leave payments	575,807					
Total all funds	\$52,123,557	\$64,016,571	\$299,327	\$64,315,898	\$64,315,898	\$0
Less estimated income	52,123,557	64,016,571	299,327	64,315,898	64,315,898	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	135.00	147.00	0.00	147.00	147.00	0.00

**Department No. 475 - Mill and Elevator - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for Recruitment and Retention Bonuses <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	(\$110,673)	\$410,000	\$299,327
Operating expenses			
Contingencies			
Agriculture promotion			
Accrued leave payments			
Total all funds	(\$110,673)	\$410,000	\$299,327
Less estimated income	(110,673)	410,000	299,327
General fund	\$0	\$0	\$0
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 is added for recruitment and retention bonuses, which is the same as the Senate version. The House version did not include recruitment and retention bonuses.

This amendment also provides for a transfer of 50 percent of Mill and Elevator profits to the general fund for the 2015-17 biennium (\$13,775,000), which is the same as current law. The House version provided for a transfer of 75 percent of the Mill and Elevator's profits without any limitation for the 2015-17 biennium (\$20,662,500). The Senate version provided for a transfer of 50 percent of the Mill and Elevator's profits limited to a certain amount (\$8,000,000).

Engrossed HB 1014 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. BRANDENBURG MOVED** that the conference committee report on Engrossed HB 1014 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1014:** A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission; to provide a continuing appropriation; to provide a contingent appropriation; to authorize transfers; to create and enact a new section to chapter 6-09 of the North Dakota Century Code, relating to a North Dakota financial center; to amend and reenact sections 54-17-40, 54-17-41, 54-17.5-02, and 57-38-01.32 of the North Dakota Century Code, section 22 of chapter 579 of the 2011 Session Laws, and section 9 of House Bill No. 1358, as approved by the sixty-fourth legislative assembly, relating to the housing incentive fund credits, the lignite



research council, the use of the flex PACE program, and a transfer from the abandoned oil and gas well plugging and site reclamation fund; to provide exemptions; to provide legislative intent; to provide for transfers; to provide for contingent transfers; to provide for a report to the legislative council; to provide for reports to legislative management and appropriations committees; to provide a contingent effective date; to provide an expiration date; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 78 YEAS, 12 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson, P.; Becker, Rick C.; Bellew; Devlin; Kading; Koppelman, B.; Olson; Rohr; Ruby; Streyle; Strinden; Toman

**ABSENT AND NOT VOTING:** Boehning; Frantsvog; Glassheim; Holman

Reengrossed HB 1014 passed and the emergency clause was declared carried.

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### REPORT OF CONFERENCE COMMITTEE

**HB 1020, as engrossed:** Your conference committee (Sens. Bowman, Erbele, O'Connell and Reps. Monson, Schmidt, Boe) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1609-1618, adopt amendments as follows, and place HB 1020 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1609-1618 of the House Journal and pages 1381-1390 of the Senate Journal and that Engrossed House Bill No. 1020 be amended as follows:

Page 1, line 3, after the first semicolon insert "to amend and reenact sections 4-05.1-05, 4-08-10, 57-39.5-02, and 57-43.1-03.1 of the North Dakota Century Code, relating to North Dakota state university main research center full-time equivalent positions, North Dakota state university extension service full-time equivalent positions, the transfer of revenue from the farm machinery gross receipts tax, and fuel tax refunds; to authorize the Langdon research extension center to purchase certain land in Cavalier County;"

Page 1, line 3, after "report" insert "to the legislative assembly, the budget section, and the appropriations committees"

Page 1, line 4, remove "and"

Page 1, line 4, replace "an exemption" with "for exemptions; and to declare an emergency"

Page 1, remove lines 20 through 24

Page 2, replace lines 1 and 2 with:

"Extension service	\$48,867,985	\$5,534,111	\$54,402,096
Soil conservation committee	1,137,800	75,000	1,212,800
Accrued leave payments	<u>1,716,289</u>	<u>(1,716,289)</u>	<u>0</u>

Total all funds	\$51,722,074	\$3,892,822	\$55,614,896
Less estimated income	<u>23,897,809</u>	<u>1,928,899</u>	<u>25,826,708</u>
Total general fund	\$27,824,265	\$1,963,923	\$29,788,188
Full-time equivalent positions	258.26	5.65	263.91"

Page 2, replace lines 7 through 11 with:

"Northern crops institute	\$3,719,827	\$130,066	\$3,849,893
Accrued leave payments	<u>42,195</u>	<u>(42,195)</u>	<u>0</u>
Total all funds	\$3,762,022	\$87,871	\$3,849,893
Less estimated income	<u>1,797,161</u>	<u>(49,426)</u>	<u>1,747,735</u>
Total general fund	\$1,964,861	\$137,297	\$2,102,158"

Page 2, replace lines 17 through 22 with:

"Upper great plains transportation institute	\$25,038,160	(\$2,015,404)	\$23,022,756
Accrued leave payments	<u>241,627</u>	<u>(241,627)</u>	<u>0</u>
Total all funds	\$25,279,787	(\$2,257,031)	\$23,022,756
Less estimated income	<u>22,452,963</u>	<u>(4,277,306)</u>	<u>18,175,657</u>
Total general fund	\$2,826,824	\$2,020,275	\$4,847,099"

Page 2, remove lines 28 through 30

Page 3, replace lines 1 through 3 with:

"Main research center	\$102,691,843	\$34,474,294	\$137,166,137
Accrued leave payments	<u>2,561,394</u>	<u>(2,561,394)</u>	<u>0</u>
Total all funds	\$105,253,237	\$31,912,900	\$137,166,137
Less estimated income	<u>53,053,716</u>	<u>25,044,809</u>	<u>78,098,525</u>
Total general fund	\$52,199,521	\$6,868,091	\$59,067,612
Full-time equivalent positions	351.49	2.36	353.85"

Page 3, replace lines 8 through 18 with:

"Dickinson research center	\$6,116,621	\$1,241,540	\$7,358,161
Central grasslands research center	3,229,867	452,700	3,682,567
Hettinger research center	4,661,729	589,459	5,251,188
Langdon research center	2,832,495	344,621	3,177,116
North central research center	4,582,677	604,264	5,186,941
Williston research center	3,766,986	1,707,104	5,474,090
Carrington research center	7,892,494	1,693,020	9,585,514
Accrued leave payments	<u>503,916</u>	<u>(503,916)</u>	<u>0</u>
Total all funds	\$33,586,785	\$6,128,792	\$39,715,577
Less estimated income	<u>16,001,083</u>	<u>3,816,047</u>	<u>19,817,130</u>
Total general fund	\$17,585,702	\$2,312,745	\$19,898,447"

Page 3, replace lines 24 through 26 with:

"Agronomy seed farm	\$1,466,018	\$54,989	\$1,521,007
Accrued leave payments	<u>5,741</u>	<u>(5,741)</u>	<u>0</u>
Total special funds	\$1,471,759	\$49,248	\$1,521,007"

Page 4, replace lines 1 through 3 with:

"Grand total general fund	\$102,401,173	\$13,477,331	\$115,878,504
Grand total special funds	<u>118,674,491</u>	<u>26,687,271</u>	<u>145,361,762</u>
Grand total all funds	\$221,075,664	\$40,164,602	\$261,240,266"

Page 4, replace line 9 with:

"Agronomy laboratories		\$5,925,000	\$150,000"
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Page 4, replace lines 16 through 20 with:

"Upper great plains transportation institute road study	0	750,000
Junior master gardener program	25,000	12,500
Rural leadership project	0	150,000
Dust issues technical support	0	100,000
Seed cleaning plants	0	4,500,000
Veterinary diagnostics laboratory	0	18,000,000
Flooded lands study	82,000	72,500
Total all funds	\$9,792,000	\$23,735,000
Total other funds	950,000	21,150,000
Total general fund	\$8,842,000	\$2,585,000"

Page 5, after line 2, insert:

**"SECTION 4. ACQUISITION OF LAND AUTHORIZED.** The state of North Dakota, by and through the state board of agricultural research and education, may acquire certain real property in Cavalier County to be used for the purposes of the Langdon research extension center on the terms and for a price as approved by the board, but not to exceed \$350,000 nor the appraised value of the property. The board may purchase the northeast ¼ of section 19 of township 161 north, range 59 west.

**SECTION 5. APPROPRIATION - LANGDON RESEARCH EXTENSION CENTER.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$175,000, and from special funds, the sum of \$175,000, or so much of the sum as may be necessary, to the Langdon research extension center for the purpose of purchasing the real property described in section 4 of this Act, for the period beginning with the effective date of this section, and ending June 30, 2017. The funding provided in this section is considered a one-time funding item.

**SECTION 6. MAIN RESEARCH CENTER - VETERINARY DIAGNOSTICS LABORATORY - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The main research center line item in subdivision 4 of section 1 of this Act includes \$18,000,000 from the strategic investment and improvements fund for the veterinary diagnostics laboratory project.

**SECTION 7. AMENDMENT.** Section 4-05.1-05 of the North Dakota Century Code is amended and reenacted as follows:

**4-05.1-05. North Dakota state university main research center position adjustments - Budget section report.**

The North Dakota state university main research center must be located on the campus of North Dakota state university of agriculture and applied science. The center is the administrative location of the agricultural experiment station. The center shall conduct research and coordinate all research activities of the agricultural experiment station. The research must have, as a purpose, the development and dissemination of technology important to the production and utilization of food, feed, fiber, and fuel from crop and livestock enterprises. The research must provide for an enhancement of the quality of life, sustainability of production, and protection of the environment. Subject to the availability of funds, the station director may adjust or increase full-time equivalent positions in order to carry out activities to accomplish the mission of the agricultural experiment station. All full or partial positions must be separate from North Dakota state university. Annually, the station director shall report to the office of management and budget and to the budget section any adjustments or increases made pursuant to this section. The center may conduct baseline research, including production and processing in conjunction with the research and extension centers of the state, regarding industrial hemp and other alternative industrial use crops. The center may collect feral hemp seed stock and develop appropriate adapted strains of industrial hemp which contain less than three-tenths of one percent tetrahydrocannabinol in the dried flowering tops. The agriculture commissioner shall monitor the collection of feral hemp seed stock and industrial hemp strain development and shall certify appropriate stocks for licensed commercial cultivation.

**SECTION 8. AMENDMENT.** Section 4-08-10 of the North Dakota Century Code is amended and reenacted as follows:

**4-08-10. Extension agent to submit monthly account of expenditures - Position adjustments - Budget section report.**

The extension agent shall submit monthly an accurate itemized account of all expenditures incurred by the agent in the regular conduct of duties to the North Dakota state university extension service for examination and audit. When charges are made by an extension agent for money expended in the performance of official duties, all items of one dollar or more expended and charged for must be covered by a subvoucher or receipt that must be signed by the person to whom the money was paid. The subvoucher or receipt must show at what place, on what date, and for what the money expended was paid. The extension agent shall forward the subvouchers or receipts with the bill, claim, account, or demand against the county. When charges are made for transportation expenses, they may not exceed the amounts provided by section 11-10-15, and must be in itemized form showing the mileage traveled, the days when and how traveled, and the purpose thereof, verified by affidavit. The account must be transmitted and recommended for payment by the North Dakota state university extension service which shall audit the same and which may approve or disallow any expense item therein. The state board of agricultural research and education and the president of North Dakota state university shall control and administer the North Dakota state university extension service subject to the supervision of the state board of higher education. Funds appropriated to the North Dakota state university extension service may not be commingled with funds appropriated to North Dakota state university. An appropriation request to defray expenses of the North Dakota state university extension service must be separate from an appropriation request to defray expenses of North Dakota state university. Subject to the availability of funds, the director of the North Dakota state university extension service may adjust or increase full-time equivalent positions in order to carry out activities to accomplish the mission of the extension service. All full- or part-time positions must be separate from North Dakota state university. Annually, the director of the North Dakota state university extension service shall report to the office of management and budget and to the budget section any adjustments or increases made pursuant to this section.

**SECTION 9. AMENDMENT.** Section 57-39.5-02 of the North Dakota Century Code is amended and reenacted as follows:

**57-39.5-02. Imposition - Transfer of funds - Exemptions.**

There is imposed a tax of three percent upon the gross receipts of retailers from all sales at retail, including the leasing or renting, of farm machinery or irrigation equipment used exclusively for agricultural purposes. After July first of each year, five hundred thousand dollars of taxes collected under this chapter must be transferred to the state treasurer who shall deposit the moneys in the agricultural research fund. Gross receipts from sales at retail of farm machinery or irrigation equipment are exempted from the tax imposed by this chapter when the sale, lease, or rental is made to a purchaser or lessor who is entitled to a sales and use tax exemption under subsection 6 or 12 of section 57-39.2-04 on otherwise taxable sales at retail. There are specifically exempted from the tax imposed by this chapter the gross receipts from the sale, lease, or rental of used farm machinery, farm machinery repair parts, used irrigation equipment, or irrigation equipment repair parts used exclusively for agricultural purposes. For purposes of this section, "used" means:

1. Tax under this chapter or chapter 57-39.2 or 57-40.2 has been paid on a previous sale;
2. Tax under section 57-39.5-06 has been paid under a previous lease;
3. Originally purchased outside this state and previously owned by a farmer; or
4. Has been under rental for three years or more.

**SECTION 10. AMENDMENT.** Section 57-43.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

**57-43.1-03.1. Refund of tax for fuel used for agricultural purposes--  
Reductions.**

Any consumer who buys or uses any motor vehicle fuel for an agricultural purpose on which the motor vehicle fuel tax has been paid may file a claim with the commissioner for a refund under this chapter. ~~The amount of the tax refund under this section must be reduced by seven cents per gallon [3.79 liters] except for those fuels used in aircraft or with respect to refunds claimed by aircraft fuel users. The amount per gallon [3.79 liters] withheld from the refund must be deposited in the agricultural research fund."~~

Page 5, line 4, remove "- REPORT"

Page 5, after line 13, insert:

**"SECTION 13. MAIN RESEARCH CENTER - NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE - FTE POSITIONS - REPORT.** The main research center and the North Dakota state university extension service shall report to the appropriations committees of the sixty-fifth legislative assembly on full-time equivalent positions added pursuant to sections 4-05.1-05 and 4-08-10 of the North Dakota Century Code and section 15 of this Act, for the biennium beginning July 1, 2015, and ending June 30, 2017."

Page 5, after line 18, insert:

**"SECTION 15. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** The board of higher education may adjust or increase full-time equivalent positions as needed for the entities in section 1 of this Act. All full-time or part-time positions must be separate from North Dakota state university. Annually, the board shall report to the office of management and budget and to the budget section any adjustments made pursuant to this section.

**SECTION 16. MAIN RESEARCH CENTER - FLOODED LANDS STUDY - BUDGET SECTION REPORT.** The main research center shall report to the budget section of the legislative management regarding the status of the flooded lands study and spending related to the study, during the biennium beginning July 1, 2015, and ending June 30, 2017."

Page 5, line 19, after **"STUDY"** insert **"- UPPER GREAT PLAINS TRANSPORTATION INSTITUTE UNDER DEPARTMENT OF TRANSPORTATION"**

Page 6, line 1, remove "Excluding \$400,000 provided from the general fund for the"

Page 6, line 2, replace "central grasslands research center agronomy laboratory, all other" with "The"

Page 6, after line 11, insert:

**"SECTION 21. EMERGENCY.** The appropriation for capital projects of \$22,650,000 in subdivision 4 of section 1 and sections 4 and 5 of this Act are declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1020 - Summary of Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Transportation Institute Total all funds	\$25,279,787	\$22,772,669	\$250,087	\$23,022,756	\$23,522,756	(\$500,000)

Less estimated income	22,452,963	18,209,804	(34,147)	18,175,657	18,175,657	0
General fund	\$2,826,824	\$4,562,865	\$284,234	\$4,847,099	\$5,347,099	(\$500,000)
Branch Research Centers						
Total all funds	\$33,586,785	\$39,253,428	\$812,149	\$40,065,577	\$40,065,577	\$0
Less estimated income	16,001,083	19,818,755	173,375	19,992,130	19,992,130	0
General fund	\$17,585,702	\$19,434,673	\$638,774	\$20,073,447	\$20,073,447	\$0
NDSU Extension Service						
Total all funds	\$51,722,074	\$55,531,024	\$83,872	\$55,614,896	\$56,150,368	(\$535,472)
Less estimated income	23,897,809	25,933,838	(107,130)	25,826,708	25,826,708	0
General fund	\$27,824,265	\$29,597,186	\$191,002	\$29,788,188	\$30,323,660	(\$535,472)
Northern Crops Institute						
Total all funds	\$3,762,022	\$3,858,927	(\$9,034)	\$3,849,893	\$3,849,893	\$0
Less estimated income	1,797,161	1,746,735	1,000	1,747,735	1,747,735	0
General fund	\$1,964,861	\$2,112,192	(\$10,034)	\$2,102,158	\$2,102,158	\$0
Main Research Center						
Total all funds	\$105,253,237	\$113,918,205	\$23,247,932	\$137,166,137	\$136,325,637	\$840,500
Less estimated income	53,053,716	56,988,959	21,109,566	78,098,525	57,098,525	21,000,000
General fund	\$52,199,521	\$56,929,246	\$2,138,366	\$59,067,612	\$79,227,112	(\$20,159,500)
Agronomy Seed Farm						
Total all funds	\$1,471,759	\$1,523,264	(\$2,257)	\$1,521,007	\$1,521,007	\$0
Less estimated income	1,471,759	1,523,264	(2,257)	1,521,007	1,521,007	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Bill total						
Total all funds	\$221,075,664	\$236,857,517	\$24,382,749	\$261,240,266	\$261,435,238	(\$194,972)
Less estimated income	118,674,491	124,221,355	21,140,407	145,361,762	124,361,762	21,000,000
General fund	\$102,401,173	\$112,636,162	\$3,242,342	\$115,878,504	\$137,073,476	(\$21,194,972)

### House Bill No. 1020 - Transportation Institute - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Upper great plains trans. institute	\$25,038,160	\$22,772,669	\$250,087	\$23,022,756	\$23,522,756	(\$500,000)
Accrued leave payments	241,627					
Total all funds	\$25,279,787	\$22,772,669	\$250,087	\$23,022,756	\$23,522,756	(\$500,000)
Less estimated income	22,452,963	18,209,804	(34,147)	18,175,657	18,175,657	0
General fund	\$2,826,824	\$4,562,865	\$284,234	\$4,847,099	\$5,347,099	(\$500,000)
FTE	53.75	54.98	0.00	54.98	54.98	0.00

### Department No. 627 - Transportation Institute - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for Road and Bridge Asset System <sup>2</sup>	Reduces One-Time Funding to Continue the Road Study <sup>3</sup>	Total Conference Committee Changes
Upper great plains trans. institute	(\$42,913)	\$793,000	(\$500,000)	\$250,087
Accrued leave payments				
Total all funds	(\$42,913)	\$793,000	(\$500,000)	\$250,087
Less estimated income	(34,147)	0	0	(34,147)
General fund	(\$8,766)	\$793,000	(\$500,000)	\$284,234
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> Funding of \$793,000 from the general fund is added for a road and bridge asset management system, the same as the Senate version.

