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JULY 1, 2019
STATE OF NORTH DAKOTA

Appropriations

Chapter 2

CHAPTER 2**HOUSE BILL NO. 1002**

(Appropriations Committee)

AN ACT to provide an appropriation for defraying the expenses of the judicial branch; to amend and reenact sections 27-02-02, 27-02.1-01, 27-02.1-02, 27-02.1-03, 27-02.1-04, 27-02.1-05, 27-02.1-06, 27-02.1-07, 27-02.1-08, 27-02.1-09, and 27-05-03 of the North Dakota Century Code, relating to salaries of justices of the supreme court, the temporary court of appeals, and salaries of district judges; to provide for a report; to provide for a transfer; to provide a statement of legislative intent; to provide for a study; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the judicial branch for the purpose of defraying the expenses of the judicial branch for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

Subdivision 1.

SUPREME COURT

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$10,909,112	\$429,608	\$11,338,720
Operating expenses	2,731,582	(25,820)	2,705,762
Capital assets	0	977,500	977,500
Judges' retirement	80,764	(80,764)	0
Guardianship monitoring program	<u>316,204</u>	<u>(33,162)</u>	<u>283,042</u>
Total all funds	\$14,037,662	\$1,267,362	\$15,305,024
Less estimated income	0	<u>970,000</u>	<u>970,000</u>
Total general fund	\$14,037,662	\$297,362	\$14,335,024

Subdivision 2.

DISTRICT COURTS

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$67,602,628	\$5,639,640	\$73,242,268
Operating expenses	20,881,207	(484,305)	20,396,902
Capital assets	0	139,852	139,852
Judges' retirement	343,290	(62,958)	280,332
University of North Dakota central legal research	<u>40,000</u>	<u>(40,000)</u>	0
Total all funds	\$88,867,125	\$5,192,229	\$94,059,354
Less estimated income	<u>1,339,138</u>	<u>320,458</u>	<u>1,659,596</u>
Total general fund	\$87,527,987	\$4,871,771	\$92,399,758

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Judicial conduct commission and disciplinary board	\$1,174,822	\$76,140	\$1,250,962
Total all funds	\$1,174,822	\$76,140	\$1,250,962
Less estimated income	482,701	0	482,701
Total general fund	\$692,121	\$76,140	\$768,261

Subdivision 4.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$102,257,770	\$5,245,273	\$107,503,043
Grand total special funds	1,821,839	1,290,458	3,112,297
Grand total all funds	\$104,079,609	\$6,535,731	\$110,615,340
Full-time equivalent positions	355.50	7.50	363.00

SECTION 2. ONE-TIME FUNDING - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. The following amounts reflect one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the 2019-21 biennium one-time funding items included in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Pipeline protest trials	\$1,500,000	\$0
Copy machines	0	82,500
Audio and visual equipment	0	64,852
Law library remodel	0	970,000
Total all funds	\$1,500,000	\$1,117,352
Less estimated income	1,500,000	970,000
Total general fund	\$0	\$147,352

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The supreme court shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 3. ESTIMATED INCOME - CAPITOL BUILDING FUND - LEGISLATIVE INTENT. The estimated income line item in subdivision 1 of section 1 of this Act includes \$970,000 of one-time funding from the capitol building fund to remodel the supreme court law library space in the judicial wing of the state capitol. It is the intent of the sixty-sixth legislative assembly that any remodel of judicial wing space result in at least two study rooms remaining in the judicial wing for use by attorneys appearing in cases before the supreme court.

SECTION 4. AMENDMENT. Section 27-02-02 of the North Dakota Century Code is amended and reenacted as follows:

27-02-02. Salaries of justices of supreme court.

The annual salary of each justice of the supreme court is ~~one hundred fifty-two thousand four hundred thirty-six dollars through June 30, 2016~~ ~~one hundred fifty-nine thousand four hundred nine dollars through June 30, 2020~~, and ~~one hundred fifty-~~

~~seven thousand nineone hundred sixty-three thousand three hundred ninety-four~~ dollars thereafter. The chief justice of the supreme court is entitled to receive an additional ~~four thousand three hundred seventy-seven dollars per annum through June 30, 2016~~ four thousand five hundred eight dollars per annum through June 30, 2020, and ~~four thousand five hundred eight~~ four thousand six hundred twenty-one dollars per annum thereafter.

SECTION 5. AMENDMENT. Section 27-02.1-01 of the North Dakota Century Code is amended and reenacted as follows:

27-02.1-01. Temporary court of appeals established - Jurisdiction - Writ authority - Administration. (Effective through January 1, 20202024)

A temporary court of appeals is established to exercise appellate and original jurisdiction as delegated by the supreme court. Panels of the temporary court of appeals may issue original and remedial writs necessary to properly exercise jurisdiction in cases assigned to them. The panels of the temporary court of appeals are subject to administration by the supreme court pursuant to sections 3 and 8 of article VI of the Constitution of North Dakota.

SECTION 6. AMENDMENT. Section 27-02.1-02 of the North Dakota Century Code is amended and reenacted as follows:

27-02.1-02. Number, assignment, and compensation of judges. (Effective through January 1, 20202024)

1. The supreme court may provide for the assignment of active or retired district court judges, retired justices of the supreme court, and lawyers, to serve on three-judge panels of the temporary court of appeals if the chief justice certifies to the governor that the supreme court has disposed of two hundred fifty cases in the twelve months preceding September first of any year. Assignments may be made for a time certain, not to exceed one year from the date of assignment, or specifically for one or more cases on the docket of the supreme court.
2. An active or retired district court judge serving on the temporary court of appeals may not be assigned to hear cases in which the judge participated while serving on the district court. An active district court judge may not be assigned to hear cases that originated in the judicial district of the judge.
3. An active district court judge serving on the temporary court of appeals is not entitled to additional compensation, but is entitled to reimbursement for expenses as provided by sections 44-08-04 and 54-06-09.
4. Retired justices of the supreme court, retired district court judges, and lawyers serving as judges on panels of the temporary court of appeals are entitled to receive as compensation for each day of service in the performance of duties pursuant to the assignment an amount equal to five percent of the gross monthly salary as provided for a regularly elected or appointed justice of the supreme court, or one-half of the daily compensation for services of one-half day or less. The compensation must be paid upon certification by the judge that the services were performed for the number of days shown on the certificate and must be paid in the same manner as the salaries of the regularly elected or appointed judges are paid.

