

## JOURNAL OF THE SENATE

## Sixty-fourth Legislative Assembly

\* \* \* \* \*

Bismarck, February 16, 2015

The Senate convened at 12:30 p.m., with President Wrigley presiding.

The prayer was offered by Sister Ivo Schoch, Corpus Christi Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

## CONSIDERATION OF AMENDMENTS

**SB 2343: SEN. HOGUE (Energy and Natural Resources Committee) MOVED** that the amendments be adopted and then be **REFERRED** to the **Appropriations Committee** with **DO PASS**.

## REQUEST

**SEN. SCHNEIDER REQUESTED** a ruling from the President regarding the germaneness of the amendment to the original bill, which request was granted.

## RULING BY THE PRESIDENT

**PRESIDENT WRIGLEY RULED** that the committee amendments are germane.

The question being on the motion to adopt the amendments to SB 2343, the proposed amendments were adopted on a voice vote.

SB 2343 was rereferred to the **Appropriations Committee**.

## CONSIDERATION OF AMENDMENTS

**SB 2007: SEN. SORVAAG (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**SB 2009: SEN. ERBELE (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**SB 2010: SEN. KREBSBACH (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**SB 2011: SEN. BOWMAN (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**SB 2304: SEN. POOLMAN (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**SB 2339: SEN. LARSEN (Agriculture Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**THE SENATE RECOGNIZED THE PRESENCE OF:**

Former Senator John Andrist

**SECOND READING OF SENATE BILL**

**SB 2223:** A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales and use tax exemption for clothing; and to provide an effective date.

**MOTION**

**SEN. SINNER MOVED** that Engrossed SB 2223 be amended as follows.

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

Page 1, line 7, after "clothing" insert "- Allocation of replacement revenue to cities and counties"

Page 1, line 9, after the underscored period insert "The commissioner shall make annual allocations of funds provided by legislative appropriations among cities and counties imposing sales taxes to offset the lost city and county sales tax revenue from this exemption. The commissioner shall make an annual payment to cities and counties prorated in proportion to the respective shares of each city and county in respect to total annual statewide city and county home rule sales tax collections."

Page 4, after line 27, insert:

**"SECTION 2. APPROPRIATION - LEGISLATIVE INTENT.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$14,000,000, or so much of the sum as may be necessary, to the tax commissioner for the purpose of allocation to cities and counties under section 1 of this Act. Two-thirds of the amount appropriated shall be allocated in two equal annual installments to cities and counties for the biennium beginning July 1, 2015, and ending June 30, 2017. It is the intent of the sixty-fourth legislative assembly that the remaining one-third of the amount appropriated will be appropriated by the sixty-fifth legislative assembly for allocation to cities and counties for the biennium beginning July 1, 2017, and ending June 30, 2019."

Renumber accordingly

**REQUEST**

**SEN. SINNER REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2223, which request was granted.

**ROLL CALL**

The question being on the motion to adopt the proposed amendments to Engrossed SB 2223, the roll was called and there were 15 YEAS, 32 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axness; Dotzenrod; Grabinger; Heckaman; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Robinson; Schneider; Sinner; Triplett; Warner

**NAYS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Erbele; Flakoll; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Miller; Oehlke; Poolman; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

The proposed amendments to Engrossed SB 2223 failed on a recorded roll call vote.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 20 YEAS, 27 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axness; Casper; Dotzenrod; Grabinger; Heckaman; Larsen; Luick; Marcellais;

Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Robinson; Schneider; Sinner; Sorvaag; Triplett; Warner

**NAYS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Cook; Davison; Dever; Erbele; Flakoll; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Lee, G.; Lee, J.; Oehlke; Poolman; Rust; Schaible; Unruh; Wanzek; Wardner

Engrossed SB 2223 failed.

\*\*\*\*\*

#### MOTION

**SEN. WANZEK MOVED** that the Senate reconsider its action whereby Engrossed SB 2259 failed to pass, which motion prevailed on a verification vote.

#### SECOND READING OF SENATE BILL

**SB 2259:** A BILL for an Act to create and enact chapter 23-48 of the North Dakota Century Code, relating to the use of experimental drugs.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 32 YEAS, 15 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axness; Bekkedahl; Bowman; Burckhard; Casper; Cook; Davison; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Klein; Laffen; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Robinson; Rust; Schneider; Sinner; Sorvaag; Triplett; Wanzek; Warner

**NAYS:** Anderson; Armstrong; Campbell; Carlisle; Dever; Kilzer; Krebsbach; Larsen; Lee, G.; Lee, J.; Oehlke; Poolman; Schaible; Unruh; Wardner

Engrossed SB 2259 passed.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2038:** A BILL for an Act to create and enact section 54-52.6-02.1 of the North Dakota Century Code, relating to a defined contribution retirement plan for state employees; and to amend and reenact sections 54-52-01, 54-52-02.5, 54-52-02.9, 54-52.6-01, 54-52.6-02, and 54-52.6-03 of the North Dakota Century Code, relating to a defined contribution retirement plan for state employees.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 39 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Cook; Klein; Laffen; Larsen; Lee, G.; Miller; Schaible; Unruh

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

SB 2038 failed.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2350:** A BILL for an Act to amend and reenact section 43-09-16 of the North Dakota Century Code, relating to functions that do not require licensure as an electrician.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 21 YEAS, 26 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Campbell; Carlisle; Casper; Cook; Davison; Dever; Erbele; Klein; Krebsbach; Larsen; Luick; Oehlke; Poolman; Schaible; Unruh; Wanzek; Wardner

**NAYS:** Axness; Burckhard; Dotzenrod; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Laffen; Lee, G.; Lee, J.; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Robinson; Rust; Schneider; Sinner; Sorvaag; Triplett; Warner

