

## JOURNAL OF THE SENATE

## Sixty-fourth Legislative Assembly

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Bismarck, April 20, 2015

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

The prayer was offered by Senator Dever, District 32.

The roll was called and all members were present.

A quorum was declared by the President.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. KLEIN MOVED** that the Senate do concur in the House amendments to Engrossed SB 2199 as printed on SJ pages 1518-1520, which motion prevailed on a voice vote.

Engrossed SB 2199 as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2199:** A BILL for an Act to provide an appropriation to the attorney general for a human trafficking victims treatment and support services, to amend and reenact section 54-12-14 of the North Dakota Century Code, relating to the assets forfeiture fund; to provide for a report to the legislative management; to provide a continuing appropriation; and to declare an emergency.

**ROLL CALL**

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

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

Reengrossed SB 2199 passed and the emergency clause was declared carried.

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**MOTION**

**SEN. KLEIN MOVED** that Sen. G. Lee replace Sen. Carlisle on the Conference Committee on SB 2008, which motion prevailed on a voice vote.

**MOTION**

**SEN. KLEIN MOVED** that Sen. Sorvaag replace Sen. Wanzek on the Conference Committee on SB 2008, which motion prevailed on a voice vote.

**MOTION**

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

**THE SENATE RECONVENED** pursuant to recess taken, with President Wrigley presiding.

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2199.

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

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

**SB 2206:** Reps. Weisz; Hofstad; Muscha

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently failed to pass: HB 1415.

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1234, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1234:** Reps. Damschen; Seibel; Oversen

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

**MR. SPEAKER:** The President has appointed Sen. G. Lee to replace Sen. Carlisle on the Conference Committee on SB 2008.

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

**MR. SPEAKER:** The President has appointed Sen. Sorvaag to replace Sen. Wanzek on the Conference Committee on SB 2008.

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

**MR. PRESIDENT:** The House has not adopted the conference committee report on: SCR 4010.

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: SB 2150.

**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 1249, HB 1321.

**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 2284.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2011, SB 2035, SB 2046, SB 2166, SB 2332, SB 2349, SB 2377.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1106, HB 1113, HB 1210, HB 1229, HB 1282, HB 1360, HB 1406.

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

**MR. SPEAKER:** The President has signed: SB 2070, SB 2107, SB 2113, SB 2292, SB 2295, SB 2312, SB 2326, SB 2333, SB 2356.

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

**MR. SPEAKER:** The President has signed: HB 1057, HB 1095, HB 1144, HB 1368, HB 1392.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 20, 2015: SB 2070, SB 2107, SB 2113, SB 2292, SB 2295, SB 2312, SB 2326, SB 2333, SB 2356.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2001, as engrossed:** Your conference committee (Sens. Erbele, Bowman, Mathern and Reps. Vigesaa, Thoreson, Hogan) recommends that the **HOUSE RECEDE** from the

House amendments as printed on SJ pages 1118-1119, adopt amendments as follows, and place SB 2001 on the Seventh order:

That the House recede from its amendments as printed on pages 1118 and 1119 of the Senate Journal and pages 1341 and 1342 of the House Journal and that Engrossed Senate Bill No. 2001 be amended as follows:

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

Page 1, line 3, after the second "governor" insert "; and to provide for a legislative management report"

Page 1, replace line 12 with:

"Salaries and wages \$3,540,985 \$320,564 \$3,861,549"

Page 1, replace line 19 with:

"Total general fund \$4,033,873 \$317,842 \$4,351,715"

Page 2, replace lines 10 through 13 with:

**"SECTION 3. APPROPRIATION - GOVERNOR'S OFFICE - LEGISLATIVE MANAGEMENT REPORT.** In addition to the amounts appropriated to the governor's office in section 1 of this Act, there is appropriated to the governor's office, any additional income from federal or other funds which may become available to the governor's office, for the biennium beginning July 1, 2015, and ending June 30, 2017. Any funds received under this section must be used for the specific purpose intended for the funds or transferred to the appropriate state agency or institution. Upon the receipt of funds under this section, the governor's office shall provide a report to the legislative management regarding the source, amount, and purpose of the funds received."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2001 - Governor's Office - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$3,540,985	\$3,875,101	(\$13,552)	\$3,861,549	\$3,861,549	
Operating expenses	404,366	404,366		404,366	404,366	
Contingencies	10,000	10,000		10,000	10,000	
Rough rider awards	10,800	10,800		10,800	10,800	
Accrued leave payments	67,722					
Transition in		15,000		15,000	15,000	
Transition out		50,000		50,000	50,000	
Total all funds	\$4,033,873	\$4,365,267	(\$13,552)	\$4,351,715	\$4,351,715	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$4,033,873	\$4,365,267	(\$13,552)	\$4,351,715	\$4,351,715	\$0
FTE	18.00	18.00	0.00	18.00	18.00	0.00

**Department No. 101 - Governor's Office - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Total Conference Committee Changes
Salaries and wages	(\$13,552)	(\$13,552)
Operating expenses		
Contingencies		
Rough rider awards		
Accrued leave payments		

Transition in		
Transition out		
Total all funds	(\$13,552)	(\$13,552)
Less estimated income	0	0
General fund	(\$13,552)	(\$13,552)
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 revises Section 3 of the bill which appropriates any additional federal or other funds received by the Governor's office. This section was not changed by the Senate, but removed by the House.