SECTION 7. AMENDMENT. Section 27-02.1-03 of the North Dakota Century Code is amended and reenacted as follows:

27-02.1-03. Assignment and reassignment of cases - Quorum for decision of cases - Authority in furtherance of jurisdiction. (Effective through January 1, ~~2020~~2024)

1. Panels of the temporary court of appeals have jurisdiction to hear and to decide all cases assigned by the supreme court.
2. The supreme court may order reassignment of any case from a panel of the temporary court of appeals to the supreme court.
3. A majority of the three judges of a panel of the temporary court of appeals hearing a case is necessary to pronounce a decision.
4. When a judgment or order is reversed, modified, or confirmed by a panel of the temporary court of appeals, the reasons must be concisely stated in writing, signed by the judges concurring, filed in the office of the clerk of the supreme court, and preserved with the record of the case. Any judge concurring or dissenting may give the reasons for the judge's concurrence or dissent in writing over the judge's signature.

SECTION 8. AMENDMENT. Section 27-02.1-04 of the North Dakota Century Code is amended and reenacted as follows:

27-02.1-04. Administration - Employees and clerical assistance - Court of record - Place of sessions. (Effective through January 1, ~~2020~~2024)

1. The clerk of the supreme court shall provide clerk services to panels of the temporary court of appeals.
2. Panels of the temporary court of appeals may hold court in any place the panel considers convenient and efficient for conducting its business.
3. All proceedings of the panels of the temporary court of appeals must be pursuant to the rules adopted by the supreme court.

SECTION 9. AMENDMENT. Section 27-02.1-05 of the North Dakota Century Code is amended and reenacted as follows:

27-02.1-05. Chief judge. (Effective through January 1, ~~2020~~2024)

The chief justice of the supreme court shall designate a chief judge of each panel of the temporary court of appeals who shall preside pursuant to rules of the supreme court.

SECTION 10. AMENDMENT. Section 27-02.1-06 of the North Dakota Century Code is amended and reenacted as follows:

27-02.1-06. Review of decisions of panels. (Effective through January 1, ~~2020~~2024)

Any party in interest who is aggrieved by a judgment or order of a panel of the temporary court of appeals may petition the supreme court for review of the judgment or order pursuant to rules of the supreme court. Upon the filing of a petition for review by the supreme court, the order or judgment and mandate of the panel of the

temporary court of appeals is stayed pending action of the supreme court. The supreme court has discretion to grant or deny the petition.

SECTION 11. AMENDMENT. Section 27-02.1-07 of the North Dakota Century Code is amended and reenacted as follows:

27-02.1-07. Right to appeal not created. (Effective through January 1, 2020~~2024~~)

This chapter does not provide or create a right of appeal if that right is not otherwise provided by law. An appeal assigned to a panel of the temporary court of appeals fulfills the right of appeal provided by section 28-27-02.

SECTION 12. AMENDMENT. Section 27-02.1-08 of the North Dakota Century Code is amended and reenacted as follows:

27-02.1-08. Unitary appeal - Filing of appeal - Filing fee. (Effective through January 1, 2020~~2024~~)

All appeals must be treated as one appeal process under the jurisdiction of the supreme court. In any appeal there may be only one filing and one filing fee required. The filing fee is as prescribed by section 27-03-05.

SECTION 13. AMENDMENT. Section 27-02.1-09 of the North Dakota Century Code is amended and reenacted as follows:

27-02.1-09. Publication of opinions. (Effective through January 1, 2020~~2024~~)

Opinions of the panels of the temporary court of appeals may be published pursuant to rules of the supreme court.

SECTION 14. AMENDMENT. Section 27-05-03 of the North Dakota Century Code is amended and reenacted as follows:

27-05-03. Salaries and expenses of district judges.

The annual salary of each district judge is ~~one hundred thirty-nine thousand six hundred seventy-nine dollars through June 30, 2016~~ one hundred forty-six thousand two hundred sixty-nine dollars through June 30, 2020, and ~~one hundred forty-three thousand eight hundred sixty-nine~~ one hundred forty-nine thousand nine hundred twenty-six dollars thereafter. Each district judge is entitled to travel expenses, including mileage and subsistence while engaged in the discharge of official duties outside the city in which the judge's chambers are located. The salary and expenses are payable monthly in the manner provided by law. A presiding judge of a judicial district is entitled to receive an additional ~~four thousand thirty-five dollars per annum through June 30, 2016~~ four thousand one hundred fifty-six dollars per annum through June 30, 2020, and ~~four thousand one hundred fifty-six~~ four thousand two hundred sixty dollars thereafter.

SECTION 15. APPROPRIATION. There are appropriated any funds received by the supreme court, district courts, and judicial conduct commission and disciplinary board, not otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the purpose as designated in the federal acts or private gifts, grants, and donations for the period beginning July 1, 2019, and ending June 30, 2021.

SECTION 16. TRANSFERS. The director of the office of management and budget shall transfer appropriation authority between line items in section 1 of this Act as

requested by the supreme court upon a finding by the court that the nature of the duties of the court and its staff requires the transfers to carry on properly the functions of the judicial branch of government.

SECTION 17. LEGISLATIVE INTENT - NEW DISTRICT COURT JUDGES. It is the intent of the sixty-sixth legislative assembly that the judicial branch consider the relocation of current district court judge positions prior to submitting a future request for any additional district court judge positions.

SECTION 18. JUDICIAL BRANCH STUDY - DISTRICT COURT REPORTERS - REPORT. During the 2019-20 interim, the judicial branch shall study the need for one full-time equivalent court reporter position for each district court judgeship. The judicial branch shall report the results of its study to the budget section by December 31, 2020.

SECTION 19. EMERGENCY. The \$970,000 appropriated from the capitol building fund in section 1 to remodel the law library space and section 3 of this Act are declared to be an emergency measure.

Approved May 1, 2019

Filed May 2, 2019

- Adds a section related to the transfer of \$2 million from Bank of North Dakota profits to the APUC fund during the 2019-21 biennium, the same as the House version.
- Remove statutory sections related to APUC, the same as the House version. The statutory changes needed to move APUC from the Department of Commerce to the Agriculture Commissioner are included in Senate Bill No. 2328.
- Adds a section to provide a one-time appropriation of \$100,000 from the general fund for the purpose of paying the Public Service Commission to continue providing services related to grain insolvency litigation that began prior to July 1, 2019. The Senate and House did not provide funding for this purpose.
- Adds statutory sections to transfer grain, grain buyers, warehousing, deposits, and warehousemen programs from the Public Service Commission to the Agriculture Commissioner and increases annual license fees, resulting in additional general fund revenues of approximately \$83,200 during the 2019-21 biennium. The House also included this section.