Engrossed SB 2350 failed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2181:** A BILL for an Act to create and enact a new section to chapter 15.1-07 and section 15.1-07-20.1 of the North Dakota Century Code, relating to the retention of school district records and the employment of a school district business manager; to amend and reenact section 15.1-07-14 of the North Dakota Century Code, relating to school district business managers; and to repeal sections 21-06-05 and 21-06-06 of the North Dakota Century Code, relating to the destruction of school district documents.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2181 passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2342:** A BILL for an Act to create and enact a new section to chapter 38-08 of the North Dakota Century Code, relating to settlements of civil penalties.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 17 YEAS, 30 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axness; Dotzenrod; Flakoll; Grabinger; Heckaman; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Robinson; Rust; Schneider; Sinner; Triplett; Warner

**NAYS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Erbele; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Miller; Oehlke; Poolman; Schaible; Sorvaag; Unruh; Wanzek; Wardner

SB 2342 failed.

\*\*\*\*\*

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4016:** A concurrent resolution urging Congress and the President of the United States to direct the federal Food and Drug Administration to allow the use of experimental

medications to treat Pantothenate kinase-associated neurodegeneration (PKAN) for the benefit of the three children of the Kulsrud family living in Grace City, North Dakota.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4016 was declared adopted on a voice vote.

\*\*\*\*\*

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

**SB 2323:** A BILL for an Act to amend and reenact section 37-01-45 of the North Dakota Century Code, relating to the book of veterans.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2323 passed.

\*\*\*\*\*

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

**SB 2217:** A BILL for an Act to create and enact section 57-15-30.2 of the North Dakota Century Code, relating to financial reporting requirements for taxing entities authorized to levy property taxes; to amend and reenact sections 2-06-14, 4-02-27, 4.1-47-14, 4.1-47-25, 11-11.1-04, 11-11.1-06, 11-28-06, 11-28-17, 11-28.3-09, 11-36-14, 11-37-13, 18-10-07, 23-18.2-12, 23-24-09, 23-30-07, 23-35-07, 40-38-02, 40-57.4-04, 50-06.2-05, 57-15-26.3, 57-15-30.2, 61-04.1-26, and 61-16.1-06 of the North Dakota Century Code, relating to the filing of a financial report with the county auditor showing the ending balances of each fund held by an unelected governing body seeking approval of a property tax levy; and to provide an effective date.

#### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

SB 2217 passed.

\*\*\*\*\*

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

**SB 2042:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax deduction for retired military personnel pay; and to provide an effective date.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has

committee recommendation of DO NOT PASS, the roll was called and there were 33 YEAS, 14 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson; Armstrong; Burckhard; Cook; Hogue; Holmberg; Kilzer; Laffen; Lee, G.; Mathern; Miller; Oehlke; Unruh; Wardner

Engrossed SB 2042 passed.

\*\*\*\*\*

#### **DEEMED RECONSIDERED AND REREFERRED**

**PRESIDENT WRIGLEY STATED** that pursuant to Senate Rule 329(3) Engrossed SB 2042 is deemed reconsidered and must be rereferred to the **Appropriations Committee**.

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

**SB 2290:** A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to determination of full-time employment of the state.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 15 YEAS, 32 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axness; Dotzenrod; Grabinger; Heckaman; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Robinson; Schneider; Sinner; Triplett; Warner

**NAYS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Erbele; Flakoll; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Miller; Oehlke; Poolman; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

Engrossed SB 2290 failed.

\*\*\*\*\*

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

**SB 2324:** A BILL for an Act to amend and reenact subsections 3 and 6 of section 5-01-16 of the North Dakota Century Code, relating to out-of-state shipments of alcohol to customers in this state; and to provide a penalty.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2324 passed.

\*\*\*\*\*

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

**SB 2367:** A BILL for an Act to provide for the creation of a task force on substance exposed newborns; and to provide for a report to the legislative management.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2367 passed.

\*\*\*\*\*

**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 of the North Dakota Century Code, relating to county social service board budgets and 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 establish a social services financing commission; to provide an 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, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Miller

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

\*\*\*\*\*

**MOTION**

**SEN. KLEIN MOVED** that Senate Rule 329 be amended replacing 29th legislative day with 30th legislative day, which motion prevailed.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2030, SB 2238, SB 2246, SB 2266, SB 2275, SB 2293, SB 2357.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2301.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HCR 3023.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Tuesday, February 17, 2015, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2002: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2002 was placed on the Sixth order on the calendar.

Page 1, replace lines 16 through 24 with:

"Salaries and wages	\$3,753,869	\$1,323,846	\$5,077,715
Accrued leave payments	82,831	(82,831)	0
Operating expenses	2,579,597	3,153,698	5,733,295
Petition review	8,000	0	8,000
Election reform	5,143,115	(2,438,828)	2,704,287
Total all funds	\$11,567,412	\$1,955,885	\$13,523,297
Less estimated income	5,844,417	(2,060,129)	3,784,288
Total general fund	\$5,722,995	\$4,016,014	\$9,739,009
Full-time equivalent positions	28.00	6.00	34.00"

Page 2, replace lines 11 through 13 with:

"Grand total general fund	\$6,043,495	\$4,016,014	\$10,059,509
Grand total special funds	5,844,417	(2,060,129)	3,784,288
Grand total all funds	\$11,887,912	\$1,955,885	\$13,843,797"

Page 3, line 8, remove "one hundred"

Page 3, remove line 9

Page 3, line 10, replace "thousand eight hundred thirty-three" with "one hundred two thousand six hundred eighty-nine dollars through June 30, 2016, and one hundred five thousand seven hundred seventy"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2002 - Summary of Senate Action**