Engrossed SB 2001 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2002, as engrossed:** Your conference committee (Sens. Carlisle, Sorvaag, Robinson and Reps. Monson, Dosch, Boe) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1358-1360, adopt amendments as follows, and place SB 2002 on the Seventh order:

That the House recede from its amendments as printed on pages 1358-1360 of the Senate Journal and pages 1534-1537 of the House Journal and that Engrossed Senate Bill No. 2002 be amended as follows:

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

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

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

Page 1, replace line 16 with:

"Salaries and wages	\$3,753,869	\$1,149,645	\$4,903,514"
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Page 1, replace lines 20 through 23 with:

"Election reform	5,143,115	(2,439,580)	2,703,535
Total all funds	\$11,567,412	\$1,780,932	\$13,348,344
Less estimated income	<u>5,844,417</u>	<u>(2,260,881)</u>	<u>3,583,536</u>
Total general fund	\$5,722,995	\$4,041,813	\$9,764,808"

Page 2, replace lines 11 through 13 with:

"Grand total general fund	\$6,043,495	\$4,041,813	\$10,085,308
Grand total special funds	<u>5,844,417</u>	<u>(2,260,881)</u>	<u>3,583,536</u>
Grand total all funds	\$11,887,912	\$1,780,932	\$13,668,844"

Page 3, after line 3, insert:

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

Page 3, after line 10, insert:

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

**SECTION 7. LEGISLATIVE MANAGEMENT STUDY - CONSOLIDATION OF ELECTIONS.** During the 2015-16 interim, the legislative management shall consider studying the feasibility and desirability of consolidating all political subdivision and school district elections with the statewide primary election and the holding of all special elections on other specified dates during any year. If the legislative management conducts the study, the legislative management shall seek input and participation from the secretary of state; representatives of cities, counties, school districts, and other political subdivisions; and representatives of political parties. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

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

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2002 - Summary of Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Secretary of State						
Total all funds	\$11,567,412	\$13,523,297	(\$174,953)	\$13,348,344	\$12,248,344	\$1,100,000
Less estimated income	5,844,417	3,784,288	(200,752)	3,583,536	3,484,177	99,359
General fund	\$5,722,995	\$9,739,009	\$25,799	\$9,764,808	\$8,764,167	\$1,000,641
Public Printing						
Total all funds	\$320,500	\$320,500	\$0	\$320,500	\$320,500	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$320,500	\$320,500	\$0	\$320,500	\$320,500	\$0
Bill total						
Total all funds	\$11,887,912	\$13,843,797	(\$174,953)	\$13,668,844	\$12,568,844	\$1,100,000
Less estimated income	5,844,417	3,784,288	(200,752)	3,583,536	3,484,177	99,359
General fund	\$6,043,495	\$10,059,509	\$25,799	\$10,085,308	\$9,084,667	\$1,000,641

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

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$3,753,869	\$5,077,715	(\$174,201)	\$4,903,514	\$4,777,873	\$125,641
Operating expenses	2,579,597	5,733,295		5,733,295	4,758,936	974,359
Petition review	8,000	8,000		8,000	8,000	
Election reform	5,143,115	2,704,287	(752)	2,703,535	2,703,535	
Accrued leave payments	82,831					
Total all funds	\$11,567,412	\$13,523,297	(\$174,953)	\$13,348,344	\$12,248,344	\$1,100,000
Less estimated income	5,844,417	3,784,288	(200,752)	3,583,536	3,484,177	99,359
General fund	\$5,722,995	\$9,739,009	\$25,799	\$9,764,808	\$8,764,167	\$1,000,641
FTE	28.00	34.00	0.00	34.00	34.00	0.00

**Department No. 108 - Secretary of State - Detail of Conference Committee Changes**

Adjusts Funding for Health Insurance Premium	Adjusts Funding for Overtime <sup>2</sup>	Total Conference Committee Changes

	Increases <sup>1</sup>		
Salaries and wages	(\$24,842)	(\$149,359)	(\$174,201)
Operating expenses			
Petition review			
Election reform	(752)		(752)
Accrued leave payments			
Total all funds	(\$25,594)	(\$149,359)	(\$174,953)
Less estimated income	(752)	(200,000)	(200,752)
General fund	(\$24,842)	\$50,641	\$25,799
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 overtime is reduced by \$149,359 to provide a total increase of \$125,641. In addition the funding source for \$50,641 is changed from the Secretary of State's general services operating fund to the general fund. The Senate provided \$275,000 from the Secretary of State's general services operating fund for overtime and increased operating expenses by \$24,359 from the general services operating fund. The House reduced overtime and operating expense increases by \$299,359.