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

REPORT OF CONFERENCE COMMITTEE

HB 1002, as engrossed: Your conference committee (Sens. Hogue, Dever, Grabinger and Reps. Bellew, Beadle, Mock) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1565-1569, adopt amendments as follows, and place HB 1002 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1565-1569 of the House Journal and pages 1318-1321 of the Senate Journal and that Engrossed House Bill No. 1002 be amended as follows:

Page 1, line 5, remove the second "and"

Page 1, line 5, after "transfer" insert "; to provide a statement of legislative intent; to provide for a study; and to declare an emergency"

Page 1, replace lines 16 through 21 with:

"Salaries and wages	\$10,909,112	\$429,608	\$11,338,720
Operating expenses	2,731,582	(25,820)	2,705,762
Capital assets	0	977,500	977,500
Judges' retirement	80,764	(80,764)	0
Guardianship monitoring program	<u>316,204</u>	<u>(33,162)</u>	<u>283,042</u>
Total all funds	\$14,037,662	\$1,267,362	\$15,305,024
Less estimated income	<u>0</u>	<u>970,000</u>	<u>970,000</u>
Total general fund	\$14,037,662	\$297,362	\$14,335,024"

Page 2, replace lines 3 through 11 with:

"Salaries and wages	\$67,602,628	\$5,639,640	\$73,242,268
Operating expenses	20,881,207	(484,305)	20,396,902
Capital assets	0	139,852	139,852
Judges' retirement	343,290	(62,958)	280,332
University of North Dakota central legal research	<u>40,000</u>	<u>(40,000)</u>	<u>0</u>
Total all funds	\$88,867,125	\$5,192,229	\$94,059,354
Less estimated income	<u>1,339,138</u>	<u>320,458</u>	<u>1,659,596</u>
Total general fund	\$87,527,987	\$4,871,771	\$92,399,758"

Page 2, replace lines 16 through 20 with:

"Judicial conduct commission and disciplinary board	<u>\$1,174,822</u>	<u>\$76,140</u>	<u>\$1,250,962</u>
Total all funds	\$1,174,822	\$76,140	\$1,250,962
Less estimated income	<u>482,701</u>	<u>0</u>	<u>482,701</u>
Total general fund	\$692,121	\$76,140	\$768,261"

Page 2, replace lines 25 through 28 with:

"Grand total general fund	\$102,257,770	\$5,245,273	\$107,503,043
Grand total special funds	<u>1,821,839</u>	<u>1,290,458</u>	<u>3,112,297</u>
Grand total all funds	\$104,079,609	\$6,535,731	\$110,615,340
Full-time equivalent positions	355.50	7.50	363.00"

Page 3, replace lines 2 through 6 with:

"Pipeline protest trials	\$1,500,000	\$0
Copy machines	0	82,500
Audio and visual equipment	0	64,852
Law library remodel	0	<u>970,000</u>
Total all funds	\$1,500,000	\$1,117,352
Less estimated income	<u>1,500,000</u>	<u>970,000</u>
Total general fund	\$0	\$147,352"

Page 3, after line 10, insert:

"SECTION 3. ESTIMATED INCOME - CAPITOL BUILDING FUND - LEGISLATIVE INTENT. The estimated income line item in subdivision 1 of section 1 of this Act includes \$970,000 of one-time funding from the capitol building fund to remodel the supreme court law library space in the judicial wing of the state capitol. It is the intent of the sixty-sixth legislative assembly that any remodel of judicial wing space result in at least two study rooms remaining in the judicial wing for use by attorneys appearing in cases before the supreme court."

Page 3, line 15, remove "one hundred sixty thousand one hundred"

Page 3, line 16, replace "forty-nine" with "one hundred fifty-nine thousand four hundred nine"

Page 3, line 16, remove "one"

Page 3, line 17, replace "hundred sixty-three thousand three hundred fifty-two" with "one hundred sixty-three thousand three hundred ninety-four"

Page 3, line 19, replace "four thousand five hundred ninety-eight" with "four thousand five hundred eight"

Page 3, line 20, remove "four thousand six hundred"

Page 3, line 21, replace "ninety" with "four thousand six hundred twenty-one"

Page 6, line 30, remove "one hundred forty-six thousand seven hundred"

Page 6, line 31, replace the first "forty-six" with "one hundred forty-six thousand two hundred sixty-nine"

Page 7, line 1, replace "one hundred forty-nine thousand six hundred eighty-one" with "one hundred forty-nine thousand nine hundred twenty-six"

Page 7, line 6, replace "four thousand two hundred forty" with "four thousand one hundred fifty-six"

Page 7, line 7, replace "four thousand three hundred twenty-four" with "four thousand two hundred sixty"

Page 7, after line 17, insert:

"SECTION 17. LEGISLATIVE INTENT - NEW DISTRICT COURT JUDGES. It is the intent of the sixty-sixth legislative assembly that the judicial branch consider the relocation of current district court judge positions prior to submitting a future request for any additional district court judge positions.

SECTION 18. JUDICIAL BRANCH STUDY - DISTRICT COURT REPORTERS - REPORT. During the 2019-20 interim, the judicial branch shall study the need for one full-time equivalent court reporter position for each district court

judgeship. The judicial branch shall report the results of its study to the budget section by December 31, 2020.