<sup>3</sup> One-time funding from the general fund for the statewide road study is reduced by \$500,000 to provide a total of \$750,000. This is a \$500,000 reduction from the House and Senate versions.

This amendment also adds a section to authorize the State Board of Higher Education to adjust or increase FTE positions for the Upper Great Plains Transportation Institute and report any adjustments to the Office of Management and Budget, the same as the Senate version.

### House Bill No. 1020 - Branch Research Centers - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Dickinson research center	\$6,116,621	\$7,345,566	\$12,595	\$7,358,161	\$7,358,161	
Central grasslands research center	3,229,867	3,541,123	141,444	3,682,567	3,682,567	
Hettinger research center	4,661,729	5,237,855	13,333	5,251,188	5,251,188	
Langdon research center	2,832,495	3,034,116	143,000	3,177,116	3,177,116	
North central research center	4,582,677	5,170,497	16,444	5,186,941	5,186,941	
Williston research center	3,766,986	5,338,868	135,222	5,474,090	5,474,090	
Carrington research center	7,892,494	9,585,403	111	9,585,514	9,585,514	
Accrued leave payments	503,916					
Langdon research center - Land purchase			350,000	350,000	350,000	
Total all funds	\$33,586,785	\$39,253,428	\$812,149	\$40,065,577	\$40,065,577	\$0
Less estimated income	16,001,083	19,818,755	173,375	19,992,130	19,992,130	0
General fund	\$17,585,702	\$19,434,673	\$638,774	\$20,073,447	\$20,073,447	\$0
FTE	107.04	113.94	0.00	113.94	113.94	0.00

### Department No. 628 - Branch Research Centers - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Increases Funding for Equipment <sup>2</sup>	Adjusts Base Level Funding for Equipment <sup>3</sup>	Adds Funding for Land Purchase <sup>4</sup>	Total Conference Committee Changes
Dickinson research center	(\$12,405)	\$150,000	(\$125,000)		\$12,595
Central grasslands research center	(8,556)	25,000	125,000		141,444
Hettinger research center	(11,667)	150,000	(125,000)		13,333
Langdon research center	(7,000)	25,000	125,000		143,000
North central research center	(8,556)	150,000	(125,000)		16,444
Williston research center	(14,778)	25,000	125,000		135,222
Carrington research center	(24,889)	25,000			111
Accrued leave payments					
Langdon research center - Land purchase				350,000	350,000
Total all funds	(\$87,851)	\$550,000	\$0	\$350,000	\$812,149
Less estimated income	(1,625)	0	0	175,000	173,375
General fund	(\$86,226)	\$550,000	\$0	\$175,000	\$638,774
FTE	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> Funding for equipment over \$5,000 is increased by \$550,000 from the general fund to provide a total of \$1,050,000 from the general fund, the same as the Senate version. This provides for \$150,000 per branch research center per biennium.

<sup>3</sup> Base level funding for equipment is adjusted among the branch research centers, the same as the Senate version.

<sup>4</sup> One-time funding of \$175,000 from the general fund and \$175,000 from other funds is added for the purchase of real property in Cavalier County, the same as the Senate version.

This amendment also:

- Adds a section to authorize the State Board of Higher Education to adjust or increase FTE positions for the branch research centers and report any adjustments to the Office of Management and Budget, the same as the Senate version.
- Adds sections to authorize the Langdon Research Extension Center to purchase land in Cavalier County, to provide an appropriation of \$350,000, of which \$175,000 is from the general fund for the purchase of land, and to provide an emergency clause for the funding, the same as the Senate version.

**House Bill No. 1020 - NDSU Extension Service - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Extension service	\$48,867,985	\$54,393,224	\$8,872	\$54,402,096	\$54,937,568	(\$535,472)
Soil conservation committee	1,137,800	1,137,800	75,000	1,212,800	1,212,800	
Accrued leave payments	1,716,289					
Total all funds	\$51,722,074	\$55,531,024	\$83,872	\$55,614,896	\$56,150,368	(\$535,472)
Less estimated income	23,897,809	25,933,838	(107,130)	25,826,708	25,826,708	0
General fund	\$27,824,265	\$29,597,186	\$191,002	\$29,788,188	\$30,323,660	(\$535,472)
FTE	258.26	262.91	1.00	263.91	265.91	(2.00)

**Department No. 630 - NDSU Extension Service - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for New FTE Position <sup>2</sup>	Increases Funding for Soil Conservation District Grants <sup>3</sup>	Reduces One-Time Funding for Junior Gardener Program <sup>4</sup>	Total Conference Committee Changes
Extension service	(\$226,600)	\$247,972		(\$12,500)	\$8,872
Soil conservation committee			75,000		75,000
Accrued leave payments					
Total all funds	(\$226,600)	\$247,972	\$75,000	(\$12,500)	\$83,872
Less estimated income	(107,130)	0	0	0	(107,130)
General fund	(\$119,470)	\$247,972	\$75,000	(\$12,500)	\$191,002
FTE	0.00	1.00	0.00	0.00	1.00

<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 of \$247,972 is added from the general fund for 1 area livestock specialist FTE position. The Senate version also included \$547,972 from the general fund for 1 community vitality specialist FTE position and 1 rural leadership FTE position.

<sup>3</sup> Funding of \$75,000 from the general fund is added to increase soil conservation district grants, the same as the Senate version.

<sup>4</sup> One-time funding from the general fund for the Burleigh County Extension Service Junior Master Gardener's program for salaries and other operating expenses relating to two internships during the summers of 2015 and 2016 is reduced from \$25,000 to \$12,500. The Senate version removed \$25,000.

This amendment also:

- Amends North Dakota Century Code Section 4-08-10 to authorize the Extension Director, upon the availability of funds, to adjust or increase FTE positions in order to carry out activities critical to the mission of the NDSU Extension Service, the same as the Senate version.
- Adds a section to require the NDSU Extension Service to provide a report to the Appropriations Committees of the 65th Legislative Assembly on FTE positions added pursuant to Section 4-08-10 or Section 15 of this Act. This section was not



included in the House or Senate versions.

### House Bill No. 1020 - Northern Crops Institute - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Northern crops institute	\$3,719,827	\$3,858,927	(\$9,034)	\$3,849,893	\$3,849,893	
Accrued leave payments	42,195					
Total all funds	\$3,762,022	\$3,858,927	(\$9,034)	\$3,849,893	\$3,849,893	\$0
Less estimated income	1,797,161	1,746,735	1,000	1,747,735	1,747,735	0
General fund	\$1,964,861	\$2,112,192	(\$10,034)	\$2,102,158	\$2,102,158	\$0
FTE	12.00	12.00	0.00	12.00	12.00	0.00

### Department No. 638 - Northern Crops Institute - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Total Conference Committee Changes
Northern crops institute	(\$9,034)	(\$9,034)
Accrued leave payments		
Total all funds	(\$9,034)	(\$9,034)
Less estimated income	1,000	1,000
General fund	(\$10,034)	(\$10,034)
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.

This amendment also adds a section to authorize the State Board of Higher Education to adjust or increase FTE positions for the Northern Crops Institute and report any adjustments to the Office of Management and Budget, the same as the Senate version.

### House Bill No. 1020 - Main Research Center - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Main research center	\$102,691,843	\$113,918,205	\$23,247,932	\$137,166,137	\$136,325,637	\$840,500
Accrued leave payments	2,561,394					
Total all funds	\$105,253,237	\$113,918,205	\$23,247,932	\$137,166,137	\$136,325,637	\$840,500
Less estimated income	53,053,716	56,988,959	21,109,566	78,098,525	57,098,525	21,000,000
General fund	\$52,199,521	\$56,929,246	\$2,138,366	\$59,067,612	\$79,227,112	(\$20,159,500)
FTE	351.49	355.85	(2.00)	353.85	353.85	0.00

### Department No. 640 - Main Research Center - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Removes New Precision Agriculture FTE Positions <sup>2</sup>	Adds Funding for Precision Agriculture Operations and Grants <sup>3</sup>	Adds Funding for Equipment <sup>4</sup>	Adds One-Time Funding for Capital Projects <sup>5</sup>	Adds One-Time Funding for Flooded Lands Study <sup>6</sup>
Main research center	(\$305,786)	(\$468,782)	\$600,000	\$550,000	\$22,650,000	\$72,500
Accrued leave payments						
Total all funds	(\$305,786)	(\$468,782)	\$600,000	\$550,000	\$22,650,000	\$72,500
Less estimated income	(40,434)	0	0	0	21,150,000	0
General fund	(\$265,352)	(\$468,782)	\$600,000	\$550,000	\$1,500,000	\$72,500
FTE	0.00	(2.00)	0.00	0.00	0.00	0.00

	Adds One-Time Funding for Rural Leadership <sup>7</sup>	Total Conference Committee Changes
Main research center	\$150,000	\$23,247,932
Accrued leave payments		
Total all funds	\$150,000	\$23,247,932
Less estimated income	0	21,109,566
General fund	\$150,000	\$2,138,366
FTE	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 from the general fund for 2 new FTE positions is removed as follows, the same as the Senate version:

	FTE	Salaries and Benefits	Operating Expenses	Total
Precision agriculture scientist	(1.00)	(\$234,072)	(\$50,000)	(\$284,072)
Precision agriculture technician	(1.00)	(134,710)	(50,000)	(184,710)
Total	(2.00)	(\$368,782)	(\$100,000)	(\$468,782)

<sup>3</sup> Funding of \$600,000 from the general fund is added for precision agriculture operating expenses and grants, the same as the Senate version.

<sup>4</sup> Funding of \$550,000 from the general fund is added for equipment, the same as the Senate version.

<sup>5</sup> One-time funding is provided for capital projects as shown below. The \$18 million for the veterinary diagnostics laboratory is from the strategic investment and improvements fund.

	General Fund	Other Funds	Total
Veterinary diagnostics laboratory		\$18,000,000	\$18,000,000
Central Grasslands Research Center agronomy laboratory		150,000	150,000
Seed cleaning plants	1,500,000	3,000,000	4,500,000
Total	\$1,500,000	\$21,150,000	\$22,650,000

<sup>6</sup> One-time funding of \$72,500 from the general fund is added to continue the flooded lands study relating to the recovery of grasslands affected by the Souris River flooding. The Senate version included \$82,000 for the flooded lands study.

<sup>7</sup> One-time funding of \$150,000 from the general fund is added to support the development of a collaborative leadership project for the purpose of marketing and fund raising for leadership projects and may include an annual leadership summit. The Senate version included \$300,000 and 1 rural leadership FTE position in the NDSU Extension Service budget.

This amendment also:

- Amends Section 4-05.1-05 to authorize the station director, upon the availability of funds, to adjust or increase FTE positions in order to carry out activities critical to the mission of the Agriculture Experiment Station, the same as the Senate version.
- Amends Section 57-39.5-02 to provide for a transfer of \$500,000 per year to the agricultural research fund from the tax imposed upon the gross receipts of retailers from all sales of farm machinery or irrigation equipment used exclusively for agricultural purposes. The Senate version provided for a transfer of \$1 million per year.
- Amends Section 57-43.1-03.1 to remove the requirement that fuel tax refunds be

reduced by 7 cents per gallon for deposit in the agricultural research fund, the same as the Senate version.

- Amends a section related to appropriations for the agronomy laboratories to allow for the carryover of \$400,000 provided from the general fund for the Central Grasslands Research Center agronomy laboratory by the 63rd Legislative Assembly, the same as the Senate version.
- Adds a section to require the Main Research Center to provide a report to the Appropriations Committees of the 65th Legislative Assembly on FTE positions added pursuant to Section 4-05.1-05 or Section 15 of this Act. This section was not included in the House or Senate versions.
- Adds a section to require the Main Research Center to provide a report to the Budget Section on funding used for the flooded lands study relating to the recovery of grasslands affected by Souris River flooding.
- Adds a section to provide \$22,650,000 appropriated to the Main Research Center for capital projects and Sections 4 and 5 of the bill are emergency measures.
- Provides one-time funding of \$4.5 million, of which \$1.5 million is from the general fund, for seed cleaning plants at the North Central Research Center and the Carrington Research Center. The Senate version included \$2.6 million from the general fund for the seed cleaning plants.
- Adds a section to identify the \$18 million from other funds appropriated for the veterinary diagnostics laboratory project is from the strategic investment and improvements fund.
- Does not include \$800,000 from the general fund added by the Senate for graduate student staffing.
- Does not include one-time funding of \$400,000 from the general fund added by the Senate for greenhouse utilities.

#### House Bill No. 1020 - Agronomy Seed Farm - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Agronomy seed farm	\$1,466,018	\$1,523,264	(\$2,257)	\$1,521,007	\$1,521,007	
Accrued leave payments	5,741					
Total all funds	\$1,471,759	\$1,523,264	(\$2,257)	\$1,521,007	\$1,521,007	\$0
Less estimated income	1,471,759	1,523,264	(2,257)	1,521,007	1,521,007	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	3.00	3.00	0.00	3.00	3.00	0.00

#### Department No. 649 - Agronomy Seed Farm - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Total Conference Committee Changes
Agronomy seed farm	(\$2,257)	(\$2,257)
Accrued leave payments		
Total all funds	(\$2,257)	(\$2,257)
Less estimated income	(2,257)	(2,257)
General fund	\$0	\$0
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.

This amendment also adds a section to authorize the State Board of Higher Education to

adjust or increase FTE positions for the Agronomy Seed Farm and report any adjustments to the Office of Management and Budget, the same as the Senate version.

Engrossed HB 1020 was placed on the Seventh order of business on the calendar.

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

**REP. MONSON MOVED** that the conference committee report on Engrossed HB 1020 be adopted, which motion prevailed on a voice vote.

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

**HB 1020:** A BILL for an Act to provide an appropriation for defraying the expenses of the extension service, northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm; to amend and reenact sections 4-05.1-05, 4-08-10, 57-39.5-02, and 57-43.1-03.1 of the North Dakota Century Code, relating to North Dakota state university main research center full-time equivalent positions, North Dakota state university extension service full-time equivalent positions, the transfer of revenue from the farm machinery gross receipts tax, and fuel tax refunds; to authorize the Langdon research extension center to purchase certain land in Cavalier County; to provide for a report to the legislative assembly, the budget section, and the appropriations committees; to provide for transfers; to provide for a legislative management study; to provide for exemptions; 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 77 YEAS, 13 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**NAYS:** Becker, Rick C.; Delzer; Devlin; Dosch; Koppelman, B.; Meier; Nathe; Olson; Paur; Porter; Schatz; Schreiber Beck; Toman

**ABSENT AND NOT VOTING:** Boehning; Frantsvog; Glassheim; Holman

Reengrossed HB 1020 passed and the emergency clause was declared carried.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2014.

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

**SB 2014, as engrossed:** Your conference committee (Sens. Wanzek, Sorvaag, Heckaman and Reps. Silbernagel, Bellew, Holman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1216-1217, adopt amendments as follows, and place SB 2014 on the Seventh order:

That the House recede from its amendments as printed on pages 1216 and 1217 of the Senate Journal and page 1428 of the House Journal and that Engrossed Senate Bill No. 2014 be amended as follows:

Page 1, replace line 12 with:

"Protection and advocacy operations      \$5,671,584                      \$795,380                      \$6,466,964"

Page 1, replace lines 14 through 17 with:

"Total all funds	\$5,765,174	\$701,790	\$6,466,964
Less estimated income	<u>3,233,612</u>	<u>199,241</u>	<u>3,432,853</u>
Total general fund	\$2,531,562	\$502,549	\$3,034,111
Full-time equivalent positions	27.50	0.00	27.50"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2014 - Protection and Advocacy Project - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Protection and advocacy operations	\$5,671,584	\$6,588,085	(\$121,121)	\$6,466,964	\$6,364,362	\$102,602
Accrued leave payments	<u>93,590</u>					
Total all funds	\$5,765,174	\$6,588,085	(\$121,121)	\$6,466,964	\$6,364,362	\$102,602
Less estimated income	<u>3,233,612</u>	<u>3,432,853</u>	0	<u>3,432,853</u>	<u>3,370,251</u>	62,602
General fund	\$2,531,562	\$3,155,232	(\$121,121)	\$3,034,111	\$2,994,111	\$40,000
FTE	27.50	28.50	(1.00)	27.50	27.50	0.00

#### Department No. 360 - Protection and Advocacy Project - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Removes Paralegal Position <sup>2</sup>	Increases Federal Funding <sup>3</sup>	Total Conference Committee Changes
Protection and advocacy operations	(\$25,397)	(\$158,326)	\$62,602	(\$121,121)
Accrued leave payments				
Total all funds	(\$25,397)	(\$158,326)	\$62,602	(\$121,121)
Less estimated income	<u>0</u>	<u>(62,602)</u>	<u>62,602</u>	<u>0</u>
General fund	(\$25,397)	(\$95,724)	\$0	(\$121,121)
FTE	0.00	(1.00)	0.00	(1.00)

<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 removed for a paralegal position (\$153,094) and related salary increase (\$5,232), the same as the House version.

<sup>3</sup> Federal fund spending authority is increased by \$62,602. The funding may not be used to defray the expenses of either a temporary position or a full-time equivalent position. The House did not provide the federal funding spending authority.

The amendment also provides \$40,000 from the general fund for operating expenses removed by the House.

Engrossed SB 2014 was placed on the Seventh order of business on the calendar.

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

**REP. SILBERNAGEL MOVED** that the conference committee report on Engrossed SB 2014 be adopted, which motion prevailed on a voice vote.

#### **SECOND READING OF SENATE BILL**

**SB 2014:** A BILL for an Act to provide an appropriation for defraying the expenses of the committee on protection and advocacy.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 1 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**NAYS:** Bellew

**ABSENT AND NOT VOTING:** Boehning; Frantsvog; Glassheim; Holman

Engrossed SB 2014, as amended, passed.