The Conference Committee did not accept the House changes to decrease funding for the Central Indexing System information technology project by \$950,000.

This amendment also provides:

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

#### **Senate Bill No. 2002 - Public Printing - Conference Committee Action**

The Conference Committee did not change the funding for public printing provided by the Senate and the House.

Engrossed SB 2002 was placed on the Seventh order of business on the calendar.

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

**SB 2009, as engrossed:** Your conference committee (Sens. Bowman, Erbele, O'Connell and Reps. Monson, Schmidt, Boe) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1430-1432, adopt amendments as follows, and place SB 2009 on the Seventh order:

That the House recede from its amendments as printed on pages 1430-1432 of the Senate Journal and pages 1584-1585 of the House Journal and that Engrossed Senate Bill No. 2009 be amended as follows:

Page 1, line 3, remove "and"

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

Page 1, replace lines 12 and 13 with:

"Salaries and wages	\$10,861,195	\$1,986,006	\$12,847,201
Operating expenses	5,885,262	991,807	6,877,069"

Page 1, replace line 16 with:

"State board of animal health	2,109,828	(1,076,163)	1,033,665"
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Page 1, replace lines 20 through 22 with:

"Total all funds	\$25,273,808	\$7,625,301	\$32,899,109
Less estimated income	<u>15,754,591</u>	<u>5,563,462</u>	<u>21,318,053</u>
Total general fund	\$9,519,217	\$2,061,839	\$11,581,056"

Page 2, replace lines 7 and 8 with:

"Department website redesign		<u>0</u>	<u>100,000</u>
Total general fund		\$0	\$1,050,222"

Page 2, line 18, replace "\$6,414,476" with "\$6,403,714"

Page 2, after line 30, insert:

**"SECTION 7. WATERBANK PROGRAM - MATCHING FUNDS.** The salaries and wages line item in section 1 of this Act includes \$50,000 from the general fund for matching funds for the North Dakota outdoor heritage fund grant provided for the waterbank program."

Page 3, after line 7, insert:

**"SECTION 9. EMERGENCY.** The sum of \$100,000 of federal funds included in the state board of animal health 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. 2009 - Department of Agriculture - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$10,861,195	\$12,823,662	\$23,539	\$12,847,201	\$12,767,201	\$80,000
Operating expenses	5,885,262	6,927,069	(50,000)	6,877,069	6,877,069	
Capital assets	12,000	8,000		8,000	8,000	
Grants	4,675,828	10,640,774		10,640,774	10,640,774	
State board of animal health	2,109,828	813,665	220,000	1,033,665	813,665	220,000
Wildlife services	1,417,400	1,417,400		1,417,400	1,417,400	
Crop harmonization board	75,000	75,000		75,000	75,000	
Accrued leave payments	<u>237,295</u>					
Total all funds	\$25,273,808	\$32,705,570	\$193,539	\$32,899,109	\$32,599,109	\$300,000
Less estimated income	<u>15,754,591</u>	<u>21,037,270</u>	<u>280,783</u>	<u>21,318,053</u>	<u>21,018,053</u>	<u>300,000</u>
General fund	\$9,519,217	\$11,668,300	(\$87,244)	\$11,581,056	\$11,581,056	\$0
FTE	77.00	77.00	0.00	77.00	77.00	0.00

**Department No. 602 - Department of Agriculture - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Reduces Funding to Redesign the Department Website <sup>2</sup>	Adds Funding for Expenses Relating to Avian Influenza <sup>3</sup>	Total Conference Committee Changes
Salaries and wages	(\$56,461)		\$80,000	\$23,539
Operating expenses		(50,000)		(50,000)
Capital assets				

Grants				
State board of animal health			220,000	220,000
Wildlife services				
Crop harmonization board				
Accrued leave payments				
Total all funds	(\$56,461)	(\$50,000)	\$300,000	\$193,539
Less estimated income	(19,217)	0	300,000	280,783
General fund	(\$37,244)	(\$50,000)	\$0	(\$87,244)
FTE	0.00	0.00	0.00	0.00

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

<sup>2</sup> One-time funding to redesign the department website is reduced by \$50,000 to provide a total of \$100,000, the same as the House version.