SECTION 19. EMERGENCY. The \$970,000 appropriated from the capitol building fund in section 1 to remodel the law library space and section 3 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1002 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Supreme Court						
Total all funds	\$14,037,662	\$14,315,486	\$989,538	\$15,305,024	\$15,330,024	(\$25,000)
Less estimated income	0	0	970,000	970,000	970,000	0
General fund	\$14,037,662	\$14,315,486	\$19,538	\$14,335,024	\$14,360,024	(\$25,000)
FTE	43.50	43.50	0.00	43.50	43.50	0.00
District Courts						
Total all funds	\$88,867,125	\$93,107,909	\$951,445	\$94,059,354	\$94,330,110	(\$270,756)
Less estimated income	1,339,138	1,654,171	5,425	1,659,596	1,659,596	0
General fund	\$87,527,987	\$91,453,738	\$946,020	\$92,399,758	\$92,670,514	(\$270,756)
FTE	308.00	313.00	2.00	315.00	316.00	(1.00)
Judicial Conduct Commission						
Total all funds	\$1,174,822	\$1,246,948	\$4,014	\$1,250,962	\$1,250,962	\$0
Less estimated income	482,701	501,425	(18,724)	482,701	482,701	0
General fund	\$692,121	\$745,523	\$22,738	\$768,261	\$768,261	\$0
FTE	4.00	4.50	0.00	4.50	4.50	0.00
Bill total						
Total all funds	\$104,079,609	\$108,670,343	\$1,944,997	\$110,615,340	\$110,911,096	(\$295,756)
Less estimated income	1,821,839	2,155,596	956,701	3,112,297	3,112,297	0
General fund	\$102,257,770	\$106,514,747	\$988,296	\$107,503,043	\$107,798,799	(\$295,756)
FTE	355.50	361.00	2.00	363.00	364.00	(1.00)

House Bill No. 1002 - Supreme Court - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$10,909,112	\$11,307,672	\$31,048	\$11,338,720	\$11,338,720	
Operating expenses	2,731,582	2,730,762	(25,000)	2,705,762	2,730,762	(\$25,000)
Capital assets		7,500	970,000	977,500	977,500	
Judges' retirement	80,764					
Guardianship monitoring program	316,204	269,552	13,490	283,042	283,042	
Total all funds	\$14,037,662	\$14,315,486	\$989,538	\$15,305,024	\$15,330,024	(\$25,000)
Less estimated income	0	0	970,000	970,000	970,000	0
General fund	\$14,037,662	\$14,315,486	\$19,538	\$14,335,024	\$14,360,024	(\$25,000)
FTE	43.50	43.50	0.00	43.50	43.50	0.00

Department 181 - Supreme Court - Detail of Conference Committee Changes

	Adds Funding for Salary and Benefit Increases ¹	Reduces Funding for Operating Expenses ¹	Adds Funding for Guardianship Monitoring ¹	Adds One-Time Funding to Remodel the Law Library ⁴	Total Conference Committee Changes
Salaries and wages	\$31,048				\$31,048
Operating expenses		(\$25,000)			(25,000)
Capital assets				\$970,000	970,000
Judges' retirement					
Guardianship monitoring program	490		\$13,000		13,490
Total all funds	\$31,538	(\$25,000)	\$13,000	\$970,000	\$989,538
Less estimated income	0	0	0	970,000	970,000
General fund	\$31,538	(\$25,000)	\$13,000	\$0	\$19,538
FTE	0.00	0.00	0.00	0.00	0.00

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020, the same as the Senate version. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

² Funding for operating expenses is reduced by \$25,000 from the general fund.

³ Funding is added from the general fund for guardian certification and continuing education, the same as the Senate version.

⁴ One-time funding of \$970,000 from the Capitol building fund is added to remodel the Supreme Court Law Library space in the judicial wing of the State Capitol, the same as the Senate version. Legislative intent is also provided for the judicial branch to maintain at least two study rooms for attorneys appearing in cases before the Supreme Court.

House Bill No. 1002 - District Courts - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$67,602,628	\$72,327,095	\$915,173	\$73,242,268	\$73,413,024	(\$170,756)
Operating expenses	20,881,207	20,426,202	(29,300)	20,396,902	20,446,902	(50,000)
Capital assets		75,000	64,852	139,852	189,852	(50,000)
Judges' retirement	343,290	279,612	720	280,332	280,332	
UND central legal research	40,000					
Total all funds	\$88,867,125	\$93,107,909	\$951,445	\$94,059,354	\$94,330,110	(\$270,756)
Less estimated income	1,339,138	1,654,171	5,425	1,659,596	1,659,596	0
General fund	\$87,527,987	\$91,453,738	\$946,020	\$92,399,758	\$92,670,514	(\$270,756)
FTE	308.00	313.00	2.00	315.00	316.00	(1.00)

Department 182 - District Courts - Detail of Conference Committee Changes

	Adds Funding for Salary and Benefit Increases ¹	Adds FTE Positions ²	Reduces Funding for Operating Expenses ³	Adds Funding for Drug Court ⁴	Adds One-Time Funding for Audio and Video Equipment ⁵	Total Conference Committee Changes
Salaries and wages	\$215,696	\$594,937		\$104,540		\$915,173
Operating expenses			(\$50,000)	20,700		(29,300)
Capital assets					\$64,852	64,852
Judges' retirement	720					720
UND central legal research						
Total all funds	\$216,416	\$594,937	(\$50,000)	\$125,240	\$64,852	\$951,445
Less estimated income	5,425	0	0	0	0	5,425
General fund	\$210,991	\$594,937	(\$50,000)	\$125,240	\$64,852	\$946,020
FTE	0.00	2.00	0.00	0.00	0.00	2.00

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020, the same as the Senate version. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

² The following FTE positions and related funding are added:

	FTE Positions	General Fund
Judge - South central district	1.0	\$413,932
Court reporter - South central district	1.0	181,005
Total	2.0	\$594,937

The Conference Committee did not include \$170,756 for 1 FTE juvenile court officer in the southeast district, which the Senate had added.

³ Funding for operating expenses is reduced by \$50,000 from the general fund.

⁴ Funding is added for a drug court in the Southeast Judicial District.

⁵ One-time funding of \$64,852 is added from the general fund for district court audio and video equipment. The Senate provided \$114,852 from the general fund and the House did

not provide funding for audio and video equipment.

House Bill No. 1002 - Judicial Conduct Commission - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Judicial Conduct Commission	\$1,174,822	\$1,246,948	\$4,014	\$1,250,962	\$1,250,962	
Total all funds	\$1,174,822	\$1,246,948	\$4,014	\$1,250,962	\$1,250,962	\$0
Less estimated income	482,701	501,425	(18,724)	482,701	482,701	0
General fund	\$692,121	\$745,523	\$22,738	\$768,261	\$768,261	\$0
FTE	4.00	4.50	0.00	4.50	4.50	0.00

Department 183 - Judicial Conduct Commission - Detail of Conference Committee Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Total Conference Committee Changes
Judicial Conduct Commission	\$4,014	\$4,014
Total all funds	\$4,014	\$4,014
Less estimated income	(18,724)	(18,724)
General fund	\$22,738	\$22,738
FTE	0.00	0.00

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020, the same as the Senate version. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020. Funding is also adjusted to provide that the salary and benefit increases be provided from the general fund, the same as the Senate version.