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#### **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 2014.

#### **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 1014, HB 1020.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1010, HB 1012, HB 1022.

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

**MR. SPEAKER:** The President has signed: SB 2008, SB 2019.

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

**MR. SPEAKER:** The President has signed: HB 1003, HB 1011, HB 1013, HB 1018, HB 1139.

#### **ANNOUNCEMENT**

**SPEAKER BELTER ANNOUNCED** that the House would stand in recess until 4:00 p.m.

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

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2013.

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

**SB 2013, as engrossed:** Your conference committee (Sens. Holmberg, Krebsbach, Heckaman and Reps. Monson, Sanford, Guggisberg) recommends that the **HOUSE**

**RECEDE** from the House amendments as printed on SJ pages 1530-1536, adopt amendments as follows, and place SB 2013 on the Seventh order:

That the House recede from its amendments as printed on pages 1530-1536 of the Senate Journal and pages 1647-1653 of the House Journal and that Engrossed Senate Bill No. 2013 be amended as follows:

Page 1, line 3, remove the second "of the"

Page 1, line 7, after "state" insert "; to provide an exemption; to provide a statement of legislative intent; and to provide for legislative management studies"

Page 1, remove lines 20 through 24

Page 2, replace lines 1 through 10 with:

"Salaries and wages	\$15,940,953	\$2,339,053	\$18,280,006
Accrued leave payments	322,068	(322,068)	0
Operating expenses	29,430,802	1,397,390	30,828,192
Integrated formula payments	1,752,100,000	164,540,000	1,916,640,000
Grants - special education contracts	16,500,000	800,000	17,300,000
Grants - transportation	53,500,000	3,500,000	57,000,000
Grants - other grants	272,996,261	(4,379,034)	268,617,227
PowerSchool	0	6,000,000	6,000,000
Rapid enrollment grants	13,600,000	1,200,000	14,800,000
Transportation efficiency	30,000	0	30,000
National board certification	<u>120,000</u>	<u>0</u>	<u>120,000</u>
Total all funds	\$2,154,540,084	\$175,075,341	\$2,329,615,425
Less estimated income	<u>436,996,759</u>	<u>71,635,714</u>	<u>508,632,473</u>
Total general fund	\$1,717,543,325	\$103,439,627	\$1,820,982,952
Full-time equivalent positions	99.75	0.00	99.75"

Page 2, replace lines 15 through 22 with:

"Salaries and wages	\$3,780,053	\$401,127	\$4,181,180
Accrued leave payments	75,354	(75,354)	0
Operating expenses	1,895,726	0	1,895,726
Grants	<u>2,519,000</u>	<u>616,500</u>	<u>3,135,500</u>
Total all funds	\$8,270,133	\$942,273	\$9,212,406
Less estimated income	<u>2,394,145</u>	<u>44,606</u>	<u>2,438,751</u>
Total general fund	\$5,875,988	\$897,667	\$6,773,655
Full-time equivalent positions	29.75	0.00	29.75"

Page 2, remove lines 27 through 31

Page 3, replace lines 1 through 4 with:

"Salaries and wages	\$6,932,905	\$781,425	\$7,714,330
Accrued leave payments	134,846	(134,846)	0
Operating expenses	1,908,794	139,502	2,048,296
Capital assets	191,762	675,412	867,174
Grants	<u>200,000</u>	<u>0</u>	<u>200,000</u>
Total all funds	\$9,368,307	\$1,461,493	\$10,829,800
Less estimated income	<u>1,568,928</u>	<u>120,282</u>	<u>1,689,210</u>
Total general fund	\$7,799,379	\$1,341,211	\$9,140,590
Full-time equivalent positions	44.61	1.00	45.61"

Page 3, replace lines 9 through 16 with:

"Salaries and wages	\$4,415,180	\$344,969	\$4,760,149
Accrued leave payments	87,463	(87,463)	0
Operating expenses	707,006	157,700	864,706
Capital assets	<u>35,364</u>	<u>46,590</u>	<u>81,954</u>
Total all funds	\$5,245,013	\$461,796	\$5,706,809
Less estimated income	<u>743,427</u>	<u>(118,102)</u>	<u>625,325</u>

Total general fund	\$4,501,586	\$579,898	\$5,081,484
Full-time equivalent positions	30.00	0.00	30.00"

Page 3, replace lines 21 through 23 with:

"Grand total general fund	\$1,735,720,278	\$106,258,403	\$1,841,978,681
Grand total special funds	<u>441,703,259</u>	<u>71,682,500</u>	<u>513,385,759</u>
Grand total all funds	\$2,177,423,537	\$177,940,903	\$2,355,364,440"

Page 4, after line 3, insert:

" Civics education grant	0	200,000
Cardiopulmonary resuscitation training grants	0	450,000"

Page 4, replace line 6 with:

" Total department of public instruction - general fund	\$6,070,000	\$15,480,000"
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Page 4, replace lines 24 through 26 with:

"Grand total - all funds	\$10,375,095	\$16,386,000
Grand total - estimated income	<u>1,112,588</u>	<u>656,000</u>
Grand total - general fund	\$9,262,507	\$15,730,000"

Page 6, line 17, replace "twenty-seven" with "eighteen"

Page 6, line 19, replace "Sixty" with "Fifty-five"

Page 6, line 20, replace "Sixty" with "Fifty-four"

Page 6, line 31, replace "Sixty" with "Fifty-four"

Page 9, line 9, after "grants" insert "for training made available to students at both the high school and middle school levels"

Page 9, line 9, remove "in"

Page 9, remove line 10

Page 9, line 11, replace "available to students at both the high school and middle school levels" with "below"

Page 9, after line 11, insert:

- "1. A school district may be eligible for reimbursement under this section if the school district utilizes one class period in a required course of the district's choosing, for the purpose of providing instruction in cardiopulmonary resuscitation to as many students as possible. A nonpublic school may be eligible for reimbursement under this section if the nonpublic school utilizes one class period in a required course of the school's choosing, for the purpose of providing instruction in cardiopulmonary resuscitation to as many students as possible. The training must:
  - a. Conform to the most recent national evidence-based American heart association guidelines for cardiopulmonary resuscitation and emergency cardiovascular care;
  - b. Be conducted according to guidelines established by the American heart association, the American red cross, or some other nationally recognized nonprofit organization;
  - c. Include the practice of chest compressions;



- d. Include instruction in the use of an automated external defibrillator; and
  - e. Use course curriculum which allows for demonstration of competency in performing cardiopulmonary resuscitation and associated skills, including automated external defibrillator and first aid, gained through psychomotor skills practice based on current national guidelines.
2.
  - a. Upon completion of the training, each school district and nonpublic school may submit to the superintendent of public instruction documentation verifying the training and any expenses incurred in providing the training.
  - b. For purposes of this section, "reimbursable expenses" include costs for instructors, training staff as instructors, instructional materials, and training manikins.
  - c. A school district's reimbursement may not exceed the equivalent of \$15 multiplied by the number of district students undergoing the training during the first year of the biennium and \$15 multiplied by the number of district students undergoing the training during the second year of the biennium, based on the number of hours and level of certification offered. A nonpublic school's reimbursement may not exceed the equivalent of \$15 multiplied by the number of the school's students undergoing the training during the first year of the biennium and \$15 multiplied by the number of the school's students undergoing the training during the second year of the biennium, based on the number of hours and level of certification offered.
3. School districts and nonpublic schools may combine with other school districts and nonpublic schools to provide the training or direct that a regional education association provide or facilitate the training.
4. The superintendent of public instruction shall provide the reimbursements to school districts and nonpublic schools in accordance with the order in which completed requests are received."

Page 9, after line 13, insert:

**"SECTION 12. EXEMPTION - SAFETY GRANTS.** The amount appropriated for school district safety grants in section 1 of chapter 59 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended funds are available for school district safety grants during the biennium beginning July 1, 2015, and ending June 30, 2017."

Page 13, after line 18, insert:

**"SECTION 22. LEGISLATIVE INTENT - REGIONAL EDUCATION ASSOCIATIONS AND THE NORTH DAKOTA TEACHER CENTER NETWORK.** It is the intent of the sixty-fourth legislative assembly that, during the 2015-17 biennium, the North Dakota teacher center network merge with regional education associations and that the mergers be complete by July 1, 2017.

**SECTION 23. LEGISLATIVE MANAGEMENT STUDY - SCHOOL DISTRICT TRANSPORTATION.** During the 2015-16 interim, the legislative management shall consider studying school district transportation and state reimbursement for transportation. 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 24. LEGISLATIVE MANAGEMENT STUDY - TEACHER PREPARATION AND RETENTION.** During the 2015-16 interim, the legislative management shall consider studying teacher preparation and retention, including

reasons new teachers leave the profession, federal requirements for teacher preparation programs, and possible enhancements to teacher preparation programs and other programs designed to improve retention of new teachers. As part of the study the superintendent of public instruction shall prepare exit interview forms to be completed by school districts when a teacher separates employment. The superintendent of public instruction shall compile the information from the exit interviews and provide a report to the legislative management. 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 25. LEGISLATIVE MANAGEMENT STUDY - EDUCATIONAL SERVICE PROVIDERS.** During the 2015-16 interim, the legislative management shall consider studying the effectiveness and efficiency of educational service providers, including regional education associations, the education standards and practices board, EduTech, the center for distance education, the North Dakota STEM network, and the teacher center network. The study shall examine organizational, structural, administrative, and supervisory options for strengthening the role and function of the named entities and ensuring the optimal provision of services to students, teachers, schools, and school districts throughout the 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."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2013 - Summary of Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Department of Public Instruction						
Total all funds	\$2,154,540,084	\$2,449,114,980	(\$119,499,555)	\$2,329,615,425	\$2,309,902,925	\$19,712,500
Less estimated income	436,996,759	508,680,867	(48,394)	508,632,473	508,632,473	0
General fund	\$1,717,543,325	\$1,940,434,113	(\$119,451,161)	\$1,820,982,952	\$1,801,270,452	\$19,712,500
State Library						
Total all funds	\$8,270,133	\$9,234,993	(\$22,587)	\$9,212,406	\$9,212,406	\$0
Less estimated income	2,394,145	2,439,261	(510)	2,438,751	2,438,751	0
General fund	\$5,875,988	\$6,795,732	(\$22,077)	\$6,773,655	\$6,773,655	\$0
School for the Deaf						
Total all funds	\$9,368,307	\$10,869,702	(\$39,902)	\$10,829,800	\$10,829,800	\$0
Less estimated income	1,568,928	1,693,570	(4,360)	1,689,210	1,689,210	0
General fund	\$7,799,379	\$9,176,132	(\$35,542)	\$9,140,590	\$9,140,590	\$0
Vision Services - School for the Blind						
Total all funds	\$5,245,013	\$5,730,901	(\$24,092)	\$5,706,809	\$5,706,809	\$0
Less estimated income	743,427	631,843	(6,518)	625,325	625,325	0
General fund	\$4,501,586	\$5,099,058	(\$17,574)	\$5,081,484	\$5,081,484	\$0
Bill total						
Total all funds	\$2,177,423,537	\$2,474,950,576	(\$119,586,136)	\$2,355,364,440	\$2,335,651,940	\$19,712,500
Less estimated income	441,703,259	513,445,541	(59,782)	513,385,759	513,385,759	0
General fund	\$1,735,720,278	\$1,961,505,035	(\$119,526,354)	\$1,841,978,681	\$1,822,266,181	\$19,712,500

#### Senate Bill No. 2013 - Department of Public Instruction - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$15,940,953	\$18,356,066	(\$76,060)	\$18,280,006	\$18,280,006	
Operating expenses	29,430,802	30,828,192		30,828,192	30,828,192	
Integrated formula payments	1,752,100,000	2,030,800,000	(114,160,000)	1,916,640,000	1,897,000,000	19,640,000
Grants - special education contracts	16,500,000	17,300,000		17,300,000	17,300,000	
Grants - transportation	53,500,000	60,000,000	(3,000,000)	57,000,000	57,000,000	
Grants - other grants	272,996,261	270,880,722	(2,263,495)	268,617,227	268,544,727	72,500
Rapid enrollment grants	13,600,000	14,800,000		14,800,000	14,800,000	
Transportation efficiency	30,000	30,000		30,000	30,000	

National board certification	120,000	120,000		120,000	120,000	
Accrued leave payments	322,068					
PowerSchool		6,000,000		6,000,000	6,000,000	
Total all funds	\$2,154,540,084	\$2,449,114,980	(\$119,499,555)	\$2,329,615,425	\$2,309,902,925	\$19,712,500
Less estimated income	436,996,759	508,680,867	(48,394)	508,632,473	508,632,473	0
General fund	\$1,717,543,325	\$1,940,434,113	(\$119,451,161)	\$1,820,982,952	\$1,801,270,452	\$19,712,500
FTE	99.75	99.75	0.00	99.75	99.75	0.00

### Department No. 201 - Department of Public Instruction - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adjusts Funding for English Language Learner Grants <sup>2</sup>	Adjusts Funding for Integrated Formula Payments <sup>3</sup>	Decreases Funding for Transportation Grants <sup>4</sup>	Adds Funding for Medicaid Matching Requirements <sup>5</sup>	Decreases Funding for Free Meals to Students Eligible for Reduced Meals <sup>6</sup>
Salaries and wages	(\$76,060)					
Operating expenses						
Integrated formula payments			(114,160,000)			
Grants - special education contracts						
Grants - transportation				(3,000,000)		
Grants - other grants		(1,500,000)			323,611	(867,000)
Rapid enrollment grants						
Transportation efficiency						
National board certification						
Accrued leave payments						
PowerSchool						
Total all funds	(\$76,060)	(\$1,500,000)	(\$114,160,000)	(\$3,000,000)	\$323,611	(\$867,000)
Less estimated income	(48,394)	0	0	0	0	0
General fund	(\$27,666)	(\$1,500,000)	(\$114,160,000)	(\$3,000,000)	\$323,611	(\$867,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for Civics Education Grant <sup>7</sup>	Adjusts Funding for Other Grants <sup>8</sup>	Total Conference Committee Changes
Salaries and wages			(\$76,060)
Operating expenses			
Integrated formula payments			(114,160,000)
Grants - special education contracts			
Grants - transportation			(3,000,000)
Grants - other grants	200,000	(420,106)	(2,263,495)
Rapid enrollment grants			
Transportation efficiency			
National board certification			
Accrued leave payments			
PowerSchool			
Total all funds	\$200,000	(\$420,106)	(\$119,499,555)
Less estimated income	0	0	(48,394)
General fund	\$200,000	(\$420,106)	(\$119,451,161)
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 for English language learner grants included in Senate Bill No. 2031 is adjusted to provide a total of \$1 million from the general fund. This level of funding is \$1.5 million less than the Senate version of \$2.5 million and \$200,000 less than the House version of \$1.2 million. The executive recommendation did not include English language learner grants.

<sup>3</sup> Integrated formula payments are reduced based on conference committee amendments to Senate Bill No. 2031, to provide a total of \$1,916,640,000, of which \$219,134,000 is from the state tuition fund and \$1,697,506,000 is from the general fund. This level of funding represents a \$164,540,000 increase from 2013-15 base level integrated formula payments,

a \$16,640,000 increase from the executive recommendation, and a \$19,640,000 increase from the House version. Funding for integrated formula payments is adjusted by the conference committee as follows:

Per student integrated formula payment rates are adjusted to provide for 3 percent per year increases during the 2015-17 biennium. The Senate provided an average increase of 3.65 percent per year and the House provided for 2 percent per year increases in the integrated formula payment rates.	(\$17,080,000)
Increases in the "at-risk" factor are removed, the same as the House version.	(45,100,000)
Formula payments are adjusted for anticipated increases in mineral payments provided to school districts as a result of changes to the oil tax distribution formula.	(7,500,000)
Additional property tax relief added by the Senate is removed, the same as the House version.	(22,000,000)
Additional professional development days added by the Senate are removed, the same as the House version.	(20,000,000)
Increases to the English language learner factors included in the executive recommendation and the Senate version are adjusted. The House version did not include funding for increased English language learner factors.	(650,000)
Regional education association factor increases included in the executive recommendation and the Senate version are removed, the same as the House version.	(420,000)
Increases to the school size weighting factors added by the Senate are adjusted. The House version did not include funding for increased school size weighting factors.	(1,410,000)
<b>Total conference committee adjustment to integrated formula payments.</b>	<b>(\$114,160,000)</b>

<sup>4</sup> Funding for transportation grants is reduced to provide a total of \$57 million from the general fund, an increase of \$3.5 million from the 2013-15 biennium, the same as the House version.

<sup>5</sup> Funding is added for Medicaid matching requirements of school districts related to increased medical assistance payment rates for physical, occupational, and speech therapy services, the same as the House version.

<sup>6</sup> Funding added by the Senate to provide free breakfast and lunch to students eligible for reduced meals is decreased to provide a total of \$205,000 from the general fund to provide free breakfast to students eligible for reduced meals, the same as the House version.

<sup>7</sup> One-time funding is added to provide for a passthrough grant to the North Dakota Humanities Council for the development of elementary and secondary civics education, the same as the House version.

<sup>8</sup> Funding is reduced for the following other grants provided from the general fund:

	<b>General Fund (Decrease)</b>	<b>Total General Fund</b>
Mentoring program	(\$300,000)	\$2,700,000
Teacher center network	(54,000)	360,000
North Dakota Young Entrepreneur education program	(40,000)	100,000
Pathfinders Parent project	(26,106)	120,000
Total general fund	(\$420,106)	\$3,280,000

The conference committee restored funding increases for the LEAD Center, rural art outreach program, "We the People" program, and national writing projects included in the executive recommendation and in the Senate version, but removed by the House. The conference committee also restored a portion of the funding for the North Dakota Young Entrepreneur education program and the Pathfinders Parent project which were not funded in the House version.

The conference committee did not restore funding reductions made by the House for the mentoring program or the teacher center network.

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This amendment also:

- Designates funding for a civics education grant (\$200,000) and CPR grants (\$450,000) as one-time funding from the general fund, the same as the House version.
- Amends the section related to the distribution of transportation grants to adjust

reimbursement rates to reflect a \$3 million reduction in total available grants, the same as the House version.