	Base Budget	Senate Changes	Senate Version
Secretary of State			
Total all funds	\$11,567,412	\$1,955,885	\$13,523,297
Less estimated income	5,844,417	(2,060,129)	3,784,288
General fund	\$5,722,995	\$4,016,014	\$9,739,009
Public Printing			
Total all funds	\$320,500	\$0	\$320,500
Less estimated income	0	0	0
General fund	\$320,500	\$0	\$320,500
Bill total			
Total all funds	\$11,887,912	\$1,955,885	\$13,843,797
Less estimated income	5,844,417	(2,060,129)	3,784,288
General fund	\$6,043,495	\$4,016,014	\$10,059,509

**Senate Bill No. 2002 - Secretary of State - Senate Action**

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$3,753,869	\$1,323,846	\$5,077,715
Operating expenses	2,579,597	3,153,698	5,733,295
Petition review	8,000		8,000
Election reform	5,143,115	(2,438,828)	2,704,287
Accrued leave payments	82,831	(82,831)	
	\$11,567,412	\$1,955,885	\$13,523,297



Total all funds			
Less estimated income	5,844,417	(2,060,129)	3,784,288
General fund	\$5,722,995	\$4,016,014	\$9,739,009
FTE	28.00	6.00	34.00

**Department No. 108 - Secretary of State - Detail of Senate Changes**

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adds Funding for New Positions <sup>3</sup>	Reduces Federal Funding <sup>4</sup>	Adds Funding for Overtime, Operating <sup>5</sup>	Adds One-Time Funding to Complete Software Project <sup>6</sup>
Salaries and wages	\$143,895	\$307,111	\$597,840		\$275,000	
Operating expenses					103,698	3,050,000
Petition review						
Election reform	(11,419)	9,287		(2,436,696)		
Accrued leave payments	(82,831)					
Total all funds	\$49,645	\$316,398	\$597,840	(\$2,436,696)	\$378,698	\$3,050,000
Less estimated income	(11,418)	9,287	0	(2,436,696)	378,698	0
General fund	\$61,063	\$307,111	\$597,840	\$0	\$0	\$3,050,000
FTE	0.00	0.00	6.00	0.00	0.00	0.00

	<b>Total Senate Changes</b>
Salaries and wages	\$1,323,846
Operating expenses	3,153,698
Petition review	
Election reform	(2,438,828)
Accrued leave payments	(82,831)
Total all funds	\$1,955,885
Less estimated income	(2,060,129)
General fund	\$4,016,014
FTE	6.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> The following funding is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year and increases in monthly health insurance premiums:

	General Fund	Other Funds	Total
Salary increase - Performance	\$164,625	\$4,970	\$169,595
Health insurance increase	142,486	4,317	146,803
Total	\$307,111	\$9,287	\$316,398

<sup>3</sup> Adds the following funding and FTE:

	General Fund	Other Funds	Total
3 FTE office assistant positions	\$287,389		\$287,389
3 FTE positions authorized as one-time during the 2013-15 biennium for the business registration unit (2 FTE) and the business information unit (1 FTE)	310,451		310,451
Total	\$597,840		\$597,840

<sup>4</sup> Federal funding is reduced to reflect projected available 2015-17 Help America Vote Act funds.

<sup>5</sup> Funding is increased for the following:

	General Fund	Other Fund	Total
Overtime and operating expenses associated with increased office workload		\$299,359	\$299,359
Operating expenses from general fund services operating fund		75,000	75,000
Technology project carryover		4,339	4,339
Total		\$378,698	\$378,698

<sup>6</sup> One-time funding is added to complete the agency's software project.

## REPORT OF STANDING COMMITTEE

**SB 2004: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2004 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 19 with:

"Salaries and wages	\$10,113,137	\$1,131,794	\$11,244,931
Accrued leave payments	201,157	(201,157)	0
Operating expenses	901,113	190,397	1,091,510
Information technology consultants	<u>250,000</u>	<u>200,000</u>	<u>450,000</u>
Total all funds	\$11,465,407	\$1,321,034	\$12,786,441
Less estimated income	<u>3,036,918</u>	<u>478,249</u>	<u>3,515,167</u>
Total general fund	\$8,428,489	\$842,785	\$9,271,274
Full-time equivalent positions	53.80	0.00	53.80"

Page 2, line 8, remove "one hundred"

Page 2, remove line 9

Page 2, line 10, replace "thousand eight hundred thirty-three" with "one hundred two thousand six hundred eighty-nine dollars through June 30, 2016, and one hundred five thousand seven hundred seventy"

Renumber accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

## Senate Bill No. 2004 - State Auditor - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$10,113,137	\$1,131,794	\$11,244,931
Operating expenses	901,113	190,397	1,091,510
Information technology consultants	250,000	200,000	450,000
Accrued leave payments	<u>201,157</u>	<u>(201,157)</u>	
Total all funds	\$11,465,407	\$1,321,034	\$12,786,441
Less estimated income	<u>3,036,918</u>	<u>478,249</u>	<u>3,515,167</u>
General fund	\$8,428,489	\$842,785	\$9,271,274
FTE	53.80	0.00	53.80

## Department No. 117 - State Auditor - Detail of Senate Changes

	Adjusts Base Payroll <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adds Funding for Royalty Auditor <sup>3</sup>	Adds Funding to Continue Other 2013-15 Biennium Salary Adjustments <sup>4</sup>	Adds Funding for University System Security Audits <sup>5</sup>	Adds Funding for IT Desktop Support <sup>6</sup>
Salaries and wages	\$401,723	\$643,571	\$86,500	\$173,712		
Operating expenses			16,250			99,600
Information technology consultants					200,000	
Accrued leave payments	<u>(201,157)</u>					
Total all funds	\$200,566	\$643,571	\$102,750	\$173,712	\$200,000	\$99,600
Less estimated income	<u>(23,203)</u>	<u>162,563</u>	<u>102,750</u>	<u>0</u>	<u>200,000</u>	<u>30,400</u>
General fund	\$223,769	\$481,008	\$0	\$173,712	\$0	\$69,200
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adjusts Base Level Funding <sup>7</sup>	Total Senate Changes
Salaries and wages	(\$173,712)	\$1,131,794
Operating expenses	74,547	190,397
Information technology consultants		200,000
Accrued leave payments		<u>(201,157)</u>