House Bill No. 1002 - Other Changes - Conference Committee Action

This amendment also:

- Adds a section to provide legislative intent that the judicial branch consider the relocation of current district court judge positions prior to submitting a future request for any additional district court judge positions, the same as the Senate version.
- Adds a new section to provide for the judicial branch to study the need for 1 FTE court reporter position for each district court judge, and to report its findings to the Budget Section.

Engrossed HB 1002 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1015, as engrossed: Your conference committee (Sens. Wanzek, G. Lee, Mathern and Reps. J. Nelson, B. Anderson, Holman) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1734-1738, adopt amendments as follows, and place HB 1015 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1734-1738 of the House Journal and pages 1429-1433 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 5 of section 12-47-36 of the North Dakota Century Code, relating to disclosure of confidential records;"

Page 1, line 3, remove "and"

Page 1, line 3, after "report" insert "to provide for a department of corrections and rehabilitation review committee; and to provide an exemption"

Page 1, replace lines 13 through 17 with:

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. HOGUE MOVED that the conference committee report on Engrossed HB 1002 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1002, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

HB 1002: A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to amend and reenact sections 27-02-02, 27-02.1-01, 27-02.1-02, 27-02.1-03, 27-02.1-04, 27-02.1-05, 27-02.1-06, 27-02.1-07, 27-02.1-08, 27-02.1-09, and 27-05-03 of the North Dakota Century Code, relating to salaries of justices of the supreme court, the temporary court of appeals, and salaries of district judges; to provide for a report; to provide for a transfer; to provide a statement of legislative intent; to provide for a study; and to declare an emergency.

ROLL CALL

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Engrossed HB 1002, as amended, passed and the emergency clause was declared carried.

MOTION

SEN. KLEIN MOVED that the Senate stand in recess until 4:30 p.m., which motion prevailed.

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

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2042.

HOUSE AMENDMENTS TO SENATE BILL NO. 2042

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of developing a uniform county system of accounting.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - UNIFORM COUNTY SYSTEM OF ACCOUNTING. During the 2019-20 interim, the legislative management shall consider studying the feasibility and desirability of developing standard procedures and classification of accounts to provide a means of accumulating financial information that is uniform for all counties, regardless of the county's size or various approaches to budgeting and accounting which may be in use, with the objective of achieving uniformity of financial information to guide preparation of financial reports required by law. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2009.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)

MR. SPEAKER: The President has signed: HB 1002, HB 1015, HB 1020, HB 1286, HB 1333.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)

MR. SPEAKER: The President has signed: HB 1009.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)

MR. SPEAKER: The President has signed: HB 1018, HB 1021, HB 1050.

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

MR. PRESIDENT: The Speaker has signed: HB 1002, HB 1015, HB 1020, HB 1286, HB 1333.

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

MR. PRESIDENT: The Speaker has signed: HB 1009.

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

MR. PRESIDENT: The Speaker has signed: HB 1018, HB 1021, HB 1050.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 26, 2019: SB 2006, SB 2009, SB 2012, SB 2013, SB 2015, SB 2023.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on April 26, 2019: SB 2042.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 26, 2019: SB 2211, SB 2297.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 26, 2019, I have signed the following: SB 2017 and SB 2022.

REMARKS OF SENATE MAJORITY LEADER WARDNER

Mr. President:

This has been a legislative session that will go down in history as one that can be characterized as cooperative, professional, and respectful and by high work ethic and integrity. I personally want to thank the following people:

Committee clerks - You are the engine that keeps the legislative process moving. Thank you for your dedicated work!

Committee interns - You provide the assistance to the chairpersons and committee clerks. Thank you for your contribution!

Pages and sergeants-at-arms - You have maintained an orderly and professional atmosphere here in the Senate. Thank you for your pride and personal attention to the Senate chambers.

Front desk staff - Wow, what a job!! You make us all look good! Thank you for your professionalism and your steady hand.

Office staff (Majority and Minority) - Kathy and Renae, you are both rock stars! You both keep the mental health of the Senate positive.

Legislative Council - What a great talented and dedicated group of professionals. You are truly the best!!

To my colleagues in the loyal opposition, you were truly the loyal opposition. You dug in beside the majority and worked as partners for the benefit of the people of North Dakota. Your cooperation, service attitude and professionalism did not go unnoticed. Thank you for all your work.

HB 1541.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1019, HB 1024, HB 1174, HB 1194, HB 1407, HB 1461, HB 1541.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1056.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2001, SB 2265.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2003, SB 2004, SB 2010, SB 2014, SB 2214.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2019, SB 2215, SB 2317.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2001, SB 2265.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2003, SB 2004, SB 2010, SB 2014, SB 2214.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2019, SB 2215, SB 2317.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2293, SB 2345.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 25, 2019: HB 1019, HB 1024, HB 1174, HB 1194, HB 1407, HB 1461, HB 1541.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on April 25, 2019: HB 1056.

MOTION

REP. LOUSER MOVED that the absent members be excused, which motion prevailed on a voice vote.

MOTION

REP. LOUSER MOVED that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Friday, April 26, 2019, which motion prevailed on a voice vote.

REPORT OF CONFERENCE COMMITTEE

HB 1002, as engrossed: Your conference committee (Sens. Hogue, Dever, Grabinger and Reps. Bellew, Beadle, Mock) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1565-1569, adopt amendments as follows, and place HB 1002 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1565-1569 of the House Journal and pages 1318-1321 of the Senate Journal and that Engrossed House Bill No. 1002 be amended as follows:

Page 1, line 5, remove the second "and"

Page 1, line 5, after "transfer" insert "; to provide a statement of legislative intent; to provide for a study; and to declare an emergency"

Page 1, replace lines 16 through 21 with:

"Salaries and wages	\$10,909,112	\$429,608	\$11,338,720
Operating expenses	2,731,582	(25,820)	2,705,762
Capital assets	0	977,500	977,500
Judges' retirement	80,764	(80,764)	0
Guardianship monitoring program	<u>316,204</u>	<u>(33,162)</u>	<u>283,042</u>
Total all funds	\$14,037,662	\$1,267,362	\$15,305,024
Less estimated income	<u>0</u>	<u>970,000</u>	<u>970,000</u>
Total general fund	\$14,037,662	\$297,362	\$14,335,024"