<sup>3</sup> Funding of \$300,000 from federal funds is added for salaries and wages and other expenses relating to Avian influenza.

This amendment also:

- Reduces funding from the environment and rangeland protection fund by \$10,762, relating to the health insurance adjustment, to provide a total of \$6,403,714 from the fund, the same as the House version.
- Adds a section to the bill to state the salaries and wages line item in Section 1 of the bill includes \$50,000 from the general fund for matching funds for the grant provided through the North Dakota outdoor heritage fund for the waterbank program, the same as the House version.
- Adds a section to the bill to declare \$100,000, of federal funds included in the State Board of Animal Health line item in Section 1 to be an emergency measure.

Engrossed SB 2009 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2027, as engrossed:** Your conference committee (Sens. Armstrong, Casper, Grabinger and Reps. Brabandt, K. Koppelman, Delmore) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1234-1235 and place SB 2027 on the Seventh order.

Engrossed SB 2027 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1249, as engrossed:** Your conference committee (Sens. Unruh, Schaible, Triplett and Reps. Hofstad, D. Anderson, Mock) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1280-1281, adopt amendments as follows, and place HB 1249 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1280 and 1281 of the House Journal and pages 997-999 of the Senate Journal and that Engrossed House Bill No. 1249 be amended as follows:

Page 1, line 2, remove "empower"

Page 1, line 6, remove "**empower** "

Page 1, line 7, remove "is"

Page 1, line 8, replace "essential for providing" with "provides"

Page 1, line 9, remove "empower"



Page 1, line 10, replace "create a unified vision and voice for North Dakota and its" with "coordinate communication among"

Page 1, line 11, replace the second underscored comma with "and"

Page 1, line 12, remove ", and state agencies"

Page 1, line 12, after the underscored period insert "A member or employee of the council may not represent to any person that the council has the authority to negotiate on behalf of the state."

Page 1, remove lines 16 through 24

Page 2, replace lines 1 through 4 with:

- a. A representative of agriculture;
- b. A representative of cities;
- c. A representative of energy interests;
- d. A representative of environment or natural resource conservation issues, including fish and wildlife;
- e. A representative of the Garrison Diversion Conservancy District;
- f. A representative of irrigation;
- g. A representative of the Missouri River Joint Water Board to represent counties along the free flowing reach of the Missouri River, counties bordering Lake Sakakawea, and counties bordering Lake Oahe;
- h. A representative of recreation interests;
- i. A representative of water supply;
- j. One at-large representative; and"

Page 2, line 6, replace "Additional voting members of the council must include" with "The governor shall invite the following to join the council as voting members"

Page 2, line 8, after the underscored semicolon insert "and"

Page 2, line 9, remove "; and"

Page 2, remove line 10

Page 2, line 11, remove "The following entities may be represented on the council, but are nonvoting members:"

Page 2, remove lines 12 through 22

Page 2, line 23, replace "5." with "The chairman of the legislative management shall appoint to the council as voting members three legislative members to include at least one member of the minority party."

4."

Page 2, line 25, after "the" insert "expiration of"

Page 2, line 25, remove "of at least four members expire each"

Page 2, line 26, replace "year" with "is evenly distributed"

Page 2, line 26, after "for" insert "one"

Page 2, line 26, replace "terms" with "term"

Page 2, line 28, replace "6." with "5."

Page 2, line 29, replace "7." with "6."

Page 2, line 29, replace "The" with "Except for the members appointed by the chairman of the legislative management."

Page 2, line 30, replace "The" with "Except for the members appointed by the chairman of the legislative management, the"

Page 2, line 31, after the underscored period insert "The legislative council shall pay the compensation and expense reimbursement for the legislative members."

Page 3, line 1, replace "8." with "7."

Page 3, line 6, replace the first underscored comma with "and"

Page 3, line 6, remove ". and state agencies"

Page 3, line 11, remove "The council shall recommend ways to strengthen"

Page 3, remove lines 12 through 14

Page 3, line 15, replace "county and stakeholder" with "appointed"

Page 3, line 17, replace "ten" with "nine"

Page 3, line 18, replace the first underscored comma with "or"

Page 3, line 18, remove ". or state agencies"

Page 3, line 20, replace "or" with "to"

Page 3, line 20, after "accomplish" insert "its"

Page 3, line 20, replace "protect" with "fairly represent"

Page 3, line 20, remove "and rights"

Page 3, line 23, replace "their" with "its"

Page 3, line 26, replace "potential legislation" with "recommendations"

Renumber accordingly

Engrossed HB 1249 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1321, as engrossed:** Your conference committee (Sens. Armstrong, Luick, Grabinger and Reps. K. Koppelman, M. Johnson, P. Anderson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1219-12220, adopt amendments as follows, and place HB 1321 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1219 and 1220 of the House Journal and page 925 of the Senate Journal and that Engrossed House Bill No. 1321 be amended as follows:

Page 1, line 14, overstrike "to engage" and insert immediately thereafter ":

(a) To engage"

Page 1, line 14, remove the overstrike over "directed"

Page 1, line 14, remove the underscored colon

Page 1, line 15, remove "(a) Directed"

Page 1, line 16, overstrike the comma

Page 1, line 16, remove the overstrike over the overstruck period

Page 1, line 16, remove ";or"

Page 1, remove lines 17 through 22

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

Page 2, line 3, after "harassment" insert ";or

(b) The unauthorized tracking of the person's movements or location through the use of a global positioning system or other electronic means that would cause a reasonable person to be frightened, intimidated, or harassed and which serves no legitimate purpose"

Renumber accordingly

Engrossed HB 1321 was placed on the Seventh order of business on the calendar.

#### **CORRECTION AND REVISION OF THE JOURNAL**

**MR. PRESIDENT:** Your **Committee on Correction and Revision of the Journal (Sen. Poolman, Chairman)** has carefully examined the Journal of the Sixty-first and Sixty-eighth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1141, after line 8, insert:

#### **"PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2271**

Page 1, line 12, replace "or employ" with "for"

Page 1, line 15, after the first underscored comma insert "or"

Page 1, line 15, replace "or" with "and may not"

Page 1, line 23, replace "general" with "abandoned oil and gas well plugging site reclamation"

Page 1, line 24, replace "\$660,000" with "\$400,000"

Page 2, line 2, after "program" insert ", without additional full-time employees,"

Page 2, line 2, remove "this"

Page 2, line 2, after "section" insert "1 of this Act"

Renumber accordingly"

Page 1504, after line 10, insert:

#### **"PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2206**

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 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, after the underscored period insert "The department of human services shall compute the amount of budget savings for each county created by the department's assumption of program costs in subdivision a and shall report that amount to the tax commissioner."

Page 2, line 27, remove "the full amount of the savings calculated for each year must be deducted"

Page 2, replace lines 28 through 31 with "The tax commissioner shall calculate the mill levy reduction in each county made possible by the program costs assumed in subdivision a and deduct that amount from the human services mill levy of the county in effect for taxable year 2014, apply to the resulting mill levy amount the percentage salary and benefits increase provided by legislative appropriations for state employees for taxable year 2015, and shall inform the auditor in each county that the amount so determined for the county is the mill levy limit for that county's human services mill levy for taxable year 2015. The tax commissioner shall increase the taxable year 2015 human services mill levy limit determined under this subdivision for each county by the percentage salary and benefits increase provided by legislative appropriations for state employees for taxable year 2016, and shall inform the auditor in each county that the amount so determined for the county is the mill levy limit for that county's human services mill levy for taxable year 2016 and each taxable year thereafter. 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 available to the county for that purpose, with the exception of grant funds that may be available to the county under section 50-06-20.1."

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, reduced by the amount of the savings from the reduction in the county's social service funding responsibility derived from transferring the county social service costs to the department of human services as calculated for the budget year and adjusted for the percentage salary and benefits increase provided by legislative appropriations for state employees for the taxable year under subsection 2 of 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 limitation as determined under section 11-23-01."

Page 8, line 15, remove "and"

Page 8, line 15, after "9" insert ", 10, and 11"

Page 8, line 17, replace "Section 10" with "Sections 1 and 12"

Page 8, line 17, replace "is" with "are"

Page 8, line 18, replace "is" with "are"

Renumber accordingly"

**SEN. POOLMAN MOVED** that the report be adopted, which motion prevailed.

#### **CONSIDERATION OF AMENDMENTS**

**HB 1475, as engrossed: SEN. J. LEE (Human Services Committee) MOVED** that the amendments on SJ pages 1603-1606 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

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

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Reengrossed HB 1234, which motion prevailed.

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

**Reengrossed HB 1234:** Sens. J. Lee, Larsen, Warner

#### **CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. COOK MOVED** that the Senate do concur in the House amendments to Engrossed SB 2144 as printed on SJ page 1481, which motion prevailed on a voice vote.

Engrossed SB 2144 as amended, was placed on the Eleventh order of business.