Total all funds	(\$99,165)	\$1,321,034
Less estimated income	5,739	478,249
General fund	(\$104,904)	\$842,785
FTE	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> The following funding is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year and increases in monthly health insurance premiums:

	General Fund	Other Funds	Total
Salary increase - Performance	\$307,054	\$103,356	\$410,410
Health insurance increase	173,954	59,207	233,161
Total	\$481,008	\$162,563	\$643,571

<sup>3</sup> Federal funding is added relating to a royalty auditor position.

<sup>4</sup> Funding is added to continue other salary adjustments made during the 2013-15 biennium.

<sup>5</sup> Funding is added to complete security audits of the 11 institutions in the North Dakota University System.

<sup>6</sup> Funding is added for desktop support services from the Information Technology Department.

<sup>7</sup> Funding for operating expenses is increased and salaries are decreased to adjust to a hold-even budget.

Section 3 is amended to provide the statutory changes increasing the State Auditor's salary. The State Auditor's annual salary is increased from the current level of \$99,698 to \$102,689, effective July 1, 2015, and to \$105,770, effective July 1, 2016, to reflect a 3 percent salary increase each year of the biennium.

#### REPORT OF STANDING COMMITTEE

**SB 2005: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2005 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 17 with:

"Salaries and wages	\$1,396,437	\$111,228	\$1,507,665
Accrued leave payments	13,038	(13,038)	0
Operating expenses	135,356	101,658	237,014
Coal severance payments	252,800	(7,800)	245,000
Property tax relief credits	0	<u>226,800,000</u>	<u>226,800,000</u>
Total general fund	\$1,797,631	\$226,992,048	\$228,789,679"

Page 2, replace line 1 with:

"Property tax relief	200,000,000	226,800,000"
----------------------	-------------	--------------

Page 2, replace line 6 with:

"Total general fund	\$309,535,838	\$226,800,000"
---------------------	---------------	----------------

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

Page 2, line 18, replace "ninety-seven" with "ninety-six"

Page 2, line 19, replace "fourteen" with "seventy-two"

Page 2, line 19, replace "one hundred one" with "ninety-nine"

Page 2, line 20, replace "thirty" with "eighty-one"

Page 2, line 27, overstrike "twelve" and insert immediately thereafter "eleven"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2005 - State Treasurer - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$1,396,437	\$111,228	\$1,507,665
Operating expenses	135,356	101,658	237,014
Coal severance payments	252,800	(7,800)	245,000
Accrued leave payments	13,038	(13,038)	
Property Tax Relief		226,800,000	226,800,000
Total all funds	\$1,797,631	\$226,992,048	\$228,789,679
Less estimated income	0	0	0
General fund	\$1,797,631	\$226,992,048	\$228,789,679
FTE	8.00	0.00	8.00

#### Department No. 120 - State Treasurer - Detail of Senate Changes

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adds Funding for Information Technology Costs <sup>3</sup>	Decreases Funding for Coal Severance Payments <sup>4</sup>	Increases Funding for Operating Expenses <sup>5</sup>	Adds One-Time Funding for Property Tax Relief <sup>6</sup>
Salaries and wages	\$23,563	\$87,665				
Operating expenses			71,658		30,000	
Coal severance payments				(7,800)		
Accrued leave payments	(13,038)					
Property Tax Relief						226,800,000
Total all funds	\$10,525	\$87,665	\$71,658	(\$7,800)	\$30,000	\$226,800,000
Less estimated income	0	0	0	0	0	0
General fund	\$10,525	\$87,665	\$71,658	(\$7,800)	\$30,000	\$226,800,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Total Senate Changes
Salaries and wages	\$111,228
Operating expenses	101,658
Coal severance payments	(7,800)
Accrued leave payments	(13,038)
Property Tax Relief	226,800,000
Total all funds	\$226,992,048
Less estimated income	0
General fund	\$226,992,048
FTE	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> The following funding is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year and increases in monthly health insurance premiums:

	General Fund	Other Funds	Total
Salary increase - Performance	\$53,123	\$0	\$53,123
Health insurance increase	34,542	0	34,542
Total	\$87,665	\$0	\$87,665

<sup>3</sup> Funding is added from the general fund for increased Information Technology Department hosting fees and desktop support services.

<sup>4</sup> Decreases funding for coal severance payments from \$252,800 to \$245,000 related to changes made by the 2013 Legislative Assembly requiring annual distributions instead of monthly distributions resulting in two-and-a-half years of payments in the 2013-15 biennium.

<sup>5</sup> Funding is added from the general fund for temporary contract employees and office supplies.

<sup>6</sup> One-time funding is added from the general fund for the state-paid property tax relief credit program.

Section 4 is amended to reflect a 3 percent annual increase to the State Treasurer's salary.

Sections 2, 3, and 5 are amended to identify one-time funding of \$226.8 million from the general fund for state-paid property tax relief credits of 11 percent.