Page 2, replace lines 3 through 11 with:

"Salaries and wages	\$67,602,628	\$5,639,640	\$73,242,268
Operating expenses	20,881,207	(484,305)	20,396,902
Capital assets	0	139,852	139,852
Judges' retirement	343,290	(62,958)	280,332
University of North Dakota central legal research	<u>40,000</u>	<u>(40,000)</u>	<u>0</u>
Total all funds	\$88,867,125	\$5,192,229	\$94,059,354
Less estimated income	<u>1,339,138</u>	<u>320,458</u>	<u>1,659,596</u>
Total general fund	\$87,527,987	\$4,871,771	\$92,399,758"

Page 2, replace lines 16 through 20 with:

"Judicial conduct commission and disciplinary board	<u>\$1,174,822</u>	<u>\$76,140</u>	<u>\$1,250,962</u>
Total all funds	\$1,174,822	\$76,140	\$1,250,962
Less estimated income	<u>482,701</u>	<u>0</u>	<u>482,701</u>
Total general fund	\$692,121	\$76,140	\$768,261"

Page 2, replace lines 25 through 28 with:

"Grand total general fund	\$102,257,770	\$5,245,273	\$107,503,043
Grand total special funds	<u>1,821,839</u>	<u>1,290,458</u>	<u>3,112,297</u>
Grand total all funds	\$104,079,609	\$6,535,731	\$110,615,340
Full-time equivalent positions	355.50	7.50	363.00"

Page 3, replace lines 2 through 6 with:

"Pipeline protest trials	\$1,500,000	\$0
Copy machines	0	82,500
Audio and visual equipment	0	64,852
Law library remodel	0	<u>970,000</u>
Total all funds	\$1,500,000	\$1,117,352
Less estimated income	<u>1,500,000</u>	<u>970,000</u>
Total general fund	\$0	\$147,352"

Page 3, after line 10, insert:

"SECTION 3. ESTIMATED INCOME - CAPITOL BUILDING FUND - LEGISLATIVE INTENT. The estimated income line item in subdivision 1 of section 1 of this Act includes \$970,000 of one-time funding from the capitol building fund to remodel the supreme court law library space in the judicial wing of the state capitol. It is the intent of the sixty-sixth legislative assembly that any remodel of judicial wing space result in at least two study rooms remaining in the judicial wing for use by attorneys appearing in cases before the supreme court."

Page 3, line 15, remove "one hundred sixty thousand one hundred"

Page 3, line 16, replace "forty-nine" with "one hundred fifty-nine thousand four hundred nine"

Page 3, line 16, remove "one"

Page 3, line 17, replace "hundred sixty-three thousand three hundred fifty-two" with "one hundred sixty-three thousand three hundred ninety-four"

Page 3, line 19, replace "four thousand five hundred ninety-eight" with "four thousand five hundred eight"

Page 3, line 20, remove "four thousand six hundred"

Page 3, line 21, replace "ninety" with "four thousand six hundred twenty-one"

Page 6, line 30, remove "one hundred forty-six thousand seven hundred"

Page 6, line 31, replace the first "forty-six" with "one hundred forty-six thousand two hundred sixty-nine"

Page 7, line 1, replace "one hundred forty-nine thousand six hundred eighty-one" with "one hundred forty-nine thousand nine hundred twenty-six"

Page 7, line 6, replace "four thousand two hundred forty" with "four thousand one hundred fifty-six"

Page 7, line 7, replace "four thousand three hundred twenty-four" with "four thousand two hundred sixty"

Page 7, after line 17, insert:

"SECTION 17. LEGISLATIVE INTENT - NEW DISTRICT COURT JUDGES.

It is the intent of the sixty-sixth legislative assembly that the judicial branch consider the relocation of current district court judge positions prior to submitting a future request for any additional district court judge positions.

SECTION 18. JUDICIAL BRANCH STUDY - DISTRICT COURT REPORTERS - REPORT. During the 2019-20 interim, the judicial branch shall study the need for one full-time equivalent court reporter position for each district court judgeship. The judicial branch shall report the results of its study to the budget section by December 31, 2020.

SECTION 19. EMERGENCY. The \$970,000 appropriated from the capitol building fund in section 1 to remodel the law library space and section 3 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1002 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Supreme Court						
Total all funds	\$14,037,662	\$14,315,486	\$989,538	\$15,305,024	\$15,330,024	(\$25,000)
Less estimated income	0	0	970,000	970,000	970,000	0
General fund	\$14,037,662	\$14,315,486	\$19,538	\$14,335,024	\$14,360,024	(\$25,000)
FTE	43.50	43.50	0.00	43.50	43.50	0.00
District Courts						
Total all funds	\$88,867,125	\$93,107,909	\$951,445	\$94,059,354	\$94,330,110	(\$270,756)
Less estimated income	1,339,138	1,654,171	5,425	1,659,596	1,659,596	0
General fund	\$87,527,987	\$91,453,738	\$946,020	\$92,399,758	\$92,670,514	(\$270,756)
FTE	308.00	313.00	2.00	315.00	316.00	(1.00)
Judicial Conduct Commission						
Total all funds	\$1,174,822	\$1,246,948	\$4,014	\$1,250,962	\$1,250,962	\$0
Less estimated income	482,701	501,425	(18,724)	482,701	482,701	0
General fund	\$692,121	\$745,523	\$22,738	\$768,261	\$768,261	\$0
FTE	4.00	4.50	0.00	4.50	4.50	0.00
Bill total						
Total all funds	\$104,079,609	\$108,670,343	\$1,944,997	\$110,615,340	\$110,911,096	(\$295,756)
Less estimated income	1,821,839	2,155,596	956,701	3,112,297	3,112,297	0
General fund	\$102,257,770	\$106,514,747	\$988,296	\$107,503,043	\$107,798,799	(\$295,756)
FTE	355.50	361.00	2.00	363.00	364.00	(1.00)