- Amends a section related to the distribution of cardiopulmonary resuscitation training grants to include middle school students, remove the matching requirement, and provide a \$15 reimbursement. The House and Senate versions provided grants be distributed based on 2013 Session Law, but include middle school students.
- Adds an exemption to provide that any safety grant funds remaining at the end of the 2013-15 biennium may be continued to the 2015-17 biennium, the same as the House version.
- Adds a section of legislative intent to require that, during the 2015-17 biennium, teacher center networks merge with regional education associations and to provide mergers are complete by July 1, 2017, the same as the House version.
- Adds a section to provide for a Legislative Management study of school district transportation and state reimbursement, the same as the House version.
- Adds a section to provide for a Legislative Management study of teacher preparation and retention, including reasons new teachers leave the profession, federal requirements for teacher preparation programs, and possible enhancements to teacher preparation programs and other programs designed to improve retention of new teachers. As part of the study the Department of Public Instruction must prepare exit interview forms to be completed by school districts when a teacher separates employment. Information from the exit interviews must be compiled by the Department of Public Instruction and the department must report to the Legislative Management regarding the data compiled from the exit interviews, the same as the House version.
- Adds a section to provide for a Legislative Management study of the effectiveness and efficiency of educational service providers, including regional education associations, the Education Standards and Practices Board, EduTech, the Center for Distance Education, the North Dakota STEM network, and the teacher center network. This section was not included in the Senate or House version.

The conference committee did not include a section to restrict the carryover of funds provided for state school aid during the 2013-15 biennium included in the House version.

#### Senate Bill No. 2013 - State Library - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$3,780,053	\$4,203,767	(\$22,587)	\$4,181,180	\$4,181,180	
Operating expenses	1,895,726	1,895,726		1,895,726	1,895,726	
Grants	2,519,000	3,135,500		3,135,500	3,135,500	
Accrued leave payments	75,354					
Total all funds	\$8,270,133	\$9,234,993	(\$22,587)	\$9,212,406	\$9,212,406	\$0
Less estimated income	2,394,145	2,439,261	(510)	2,438,751	2,438,751	0
General fund	\$5,875,988	\$6,795,732	(\$22,077)	\$6,773,655	\$6,773,655	\$0
FTE	29.75	29.75	0.00	29.75	29.75	0.00

#### Department No. 250 - State Library - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Total Conference Committee Changes
Salaries and wages	(\$22,587)	(\$22,587)
Operating expenses		
Grants		
Accrued leave payments		
Total all funds	(\$22,587)	(\$22,587)
Less estimated income	(510)	(510)
General fund	(\$22,077)	(\$22,077)
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.

### Senate Bill No. 2013 - School for the Deaf - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$6,932,905	\$7,754,232	(\$39,902)	\$7,714,330	\$7,714,330	
Operating expenses	1,908,794	2,048,296		2,048,296	2,048,296	
Capital assets	191,762	867,174		867,174	867,174	
Grants	200,000	200,000		200,000	200,000	
Accrued leave payments	134,846					
Total all funds	\$9,368,307	\$10,869,702	(\$39,902)	\$10,829,800	\$10,829,800	\$0
Less estimated income	1,568,928	1,693,570	(4,360)	1,689,210	1,689,210	0
General fund	\$7,799,379	\$9,176,132	(\$35,542)	\$9,140,590	\$9,140,590	\$0
FTE	44.61	45.61	0.00	45.61	45.61	0.00

### Department No. 252 - School for the Deaf - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Total Conference Committee Changes
Salaries and wages	(\$39,902)	(\$39,902)
Operating expenses		
Capital assets		
Grants		
Accrued leave payments		
Total all funds	(\$39,902)	(\$39,902)
Less estimated income	(4,360)	(4,360)
General fund	(\$35,542)	(\$35,542)
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.

### Senate Bill No. 2013 - Vision Services - School for the Blind - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$4,415,180	\$4,784,241	(\$24,092)	\$4,760,149	\$4,760,149	
Operating expenses	707,006	864,706		864,706	864,706	
Capital assets	35,364	81,954		81,954	81,954	
Accrued leave payments	87,463					
Total all funds	\$5,245,013	\$5,730,901	(\$24,092)	\$5,706,809	\$5,706,809	\$0
Less estimated income	743,427	631,843	(6,518)	625,325	625,325	0
General fund	\$4,501,586	\$5,099,058	(\$17,574)	\$5,081,484	\$5,081,484	\$0
FTE	30.00	30.00	0.00	30.00	30.00	0.00

### Department No. 253 - Vision Services - School for the Blind - Detail of Conference Committee Changes

Adjusts Funding for Health Insurance Premium	Total Conference Committee Changes
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	Increases <sup>1</sup>	
Salaries and wages	(\$24,092)	(\$24,092)
Operating expenses		
Capital assets		
Accrued leave payments		
Total all funds	(\$24,092)	(\$24,092)
Less estimated income	(6,518)	(6,518)
General fund	(\$17,574)	(\$17,574)
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.

Engrossed SB 2013 was placed on the Seventh order of business on the calendar.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. MONSON MOVED** that the conference committee report on Engrossed SB 2013 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2013:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of public instruction, the state library, the school for the deaf, and the North Dakota vision services - school for the blind; to create and enact a new section to chapter 54-24 of the North Dakota Century Code, relating to the state library operating fund; to amend and reenact sections 15.1-02-02, 15.1-07-33, 24-02-03.3, and 39-01-03 of the North Dakota Century Code, relating to the salary of the superintendent of public instruction, PowerSchool, and the management and use of motor vehicles owned by the state; to provide an exemption; to provide a statement of legislative intent; and to provide for legislative management studies.

#### ROLL CALL

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

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

**NAYS:** Ruby; Schatz; Steiner

**ABSENT AND NOT VOTING:** Boehning; Frantsvog; Glassheim; Holman

Engrossed SB 2013, as amended, passed.

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#### 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: SB 2018.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2018, as engrossed:** Your conference committee (Sens. Krebsbach, Erbele, Mathern and Reps. Monson, Martinson, Boe) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1536-1539, adopt amendments as

follows, and place SB 2018 on the Seventh order:

That the House recede from its amendments as printed on pages 1536-1539 of the Senate Journal and pages 1666-1669 of the House Journal and that Engrossed Senate Bill No. 2018 be amended as follows:

Page 1, line 2, after the semicolon insert "to provide a statement of legislative intent"

Page 1, replace lines 11 through 22 with:

"Salaries and wages	\$11,367,710	\$2,670,279	\$14,037,989
Accrued leave payments	211,332	(211,332)	0
Operating expenses	2,666,016	2,003,649	4,669,665
Capital assets	1,699,725	2,750,569	4,450,294
Grants	1,000,000	(100,000)	900,000
Cultural heritage grants	504,500	0	504,500
Exhibits	0	300,000	300,000
Yellowstone-Missouri-Fort Union	4,492	0	4,492
Total all funds	\$17,453,775	\$7,413,165	\$24,866,940
Less estimated income	3,221,964	302,937	3,524,901
Total general fund	\$14,231,811	\$7,110,228	\$21,342,039
Full-time equivalent positions	68.00	10.00	78.00"

Page 2, replace lines 4 through 15 with:

"North Dakota studies eighth grade curriculum	\$150,000	\$0
Historic sites exhibits	50,000	0
Project pool	950,000	0
State's 125th celebration planning	100,000	0
Technology costs	0	100,650
Fort Totten and Stutsman repairs	0	1,025,000
Electronic records project	0	264,000
Dakota the dinosaur	0	1,500,000
Traveling and historic sites exhibits	0	300,000
Promotion funding for historical events	0	200,000
Whitestone hill native memorial	0	75,000
Total all funds	\$1,250,000	\$3,464,650
Less estimated income	0	225,000
Total general fund	\$1,250,000	\$3,239,650"

Page 2, after line 28, insert:

**"SECTION 5. APPROPRIATION - STATE DISASTER RELIEF FUND - DOUBLE DITCH HISTORIC SITE REPAIRS.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$250,000, and from the state disaster relief fund in the state treasury, the sum of \$2,000,000, or so much of the sum as may be necessary, to the state historical society for double ditch historic site repairs, for the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 6. CONTINGENT LOAN AUTHORIZATION - APPROPRIATION - DOUBLE DITCH HISTORIC SITE REPAIRS.** The state historical society may obtain a loan from the Bank of North Dakota in an amount not to exceed \$1,250,000, the sum of which is appropriated to the state historical society for the purpose of defraying the expenses of repairs to the Double Ditch historic site, for the biennium beginning July 1, 2015, and ending June 30, 2017. The loan authorization and appropriation in this section is contingent on the state historical society being unable to obtain assistance to contract with the adjutant general for the double ditch historic site repairs.

**SECTION 7. LEGISLATIVE INTENT - DOUBLE DITCH HISTORIC SITE REPAIRS.** If the state historical society is unable to complete the double ditch historic site repair project within the funding appropriated and raised for the project, it is the intent of the legislative assembly that the state historical society seek assistance from or contract with the adjutant general for the project. It is further the



intent of the legislative assembly, that if necessary, the state historical society may request additional funds for the project from the sixty-fifth legislative assembly.

### SECTION 8. WHITESTONE HILL NATIVE MEMORIAL - MATCHING FUNDS.

Of the funds appropriated in the capital assets line item in section 1 of this Act, \$25,000 from the general fund and \$50,000 from other funds is for the Whitestone hill native memorial."

Page 2, line 30, replace "\$4,675,000" with "\$825,000"

Page 2, line 30, after "projects" insert "and section 5"

Page 2, line 30, replace "is" with "are"

Renumber accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2018 - State Historical Society - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$11,367,710	\$14,290,938	(\$252,949)	\$14,037,989	\$13,974,989	\$63,000
Operating expenses	2,666,016	4,682,665	(13,000)	4,669,665	4,632,665	37,000
Capital assets	1,699,725	6,575,294	(2,125,000)	4,450,294	4,500,294	(50,000)
Grants	1,000,000	900,000		900,000	900,000	
Cultural heritage grants	504,500	504,500		504,500	504,500	
Yellowstone-Missouri-Fort Union Comm	4,492	4,492		4,492	4,492	
Accrued leave payments	211,332					
Exhibits		300,000		300,000	300,000	
Double ditch historic site repairs			3,500,000	3,500,000		3,500,000
Total all funds	\$17,453,775	\$27,257,889	\$1,109,051	\$28,366,940	\$24,816,940	\$3,550,000
Less estimated income	3,221,964	3,480,717	3,294,184	6,774,901	3,474,901	3,300,000
General fund	\$14,231,811	\$23,777,172	(\$2,185,133)	\$21,592,039	\$21,342,039	\$250,000
FTE	68.00	79.00	(1.00)	78.00	78.00	0.00

#### Department No. 701 - State Historical Society - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Removes Funding for New Historic Site Supervisor <sup>2</sup>	Reduces Funding for Welk Homestead Operations <sup>3</sup>	Adds One-Time Funding for Dakota the Dinosaur <sup>4</sup>	Adjusts One- Time Funding for Double Ditch Historic Site <sup>5</sup>	Adds Contingent Loan Funding for Double Ditch Historic Site <sup>6</sup>
Salaries and wages	(\$61,537)	(\$169,412)	(\$22,000)			
Operating expenses			(13,000)			
Capital assets				1,500,000	(3,500,000)	
Grants						
Cultural heritage grants						
Yellowstone-Missouri-Fort Union Comm						
Accrued leave payments						
Exhibits						
Double ditch historic site repairs					2,250,000	1,250,000
Total all funds	(\$61,537)	(\$169,412)	(\$35,000)	\$1,500,000	(\$1,250,000)	\$1,250,000
Less estimated income	(5,816)	0	0	0	2,000,000	1,250,000
General fund	(\$55,721)	(\$169,412)	(\$35,000)	\$1,500,000	(\$3,250,000)	\$0
FTE	0.00	(1.00)	0.00	0.00	0.00	0.00
	Reduces One- Time Funding for Fort Totten and Stutsman County Courthouse <sup>7</sup>	Adjusts One- Time Funding for Whitestone Hill Native Memorial <sup>8</sup>	Total Conference Committee Changes			
Salaries and wages			(\$252,949)			
Operating expenses			(13,000)			
Capital assets	(150,000)	25,000	(2,125,000)			

Grants			
Cultural heritage grants			
Yellowstone-Missouri-Fort Union Comm			
Accrued leave payments			
Exhibits			
Double ditch historic site repairs			3,500,000
Total all funds	(\$150,000)	\$25,000	\$1,109,051
Less estimated income	0	50,000	3,294,184
General fund	(\$150,000)	(\$25,000)	(\$2,185,133)
FTE	0.00	0.00	(1.00)

<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 removed from the general fund for a new historic site supervisor FTE position (\$163,091) and related salary increase (\$6,321), the same as the House version.

<sup>3</sup> Funding from the general fund is reduced to provide a total of \$63,000 for temporary employee salaries and wages and related operating costs of \$37,000 of the Welk Homestead. The House version did not provide funding and the Senate version provided \$85,000 for temporary employee salaries and wages and related operating costs of \$50,000 of the Welk Homestead.

<sup>4</sup> One-time funding from the general fund is added for the purchase of Dakota the dinosaur, the same as the House version.

<sup>5</sup> One-time funding from the general fund for the Double Ditch Historic Site repairs was removed from Section 1 of the bill and replaced with a section appropriating \$250,000 from the general fund and \$2 million from the state disaster relief fund to the State Historical Society for the Double Ditch Historic Site repairs and a legislative intent section for Double Ditch Historic Site repairs. The House version provided \$250,000 from the general fund for Double Ditch Historic Site repairs and the Senate version provided \$3.5 million from the general fund for Double Ditch Historic Site repairs.

<sup>6</sup> A section is added authorizing a Bank of North Dakota loan and appropriating the proceeds to the State Historical Society for the Double Ditch Historic Site repairs, contingent upon the State Historical Society failing to obtain assistance or contract with the Adjutant General for the repairs.

<sup>7</sup> One-time funding from the general fund and other funds is reduced from \$1,175,000 to \$850,000, providing the project funding listed below. The House version provided \$600,000 for Fort Totten and \$275,000 for Stutsman County Courthouse.

	General Fund	Other Funds	Total
Fort Totten repairs	\$500,000	\$100,000	\$600,000
Stutsman County Courthouse repairs	350,000	75,000	425,000
Total	\$850,000	\$175,000	\$1,025,000

<sup>8</sup> One-time funding is reduced from \$50,000 to \$25,000 for the Whitestone Hill native memorial and \$50,000 in special funds spending authority is provided. The House version provided \$25,000 from the general fund with a \$25,000 dollar-for-dollar required match and the Senate version provided \$50,000 from the general fund.

This amendment also:

- Transfers \$200,000 from the general fund for the promotion funding from ongoing funding to one-time funding, the same as the House version.
- Transfers \$300,000 from the general fund for the traveling and historic sites exhibits from ongoing funding to one-time funding, the same as the House version.
- Changes the emergency clause from \$4,675,000 to \$825,000 and includes Section

5 relating to Fort Totten and Stutsman County Courthouse repairs and an appropriation for the Double Ditch Historic Site repairs.

Engrossed SB 2018 was placed on the Seventh order of business on the calendar.

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

**REP. MONSON MOVED** that the conference committee report on Engrossed SB 2018 be adopted, which motion prevailed on a voice vote.

#### **SECOND READING OF SENATE BILL**

**SB 2018:** A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society; to provide a statement of legislative intent; 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 64 YEAS, 26 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Brandenburg; Carlson; Damschen; Delmore; Dockter; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Hunsakor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kiefert; Klein; Klemin; Kreidt; Kretschmar; Laning; Larson; Looyesen; Maragos; Martinson; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Sanford; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Strinden; Sukut; Thoreson; Trottier; Vigasaa; Wallman; Speaker Belter

**NAYS:** Becker, Rick C.; Bellew; Brabandt; Delzer; Devlin; Dosch; Fehr; Froseth; Headland; Kading; Kempenich; Koppelman, B.; Koppelman, K.; Lefor; Louser; Meier; Olson; Rohr; Ruby; Schatz; Schmidt; Steiner; Streyle; Toman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Boehning; Frantsovog; Glassheim; Holman

Engrossed SB 2018, as amended, passed and the emergency clause was declared carried.

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#### **HOUSE INTERIM COMMITTEES**

**SPEAKER BELTER ANNOUNCED** the following House Interim Committees:

##### **Legislative Management**

Rep. Dockter  
Rep Belter  
Rep Ruby  
Rep. Schmidt  
Rep. Carlson  
Rep. Devlin  
Rep. Onstad  
Rep. Nelson  
Rep. Hogan

##### **Capitol Grounds Planning Commission**

Rep. Klein  
Rep. Kelsh

##### **Comprehensive Health Association Of North Dakota Board**

Rep. Weisz

##### **Council of Interstate Adult Offenders Program**

Rep. Klemin

##### **Legacy and Budget Stabilization Fund Advisory Board**

Rep. Kreidt

Rep. Kempenich

**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 2013.

**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 2018.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1003, HB 1011, HB 1013, HB 1018, HB 1059, HB 1139.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 28, 2015: HB 1003, HB 1011, HB 1013, HB 1018, HB 1059, HB 1139.

**ANNOUNCEMENT**

**SPEAKER BELTER ANNOUNCED** that the House would stand in recess until 5:00 p.m.

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

**REPORT OF PROCEDURAL COMMITTEE**

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

Page 2128, line 39, replace "\$399,000,000" with "\$414,000,000"

Page 2128, line 40, replace "\$108,000,000" with "\$113,000,000"

Page 2128, line 41, replace "\$51,000,000" with "\$61,000,000"

Page 2128, line 42, replace "\$40,000,000" with "\$50,000,000"

**REP. KRETSCHMAR MOVED** that the report be adopted, which motion prevailed on a voice vote.

**ANNOUNCEMENT**

**SPEAKER BELTER ANNOUNCED** that the House stand at ease.

The House was called back to order, with Speaker Belter presiding.