#### REPORT OF STANDING COMMITTEE

**SB 2008: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2008 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide for a railroad safety program;"

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

Page 1, line 2, after "49-01-05" insert "and 57-43.2-19"

Page 1, line 3, after "commissioners" insert "and the special fuels excise taxes distribution of funds"

Page 1, line 3, remove "and"

Page 1, line 3, after "transfer" insert "; to provide an effective date; to provide for retroactive application; and to declare an emergency"

Page 1, replace lines 12 through 23 with:

"Salaries and wages	\$8,506,704	\$1,844,104	\$10,350,808
Accrued leave payments	168,278	(168,278)	0
Operating expenses	1,895,562	328,848	2,224,410
Capital assets	60,665	(34,265)	26,400
Grants	20,000	0	20,000
Abandoned mined lands contractual	8,000,000	0	8,000,000
Rail rate complaint case	900,000	0	900,000
Reclamation and grain licensing litigation	150,000	(150,000)	0
Railroad safety program	0	972,294	972,294
Specialized legal services	0	900,000	900,000
Total all funds	\$19,701,209	\$3,692,703	\$23,393,912
Less estimated income	13,033,549	1,944,464	14,978,013
Total general fund	\$6,667,660	\$1,748,239	\$8,415,899
Full-time equivalent positions	44.00	6.00	50.00"

Page 2, replace lines 6 through 11 with:

"Specialized legal services	\$750,000	\$750,000
Hydraulic soil probe	28,000	0
Retirement leave payout	0	144,214
Total all funds	\$778,000	\$894,214
Total special funds	353,920	380,214
Total general fund	\$424,080	\$514,000"

Page 2, after line 15, insert:

**"SECTION 3. RAILROAD SAFETY PROGRAM - RAIL SAFETY FUND.** The railroad safety program line item in section 1 of this Act includes \$972,294 from the rail safety fund, of which \$762,294 relates to salaries and wages and \$210,000 relates to operating expenses for the public service commission to establish and operate a state railroad safety program for the biennium beginning July 1, 2015, and ending June 30, 2017."

Page 2, line 20, replace "six" with "five"

Page 2, line 21, replace "five hundred fifteen" with "four hundred ninety-one"

Page 2, line 21, replace "ten" with "eight"

Page 2, line 22, replace "seven hundred seventy-five" with "six hundred fifty-six"

Page 3, after line 3, insert:

**"SECTION 6. AMENDMENT.** Section 57-43.2-19 of the North Dakota Century Code is amended and reenacted as follows:

**57-43.2-19. (Effective through June 30, 2015) Transfer, deposit, and distribution of funds.**

All taxes, license fees, penalties, and interest collected under this chapter must be transferred to the state treasurer who shall deposit moneys in a highway tax distribution fund, except all special fuels excise taxes collected on sales of diesel fuel to a railroad under section 57-43.2-03 of up to two hundred fifty thousand dollars per year must be transferred to the state treasurer who shall deposit the moneys in the highway-rail grade crossing safety projects fund. The highway tax distribution fund must be distributed in the manner as prescribed by section 54-27-19.

**(Effective after June 30, 2015) Transfer, deposit, and distribution of funds.** All taxes, license fees, penalties, and interest collected under this chapter must be transferred to the state treasurer who shall deposit moneys in a highway tax distribution fund, except all special fuels excise taxes collected on sales of diesel fuel to a railroad under section 57-43.2-03 of up to five hundred thousand dollars per year must be transferred to the state treasurer who shall deposit the moneys in the rail safety fund. The highway tax distribution fund must be distributed in the manner as prescribed by section 54-27-19.

**SECTION 7. EFFECTIVE DATE.** Section 6 of this Act is effective for special fuels excise taxes collected after June 30, 2015.

**SECTION 8. RETROACTIVE APPLICATION.** The specialized legal services line item in section 1 of this Act is retroactive in application.

**SECTION 9. EMERGENCY.** The specialized legal services line item in section 1 of this Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2008 - Public Service Commission - Senate Action**

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$8,506,704	\$1,844,104	\$10,350,808
Operating expenses	1,895,562	328,848	2,224,410
Capital assets	60,665	(34,265)	26,400
Grants	20,000		20,000
Abandoned mined lands contractual	8,000,000		8,000,000
Rail rate complaint case	900,000		900,000
Reclamation & grain licensing litigation	150,000	(150,000)	
Accrued leave payments	168,278	(168,278)	
Railroad safety program		972,294	972,294

Specialized legal services		900,000	900,000
Total all funds	\$19,701,209	\$3,692,703	\$23,393,912
Less estimated income	13,033,549	1,944,464	14,978,013
General fund	\$6,667,660	\$1,748,239	\$8,415,899
FTE	44.00	6.00	50.00

**Department No. 408 - Public Service Commission - Detail of Senate Changes**

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adds Funding for New Weights and Measures Inspector <sup>3</sup>	Adds Funding for New Natural Gas Pipeline Inspector <sup>4</sup>	Adds Funding for New Public Utility Analyst <sup>5</sup>	Adds Funding for New Railroad Safety Program <sup>6</sup>
Salaries and wages	\$160,775	\$581,474	\$196,803	\$257,747	\$257,747	
Operating expenses			116,232	82,616	40,000	
Capital assets						
Grants						
Abandoned mined lands contractual						
Rail rate complaint case						
Reclamation & grain licensing litigation						
Accrued leave payments	(168,278)					
Railroad safety program						972,294
Specialized legal services						
Total all funds	(\$7,503)	\$581,474	\$313,035	\$340,363	\$297,747	\$972,294
Less estimated income	(55,650)	212,080	0	170,182	0	972,294
General fund	\$48,147	\$369,394	\$313,035	\$170,181	\$297,747	\$0
FTE	0.00	0.00	1.00	1.00	1.00	3.00