House Bill No. 1002 - Supreme Court - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$10,909,112	\$11,307,672	\$31,048	\$11,338,720	\$11,338,720	
Operating expenses	2,731,582	2,730,762	(25,000)	2,705,762	2,730,762	(\$25,000)
Capital assets		7,500	970,000	977,500	977,500	
Judges' retirement	80,764					
Guardianship monitoring program	316,204	269,552	13,490	283,042	283,042	
Total all funds	\$14,037,662	\$14,315,486	\$989,538	\$15,305,024	\$15,330,024	(\$25,000)
Less estimated income	0	0	970,000	970,000	970,000	0
General fund	\$14,037,662	\$14,315,486	\$19,538	\$14,335,024	\$14,360,024	(\$25,000)
FTE	43.50	43.50	0.00	43.50	43.50	0.00

Department 181 - Supreme Court - Detail of Conference Committee Changes

	Adds Funding for Salary and Benefit Increases ¹	Reduces Funding for Operating Expenses ²	Adds Funding for Guardianship Monitoring ³	Adds One-Time Funding to Remodel the Law Library ⁴	Total Conference Committee Changes
Salaries and wages	\$31,048				\$31,048
Operating expenses		(\$25,000)			(25,000)
Capital assets				\$970,000	970,000
Judges' retirement					
Guardianship monitoring program	490		\$13,000		13,490
Total all funds	\$31,538	(\$25,000)	\$13,000	\$970,000	\$989,538
Less estimated income	0	0	0	970,000	970,000
General fund	\$31,538	(\$25,000)	\$13,000	\$0	\$19,538
FTE	0.00	0.00	0.00	0.00	0.00

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020, the same as the Senate version. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

² Funding for operating expenses is reduced by \$25,000 from the general fund.

³ Funding is added from the general fund for guardian certification and continuing education, the same as the Senate version.

⁴ One-time funding of \$970,000 from the Capitol building fund is added to remodel the Supreme Court Law Library space in the judicial wing of the State Capitol, the same as the Senate version. Legislative intent is also provided for the judicial branch to maintain at least two study rooms for attorneys appearing in cases before the Supreme Court.

House Bill No. 1002 - District Courts - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$67,602,628	\$72,327,095	\$915,173	\$73,242,268	\$73,413,024	(\$170,756)
Operating expenses	20,881,207	20,426,202	(29,300)	20,396,902	20,446,902	(50,000)
Capital assets		75,000	64,852	139,852	189,852	(50,000)
Judges' retirement	343,290	279,612	720	280,332	280,332	
UND central legal research	40,000					
Total all funds	\$88,867,125	\$93,107,909	\$951,445	\$94,059,354	\$94,330,110	(\$270,756)
Less estimated income	1,339,138	1,654,171	5,425	1,659,596	1,659,596	0
General fund	\$87,527,987	\$91,453,738	\$946,020	\$92,399,758	\$92,670,514	(\$270,756)
FTE	308.00	313.00	2.00	315.00	316.00	(1.00)

Department 182 - District Courts - Detail of Conference Committee Changes

	Adds Funding for Salary and Benefit Increases ¹	Adds FTE Positions ²	Reduces Funding for Operating Expenses ³	Adds Funding for Drug Court ⁴	Adds One- Time Funding for Audio and Video Equipment ⁵	Total Conference Committee Changes
Salaries and wages	\$215,696	\$594,937		\$104,540		\$915,173
Operating expenses			(\$50,000)	20,700		(29,300)
Capital assets					\$64,852	64,852
Judges' retirement	720					720
UND central legal research						
Total all funds	\$216,416	\$594,937	(\$50,000)	\$125,240	\$64,852	\$951,445
Less estimated income	5,425	0	0	0	0	5,425
General fund	\$210,991	\$594,937	(\$50,000)	\$125,240	\$64,852	\$946,020
FTE	0.00	2.00	0.00	0.00	0.00	2.00

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020, the same as the Senate version. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

² The following FTE positions and related funding are added:

	<u>FTE Positions</u>	<u>General Fund</u>
Judge - South central district	1.0	\$413,932
Court reporter - South central district	1.0	181,005
Total	2.0	\$594,937

The Conference Committee did not include \$170,756 for 1 FTE juvenile court officer in the southeast district, which the Senate had added.

³ Funding for operating expenses is reduced by \$50,000 from the general fund.

⁴ Funding is added for a drug court in the Southeast Judicial District.

⁵ One-time funding of \$64,852 is added from the general fund for district court audio and video equipment. The Senate provided \$114,852 from the general fund and the House did not provide funding for audio and video equipment.

House Bill No. 1002 - Judicial Conduct Commission - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Judicial Conduct Commission	\$1,174,822	\$1,246,948	\$4,014	\$1,250,962	\$1,250,962	
Total all funds	\$1,174,822	\$1,246,948	\$4,014	\$1,250,962	\$1,250,962	\$0
Less estimated income	482,701	501,425	(18,724)	482,701	482,701	0
General fund	\$692,121	\$745,523	\$22,738	\$768,261	\$768,261	\$0
FTE	4.00	4.50	0.00	4.50	4.50	0.00

Department 183 - Judicial Conduct Commission - Detail of Conference Committee Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Total Conference Committee Changes
Judicial Conduct Commission	\$4,014	\$4,014
Total all funds	\$4,014	\$4,014
Less estimated income	(18,724)	(18,724)
General fund	\$22,738	\$22,738
FTE	0.00	0.00

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020, the same as the Senate version. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1,

2020. Funding is also adjusted to provide that the salary and benefit increases be provided from the general fund, the same as the Senate version.

House Bill No. 1002 - Other Changes - Conference Committee Action

This amendment also:

- Adds a section to provide legislative intent that the judicial branch consider the relocation of current district court judge positions prior to submitting a future request for any additional district court judge positions, the same as the Senate version.
- Adds a new section to provide for the judicial branch to study the need for 1 FTE court reporter position for each district court judge, and to report its findings to the Budget Section.