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

**SB 2144:** A BILL for an Act to create and enact six new subsections to section 11-11-14 and subsection 4 of section 11-11.1-01 of the North Dakota Century Code, relating to consolidation and revision of provisions governing property tax levy authority; to amend and reenact section 2-02-07, subsection 9 of section 2-06-01, section

2-06-07, sections 4-02-26, 4-02-27.3, and 4-08-15, subsection 17 of section 4-22-26, sections 4-33-11, 4.1-47-14, 4.1-47-16, 4.1-47-25, 11-11-53, 11-11-65, 11-11.1-04, 11-28-06, 11-28.3-03, 11-28.3-09, 18-06-10, 18-10-07, 18-11-10, subsection 1 of section 21-03-06, subsections 3, 5, and 6 of section 21-03-07, sections 23-06-30, 23-18-01, 23-30-01, 23-30-07, 24-05-01, 24-05-02, 24-05-05, 24-05-16, 24-08-07, 32-12.1-08, 32-12.1-11, 40-05-09.2, 40-05-19, 40-05-20, 40-26-08, 40-28-05, 40-29-14, 40-31-08, and 40-37-03, subsections 1 and 3 of section 40-38-02, sections 40-38.1-02, 40-43-01, 40-45-01, 40-45-27, 40-46-02, 40-46-25, 40-46-26, 40-48-07, 40-49-22, 40-55-08, 40-55-09, 40-57.2-04, and 40-57.4-04, subsection 8 of section 40-58-07, subsection 2 of section 40-58-15, section 40-59-01, subsection 2 of section 40-60-02, subsection 3 of section 40-61-03.1, sections 40-61-10, 50-03-01, 50-03-06, 50-06.2-05, 57-15-01.1, 57-15-06, 57-15-06.4, 57-15-06.6, 57-15-06.7, 57-15-08, 57-15-10, 57-15-10.1, 57-15-12, 57-15-12.1, 57-15-12.3, 57-15-19.4, 57-15-19.5, 57-15-19.6, 57-15-20, 57-15-20.2, 57-15-22.2, 57-15-27.1, 57-15-28, 57-15-28.1, 57-15-30.1, 57-15-38, 57-15-42, 57-15-48, 57-15-50, 57-15-51, 57-15-51.1, 57-15-53, and 57-15-55, subsection 1 of section 57-15-56, sections 57-20-23 and 57-47-04, subsection 16 of section 58-03-07, and sections 58-17-02, 61-04.1-26, and 61-24-02 of the North Dakota Century Code, relating to consolidation and revision of provisions governing property tax levy authority of counties, cities, park districts, soil conservation districts, and various boards and commissions; to repeal sections 4-02-27, 4-02-27.1, 4-02-27.2, 4-02-35, 4-02-37, and 4-08-15.1, chapter 4-16, sections 11-11-18, 11-11-20, 11-11-21, 11-11-22, 11-11-23, 11-11-24, 11-11-25, 11-11-45, 11-11-46, 11-11-47, 11-11-59, 11-11-60, 11-11-61, 11-11.1-06, 11-28-12, 11-28-13, 11-28-14, 11-28-15, 11-28-16, 11-28-17, 11-28-18, 11-28-19, 11-28-20, 11-28-21, and 11-28-22, chapters 11-36 and 11-37, sections 18-06-11, 18-07-01, and 18-10-14, chapters 23-18, 23-18.1, and 23-18.2, sections 32-12.1-12, 32-12.1-14, 40-05-09.1, 40-43-02, 40-43-03, 40-43-04, 40-45-02, 40-57-19, and 40-57-19.1, chapters 49-17.2 and 52-09, sections 57-15-06.3, 57-15-06.5, 57-15-06.8, 57-15-06.9, 57-15-06.10, 57-15-12.2, 57-15-20.3, 57-15-20.4, 57-15-26.3, 57-15-26.5, 57-15-27.2, 57-15-36, 57-15-37.1, 57-15-43, 57-15-44, 57-15-54, 57-15-55.1, 57-15-57, 57-15-59, 57-15-60, and 57-15-62, chapter 57-17, section 58-02-30, and chapter 58-15 of the North Dakota Century Code, relating to consolidation, revision, and elimination of obsolete provisions relating to property tax levy authority of counties, cities, park districts, soil conservation districts, and various boards and commissions; to provide for a transition; and to provide an effective date.

#### ROLL CALL

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

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

Reengrossed SB 2144 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. ERBELE MOVED** that the conference committee report on Engrossed SB 2001 as printed on SJ pages 1539-1540 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2001, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2001:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the governor; to amend and reenact sections 54-07-04 and 54-08-03 of the North Dakota Century Code, relating to the salaries of the governor and lieutenant governor; and to provide for a legislative management report.

**ROLL CALL**

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

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

Reengrossed SB 2001 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. CARLISLE MOVED** that the conference committee report on Engrossed SB 2002 as printed on SJ pages 1542-1544 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2002, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2002:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the secretary of state and public printing; to provide exemptions; to amend and reenact section 54-09-05 of the North Dakota Century Code, relating to the salary of the secretary of state; to provide for legislative management studies; and to declare an emergency.