**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: SB 2003.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2003, as engrossed:** Your conference committee (Sens. Kilzer, Sorvaag, O'Connell and Reps. Skarphol, Kempenich, Hogan) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1434-1438, adopt amendments as follows, and place SB 2003 on the Seventh order:

That the House recede from its amendments as printed on pages 1434-1438 of the Senate Journal and pages 1576-1580 of the House Journal and that Engrossed Senate Bill No. 2003 be amended as follows:

Page 1, line 2, remove "to provide for grants;"

Page 1, line 2, after "a" insert "new section to chapter 27-05 and two"

Page 1, line 2, replace "section" with "sections"

Page 1, line 3, after "to" insert "the responsibility for expert witness expenses, attorney general opinions, and"

Page 1, line 4, after the first comma insert "54-12-08,"

Page 1, line 5, after the second comma insert "assistant and special assistant attorneys general,"

Page 1, line 7, after the semicolon insert "to provide a report to the budget section; to provide for a legislative management study;"

Page 1, remove lines 16 through 24

Page 2, replace lines 1 through 8 with:

"Salaries and wages	\$34,806,462	\$8,709,679	\$43,516,141
Accrued leave payments	1,057,247	(1,057,247)	0
Operating expenses	26,994,056	(1,002,737)	25,991,319
Capital assets	2,165,077	506,110	2,671,187
Grants	2,373,947	(611,288)	1,762,659
Criminal justice information sharing	0	5,401,701	5,401,701
Law enforcement	0	3,887,386	3,887,386
Litigation fees	50,000	0	50,000
Abortion litigation fees	400,000	0	400,000
Medical examinations	660,000	0	660,000
North Dakota lottery	4,133,821	1,148,957	5,282,778
Arrest and return of fugitives	10,000	0	10,000
Gaming commission	<u>7,368</u>	<u>122</u>	<u>7,490</u>
Total all funds	\$72,657,978	\$16,982,683	\$89,640,661
Less estimated income	<u>35,382,450</u>	<u>518,335</u>	<u>35,900,785</u>
Total general fund	\$37,275,528	\$16,464,348	\$53,739,876
Full-time equivalent positions	212.50	36.50	249.00"

Page 2, replace lines 14 through 20 with:

"BCI vehicles	\$198,000	\$132,000
BCI surveillance vehicles	0	200,000
Criminal justice information sharing	0	1,250,000
Target equity criminal investigators	0	1,276,301
Target equity gaming audit staff	0	270,000
Computerized business projects FTE	<u>178,100</u>	<u>0</u>
Total all funds	\$376,100	\$3,128,301
Total special funds	<u>0</u>	<u>653,333</u>
Total general fund	\$376,100	\$2,474,968"

Page 2, replace lines 25 through 30 with:

**"SECTION 3. TARGETED MARKET EQUITY FUNDING - LIMITATIONS - SALARY SAVINGS - REPORT TO BUDGET SECTION.** Of the funds appropriated in the salaries and wages line item in section 1 of this Act, \$270,000 is one-time funding from the attorney general refund fund for providing targeted market equity to gaming audit staff and \$1,276,301 is one-time targeted market equity funding for criminal investigators, including \$250,000 provided from carryover funds due to the exemption in section 5 of this Act, and up to \$1,026,301 from the general fund. The attorney general may spend the general fund amount under this section only to the extent that salary savings resulting from vacant positions and employee turnover are not sufficient to provide the \$1,026,301 authorized for targeted market equity from the general fund. The attorney general shall report to the office of management and budget and the office of management and budget must report to budget section in September 2015 and September 2016 regarding the amount of salary savings used to reduce funding needed from the general fund and to report on the number and duration of vacant full-time equivalent positions."

Page 3, remove lines 14 through 31

Page 4, replace lines 1 and 2 with:

**"SECTION 6.** A new section to chapter 27-05 of the North Dakota Century Code is created and enacted as follows:

**State crime laboratory expert witness travel costs responsibility of district court - Exception.**

In any case before the district court involving an offense other than a class AA felony in which a staff member from the state crime laboratory is subpoenaed to testify as an expert witness, the district court shall pay the mileage and travel expenses incurred by the expert witness as provided under sections 44-04-04 and 54-06-09. If the district court permits the expert witness to testify via the state's interactive video network service or other interactive computer service, the district court is not responsible for any costs related to the testimony of a subpoenaed state crime laboratory expert witness."

Page 4, line 27, replace "One hundred" with "Eighty"

Page 5, after line 6, insert:

**"SECTION 8.** A new section to chapter 54-12 of the North Dakota Century Code is created and enacted as follows:

**Attorney general opinions - Notification of receipt of request - Delivery.**

Within thirty days of receipt of a request for a written opinion under section 54-12-01 or 44-04-21.1, the attorney general shall notify the individual who requested the opinion that the request has been received and that a written opinion will be delivered to the requester within one hundred eighty days of the receipt of the request or that the attorney general has determined that a written opinion will not be provided to the requester. If the attorney general determines that an opinion will not be written in response to the request, the attorney general shall inform the requester of the basis for that determination."

Page 6, after line 30, insert:

**"SECTION 10. AMENDMENT.** Section 54-12-08 of the North Dakota Century Code is amended and reenacted as follows:

**54-12-08. Assistant and special assistant attorneys general - Appointment - Revocation - Compensation.**

1. After consultation with the head of the state department or institution or with the state board, commission, committee, or agency affected, the attorney general may appoint assistant or special assistant attorneys general to represent the state board, commission, committee, or agency. A state officer, head of any state department, whether elected or appointed, or state department, board, commission, committee, or agency may not employ legal counsel, and no person may act as legal counsel in any matter, action, or proceeding in which the state or any state department, board, commission, committee, or agency is interested or is a party, except upon written appointment by the attorney general. Workforce safety and insurance, the department of transportation, the state tax commissioner, the public service commission, the insurance commissioner, ~~the board of higher education, and the securities~~ commissioner may employ attorneys to represent them. These entities shall pay the salaries and expenses of the attorneys they employ within the limits of legislative appropriations. The attorneys that represent these entities must be special assistant attorneys general appointed by the attorney general pursuant to this section. Absent good cause, the attorney general shall appoint as special assistant attorneys general licensed attorneys selected by these entities. The attorney general may revoke the appointment only for good cause or upon the request of the

entity. Good cause means an inadequate level of experience, competence, or ethical standards.

2. The powers conferred upon special assistant attorneys general are the same as are exercised by the regular assistant attorneys general, unless the powers are limited specifically by the terms of the appointment. Except as otherwise provided by this section, an appointment is revocable at the pleasure of the attorney general. The appointment may be made with or without compensation, and when compensation is allowed by the attorney general for services performed, the compensation must be paid out of the funds appropriated therefor.
3. The attorney general may require payment for legal services rendered by any assistant or special assistant attorney general to any state official, board, department, agency, or commission and those entities shall make the required payment to the attorney general. Moneys received by the attorney general in payment for legal services rendered must be deposited into the attorney general's operating fund. General fund moneys may not be utilized for the payment of legal services provided by the attorneys employed by the attorney general, except for those payments required of the department of human services, state department of health, and the state hospital.
4. Any assistant and special assistant attorney general, appointed to represent the state board of higher education or an institution under the control of the state board of higher education may access and examine any record under the control of the state board of higher education. For purposes of reviewing records under the Family Educational Rights and Privacy Act [20 U.S.C. 1232g; 34 CFR 99] or any other federal privacy law, the assistant and special assistant attorneys general must be considered a state educational official authorized to access student records for legal purposes."

Page 8, after line 18 insert:

**"SECTION 13. CAMPUS ASSESSMENTS - REPORT TO BUDGET**

**SECTION.** The attorney general shall report to the budget section by September 30, 2016, regarding any fees charged to a campus in excess of the campus assessments listed below for legal fees charged by the attorney general.

Bismarck state college	\$38,377
Lake region state college	17,796
Williston state college	12,530
University of North Dakota	0
North Dakota state university	0
North Dakota state college of science	39,346
Dickinson state university	17,615
Mayville state university	16,949
Minot state university	39,709
Valley City state university	17,494
Dakota college at Bottineau	11,804
Total	\$211,620

**SECTION 14. LEGISLATIVE MANAGEMENT STUDY - MEDICAID FRAUD**

**UNIT.** During the 2015-16 interim, the legislative management shall consider studying the feasibility and desirability of establishing a medicaid fraud unit in the state. The study must include a review of the requirements for and the estimated costs and benefits of developing a medicaid fraud unit as well as any statutory requirements and changes necessary for the realization of the full benefit of a medicaid fraud unit. As part of the study, the legislative management shall seek input from the medical community, the department of human services, and any other relevant professions. 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 8, line 20, replace "Sections 3" with "Section 4"

Page 8, line 20, after "and" insert "subsection 4 of"

Page 8, line 20, replace "4" with "10"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2003 - Attorney General - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$34,806,462	\$40,303,241	\$3,212,900	\$43,516,141	\$40,753,797	\$2,762,344
Operating expenses	26,994,056	25,858,095	133,224	25,991,319	25,549,593	441,726
Capital assets	2,165,077	2,879,187	(208,000)	2,671,187	2,671,187	
Grants	2,373,947	1,762,659		1,762,659	1,762,659	
Litigation fees	50,000	50,000		50,000	50,000	
Abortion litigation fees	400,000	400,000		400,000	400,000	
Medical examinations	660,000	660,000		660,000	660,000	
North Dakota lottery	4,133,821	5,282,778		5,282,778	5,282,778	
Arrest and return of fugitives	10,000	10,000		10,000	10,000	
Gaming commission	7,368	7,490		7,490	7,490	
Accrued leave payments	1,057,247					
Law enforcement grants		24,815,507	(24,815,507)			
Criminal justice information sharing		5,401,701	(4,518)	5,401,701	5,401,701	
Law enforcement			3,887,386	3,887,386		3,887,386
Total all funds	\$72,657,978	\$107,435,176	(\$17,794,515)	\$89,640,661	\$82,549,205	\$7,091,456
Less estimated income	35,382,450	60,523,643	(24,622,858)	35,900,785	34,913,612	987,173
General fund	\$37,275,528	\$46,911,533	\$6,828,343	\$53,739,876	\$47,635,593	\$6,104,283
FTE	212.50	248.00	1.00	249.00	230.50	18.50

#### Department No. 125 - Attorney General - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds Funding for Higher Education Legal Staff <sup>2</sup>	Adds Funding for New Criminal History Identification Technicians <sup>3</sup>	Removes Funding for Existing Criminal Justice Information Sharing FTE <sup>4</sup>	Removes Funding for Oil Impact Law Enforcement Grants <sup>5</sup>	Adds Funding for Law Enforcement Positions <sup>6</sup>
Salaries and wages	(\$180,687)	\$2,794,709	\$242,892	(\$333,576)	(\$131,847)	
Operating expenses		286,082	67,644			
Capital assets						
Grants						
Litigation fees						
Abortion litigation fees						
Medical examinations						
North Dakota lottery						
Arrest and return of fugitives						
Gaming commission						
Accrued leave payments						
Law enforcement grants					(24,815,507)	
Criminal justice information sharing	(4,518)					
Law enforcement						3,887,386
Total all funds	(\$185,205)	\$3,080,791	\$310,536	(\$333,576)	(\$24,947,354)	\$3,887,386
Less estimated income	(15,201)	438,061	0	(333,576)	(24,456,308)	162,688
General fund	(\$170,004)	\$2,642,730	\$310,536	\$0	(\$491,046)	\$3,724,698
FTE	0.00	8.00	2.00	(2.00)	(19.50)	16.50

	Removes Funding for Medicaid Fraud Unit <sup>7</sup>	Removes Funding for Building Feasibility Study <sup>8</sup>	Adds One-Time Funding for Targeted Equity <sup>9</sup>	Reduces One- Time Funding for Undercover Vehicles <sup>10</sup>	Reduces One- Time Funding for Surveillance Vehicles <sup>11</sup>	Total Conference Committee Changes
Salaries and wages	(\$724,892)		\$1,546,301			\$3,212,900
Operating expenses	(190,502)	(30,000)				133,224
Capital assets	(20,000)			(88,000)	(100,000)	(208,000)
Grants						
Litigation fees						



Abortion litigation fees						
Medical examinations						
North Dakota lottery						
Arrest and return of fugitives						
Gaming commission						
Accrued leave payments						
Law enforcement grants						(24,815,507)
Criminal justice information sharing						(4,518)
Law enforcement						3,887,386
Total all funds	(\$935,394)	(\$30,000)	\$1,546,301	(\$88,000)	(\$100,000)	(\$17,794,515)
Less estimated income	(841,855)	(30,000)	520,000	0	(66,667)	(24,622,858)
General fund	(\$93,539)	\$0	\$1,026,301	(\$88,000)	(\$33,333)	\$6,828,343
FTE	(4.00)	0.00	0.00	0.00	0.00	1.00

<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 from the general fund is added for 8 FTE positions (6 attorneys and 2 administrative assistants), related salary and health insurance increases (\$2,794,709) and related operating expenses (\$286,082) for providing legal services to the North Dakota University System. The House version provided 6 attorney FTE positions related salary increases and health insurance increases (\$1,487,982), and related operating expenses (\$112,000) for providing legal services to the North Dakota University System.

<sup>3</sup> Funding from the general fund is added for 2 new criminal history identification FTE positions, related salary and health insurance increases (\$242,892) and related operating expenses (\$67,644). The Senate and House versions did not include these FTE positions.

<sup>4</sup> Funding of \$333,576 of special funds is removed relating to 2 criminal justice information sharing (CJIS) FTE positions that were transferred from the Information Technology Department because the positions already existed in the Attorney General's office. These positions will now be paid from the general fund. This adjustment provides for a transfer of 3 FTE from the Information Technology Department for CJIS. The Senate and House version transferred 5 FTE positions.

<sup>5</sup> The funding shown below is removed for oil impact law enforcement grants, the same as the House version. The other funds include \$24,164,271 from the oil and gas impact grant fund. See note 5 for conference committee adjustments.

	FTE	General Fund	Other Funds	Total
New criminal investigators	(5.00)		(\$1,388,830)	(\$1,388,830)
New intelligence analysts	(3.00)		(480,946)	(480,946)
New BCI agents	(4.00)	(270,336)	(495,555)	(765,891)
New victim advocate	(1.00)		(189,580)	(189,580)
New assistant Attorney General	(1.00)		(302,136)	(302,136)
New assistant Attorney General	(1.00)		(198,619)	(198,619)
New administrative assistants	(2.00)		(264,380)	(264,380)
New grants administrator	(1.00)		(132,190)	(132,190)
New forensic scientist	(1.00)		(165,554)	(165,554)
New attorney	(0.50)		(165,264)	(165,264)
Oil impact law enforcement grants			(20,000,000)	(20,000,000)
Operating and other costs			(673,254)	(673,254)
Salary increase - Performance		(220,710)		(220,710)
Total	(19.50)	(\$491,046)	(\$24,456,308)	(\$24,947,354)

<sup>6</sup> The funding shown below is added for law enforcement positions.

	FTE	General Fund	Federal Funds	Total
New criminal investigators	8.00	\$2,357,841		\$2,357,841
New intelligence analysts	3.00	443,608		443,608
New assistant Attorney General	1.00	134,655	162,688	297,343
New assistant Attorney General	1.00	192,550		192,550
New administrative assistant	1.00	127,580		127,580
New grants administrative assistant	1.00	127,580		127,580
New forensic scientist	1.00	177,761		177,761
New attorney	0.50	163,123		163,123
Total	16.50	\$3,724,698	\$162,688	\$3,887,386

<sup>7</sup> Funding for a Medicaid fraud unit is removed as shown below, same as House version.

	FTE	General Fund	Other Funds	Total
New attorney, auditor, investigator, and administrative assistant	(4.00)	(\$72,489)	(\$652,403)	(\$724,892)
Operating expenses		(19,050)	(171,452)	(190,502)
Capital assets		(2,000)	(18,000)	(20,000)
Total	(4.00)	(\$93,539)	(\$841,855)	(\$935,394)

<sup>8</sup> Funding is removed from other funds for a building feasibility study, the same as the House version.

<sup>9</sup> Funding for targeted market equity as shown below is added. \$250,000 in other funds is from carryover funds for criminal investigators and \$270,000 in other funds is from the Attorney General refund fund. A section is added directing the Attorney General to reduce the general fund amounts appropriated for the 2015-17 biennium by any FTE roll-up dollars that become available during the 2015-17 biennium, and the Attorney General must report to budget section regarding those amounts.

	General Fund	Other Funds	Total
Criminal investigators	\$1,026,301	\$250,000	\$1,276,301
Gaming audit staff		270,000	270,000
Total	\$1,026,301	\$520,000	\$1,546,301

<sup>10</sup> Funding is reduced from one-time capital purchases to provide 6 of the 10 undercover vehicles approved by the Senate, the same as the House version.

<sup>11</sup> Funding is reduced from one-time capital purchases to provide 2 of the 3 surveillance vehicles approved by the Senate, the same as the House version.

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This amendment also:

- Removes a section to appropriate \$1 million from the general fund to the Attorney General for the 2013-15 biennium for early funding to hire up to 10 FTE positions, the same as the House version.
- Removes a section designating that of the law enforcement grants line item in Section 1 of the bill, \$24,164,271 is from the oil and gas impact grant fund, of which \$20 million is to be used for awarding grants to law enforcement agencies in oil-impacted counties, up to 10 percent of the funds can be used for administrative purposes, and \$4,164,271 is related to salaries and wages and equipment for the Attorney General for oil-impacted areas, the same as the House version.
- Removes a section which provided an exemption from Section 54-44.1-11 for the amount appropriated in the law enforcement grants line in Section 1 of the bill to allow the grant funds to be continued into the 2017-19 biennium, the same as the House version.
- Adds a section to create a new section to Chapter 27-05 regarding State Crime Laboratory expert witness travel costs responsibility of district courts and provides an exemption, the same as the House version.
- Adds a section to create a new section to Chapter 54-12 regarding notification to the requestor of the receipt and status of an opinion requested from the Attorney General, which requires notification within 30 days and the opinion to be completed in 180 days. The House version required the opinion to be completed in 60 days.
- Adds a section to amend Section 54-12-08 relating to assistant and special assistant Attorneys General and to allow assistant and special assistant Attorneys General that have been appointed to access and examine records under the control of the State Board of Higher Education, the same as the House version.
- Adds a section requiring the Attorney General to report to Budget Section regarding any fees charged to a campus in excess of the campus assessment for legal fees charged by the Attorney General by September 30, 2016.
- Amends Subdivision a of Section 53-12.1-09 to provide a quarterly transfer of

\$80,000 from the lottery operating fund to the compulsive gambling prevention and treatment fund. The Senate and House versions provided a \$100,000 transfer.

- Retains the section allowing the Attorney General to spend funds, as appropriated, from the tobacco settlement trust fund. The House had removed this section.
- Adds a section for a Legislative Management study for a Medicaid fraud unit. Neither the Senate nor the House version included this study.
- The emergency clause was amended by the conference committee to include Subsection 4 of Section 54-12-08.

Engrossed SB 2003 was placed on the Seventh order of business on the calendar.