	Adds Funding for Abandoned Mine Land Program Temporary Positions <sup>7</sup>	Adjusts Base Level Funding <sup>8</sup>	Transfers Funding and Creates the Specialized Legal Services Line Item <sup>9</sup>	Adds One-Time Funding for Accrued Leave Payout <sup>10</sup>	Total Senate Changes
Salaries and wages	\$245,344			\$144,214	\$1,844,104
Operating expenses		90,000			328,848
Capital assets		(34,265)			(34,265)
Grants					
Abandoned mined lands contractual					
Rail rate complaint case					
Reclamation & grain licensing litigation			(150,000)		(150,000)
Accrued leave payments					(168,278)
Railroad safety program					972,294
Specialized legal services			900,000		900,000
Total all funds	\$245,344	\$55,735	\$750,000	\$144,214	\$3,692,703
Less estimated income	245,344	20,000	336,000	44,214	1,944,464
General fund	\$0	\$35,735	\$414,000	\$100,000	\$1,748,239
FTE	0.00	0.00	0.00	0.00	6.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> The following funding is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year and increases in monthly health insurance premiums:

	General Fund	Other Funds	Total
Salary increase - Performance	\$231,579	\$142,650	\$374,229
Health insurance increase	137,815	69,430	207,245
Total	\$369,394	\$212,080	\$581,474

<sup>3</sup> Funding is added from the general fund for a new full-time equivalent (FTE) weights and measures inspector position (\$196,803) and related operating expenses (\$116,232).

<sup>4</sup> Funding is added from the general fund and other funds for a new FTE natural gas pipeline inspector position (\$257,747) and related operating expenses (\$82,616).

<sup>5</sup> Funding is added from the general fund for a new FTE public utility analyst position (\$257,747) and related operating expenses (\$40,000).

<sup>6</sup> The funding shown below is added for a new state railroad safety program. The other funds include \$972,294 from the rail safety fund created in Section 6 of this Act.

	FTE	General Fund	Other Funds	Total
New railroad safety inspectors	3.00		\$762,294	\$762,294
Operating and other costs			210,000	210,000
Total	3.00	\$0	\$972,294	\$972,294

<sup>7</sup> Federal funds spending authority is added for temporary positions for the abandoned mine land program.

<sup>8</sup> Base level funding is adjusted as follows:

	General Fund	Other Funds	Total
Travel expense increase	\$70,000	\$20,000	\$90,000
IT equipment replacement and upgrades	26,400		26,400
Remove capital assets	(60,665)		(60,665)
Total	\$35,735	\$20,000	\$55,735

<sup>9</sup> The specialized legal services line item is created, and funding is transferred from the reclamation and grain licensing litigation line item to the specialized legal services line item. The line item transfer and new one-time funding is shown below for the specialized legal services line item. There is also a retroactive application in Section 8 of this Act and an emergency clause in Section 9 of this Act related to the specialized legal services line item.

	General Fund	Other Funds	Total
Transfer from reclamation and grain licensing litigation	\$86,000	\$64,000	\$150,000
New one-time funding	414,000	336,000	750,000
Total	\$500,000	\$400,000	\$900,000

<sup>10</sup> One-time funding is added for accrued leave payouts.

---

This amendment also:

- Designates that of the railroad safety program line item in Section 1 of the bill, \$972,294 is from the rail safety fund, of which \$762,294 relates to salaries and wages and \$210,000 relates to operating expenses for the Public Service Commission for creating a state railroad safety program.
- Amends Section 3 of the bill to provide 3 percent annual salary increases for the commissioners during the 2015-17 biennium.
- Creates the rail safety fund and amends North Dakota Century Code Section 57-43.2-19 to allocate special fuels excise taxes collected on sales of diesel fuel to a railroad under Section 57-43.2-03 of up to \$500,000 per year from the highway tax distribution fund to the rail safety fund.
- Provides an effective date for special fuels excise taxes collected after June 30, 2015.
- Provides a retroactive application for the specialized legal services line item.
- Declares the specialized legal services line item to be an emergency measure.

#### REPORT OF STANDING COMMITTEE

**SB 2014: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2014 was placed on the Sixth order on the calendar.



"Protection and advocacy operations	\$5,671,584	\$916,501	\$6,588,085
Accrued leave payments	<u>93,590</u>	<u>(93,590)</u>	<u>0</u>
Total all funds	\$5,765,174	\$822,911	\$6,588,085
Less estimated income	<u>3,233,612</u>	<u>199,241</u>	<u>3,432,853</u>
Total general fund	\$2,531,562	\$623,670	\$3,155,232
Full-time equivalent positions	27.50	1.00	28.50"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	Senate Changes	Senate Version
Protection and advocacy operations	\$5,671,584	\$916,501	\$6,588,085
Accrued leave payments	<u>93,590</u>	<u>(93,590)</u>	
Total all funds	\$5,765,174	\$822,911	\$6,588,085
Less estimated income	<u>3,233,612</u>	<u>199,241</u>	<u>3,432,853</u>
General fund	\$2,531,562	\$623,670	\$3,155,232
FTE	27.50	1.00	28.50

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

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adds Funding for New Paralegal Position <sup>3</sup>	Adds Funding for Desktop Support Services <sup>4</sup>	Increases Operating Expenses <sup>5</sup>	Total Senate Changes
Protection and advocacy operations	\$245,859	\$313,934	\$153,094	\$132,838	\$70,776	\$916,501
Accrued leave payments	<u>(93,590)</u>					<u>(93,590)</u>
Total all funds	\$152,269	\$313,934	\$153,094	\$132,838	\$70,776	\$822,911
Less estimated income	<u>133,117</u>	<u>3,522</u>	<u>62,602</u>	<u>0</u>	<u>0</u>	<u>199,241</u>
General fund	\$19,152	\$310,412	\$90,492	\$132,838	\$70,776	\$623,670
FTE	0.00	0.00	1.00	0.00	0.00	1.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> The following funding is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year and increases in monthly health insurance premiums:

	General Fund	Other Funds	Total
Salary increase - Performance	\$186,556	\$2,162	\$188,718
Health insurance increase	123,856	1,360	125,216
Total	\$310,412	\$3,522	\$313,934

<sup>3</sup> Funding is added from the general fund for 1 new FTE paralegal position (\$153,094) to assist legal staff with increased caseload.