**ROLL CALL**

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

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

Reengrossed SB 2002 passed and the emergency clause was declared carried.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. BOWMAN MOVED** that the conference committee report on Engrossed SB 2009 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2009, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2009:** A BILL for an Act to provide an appropriation for defraying the expenses of the agriculture commissioner; to amend and reenact section 4-01-21 of the North Dakota Century Code, relating to the salary of the agriculture commissioner; to provide for transfers; and to declare an emergency.

**ROLL CALL**

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

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

Reengrossed SB 2009 passed and the emergency clause was declared carried.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. ARMSTRONG MOVED** that the conference committee report on Engrossed SB 2027 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. UNRUH MOVED** that the conference committee report on Reengrossed HB 1249 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1249, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1249:** A BILL for an Act to create and enact chapter 61-42 of the North Dakota Century Code, relating to the creation of the Missouri River advisory council.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 13 YEAS, 34 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bekkedahl; Carlisle; Dever; Dotzenrod; Grabinger; Mathern; Nelson; O'Connell; Oban; Rust; Sinner; Wardner

**NAYS:** Armstrong; Axness; Bowman; Burckhard; Campbell; Casper; Cook; Davison; Erbele; Flakoll; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Miller; Murphy; Oehlke; Poolman; Robinson; Schaible; Schneider; Sorvaag; Triplett; Unruh; Wanzek; Warner

Reengrossed HB 1249, as amended, failed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. ARMSTRONG MOVED** that the conference committee report on Reengrossed HB 1321 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1321, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1321:** A BILL for an Act to amend and reenact section 12.1-17-07.1 of the North Dakota Century Code, relating to stalking and the use of electronic communication.

**ROLL CALL**

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

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

Reengrossed HB 1321, as amended, passed.

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**MOTION**

**SEN. KLEIN MOVED** that the Senate stand in recess until 5:00 p.m., which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with President Wrigley presiding.



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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2144.

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

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

**SB 2003:** Reps. Skarphol; Kempenich; Hogan

**SB 2005:** Reps. Kempenich; Brandenburg; Hogan

**SB 2010:** Reps. Thoreson; Vigesaa; Hogan

**SCR 4003:** Reps. Kretschmar; Maragos; P. Anderson

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1126, HB 1176, HB 1377, HB 1399, and HB 1464, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1126:** Reps. Brabandt; K. Koppelman; Delmore

**HB 1176:** Reps. Delzer; Kempenich; Boe

**HB 1377:** Reps. Delzer; Kempenich; Boe

**HB 1399:** Reps. Maragos; Brabandt; M. Johnson

**HB 1464:** Reps. Larson; Paur; Delmore

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

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

**HB 1234:** Sens. J. Lee; Larsen; Warner

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Boe to replace Rep. Glassheim on the Conference Committee on SB 2023.

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Hogan to replace Rep. Glassheim on the Conference Committee on HB 1008.

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Boe to replace Rep. Glassheim on the Conference Committee on HB 1011.

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

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

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

**MR. SPEAKER:** The Senate has adopted the conference committee report on: SB 2027.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2001.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1321.

**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 2002, SB 2009.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1016, HB 1024.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2150, SB 2284.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2199.

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

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

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

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

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

**MR. PRESIDENT:** The Speaker has signed: HB 1057, HB 1067, HB 1095, HB 1144, HB 1368, HB 1392, HB 1410.

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

**MR. PRESIDENT:** The Speaker has signed: HCR 3052.

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on April 20, 2015, I have signed the following: SB 2021, SB 2030, SB 2070, SB 2074, SB 2075, SB 2097, SB 2113, SB 2164, SB 2190, SB 2275, SB 2292, SB 2295, SB 2312, SB 2323, SB 2326, SB 2333, and SB 2356.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1024, as engrossed:** Your conference committee (Sens. Kilzer, G. Lee, Mathern and Reps. J. Nelson, Pollert, Holman) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1301, adopt amendments as follows, and place HB 1024 on the Seventh order:

That the Senate recede from its amendments as printed on page 1301 of the House Journal and pages 1037-1038 of the Senate Journal and that Engrossed House Bill No. 1024 be amended as follows:

Page 1, line 2, after "committee" insert "; and to provide for a legislative management report"

Page 1, replace lines 11 through 14 with:

"Comprehensive tobacco control	\$15,807,437	\$740,602	\$16,548,039
Accrued leave	<u>8,391</u>	<u>(8,391)</u>	<u>0</u>
Total special funds	\$15,815,828	\$732,211	\$16,548,039
Full-time equivalent positions	8.00	0.00	8.00

**SECTION 2. REPORT TO THE LEGISLATIVE MANAGEMENT - TOBACCO PREVENTION AND CONTROL GRANT TO THE STATE DEPARTMENT OF HEALTH.**