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

**REP. SKARPHOL MOVED** that the conference committee report on Engrossed SB 2003 be adopted, which motion prevailed on a voice vote.

#### **SECOND READING OF SENATE BILL**

**SB 2003:** A BILL for an Act to provide an appropriation for defraying the expenses of the attorney general; to provide exemptions; to create and enact a new section to chapter 27-05 and two new sections to chapter 54-12 of the North Dakota Century Code, relating to the responsibility for expert witness expenses, attorney general opinions, and the criminal justice data information sharing system; to amend and reenact sections 53-12.1-09, 54-12-08, 54-12-11, and 54-27-25 of the North Dakota Century Code, relating to the salary of the attorney general, assistant and special assistant attorneys general, the lottery operating fund, and the tobacco settlement trust fund; to repeal section 54-59-21 of the North Dakota Century Code, relating to the criminal justice data information sharing system; to provide a report to the budget section; to provide for a legislative management study; 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 87 YEAS, 2 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

**NAYS:** Schneider; Wallman

**ABSENT AND NOT VOTING:** Boehning; Frantsovog; Glassheim; Holman; Kiefert

Engrossed SB 2003, as amended, passed and the emergency clause was declared carried.

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#### **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 2003.

#### **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 1014, HB 1020.

#### **ANNOUNCEMENT**

**SPEAKER BELTER ANNOUNCED** that the House would stand in recess until 6:30 p.m.

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

**ANNOUNCEMENT**

**SPEAKER BELTER ANNOUNCED** that the House would stand in recess until 7:00 p.m.

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

**ANNOUNCEMENT**

**SPEAKER BELTER ANNOUNCED** that the House would stand in recess until 7:45 p.m.

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

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1010, HB 1012, HB 1022.

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

**MR. SPEAKER:** The President has signed: HB 1010, HB 1012, HB 1022.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1010, HB 1012, HB 1022.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 28, 2015: HB 1010, HB 1012, HB 1022.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2013, SB 2018.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2013, SB 2018.

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

**MR. SPEAKER:** The President has signed: SB 2013, SB 2018.

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1162.

**ANNOUNCEMENT**

**SPEAKER BELTER ANNOUNCED** that the House would stand at ease pending arrival of bills from the Senate.

The House was called to order, with Speaker Belter presiding.

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on April 28, 2015, I have signed the following: HB 1009, HB 1015, HB 1025, and HB 1217.

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

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

**REPORT OF CONFERENCE COMMITTEE**

**SB 2015, as engrossed:** Your conference committee (Sens. Holmberg, Wardner, Schneider and Reps. Delzer, Carlson, Onstad) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1803-1809, adopt amendments as follows, and place SB 2015 on the Seventh order:

That the House recede from its amendments as printed on pages 1803-1809 of the Senate Journal and pages 1976-1982 of the House Journal and that Engrossed Senate Bill No. 2015 be amended as follows:

Page 1, line 2, after the semicolon insert " to provide an appropriation to the department of transportation; to provide an appropriation to the state auditor; to provide an appropriation to the legislative assembly; to provide an appropriation to the legislative council; to provide an appropriation to the judicial branch; to provide

contingent appropriations to the state board of higher education, department of transportation, and superintendent of public instruction; to create and enact a new section to chapter 44-04 and a new section to chapter 54-52.6 of the North Dakota Century Code, relating to open records requests submitted by members of the legislative assembly and the legislative council and the defined benefit retirement plan; to amend and reenact subdivision c of subsection 1 of section 15-10-17, section 48-08-04, subsections 3 and 4 of section 54-52-17, section 55-01-02.1, subsection 3 of section 57-38-01.7 as amended in section 1 of House Bill No. 1462, as approved by the sixty-fourth legislative assembly, subdivision b of subsection 3 of section 57-51.1-03 as amended in section 5 of House Bill No. 1476, as approved by the sixty-fourth legislative assembly, and subsection 2 of section 61-16.1-09, of the North Dakota Century Code, and sections 1 and 2 of Senate Bill No. 2019, as approved by the sixty-fourth legislative assembly, relating to North Dakota university system personnel, the use of legislative meeting rooms, the defined benefit retirement plan, operation of the heritage center building, income tax credits for charitable contributions to private education institutions, eminent domain and water resource boards, and an appropriation to the parks and recreation department;"

Page 1, line 3, after "Code" insert "and section 5 of House Bill No. 1003, as approved by the sixty-fourth legislative assembly"

Page 1, line 4, after the first "to" insert "the"

Page 1, line 4, after "fund" insert "and contingent appropriations for higher education capital projects"

Page 1, line 4, after "transfers" insert "and contingent transfers"

Page 1, line 4, remove "and"

Page 1, line 5, after "provide" insert "statements of"

Page 1, line 5, after "intent" insert "; to provide for legislative management studies and reports; to provide for budget section reports; to provide an effective date; and to declare an emergency"

Page 1, remove lines 15 through 24

Page 2, replace lines 1 through 5 with:

"Salaries and wages	\$19,803,315	\$224,939	\$20,028,254
Accrued leave payments	570,412	(570,412)	0
Operating expenses	14,356,788	(150,003)	14,206,785
Emergency commission contingency fund	700,000	0	700,000
Capital assets	2,251,065	1,738,944	3,990,009
Grants	430,000	125,000	555,000
Guardianship grants	828,600	500,000	1,328,600
Prairie public broadcasting	1,337,138	362,862	1,700,000
State student internship program	200,000	50,000	250,000
Health insurance pool - temporary employees	0	5,000,000	5,000,000
Total all funds	\$40,477,318	\$7,281,330	\$47,758,648
Less estimated income	8,730,630	2,689,760	11,420,390
Total general fund	\$31,746,688	\$4,591,570	\$36,338,258"

Page 2, replace line 17 with:

"Prairie public broadcasting	600,000	0"
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Page 2, replace line 23 with:

"Facility projects	0	205,000"
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Page 2, replace line 25 with:

"West parking lot repair 0 50,000"

Page 2, replace lines 27 through 30 with:

"Facility management projects	0	1,825,009
Legislative wing electrical-related repairs	0	310,000
Total all funds	\$334,400,000	\$8,840,009
Less estimated income	5,500,000	4,210,000
Total general fund	\$328,900,000	\$4,630,009"

Page 3, line 5, replace "**PROPERTY**" with a boldfaced hyphen

Page 3, line 5, remove "**SUSTAINABILITY**"

Page 3, line 6, remove "property"

Page 3, line 7, remove "sustainability"

Page 3, line 8, after the second "the" insert "director of the"

Page 3, after line 10, insert:

**"SECTION 4. APPROPRIATION - OFFICE OF MANAGEMENT AND BUDGET - TARGETED MARKET EQUITY POOL - LEGISLATIVE MANAGEMENT REPORT.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$3,750,000, or so much of the sum as may be necessary, and from special funds derived from federal funds and other income, the sum of \$740,000, or so much of the sum as may be necessary, to the office of management and budget for a state agency targeted market equity salary funding pool to provide compensation adjustments for state employees in accordance with the provisions of this section. The market equity increases must be prioritized based on a statewide plan prepared by the office of management and budget within the funding available in the pool. The plan must address occupational market disparities, economic growth areas, recruitment and retention challenges, and external pay inequities for employees who are critical to the mission of the agency. The plan must give priority to employees whose salary is in the first or second quartile of their assigned salary range and employees whose salary is below the average classified state employee salary level.

One-half of the market equity pool funding is available for market equity adjustments in July 2015, to be paid in August 2015, and any remaining funding in the pool is available for market equity adjustments in July 2016, to be paid in August 2016. The market equity adjustments must be provided after any general compensation increase authorized by the sixty-fourth legislative assembly for these respective months and are independent of the general compensation increases. Employees whose documented performance levels do not meet standards are not eligible for the market equity increases. Notwithstanding any other provision of law, the office of management and budget shall transfer appropriation authority from the targeted market equity salary pool line item included in section 1 of this Act to eligible agencies for approved market equity salary adjustments. The office of management and budget shall provide a report to the legislative management regarding its statewide plan and any appropriation authority transferred from the pool.

Employees in the following agencies are eligible to receive a targeted market equity salary adjustment under this section:

1. Adjutant general;
2. Veterans' home;
3. State department of health;
4. Department of human services; and
5. Protection and advocacy project.

**SECTION 5. APPROPRIATION - OFFICE OF MANAGEMENT AND BUDGET - STATE AGENCY ENERGY DEVELOPMENT IMPACT FUNDING POOL - TRANSFER AUTHORITY - EMERGENCY COMMISSION APPROVAL - LEGISLATIVE MANAGEMENT REPORT.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$2,400,000, or so much of the sum as may be necessary, and from special funds derived from federal funds and other income, the sum of \$5,565,000, or so much of the sum as may be necessary, to the office of management and budget for a state agency energy development impact funding pool, for the biennium beginning July 1, 2015, and ending June 30, 2017. The funds provided under this section are considered a one-time funding item and may not be continued into the biennium beginning July 1, 2017, and ending June 30, 2019.

A state agency may submit an application to the office of management and budget for a transfer of appropriation authority from the state agency energy development impact funding pool for employee housing rental assistance and temporary salary increases for employees affected by energy development. As part of the application, an agency must document how the agency will discontinue energy impact adjustments for employees at the end of the biennium. The office of management and budget, subject to emergency commission approval, shall transfer appropriation authority from the state agency energy development impact funding pool to eligible agencies for approved applications.

The office of management and budget shall provide a report to the legislative management regarding distributions from the energy development impact funding pool. Each agency receiving a distribution from the energy impact funding pool must provide a report to the legislative management regarding its plan to discontinue energy impact adjustments for employees at the end of the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 6. GENERAL FUND APPROPRIATION AND TRANSFER - HIGHWAY FUND APPROPRIATION - DEPARTMENT OF TRANSPORTATION.**

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$18,000,000, which the director of the office of management and budget shall transfer to the highway fund during the biennium beginning July 1, 2015, and ending June 30, 2017.
2. There is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of \$18,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of state highway investments, for the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 7. CONTINGENT GENERAL FUND TRANSFER AND HIGHWAY FUND APPROPRIATION - DEPARTMENT OF TRANSPORTATION.**

1. Subject to the provisions of this section, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$20,000,000, which the director of the office of management and budget shall transfer to the highway fund, during the biennium beginning July 1, 2015, and ending June 30, 2017. If a transfer of funds occurs under this subsection, there is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of \$20,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of enhanced state highway investments, for the biennium beginning July 1, 2015, and ending June 30, 2017.
2. a. The transfer and appropriation in subsection 1 of this section is available only if the director of the office of management and budget determines actual general fund revenues for the period beginning February 1, 2015, and ending June 30, 2015, exceed the legislative estimates made at the close of the 2015 legislative session for

general fund revenues during the same period by at least \$20,000,000.

- b. For purposes of this subsection, "estimated general fund revenues" excludes transfers to the general fund from the strategic investment and improvements fund, property tax relief fund, the lottery, the mill and elevator, and gas tax administration.

**SECTION 8. CONTINGENT GENERAL FUND AND STRATEGIC INVESTMENT AND IMPROVEMENTS FUND APPROPRIATIONS AND TRANSFERS - STATE BOARD OF HIGHER EDUCATION - DEPARTMENT OF TRANSPORTATION - BUDGET SECTION APPROVAL - BUDGET SECTION REPORT.**

1. Subject to the provisions of this section, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$25,850,000, or so much of the sum as may be necessary, to the state board of higher education for the Valley City state university fine arts building project, including the demolition of two existing buildings, for the biennium beginning July 1, 2015, and ending June 30, 2017.
2. Subject to the provisions of this section, the director of the office of management and budget shall transfer the sum of \$25,850,000 from the strategic investment and improvements fund to the highway fund during the biennium beginning July 1, 2015, and ending June 30, 2017. If a transfer of funds occurs under this subsection, there is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of \$25,850,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of enhanced state highway investments, for the biennium beginning July 1, 2015, and ending June 30, 2017.
3. Subject to the provisions of this section, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$46,000,000, or so much of the sum as may be necessary, to the state board of higher education for the North Dakota state university Dunbar Hall project, for the biennium beginning July 1, 2015, and ending June 30, 2017.
4. Subject to the provisions of this section, the director of the office of management and budget shall transfer the sum of \$46,000,000 from the general fund to the highway fund during the biennium beginning July 1, 2015, and ending June 30, 2017. If a transfer of funds occurs under this subsection, there is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of \$46,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of enhanced state highway investments, for the biennium beginning July 1, 2015, and ending June 30, 2017.
5. a. The appropriations and transfers in subsections 1 and 2 of this section are available only if the director of the office of management and budget determines actual general fund revenues for the period beginning July 1, 2015, and ending December 31, 2015, exceed the legislative estimates made at the close of the 2015 legislative session for general fund revenues during the same period by at least \$126,000,000, or if the director of the office of management and budget determines actual general fund revenues for the period beginning July 1, 2015, and ending June 30, 2016, exceed the legislative estimates made at the close of the 2015 legislative session for general fund revenues during the same period by at least \$126,000,000. If the appropriations and transfers under this subdivision become available, the state board of higher education shall provide a report to the budget section regarding the status of the Valley City state university fine arts building project.



- b. The appropriations and transfers in subsections 3 and 4 of this section are available, subject to budget section approval, only if the director of the office of management and budget determines actual general fund revenues for the period beginning July 1, 2015, and ending December 31, 2016, exceed the legislative estimates made at the close of the 2015 legislative session for general fund revenues during the same period by at least \$250,000,000. Additionally, the appropriation in subsection 3 is available only if the state board of higher education certifies to the budget section that the Dunbar Hall project conforms to the university system master plan and space utilization study and the board receives budget section approval to proceed with the project. The board may not seek approval from the budget section to proceed with the project until the state auditor's office performance audit of the university system space utilization study is completed.
- c. For purposes of this subsection, "estimated general fund revenues" excludes the unobligated general fund balance on July 1, 2015, and transfers to the general fund from the strategic investment and improvements fund, tax relief fund, the lottery, the mill and elevator, and gas tax administration.

**SECTION 9. APPROPRIATION - STATE AUDITOR.** There is appropriated out of special funds derived from other income from fees charged to the North Dakota university system, not otherwise appropriated, the sum of \$200,000, or so much of the sum as may be necessary, to the state auditor for the purpose of conducting information technology security audits of the eleven institutions in the North Dakota university system, for the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 10. APPROPRIATION - LEGISLATIVE ASSEMBLY - MEETING ROOMS - REPORTS TO LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$160,000 or so much of the sum as may be necessary, to the legislative assembly for the purpose of purchasing and installing audio and visual equipment, tables, chairs, and other furnishings in legislative meeting rooms within the facility space expansion authorized under House Bill No. 1002, as approved by the sixty-fourth legislative assembly, for the biennium beginning July 1, 2015, and ending June 30, 2017. The funding appropriated in this section is considered a one-time funding item.

The state court administrator shall provide periodic reports to the legislative procedure and arrangements committee during the 2015-16 interim regarding the status of the facility space expansion authorized under House Bill No. 1002, as approved by the sixty-fourth legislative assembly.

**SECTION 11. APPROPRIATION - LEGISLATIVE COUNCIL - CONSULTANTS FOR INTERIM STUDY.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$400,000, or so much of the sum as may be necessary, to the legislative council for the purpose of contracting with consultants to study oil and gas tax incentives and oil and gas recovery techniques, for the biennium beginning July 1, 2015, and ending June 30, 2017. The funding provided in this section is considered a one-time funding item.

**SECTION 12. APPROPRIATION - JUDICIAL WING REMODELING PROJECT.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$65,693, or so much of the sum as may be necessary, to the judicial branch for the purpose of defraying the additional costs of the remodeling project in the judicial wing, for the biennium beginning July 1, 2015, and ending June 30, 2017. The funding provided in this section is considered a one-time funding item.

**SECTION 13. CONTINGENT APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION - TRANSPORTATION GRANTS.** If any funding

appropriated to the superintendent of public instruction for integrated formula payments to school districts remains after the superintendent complies with all statutory payment obligations imposed for the biennium beginning July 1, 2015, and ending June 30, 2017, the superintendent shall provide up to \$3,000,000 of the funds remaining for additional transportation grants. The superintendent shall prorate the available funding according to the percentage of the total transportation formula amount to which each school district is entitled."

Page 3, line 12, replace "\$1,400,000" with "\$1,710,000"

Page 3, line 12, after "fund" insert ", of which \$1,400,000 is"

Page 3, line 13, after "projects" insert "and \$310,000 is for legislative wing electrical and ceiling repairs"

Page 3, line 17, after "The" insert "the director of"

Page 4, remove lines 24 through 29

Page 5, line 9, replace "12" with "21"

Page 5, after line 31, insert:

**"SECTION 22. ONE-TIME FUNDING - ASSISTIVE TECHNOLOGY SERVICES.** The funding appropriated to the department of human services in Senate Bill No. 2289 as approved by the sixty-fourth legislative assembly, relating to assistive technology services is considered one-time funding for the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 23. STUDENT LOAN TRUST FUND - STATE DEPARTMENT OF HEALTH - DENTAL LOAN REPAYMENT PROGRAM.** The estimated income line item of section 1 of House Bill No. 1004, as approved by the sixty-fourth legislative assembly, includes the sum of \$360,000, or so much of the sum as may be necessary, from the student loan trust fund for the dental loan repayment program administered by the state department of health for the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 24. AMENDMENT.** Subdivision c of subsection 1 of section 15-10-17 of the North Dakota Century Code is amended and reenacted as follows:

- c. Appoint and remove all university system office personnel, fix their salaries within the limits of legislative appropriations, fix their terms of office, and prescribe their duties. The board shall adopt a policy that provides that each vice chancellor in the university system office is considered to have resigned the individual's position as a vice chancellor upon the appointment of a commissioner of higher education.

**SECTION 25.** A new section to chapter 44-04 of the North Dakota Century Code is created and enacted as follows:

**Requests for records by members of the legislative assembly and the legislative council.**

Notwithstanding section 44-04-18.6, any record of the legislative council relating to a request for public records made by the legislative council on behalf of a member of the legislative assembly is a public record. The legislative council shall maintain a written or digital record of any request for public records made on behalf of a member of the legislative assembly which identifies the member of the legislative assembly who made the request.

**SECTION 26. AMENDMENT.** Section 48-08-04 of the North Dakota Century Code is amended and reenacted as follows:

**48-08-04. Use of legislative assembly rooms and halls.**

During the interim between legislative sessions, the committee rooms, halls, passageways, and other space in the capitol used by the legislative assembly, including the pioneer room and three additional meeting rooms comprising approximately four thousand square feet in the judicial wing of the capitol, may not be used without authorization of the legislative council.