<sup>4</sup> Funding is added for desktop support services to be obtained from the Information Technology Department.

<sup>5</sup> Funding is added for operating expenses, including an increase of \$37,833 for building rent expense.

#### REPORT OF STANDING COMMITTEE

**SB 2021: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2021 was placed on the Sixth order on the calendar.

Page 1, replace lines 10 through 15 with:

"Workforce safety and insurance operations	\$60,909,457	\$8,146,940	\$69,056,397
Accrued leave payments	1,662,965	(1,662,965)	0
Litigation contingency	750,000	(750,000)	0
Total special funds	\$63,322,422	\$5,733,975	\$69,056,397
Full-time equivalent positions	250.14	10.00	260.14"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2021 - Workforce Safety and Insurance - Senate Action

	Base Budget	Senate Changes	Senate Version
WSI operations	\$60,909,457	\$8,146,940	\$69,056,397
Litigation contingency	750,000	(750,000)	
Accrued leave payments	1,662,965	(1,662,965)	
Total all funds	\$63,322,422	\$5,733,975	\$69,056,397
Less estimated income	63,322,422	5,733,975	69,056,397
General fund	\$0	\$0	\$0
FTE	250.14	10.00	260.14

#### Department No. 485 - Workforce Safety and Insurance - Detail of Senate Changes

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adds New Positions <sup>3</sup>	Decreases Operating Expenses <sup>4</sup>	Removes Projects Authorized in the 2013-15 Biennium <sup>5</sup>	Adds One-Time Funding for Computer Software Replacement <sup>6</sup>
WSI operations	\$3,714,031	\$2,780,075	\$1,377,691	(\$1,999,857)	(\$4,725,000)	\$6,000,000
Litigation contingency					(750,000)	
Accrued leave payments	(1,662,965)					
Total all funds	\$2,051,066	\$2,780,075	\$1,377,691	(\$1,999,857)	(\$5,475,000)	\$6,000,000
Less estimated income	2,051,066	2,780,075	1,377,691	(1,999,857)	(5,475,000)	6,000,000
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	10.00	0.00	0.00	0.00

	Adds One-Time Funding for Litigation Costs <sup>7</sup>	Total Senate Changes
WSI operations	\$1,000,000	\$8,146,940
Litigation contingency		(750,000)
Accrued leave payments		(1,662,965)
Total all funds	\$1,000,000	\$5,733,975
Less estimated income	1,000,000	5,733,975
General fund	\$0	\$0
FTE	0.00	10.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> The following funding is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year and increases in monthly health insurance premiums:

	General Fund	Other Funds	Total
Salary increase - Performance		\$1,683,348	\$1,683,348
Health insurance increase		1,096,727	1,096,727
Total	\$0	\$2,780,075	\$2,780,075

<sup>3</sup> The following new positions are added:

	FTE	General Fund	Other Funds	Total
Underwriter	1.0		\$129,759	\$129,759

Vocational rehabilitation case manager	2.0	259,518	259,518
Nurse case manager	2.0	279,146	279,146
Physical therapist	1.0	210,051	210,051
Claim adjuster converted from temporary	3.0	378,083	378,083
Collections specialist converted from temporary	<u>1.0</u>	<u>121,134</u>	<u>121,134</u>
Total	10.0	\$1,377,691	\$1,377,691

<sup>4</sup> Funding for operating expenses are reduced primarily relating to a reduction in IT software (\$1,571,008).

<sup>5</sup> The following projects and funding authorized in the 2013-15 biennium are removed:

	General Fund	Other Funds	Total
Data warehouse project		(\$2,000,000)	(\$2,000,000)
Web portal project		(1,500,000)	(1,500,000)
Policy replacement project		(1,225,000)	(1,225,000)
Litigation contingency for failed system project		<u>(750,000)</u>	<u>(750,000)</u>
Total		(\$5,475,000)	(\$5,475,000)

<sup>6</sup> One-time funding is added for a computer software replacement project.

<sup>7</sup> One-time funding is added for litigation costs for a computer software replacement project.

#### REPORT OF STANDING COMMITTEE

**SB 2032, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2032 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2034, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2034 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2075: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2075 was placed on the Sixth order on the calendar.

Page 2, line 8, remove the overstrike over "and may"

Page 2, line 8, remove the underscored period

Page 2, remove line 9

Page 2, line 10, remove "section may"

Page 2, line 10, overstrike "not"

Page 2, remove lines 11 through 14

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2087: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2087 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "appropriation for offsetting reductions in Title I funding to school"

Page 1, line 2, replace "districts" with "exemption"

Page 1, line 4, replace "**APPROPRIATION - 2013-15 BIENNIUM.**" with "**EXEMPTION - GRANTS - STATE SCHOOL AID.**"

Page 1, line 5, remove "There is appropriated out of any moneys in the general fund in the state treasury, not"

Page 1, replace lines 6 through 12 with "Notwithstanding section 54-44.1-11, if any moneys remain in the grants - state school aid line item after the superintendent of public instruction complies with all statutory payment obligations imposed for the 2013-15 biennium, the superintendent shall reserve the first \$1,661,207, or so much of that amount as may be necessary, for the purpose of offsetting the reduction in funding for Title I, Part A, of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6301, et seq.], as amended, that resulted from the federal sequestration order for fiscal year 2013, issued pursuant to Section 251A of the Balanced Budget and Emergency Deficit Control Act [2 U.S.C. 901A], as amended, for the period beginning with the biennium beginning July 1, 2015, and ending June 30, 2017."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2134: Judiciary Committee (Sen. Hogue, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2134 was placed on the Sixth order on the calendar.