The comprehensive tobacco control advisory committee and the state department of health shall report to the legislative management by September 1, 2016, regarding grant expenditures, the granting process, and reporting requirements of the \$500,000 grant, included in the funding appropriated in section 1 of this Act, to be provided to the state department of health during the biennium beginning July 1, 2015, and ending June 30, 2017."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

### House Bill No. 1024 - Tobacco Prevention & Control Exec Comm - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Comprehensive tobacco control	\$15,807,437	\$16,047,355	\$500,684	\$16,548,039	\$16,548,039	
Accrued leave payments	8,391					
Total all funds	\$15,815,828	\$16,047,355	\$500,684	\$16,548,039	\$16,548,039	\$0
Less estimated income	15,815,828	16,047,355	500,684	16,548,039	16,548,039	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	8.00	8.00	0.00	8.00	8.00	0.00

### Department No. 305 - Tobacco Prevention & Control Exec Comm - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Increases Funding for Information Technology <sup>2</sup>	Adds Funding for State Department of Health Grant <sup>3</sup>	Total Conference Committee Changes
Comprehensive tobacco control	(\$6,776)	\$7,460	\$500,000	\$500,684
Accrued leave payments				
Total all funds	(\$6,776)	\$7,460	\$500,000	\$500,684
Less estimated income	(6,776)	7,460	500,000	500,684
General fund	\$0	\$0	\$0	\$0
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 for information technology is increased by \$21,460 for ongoing information technology costs related to securing desktop support services from the Information Technology Department, the same as the Senate version.

<sup>3</sup> Funding is added to provide a grant to the State Department of Health to be used for the Centers for Disease Control and Prevention *Best Practices for Comprehensive Tobacco Prevention and Control Programs*, the same as the Senate version.

This amendment also adds a section to require the Tobacco Prevention and Control Executive Committee and the State Department of Health to report to the Legislative Management by September 1, 2016, regarding grant expenditures, the granting process, and reporting requirements of the grant provided to the State Department of Health during the 2015-17 biennium.

Engrossed HB 1024 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1016, as engrossed:** Your conference committee (Sens. Sorvaag, Carlisle, Mathern and Reps. Dosch, Sanford, Guggisberg) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1361-1362 and place HB 1016 on the Seventh order.

Engrossed HB 1016 was placed on the Seventh order of business on the calendar.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1126, Engrossed HB 1176, Engrossed HB 1377, Engrossed HB 1399, and Engrossed HB 1464, which motion prevailed.

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

**Engrossed HB 1126:** Sens. Luick, Armstrong, Grabinger  
**Engrossed HB 1176:** Sens. Sorvaag, Bowman, O'Connell  
**Engrossed HB 1377:** Sens. Sorvaag, Bowman, O'Connell  
**Engrossed HB 1399:** Sens. Hogue, Casper, Nelson  
**Engrossed HB 1464:** Sens. Casper, Luick, Nelson

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. KILZER MOVED** that the conference committee report on Reengrossed HB 1024 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1024, as amended, was placed on the Fourteenth order of business.

#### SECOND READING OF HOUSE BILL

**HB 1024:** A BILL for an Act to provide an appropriation for defraying the expenses of the comprehensive tobacco control advisory committee; and to provide for a legislative management report.

#### ROLL CALL

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

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

**NAYS:** Larsen

Reengrossed HB 1024, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. SORVAAG MOVED** that the conference committee report on Reengrossed HB 1016 be adopted, which motion prevailed on a voice vote.

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

**MR. PRESIDENT:** The House has passed, the emergency clause failed, and your favorable consideration is requested on: HB 1476.

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

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

**SB 2016:** Reps. Brandenburg; Skarphol; Hogan

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HCR 3047, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HCR 3047:** Reps. Klemin; Karls; Delmore

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

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

**HB 1126:** Sens. Luick; Armstrong; Grabinger  
**HB 1176:** Sens. Sorvaag; Bowman; O'Connell  
**HB 1377:** Sens. Sorvaag; Bowman; O'Connell

**HB 1399:** Sens. Hogue; Casper; Nelson

**HB 1464:** Sens. Casper; Luick; Nelson

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

**MR. SPEAKER:** The Senate has adopted the conference committee report on: HB 1016.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1024.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Tuesday, April 21, 2015, which motion prevailed.

**FIRST READING OF HOUSE BILL**

**HB 1476:** A BILL for an Act to amend and reenact subsection 4 of section 38-08-04 and sections 57-51.1-01, 57-51.1-02, and 57-51.1-03 of the North Dakota Century Code, relating to oil extraction tax rates and exemptions; to provide legislative intent; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

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

**Jane Schaible, Secretary**