**SECTION 27. AMENDMENT.** Subsection 3 of section 54-52-17 of the North Dakota Century Code is amended and reenacted as follows:

3. Retirement dates are defined as follows:

- a. Normal retirement date, except for a national guard security officer or firefighter or a peace officer or correctional officer employed by the bureau of criminal investigation or by a political subdivision, is:
  - (1) The first day of the month next following the month in which the member attains the age of sixty-five years; or
  - (2) When the member has a combined total of years of service credit and years of age equal to eighty-five and has not received a retirement benefit under this chapter.
- b. Normal retirement date for members first enrolled after December 31, 2015, except for a national guard security officer or firefighter, a peace officer or correctional officer employed by the bureau of criminal investigation or by a political subdivision, or a supreme court or district court judge, is:
  - (1) The first day of the month next following the month in which the member attains the age of sixty-five years; or
  - (2) When the member has a combined total of years of service credit and years of age equal to ninety and the member attains a minimum age of sixty and has not received a retirement benefit under this chapter.
- b.c. Normal retirement date for a national guard security officer or firefighter is the first day of the month next following the month in which the national guard security officer or firefighter attains the age of fifty-five years and has completed at least three eligible years of employment as a national guard security officer or firefighter.
- e.d. Normal retirement date for a peace officer or correctional officer employed by a political subdivision is:
  - (1) The first day of the month next following the month in which the peace officer or correctional officer attains the age of fifty-five years and has completed at least three eligible years of employment as a peace officer or correctional officer; or
  - (2) When the peace officer or correctional officer has a combined total of years of service credit and years of age equal to eighty-five and has not received a retirement benefit under this chapter.
- d.e. Normal retirement date for a peace officer employed by the bureau of criminal investigation is:
  - (1) The first day of the month next following the month in which the peace officer attains the age of fifty-five years and has completed at least three eligible years of employment as a peace officer; or

- (2) When the peace officer has a combined total of years of service credit and years of age equal to eighty-five and has not received a retirement benefit under this chapter.

e-f. Postponed retirement date is the first day of the month next following the month in which the member, on or after July 1, 1977, actually severs or has severed the member's employment after reaching the normal retirement date.

f-g. Early retirement date, except for a national guard security officer or firefighter or a peace officer or correctional officer employed by the bureau of criminal investigation or by a political subdivision, is the first day of the month next following the month in which the member attains the age of fifty-five years and has completed three years of eligible employment. For a national guard security officer or firefighter, early retirement date is the first day of the month next following the month in which the national guard security officer or firefighter attains the age of fifty years and has completed at least three years of eligible employment. For a peace officer or correctional officer employed by the bureau of criminal investigation or by a political subdivision, early retirement date is the first day of the month next following the month in which the peace officer or correctional officer attains the age of fifty years and has completed at least three years of eligible employment.

g-h. Disability retirement date is the first day of the month after a member becomes permanently and totally disabled, according to medical evidence called for under the rules of the board, and has completed at least one hundred eighty days of eligible employment. For supreme and district court judges, permanent and total disability is based solely on a judge's inability to perform judicial duties arising out of physical or mental impairment, as determined pursuant to rules adopted by the board or as provided by subdivision a of subsection 3 of section 27-23-03. A member is eligible to receive disability retirement benefits only if the member:

- (1) Became disabled during the period of eligible employment; and
- (2) Applies for disability retirement benefits within twelve months of the date the member terminates employment.

A member is eligible to continue to receive disability benefits as long as the permanent and total disability continues and the member submits the necessary documentation and undergoes medical testing required by the board, or for as long as the member participates in a rehabilitation program required by the board, or both. If the board determines that a member no longer meets the eligibility definition, the board may discontinue the disability retirement benefit. The board may pay the cost of any medical testing or rehabilitation services it deems necessary and these payments are appropriated from the retirement fund for those purposes.

**SECTION 28. AMENDMENT.** Subsection 4 of section 54-52-17 of the North Dakota Century Code is amended and reenacted as follows:

4. The board shall calculate retirement benefits as follows:
  - a. Normal retirement benefits for all retirees, except supreme and district court judges, reaching normal retirement date equal an annual amount, payable monthly, comprised of a service benefit and a prior service benefit, as defined in this chapter, which is determined as follows:

- (1) Service benefit equals two percent of final average salary multiplied by the number of years of service employment.
  - (2) Prior service benefit equals two percent of final average salary multiplied by the number of years of prior service employment.
- b. Normal retirement benefits for all supreme and district court judges under the public employees retirement system reaching normal retirement date equal an annual amount, payable monthly, comprised of a benefit as defined in this chapter, determined as follows:
- (1) Benefits must be calculated from the time of appointment or election to the bench and must equal three and one-half percent of final average salary multiplied by the first ten years of judicial service, two and eighty hundredths percent of final average salary multiplied by the second ten years of judicial service, and one and one-fourth percent of final average salary multiplied by the number of years of judicial service exceeding twenty years.
  - (2) Service benefits must include, in addition, an amount equal to the percent specified in subdivision a of final average salary multiplied by the number of years of nonjudicial employee service and employment.
- c. Postponed retirement benefits are calculated as for single life benefits for those members who retired on or after July 1, 1977.
- d. Early retirement benefits are calculated as for single life benefits accrued to the date of termination of employment, but must be actuarially reduced to account for benefit payments beginning prior to the normal retirement date, which is the earlier of age sixty-five or the age at which current service plus age equals eighty-five. Except for a national guard security officer or firefighter, a peace officer or correctional officer employed by the bureau of criminal investigation or by a political subdivision, or a supreme court or district court judge, early retirement benefits for members first enrolled after December 31, 2015, are calculated for single life benefits accrued to the date of termination of employment, but must be reduced by fixed rate of eight percent per year to account for benefit payments beginning before the normal retirement date. A retiree, other than a supreme or district court judge, is eligible for early retirement benefits only after having completed three years of eligible employment. A supreme or district court judge retiree is eligible for early retirement benefits only after having completed five years of eligible employment.
- e. Except for supreme and district court judges, disability retirement benefits are twenty-five percent of the member's final average salary. Disability retirement benefits for supreme and district court judges are seventy percent of final average salary reduced by the member's primary social security benefits and by any workforce safety and insurance benefits paid. The minimum monthly disability retirement benefit under this section is one hundred dollars.

**SECTION 29.** A new section to chapter 54-52.6 of the North Dakota Century Code is created and enacted as follows:

**Changes to election.**

1. In this section the term "participating member" is limited in application to a participating member who elected to participate in the defined contribution retirement plan established under this chapter as an active employee of a participating employer, is an actively participating member

- of the defined contribution plan as of the effective date of this Act, and is an active employee with a participating employer on the date an election is made under this section. The term does not include a participant who is not actively employed with a participating employer on the date of transfer of the funds under this section, has taken a distribution from the defined contribution plan, is retired, is no longer actively employed with a participating employer, or who is a member who has a qualified domestic relations order or other court order on the member's account.
2. Notwithstanding any other provision of law, the board shall provide an opportunity for each participating member to elect in writing to terminate membership in the defined contribution retirement plan under this chapter and to elect to become a participating member in the public employees retirement system under chapter 54-52.
  3. The board shall establish a three-calendar-month election period beginning not later than February 1, 2016. A participating member who does not make a written election or who does not file the election with the North Dakota public employees retirement system office during the period specified in this section continues to be a member of the defined contribution plan. A participating member who makes and files a written election with the North Dakota public employees retirement system office under this section ceases to be a member of the defined contribution plan upon receipt by the public employees retirement system of the accumulated fund balance of the member's defined contribution plan under this chapter and waives all rights to that employee's accumulated fund balance under the defined contribution plan. If the executive director of the North Dakota public employees retirement system determines a participating member was not adequately notified of the option to make an election under this section, the executive director may provide that participating member a reasonable time, not to exceed three months, within which to make that election.
  4. The public employees retirement system shall credit the transferring employee with the service credit and salary history reflected on the public employees retirement system's electronic database.
  5. The board shall determine the method by which a participating member may make a written election under this section. If the participating member is married at the time of the election, the election is not effective unless the election is signed by the individual's spouse. However, the executive director of the North Dakota public employees retirement system may waive this spousal signature requirement if the spouse's signature cannot be obtained because of extenuating circumstances.
  6. For a participating member who elects to terminate membership in the defined contribution plan under this section, the board shall transfer that member's accumulated fund balance, less any rollovers from other plans made into the defined contribution plan, to the public employees retirement system under chapter 54-52. If funds are transferred from the defined contribution plan to the defined benefit plan under an election made under this section, the board shall record this transfer to the defined benefit plan as employee and employer contributions in the same manner as transferred by the defined contribution provider. If a participating member has a separate account attributable to rollover contributions to the defined contribution plan pursuant to section 54-52.6-09.1, the participating member shall make an election to receive a distribution of the entire amount held in the rollover account at the time of transfer.
  7. A participating member who elects a transfer under this section is entitled to vested employer contribution amounts under section 54-52-11.1 prospectively from the date of transfer. A participating member who elects a transfer under this section must be assessed and required to pay monthly to the defined benefit plan an additional employee contribution of

an additional two percent of the monthly salary or wages paid to the member.

**SECTION 30. AMENDMENT.** Section 55-01-02.1 of the North Dakota Century Code is amended and reenacted as follows:

**55-01-02.1. Society to have jurisdiction over heritage center.**

The society has jurisdiction over the administration and operations of the North Dakota heritage center building. The director of the office of management and budget is responsible for maintenance of the heritage center building. The society shall maintain the collections displayed and stored at the heritage center and shall provide, or arrange, for the security of those collections. The society shall establish a policy that authorizes the consumption of alcoholic beverages, including distilled spirits as defined in section 5-01-01, at the heritage center during an event that is open only to invited guests and if the alcoholic beverages are dispensed by a qualified alcoholic beverage licensee.

**SECTION 31. AMENDMENT.** Subsection 3 of section 57-38-01.7 of the North Dakota Century Code as amended by section 1 of House Bill No. 1462, as approved by the sixty-fourth legislative assembly, is amended and reenacted as follows:

3. At the election of the taxpayer, there must be allowed, subject to the applicable limitations provided in this subsection, as a nonrefundable credit against the income tax liability under section 57-38-30 or, in the case of contributions by a passthrough entity, under section 57-38-30.3 for the taxable year, an amount equal to fifty percent of the aggregate amount of charitable contributions made by the taxpayer during the year directly to nonprofit private institutions of primary education, located within the state. The amount allowable as a credit under this subsection for any taxable year may not exceed twenty percent of the taxpayer's total income tax under this chapter for the year, or two thousand five hundred dollars, whichever is less.

**SECTION 32.** Subdivision b of subsection 3 of section 57-51.1-03 of the North Dakota Century Code as amended in section 5 of House Bill No. 1476, as approved by the sixty-fourth legislative assembly, is amended and reenacted as follows:

- b. ~~The incremental production from a tertiary recovery project that does not use carbon dioxide and which has been certified as a qualified project by the industrial commission is exempt from any taxes imposed under this chapter for a period of ten years from the date the incremental production begins. Incremental production from a tertiary recovery project that uses carbon dioxide in a from a horizontal well drilled and completed outside within the Bakken and Three Forks formations, and ten miles [16.10 kilometers] or more outside an established field in which the industrial commission has defined the pool to include the Bakken or Three Forks formation and which has been certified as a qualified project by the industrial commission is not exempt from July 1, 2015, through June 30, 2017, and is thereafter exempt from any taxes imposed under this chapter for a period of five years from July 1, 2017, or the date the incremental production begins, whichever is later.~~

**SECTION 33. AMENDMENT.** Subsection 2 of section 61-16.1-09 of the North Dakota Century Code is amended and reenacted as follows:

2. Exercise the power of eminent domain in the manner provided by title 32 for the purpose of acquiring and securing any rights, titles, interests, estates, or easements necessary or proper to carry out the duties imposed by this chapter, ~~and particularly to. A water resource board may~~ acquire the necessary rights in land for the construction of dams, flood control projects, and other water conservation, distribution, and supply

works of any nature and to permit the flooding of lands, ~~and to. In addition, a water resource board may~~ secure the right of access to ~~such these~~ dams and other devices and the right of public access to any ~~impounded waters impounded thereby. Provided, however, that when~~ the interest sought to be acquired is a right of way for any project authorized in this chapter for which federal or state funds have been appropriated or state funds have been appropriated by the legislative assembly for a specific project, the district board, after making a written offer to purchase the right of way and depositing the amount of the offer with the clerk of the district court of the county wherein the right of way is located, may thereupon take immediate possession of the right of way, as authorized by section 16 of article I of the Constitution of North Dakota. Within thirty days after notice has been given in writing to the landowner by the clerk of the district court that a deposit has been made for the taking of a right of way as authorized in this subsection, the owner of the property taken may appeal to the district court by serving a notice of appeal upon the acquiring agency, and the matter must be tried at the next regular or special term of court with a jury unless a jury be waived, in the manner prescribed for trials under chapter 32-15.

**SECTION 34.** Section 1 of Senate Bill No. 2019, as approved by the sixty-fifth legislative assembly, is amended and reenacted as follows:

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the parks and recreation department for the purpose of defraying the expenses of the parks and recreation department, for providing funding to the Lewis and Clark interpretive center, and for providing a grant to the International Peace Garden, for the biennium beginning July 1, 2015, and ending June 30, 2017, as follows:

Subdivision 1.

PARKS AND RECREATION DEPARTMENT

	Base Level	Adjustments or Enhancements	Appropriation
Administration	\$2,573,593	\$598,129	\$3,171,722
Accrued leave payments	181,577	(181,577)	0
Park operations and maintenance	15,045,525	20,128,406	35,173,931
Recreation	<u>5,585,875</u>	<u>2,021,544</u>	<u>7,607,419</u>
Total all funds	\$23,386,570	\$22,566,502	\$45,953,072
Less estimated income	<u>10,505,431</u>	<u>4,357,404</u>	<u>14,862,835</u>
Total general fund	\$12,881,139	\$18,209,098	\$31,090,237
Recreation	<u>5,585,875</u>	<u>1,711,245</u>	<u>7,297,120</u>
Total all funds	\$23,386,570	\$22,256,203	\$45,642,773
Less estimated income	<u>10,505,431</u>	<u>4,357,404</u>	<u>14,862,835</u>
Total general fund	\$12,881,139	\$17,898,799	\$30,779,938
Full-time equivalent positions	55.00	11.00	66.00

Subdivision 2.

INTERNATIONAL PEACE GARDEN

	Base Level	Adjustments or Enhancements	Appropriation
International Peace Garden	<u>\$973,699</u>	<u>\$535,297</u>	<u>\$1,508,996</u>
Total general fund	\$973,699	\$535,297	\$1,508,996

Subdivision 3.

LEWIS AND CLARK INTERPRETIVE CENTER



	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Lewis and Clark interpretive center	\$0	\$1,005,279	\$1,005,279
Total general fund	\$0	\$1,005,279	\$1,005,279

Subdivision 4.

#### BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$13,854,838	\$19,749,674	\$33,604,512
Grand total special funds	10,505,431	4,357,404	14,862,835
Grand total all funds	\$24,360,269	\$24,107,078	\$48,467,347
Grand total general fund	\$13,854,838	\$19,439,375	\$33,294,213
Grand total special funds	10,505,431	4,357,404	14,862,835
Grand total all funds	\$24,360,269	\$23,796,779	\$48,157,048

**SECTION 35.** Section 2 of Senate Bill No. 2019, as approved by the sixty-fifth legislative assembly, is amended and reenacted as follows:

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIFTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-third legislative assembly for the 2013-15 biennium and the 2015-17 one-time funding items included in the appropriation in section 1 of this Act:

	<u>One-Time Funding Description</u>	<u>2013-15</u>
	<u>2015-17</u>	
Parks enhancements	\$3,897,800	\$14,750,000
Parks equipment	350,000	600,000
Lewis and Clark interpretive center grant	1,350,000	0
Parks strategic plans	100,000	0
Community grant program	500,000	500,000
International Peace Garden capital projects	1,250,000	335,297
Trail lease renewals	0	200,000
Web application for snowmobile registration	0	310,299
Statewide comprehensive outdoor recreation plan	0	90,000
Repairs at Lewis and Clark interpretive center	0	75,000
50th anniversary	0	25,000
Retirement leave payouts	0	100,000
International Peace Garden demolition project	0	200,000
Total all funds	\$7,447,800	\$17,185,596
Less estimated income	1,270,300	345,000
Total general fund	\$6,177,500	\$16,840,596
Total all funds	\$7,447,800	\$16,875,297
Less estimated income	1,270,300	345,000
Total general fund	\$6,177,500	\$16,530,297

The 2015-17 one-time funding amounts are not a part of the entity's base budget for the 2017-19 biennium. The parks and recreation department shall report to the appropriations committees of the sixty-fifth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2015, and ending June 30, 2017.

Page 6, after line 1, insert:

**"SECTION 37. REPEAL.** Section 5 of House Bill No. 1003, as approved by the sixty-fourth legislative assembly, is repealed.

**SECTION 38. LEGISLATIVE INTENT - STATE BOARD OF HIGHER EDUCATION - SEVERANCE PAY.** Notwithstanding any policy adopted by the board, the state board of higher education or an institution under its control may not approve or provide severance pay to any employee whose employment is

terminated as a result of the transfer of positions from the state board of higher education to the attorney general as provided in House Bill No. 1003 as approved by the sixty-fourth legislative assembly.

**SECTION 39. LEGISLATIVE INTENT - OIL AND GAS IMPACT GRANTS TO AIRPORTS.** It is the intent of the sixty-fourth legislative assembly that of the funding designated for grants to airports impacted by oil and gas development included in subsection 1 of section 5 of House Bill No. 1176, as approved by the sixty-fourth legislative assembly, a grant award of at least \$39,000,000 be awarded to the airport in the hub city as defined under section 57-51-01 that received the highest total allocation under subsection 1 of section 57-51-15 for the period beginning September 1, 2013, and ending August 31, 2014, and a grant award of at least \$5,800,000 be awarded to the airport in the hub city as defined under section 57-51-01 that received the second highest total allocation under subsection 1 of section 57-51-15 for the period beginning September 1, 2013, and ending August 31, 2014. It is also the intent of the sixty-fourth legislative assembly that the grant awards designated under this section must be awarded without a local matching requirement.