Engrossed HB 1002 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1015, as engrossed: Your conference committee (Sens. Wanzek, G. Lee, Mathern and Reps. J. Nelson, B. Anderson, Holman) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1734-1738, adopt amendments as follows, and place HB 1015 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1734-1738 of the House Journal and pages 1429-1433 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 5 of section 12-47-36 of the North Dakota Century Code, relating to disclosure of confidential records;"

Page 1, line 3, remove "and"

Page 1, line 3, after "report" insert "to provide for a department of corrections and rehabilitation review committee; and to provide an exemption"

Page 1, replace lines 13 through 17 with:

"Adult services	\$220,757,448	\$18,590,187	\$239,347,635
Youth services	<u>30,740,509</u>	<u>1,545,821</u>	<u>32,286,330</u>
Total all funds	\$251,497,957	\$20,136,008	\$271,633,965
Less estimated income	<u>37,161,253</u>	<u>4,794,636</u>	<u>41,955,889</u>
Total general fund	\$214,336,704	\$15,341,372	\$229,678,076"

Page 2, replace lines 3 and 4 with:

"Youth correctional center campus infrastructure study	0	75,000
Department of corrections and rehabilitation study	0	400,000"

Page 2, replace lines 15 through 17 with:

"Total all funds	\$2,102,907	\$3,222,950
Less estimated income	<u>2,102,907</u>	<u>1,831,700</u>
Total general fund	\$0	\$1,391,250"

Page 2, line 23, replace "\$1,468,000" with "\$1,218,000"

Page 2, line 24, remove "campus infrastructure studies,"

Page 2, after line 26, insert:

"SECTION 4. AMENDMENT. Subsection 5 of section 12-47-36 of the North Dakota Century Code is amended and reenacted as follows:

5. Medical, psychological, or treatment records may be disclosed without prior application to the court to a public hospital or treatment facility, the

department of corrections and rehabilitation; to amend and reenact subsection 5 of section 12-47-36 of the North Dakota Century Code, relating to disclosure of confidential records; to authorize the conveyance of real property owned by the state of North Dakota; to provide for a legislative management study; to provide a report; to provide for a department of corrections and rehabilitation review committee; and to provide an exemption.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 73 YEAS, 19 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Grueneich; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Kempenich; Kiefert; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Strinden; Trotter; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Becker; Bellew; Ertelt; Fisher; Guggisberg; Hoverson; Johnston; Kading; Keiser; Koppelman, B.; Magrum; Marschall; McWilliams; Paulson; Ruby, D.; Ruby, M.; Simons; Skroch; Toman

ABSENT AND NOT VOTING: O'Brien; Schatz

Reengrossed HB 1015 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. BELLEW MOVED that the conference committee report on Engrossed HB 1002 as printed on HJ pages 2176-2181 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1002, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1002: A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to amend and reenact sections 27-02-02, 27-02.1-01, 27-02.1-02, 27-02.1-03, 27-02.1-04, 27-02.1-05, 27-02.1-06, 27-02.1-07, 27-02.1-08, 27-02.1-09, and 27-05-03 of the North Dakota Century Code, relating to salaries of justices of the supreme court, the temporary court of appeals, and salaries of district judges; to provide for a report; to provide for a transfer; to provide a statement of legislative intent; to provide for a study; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 83 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Guggisberg; Hager; Hanson; Hatlestad; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Strinden; Trotter; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Delzer; Ertelt; Grueneich; Headland; Johnston; Magrum; Skroch; Steiner; Toman

ABSENT AND NOT VOTING: O'Brien; Schatz

Reengrossed HB 1002 passed and the emergency clause was declared carried.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. MONSON MOVED that the conference committee report on Engrossed HB 1020 as printed on HJ pages 2185-2192 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1020, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1020: A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota state university extension service, northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm; to provide for a report; to provide a statement of legislative intent; to provide an exemption; 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 80 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Trottier; Tveit; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Becker; Bellew; Ertelt; Fisher; Johnston; Koppelman, B.; Magrum; Marschall; McWilliams; Simons; Toman; Vetter

ABSENT AND NOT VOTING: O'Brien; Schatz

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. LEFOR MOVED that the conference committee report on Engrossed HB 1333 as printed on HJ pages 2194-2196 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1333, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1333: A BILL for an Act to create and enact a new chapter to title 6 of the North Dakota Century Code, relating to the creation of an innovation loan fund to support technology advancement committee and loan program; to provide a continuing appropriation; and to provide for a transfer.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 72 YEAS, 20 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, K.; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Owens; Paulson;

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1521.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1002, HB 1015, HB 1020, HB 1286, HB 1333.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1003, HB 1011, HB 1012, HB 1013, HB 1014, HB 1396.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1006, HB 1010, HB 1374, HB 1393, HB 1429.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1009.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1018, HB 1021, HB 1050.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1521.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2006, SB 2009, SB 2012, SB 2013, SB 2015, SB 2023.

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

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2042.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2148.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2211, SB 2297.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2006, SB 2009, SB 2012, SB 2013, SB 2015, SB 2023.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2008.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2042.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2148.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2211, SB 2297.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 26, 2019: HB 1002, HB 1015, HB 1020, HB 1286, HB 1333.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 26, 2019: HB 1003, HB 1011, HB 1012, HB 1013, HB 1014, HB 1396.

JOURNAL OF THE HOUSE

Sixty-sixth Legislative Assembly

POSTSESSION ACTIONS

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 25, 2019, I have signed the following: HB 1040.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 26, 2019, I have signed the following: HB 1174.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 30, 2019, I have signed the following: HB 1056.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on May 1, 2019, I have signed the following: HB 1002, HB 1006, HB 1009, HB 1010, HB 1011, HB 1012, HB 1013, HB 1015, HB 1018, HB 1019, HB 1020, HB 1021, and HB 1024.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on May 1, 2019, I have signed the following: HB 1014, HB 1157, and HB 1521.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on May 1, 2019, I have signed the following: HB 1050, HB 1194, HB 1286, HB 1333, HB 1374, HB 1393, HB 1396, HB 1407, HB 1429, HB 1461, and HB 1541.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on May 2, 2019, I have signed the following: HB 1003.

LIST OF CORRECTIONS AND REVISIONS OF THE HOUSE JOURNAL

Page 31, line 6, remove "Acting"

Page 31, line 10, remove "Acting"

Page 162, line 34, replace "Sanford" with "Satrom"

Page 171, line 55, replace "Sanford" with "Satrom"

Page 174, line 33, replace "K." with "B."

Page 197, line 6, remove "Acting"

Page 197, line 10, remove "Acting"

Page 200, line 9, remove "ACTING"

Page 208, line 14, remove "for want of a Constitutional majority"

Page 212, line 12, replace "Headland" with "Hatlestad"

Page 219, line 6, replace "12:30" with "1:00"

Page 219, line 43, remove "ACTING"

Page 228, line 13, replace "B. Koppelman, Bellew, Dockter, Kasper" with "Bellew, Dockter, Kasper, B. Koppelman"

Page 341, line 35, replace "0 NAYS, 1 ABSENT" with "1 NAYS, 0 ABSENT"