Page 1, line 2, after "to" insert "appointment or removal and"

Page 1, line 2, replace "and" with a comma

Page 1, line 3, after the first "education" insert ", and all university system personnel"

Page 1, line 10, overstrike "therefor"

Page 1, line 11, overstrike "thereof"

Page 1, line 12, overstrike "shall" and insert immediately thereafter "must"

Page 1, line 12, after "chooses" insert an underscored comma

Page 1, line 13, remove the overstrike over "~~that~~"

Page 1, line 14, after "public" insert "and the board consents"

Page 1, line 18, replace "shall" with "must"

Page 1, line 18, after "chooses" insert an underscored comma

Page 1, line 19, after "requests" insert "that"

Page 1, line 20, after "public" insert "and the board consents"

Page 2, line 1, remove "All records used by the board, university system employees, and consultants to"

Page 2, remove lines 2 and 3

Page 2, line 4, remove "North Dakota."

Page 2, line 5, replace "shall" with "must"

Page 2, line 5, after "chooses" insert an underscored comma

Page 2, line 6, after "requests" insert "that"

Page 2, line 7, after the first "public" insert "and the board consents"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2175, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2175 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "Two percent of the taxes" with "Taxes"

Page 1, line 11, replace "one million dollars in a state fiscal year" with "two million dollars in a biennium"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2221: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2221 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2279: Judiciary Committee (Sen. Hogue, Chairman)** recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2279 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2282, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2282 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2283: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2283 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsection 6 to section 26.1-26-11 and section" with "sections"

Page 1, line 1, after "26.1-26-54" insert "and 26.1-26-55"

Page 1, remove lines 5 through 7

Page 1, after line 10, insert:

"1. Travel insurance, as that term is defined in this section, is a limited line of insurance."

Page 1, line 11, replace "1." with "2."

Page 1, line 13, remove "Licensed managing general underwriter:"

Page 1, line 14, remove "(2)"

Page 1, line 15, replace "(3)" with "(2)"

Page 1, line 17, replace "8" with "9"

Page 2, line 8, replace "2." with "3."

Page 2, line 16, replace "or" with "and"

Page 2, line 19, remove "and"

Page 2, line 21, replace the underscored period with "; and

- (e) The travel retailer and its employees certify in writing to the commissioner that they act on behalf of the limited lines producer and the producer is responsible for any representations made by the employees of the travel retailer relating to insurance products offered or disseminated through the travel retailer."

Page 2, line 23, after "each" insert "travel"

Page 2, line 29, remove "a reasonable"

Page 2, line 31, replace "the register" with "that the travel retailer"

Page 3, line 4, after "licensed" insert "insurance"

Page 3, line 17, after "customers" insert ", and upon request must be provided to the commissioner for inspection"

Page 3, line 18, replace "3." with "4."

Page 3, line 20, replace "4." with "5."

Page 3, line 31, replace "5." with "6."

Page 4, line 4, remove "or"

Page 4, line 5, replace the underscored period with ": or"

- d. Be directly paid a commission or any other compensation by an insurer for the sale of insurance."

Page 4, line 6, replace "6." with "7."

Page 4, line 6, remove "licensed"

Page 4, line 9, replace "7." with "8."

Page 4, line 11, replace "8." with "9."

Page 4, line 14, replace "9." with "10."

Page 4, after line 15, insert:

**"SECTION 2.** Section 26.1-26-55 of the North Dakota Century Code is created and enacted as follows:

**26.1-26-55. Rulemaking.**

The commissioner may adopt rules for the implementation and administration of this chapter."

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2292, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2292 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2307, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2307 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2336: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends

**AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2336 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "Before the approval by the state water commission, the"

Page 1, remove lines 11 through 23

Page 2, replace lines 1 through 4 with "The authority shall file an application for approval with the commission. The commission shall give electronic notice, allow a comment period of seven days, and make a decision within ten days after receipt of the application. The commission shall consider any public comments from permit holders within the county relating to the application before making a determination to approve or disapprove the application. If delegated by the state water commission, an approval or disapproval under this section may be made by the chief engineer."

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**SB 2340, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2340 was placed on the Eleventh order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2349: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). SB 2349 was placed on the Eleventh order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2361: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2361 was placed on the Sixth order on the calendar.

Page 1, line 6, after the underscored comma insert "except"

Page 1, line 7, replace "domestic use" with "industrial water sales for oil and gas development"

Page 1, line 9, remove the overstrike over "~~carry out the duties imposed by this chapter~~" and insert immediately thereafter ", except"

Page 1, line 10, replace "domestic use" with "industrial water sales for oil and gas development"

Page 1, line 14, remove "providing infrastructure that is solely for domestic use by"

Page 1, line 14, after "authority" insert ", except for providing infrastructure that is solely for industrial water sales for oil and gas development"

Page 1, line 15, remove the overstrike over "~~any project authorized in this~~"

Page 1, line 16, remove the overstrike over "~~chapter~~" and insert immediately thereafter ", except for right of way for"

Page 1, line 16, replace "domestic use" with "industrial water sales for oil and gas development"

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**SB 2374, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2374 was placed on the Eleventh order on the calendar.

**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3023:** A concurrent resolution declaring March 5, 2015, as "Canada Day in North Dakota".

Was read the first time and referred to the **Political Subdivisions Committee**.

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

**Jane Schaible, Secretary**