**SECTION 40. LEGISLATIVE MANAGEMENT STUDY - BUDGET SECTION FUNCTIONS.** During the 2015-16 interim, the legislative management shall study the functions of the budget section. The study must review the duties and studies assigned to the budget section and the ability of the budget section to authorize financial decisions, including full-time equivalent positions, university system building projects, and project scope changes. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-fifth legislative assembly.

**SECTION 41. LEGISLATIVE MANAGEMENT STUDY - TRANSPORTATION FUNDING DISTRIBUTIONS TO POLITICAL SUBDIVISIONS.** During the 2015-16 interim, the legislative management shall consider studying special transportation funding distributions to political subdivisions. The study must review distribution methods including the feasibility and desirability of using upper great plains transportation institute needs studies, county major collector miles, or a combination of both, if there are future special transportation funding distributions to political subdivision, and must review options to ensure counties are reporting information consistently. The legislative management shall consider methods to ensure that road projects in each county are properly coordinated with state road projects and projects in adjacent counties. The study must also review the use of special transportation funding in comparison to the legislative assembly's intent. 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 42. LEGISLATIVE MANAGEMENT STUDY - ENHANCED OIL AND GAS RECOVERY.** During the 2015-16 interim, the legislative management shall study the current scientific and economic information regarding oil and gas recovery and enhanced recovery techniques, including the use of carbon dioxide, the timeline for implementing the techniques, and the estimated future annual economic impact, to evaluate existing and alternative tax incentives and recommend tax incentives that under current and foreseeable conditions, and within different oil formations, would best serve the interests of the state, political subdivisions, and fossil fuel energy production industries. The legislative management shall report its recommendations, together with any legislation necessary to implement the recommendations, to the sixty-fifth legislative assembly.

**SECTION 43. EFFECTIVE DATE.** Section 31 of this Act is effective for taxable years beginning after December 31, 2014, and section 32 of this Act is effective for taxable events occurring after December 31, 2015, and for a tertiary recovery project the exemption of five years applies only for a project from which incremental production begins after December 31, 2015.

**SECTION 44. EMERGENCY.** Funding of \$1,550,000 in the operating expenses line item in section 1 and section 15 of House Bill No. 1018, as approved by the sixty-fourth legislative assembly; section 1 of House Bill No. 1255, as

approved by the sixty-fourth legislative assembly; and section 30 of this Act are declared to be an emergency measure."

Renumber accordingly

# STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Office of Management and Budget						
Total all funds	\$40,477,318	\$68,196,688	(\$7,983,040)	\$60,213,648	\$47,258,648	\$12,955,000
Less estimated income	8,730,630	19,625,335	(1,899,945)	17,725,390	11,420,390	6,305,000
General fund	\$31,746,688	\$48,571,353	(\$6,083,095)	\$42,488,258	\$35,838,258	\$6,650,000
State Auditor						
Total all funds	\$0	\$0	\$200,000	\$200,000	\$200,000	\$0
Less estimated income	0	0	200,000	200,000	200,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Legislative Assembly						
Total all funds	\$0	\$0	\$160,000	\$160,000	\$160,000	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$160,000	\$160,000	\$160,000	\$0
Legislative Council						
Total all funds	\$0	\$0	\$400,000	\$400,000	\$0	\$400,000
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$400,000	\$400,000	\$0	\$400,000
Judicial Branch						
Total all funds	\$0	\$0	\$65,693	\$65,693	\$0	\$65,693
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$65,693	\$65,693	\$0	\$65,693
Department of Transportation						
Total all funds	\$0	\$0	\$36,000,000	\$36,000,000	\$400,000,000	(\$364,000,000)
Less estimated income	0	0	18,000,000	18,000,000	200,000,000	(182,000,000)
General fund	\$0	\$0	\$18,000,000	\$18,000,000	\$200,000,000	(\$182,000,000)
Bill total						
Total all funds	\$40,477,318	\$68,196,688	\$28,842,653	\$97,039,341	\$447,618,648	(\$350,579,307)
Less estimated income	8,730,630	19,625,335	16,300,055	35,925,390	211,620,390	(175,695,000)
General fund	\$31,746,688	\$48,571,353	\$12,542,598	\$61,113,951	\$235,998,258	(\$174,884,307)

## Senate Bill No. 2015 - Office of Management and Budget - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$19,803,315	\$20,117,094	(\$88,840)	\$20,028,254	\$20,028,254	
Operating expenses	14,356,788	14,206,785		14,206,785	14,206,785	
Capital assets	2,251,065	7,530,009	(3,540,000)	3,990,009	3,990,009	
Grants	430,000	555,000		555,000	555,000	
Emergency commission contingency fund	700,000	700,000		700,000	700,000	
Prairie public broadcasting	1,337,138	3,200,000	(1,500,000)	1,700,000	1,700,000	
State student internship program	200,000	250,000		250,000	250,000	
Guardianship grants	828,600	1,937,800	(609,200)	1,328,600	828,600	500,000
Accrued leave payments	570,412					
Health insurance pool - temp employees		5,000,000		5,000,000	5,000,000	
Energy impact funding pool		14,700,000	(6,735,000)	7,965,000		7,965,000
Targeted Equity Pool			4,490,000	4,490,000		4,490,000
Total all funds	\$40,477,318	\$68,196,688	(\$7,983,040)	\$60,213,648	\$47,258,648	\$12,955,000
Less estimated income	8,730,630	19,625,335	(1,899,945)	17,725,390	11,420,390	6,305,000
General fund	\$31,746,688	\$48,571,353	(\$6,083,095)	\$42,488,258	\$35,838,258	\$6,650,000
FTE	130.50	122.50	0.00	122.50	122.50	0.00

## Department No. 110 - Office of Management and Budget - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Reduces Funding for Guardianship Grants <sup>2</sup>	Removes One- Time Funding For Projects <sup>3</sup>	Reduces One- Time Funding for Parking Lot Repairs <sup>4</sup>	Reduces One- Time Funding for Energy Impact Funding <sup>5</sup>	Adds Funding for Legislative Wing Repairs <sup>6</sup>
Salaries and wages	(\$88,840)					
Operating expenses						
Capital assets			(2,000,000)	(1,250,000)		310,000
Grants						
Emergency commission contingency fund						
Prairie public broadcasting			(1,500,000)			
State student internship program						
Guardianship grants		(609,200)				
Accrued leave payments						
Health insurance pool - temp employees						
Energy impact funding pool					(6,735,000)	
Targeted Equity Pool						
Total all funds	(\$88,840)	(\$609,200)	(\$3,500,000)	(\$1,250,000)	(\$6,735,000)	\$310,000
Less estimated income	(14,945)	0	0	0	(2,935,000)	310,000
General fund	(\$73,895)	(\$609,200)	(\$3,500,000)	(\$1,250,000)	(\$3,800,000)	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Reduces Funding for Facility Management Projects <sup>7</sup>	Adds Funding for Targeted Equity Pool <sup>8</sup>	Total Conference Committee Changes
Salaries and wages			(\$88,840)
Operating expenses			
Capital assets	(600,000)		(3,540,000)
Grants			
Emergency commission contingency fund			
Prairie public broadcasting			(1,500,000)
State student internship program			
Guardianship grants			(609,200)
Accrued leave payments			
Health insurance pool - temp employees			
Energy impact funding pool			(6,735,000)
Targeted Equity Pool		4,490,000	4,490,000
Total all funds	(\$600,000)	\$4,490,000	(\$7,983,040)
Less estimated income	0	740,000	(1,899,945)
General fund	(\$600,000)	\$3,750,000	(\$6,083,095)
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 is reduced for guardianship grants to provide total funding of \$1,328,600. The Senate added funding of \$1,109,200 to provide total funding of \$1,937,800 from the general fund. The House provided \$828,600, which is the same as the base level.

<sup>3</sup> One-time funding is removed for mechanical upgrades in the Heritage Center (\$600,000), Prairie Public Broadcasting projects (\$1.5 million), and Capitol elevator upgrades (\$1.4 million), the same as the House version.

<sup>4</sup> One-time funding is reduced for west parking lot repairs to provide total funding of \$50,000 from the general fund, the same as the House version. The Senate version provided \$1.3 million from the general fund.

<sup>5</sup> One-time funding is reduced for the energy impact funding pool to provide a total of \$7,965,000, of which \$2,400,000 is from the general fund. The Senate provided \$14.7 million of which \$6.2 million was from the general fund and \$8.5 million was from special

funds. The House removed the funding for the energy impact funding pool.

<sup>6</sup> One-time funding is added from the Capitol building fund for legislative wing electrical and ceiling repairs, the same as the House version.

<sup>7</sup> This amendment reduces the funding for facility management projects to provide total funding of \$1,825,009 and identifies this funding as one-time funding, the same as the House version. The Senate provided \$2,425,009 from the general fund as ongoing funding.

<sup>8</sup> Funding is added for a targeted equity funding pool. The funding was removed from agency budgets by both the House and Senate.

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This amendment also:

- Provides for a contingent transfer of \$20 million from the general fund to the highway fund and appropriates the funding to the Department of Transportation for highway projects if actual revenues exceed the legislative forecast for the remainder of 2013-15 biennium.
- Provides additional funding contingent upon actual general fund revenue exceeding the legislative forecast, as follows:
- An appropriation of \$25.85 million from the general fund to the State Board of Higher Education for the Valley City State University fine arts building project;
- A transfer of \$25.85 million from the strategic investment and improvements fund to the highway fund and appropriates the funding to the Department of Transportation for highway projects;
- An appropriation of \$46 million from the general fund to the State Board of Higher Education for the North Dakota State University Dunbar Hall project; and
- A transfer of \$46 million from the general fund to the highway fund and appropriates the funding to the Department of Transportation for highway projects.
- Provides contingent funding of \$3 million to the Department of Public Instruction for transportation grants from any remaining 2015-17 biennium unspent funding in the integrated formula payments line item.
- Adds a section to identify the funding included in Senate Bill No. 2289 as one-time funding, the same as the House version.
- Clarifies that the estimated income line item in House Bill No. 1004 includes \$360,000 from the student loan trust fund.
- Adds a section to require the State Board of Higher Education to adopt a policy for the resignation of vice chancellors when a new Commissioner of Higher Education is appointed.
- Identifies legislator requests for public records through the Legislative Council as public records.
- Clarifies the use of legislative meeting rooms during the interim.
- Changes the provisions of retirement benefits for employees first enrolled after December 31, 2015.
- Allows state employees to switch from the defined contribution retirement plan to the defined benefits plan.
- Allows alcoholic beverages to be served at the Heritage Center during private parties.
- Limits tax credits for charitable donations to a private institution of primary education.
- Amends House Bill No. 1476 relating to a tax exemption for the use of carbon dioxide in enhanced oil recovery.
- Provides changes to the use of eminent domain by water resource boards.
- Amends Senate Bill No. 2019 reducing funding to the Parks and Recreation Department by \$310,299 from the general fund relating to a website application for snowmobile registration.

- Repeals Section 5 of House Bill No. 1003 relating contingent appropriations for North Dakota University System building projects.
- Adds a section of legislative intent to restrict the State Board of Higher Education from providing severance payments to employees who are transferred to the Attorney General's office.
- Adds a section of legislative intent to designate oil and gas impact grant funding to certain airports.
- Provides for a Legislative Management study of the functions of the Budget Section, the same as the House version.
- Provides for a Legislative Management study of transportation funding distributions to political subdivisions.
- Provides for a Legislative Management study of oil and gas enhanced recovery.
- Provides an effective date for certain sections of the bill.
- Provides an emergency clause for \$1.55 million in House Bill No. 1018, for House Bill No. 1255 relating to air ambulance services, and for Section 30 relating to alcoholic beverages at the Heritage Center.

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**Senate Bill No. 2015 - State Auditor - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Operating expenses			\$200,000	\$200,000	\$200,000	
Total all funds	\$0	\$0	\$200,000	\$200,000	\$200,000	\$0
Less estimated income	0	0	200,000	200,000	200,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 117 - State Auditor - Detail of Conference Committee Changes**

	Adds Funding for University System IT Audits <sup>1</sup>	Total Conference Committee Changes
Operating expenses	\$200,000	\$200,000
Total all funds	\$200,000	\$200,000
Less estimated income	200,000	200,000
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> Funding from fees charged to the University System is added for information technology security audits of the 11 institutions in the University System, the same as the House version.

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**Senate Bill No. 2015 - Legislative Assembly - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Operating expenses			\$160,000	\$160,000	\$160,000	
Total all funds	\$0	\$0	\$160,000	\$160,000	\$160,000	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$160,000	\$160,000	\$160,000	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

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

Adds One-Time Funding for Meeting Room Furnishings <sup>1</sup>	Total Conference Committee Changes
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Operating expenses	\$160,000	\$160,000
Total all funds	\$160,000	\$160,000
Less estimated income	0	0
General fund	\$160,000	\$160,000
FTE	0.00	0.00

<sup>1</sup> Adds one-time funding from the general fund for equipment, tables, chairs, and other furnishings for legislative meeting rooms in the judicial wing, the same as the House version.

#### Senate Bill No. 2015 - Legislative Council - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Operating expenses			\$400,000	\$400,000		\$400,000
Total all funds	\$0	\$0	\$400,000	\$400,000	\$0	\$400,000
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$400,000	\$400,000	\$0	\$400,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

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

	Adds Funding for Oil and Gas Study Consultants <sup>1</sup>	Total Conference Committee Changes
Operating expenses	\$400,000	\$400,000
Total all funds	\$400,000	\$400,000
Less estimated income	0	0
General fund	\$400,000	\$400,000
FTE	0.00	0.00

<sup>1</sup> This amendment provides a one-time appropriation of \$400,000 from the general fund to the Legislative Council to contract with a consultant related to a Legislative Management study of oil and gas tax incentives and enhanced oil recovery.

#### Senate Bill No. 2015 - Judicial Branch - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Capital assets			\$65,693	\$65,693		\$65,693
Total all funds	\$0	\$0	\$65,693	\$65,693	\$0	\$65,693
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$65,693	\$65,693	\$0	\$65,693
FTE	0.00	0.00	0.00	0.00	0.00	0.00

#### Department No. 180 - Judicial Branch - Detail of Conference Committee Changes

	Adds Funding for Judicial Wing Remodeling <sup>1</sup>	Total Conference Committee Changes
Capital assets	\$65,693	\$65,693
Total all funds	\$65,693	\$65,693
Less estimated income	0	0
General fund	\$65,693	\$65,693
FTE	0.00	0.00

<sup>1</sup> One-time funding is added for additional costs related to the judicial wing remodeling project.

### Senate Bill No. 2015 - Department of Transportation - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Capital assets			\$18,000,000	\$18,000,000	\$200,000,000	(\$182,000,000)
Transfers			18,000,000	18,000,000	200,000,000	(182,000,000)
Total all funds	\$0	\$0	\$36,000,000	\$36,000,000	\$400,000,000	(\$364,000,000)
Less estimated income	0	0	18,000,000	18,000,000	200,000,000	(182,000,000)
General fund	\$0	\$0	\$18,000,000	\$18,000,000	\$200,000,000	(\$182,000,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

### Department No. 801 - Department of Transportation - Detail of Conference Committee Changes

	General Fund Transfer to Highway Fund <sup>1</sup>	Adds Funding for Enhanced State Highway Investments <sup>2</sup>	Total Conference Committee Changes
Capital assets		\$18,000,000	\$18,000,000
Transfers	18,000,000		18,000,000
Total all funds	\$18,000,000	\$18,000,000	\$36,000,000
Less estimated income	0	18,000,000	18,000,000
General fund	\$18,000,000	\$0	\$18,000,000
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment adds a transfer of \$18 million from the general fund to the highway fund. The House had provided for a transfer of \$200 million.

<sup>2</sup> One-time funding of \$18 million is added from the highway fund for enhanced state highway investments. The House had added funding of \$200 million

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

### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

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

### SECOND READING OF SENATE BILL

**SB 2015:** A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; to provide an appropriation to the department of transportation; to provide an appropriation to the state auditor; to provide an appropriation to the legislative assembly; to provide an appropriation to the legislative council; to provide an appropriation to the judicial branch; to provide contingent appropriations to the state board of higher education, department of transportation, and superintendent of public instruction; to create and enact a new section to chapter 44-04 and a new section to chapter 54-52.6 of the North Dakota Century Code, relating to open records requests submitted by members of the legislative assembly and the legislative council and the defined benefit retirement plan; to amend and reenact subdivision c of subsection 1 of section 15-10-17, section 48-08-04, subsections 3 and 4 of section 54-52-17, section 55-01-02.1, subsection 3 of section 57-38-01.7 as amended in section 1 of of House Bill No. 1462, as approved by the sixty-fourth legislative assembly, subdivision b of subsection 3 of section 57-51.1-03 as amended in section 5 of House Bill No. 1476, as approved by the sixty-fourth legislative assembly, and subsection 2 of section 61-16.1-09, of the North Dakota Century Code, and sections 1 and 2 of Senate Bill No. 2019, as approved by the sixty-fourth legislative assembly, relating to North Dakota university system



personnel, the use of legislative meeting rooms, the defined benefit retirement plan, operation of the heritage center building, income tax credits for charitable contributions to private education institutions, eminent domain and water resource boards, and an appropriation to the parks and recreation department; to repeal section 54-44-06 of the North Dakota Century Code and section 5 of House Bill No. 1003, as approved by the sixty-fourth legislative assembly, relating to duties of the office of management and budget as to the school fund and contingent appropriations for higher education capital projects; to provide an exemption; to provide for various transfers and contingent transfers; to provide statements of legislative intent; to provide for legislative management studies and reports; to provide for budget section reports; 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 72 YEAS, 16 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

**NAYS:** Becker, Rick C.; Boe; Fehr; Hanson; Johnson, M.; Koppelman, B.; Lefor; Mock; Nelson, M.; Olson; Oversen; Paur; Ruby; Schatz; Steiner; Sukut

**ABSENT AND NOT VOTING:** Boehning; Frantsvog; Glassheim; Hawken; Holman; Kiefert

Engrossed SB 2015, as amended, passed and the emergency clause was declared carried.

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

**MR. SPEAKER:** The Senate has not adopted the conference committee report on: SB 2022.

#### MOTION

**REP. VIGESAA MOVED** that the House stand in recess until 9:30 p.m., which motion prevailed.

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

#### MOTION

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

#### MOTION

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Fifteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 9:00 a.m., Wednesday, April 29, 2015, which motion prevailed.

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

**Buell J. Reich, Chief Clerk**

