

Working Families

North Dakota workers bore the brunt of truly malicious legislation, much of it relating to bills brought on behalf of Workforce Safety Insurance (WSI). At the top of that list is **HB 1171** which limited Temporary Total Disability benefits to an arbitrary 104 weeks without regard to whether rehabilitation is complete.

After those benefit cuts were passed, and other support for injured workers was defeated, House Majority Leader Rick Berg admitted that there was enough WSI money to pay out \$60 million in premium dividends to employers over the next two years. That came during debate on **HB 1531** (a bill concerning WSI's reserve level). In response, an amendment was proposed to repeal **HB 1171**. The amendment failed but was re-proposed during floor debate by Senators Fairfield and Heitkamp. The amendment failed again and **HB 1531** passed.

The conservative majority continued their assault on workers by defeating an increase to the state minimum wage (**HB 1382**) and to make not paying wages to workers criminal "theft of services" (**SB 2313**). The later bill was inspired by the workers who lost wages when publicly-subsidized WebSmart suddenly closed in Minot and Grand Forks. Showing fear of workers having a say at their workplace, legislators killed collective bargaining bills for state and local public workers (**HB 1371** and **SB 2241**).

Some of the most callous votes came when senators said no to a tax credit for child care (**SB 2055** and **HB 1471**), but a few minutes later said it was just fine to give tax breaks to those who collect antique cars or buy vintage aircraft (**SB 2314**, **SB 2392**).

North Dakota public employees, after a prolonged roller coaster ride, did come away from this session with the modest wage increase package of 4% and 4% (a 4% increase each year of the biennium) (**HB 1050**). The legislature did attempt to reduce the wage increase, but that amendment was defeated. This was the largest increase since 1991 and the first since the 2001 session.

Workers fought hard to kill **HB 1119** which would have allowed WSI to drug-test injured workers for illegal substance or the *absence of prescribed substance*. WSI wanted to deny benefits if claimants were dependent on drugs prescribed by their WSI treatment. In the end, this bill died in the Senate.

Education

North Dakota teachers fought the effort to take away their instructional conference as paid in-service days (**SB 2358**). It was passed by the Senate, but killed by the House. Then, the Senate Education Committee attached the idea as an amendment to the teacher salary bill, **HB 1154**, and the conference committee didn't have enough votes to get it out.

HB 1513 would have increased the state income tax in order to reduce property taxes and take pressure off the mounting difficulties schools face in funding. The bill failed. **HCR 3004** proposed a constitutional amendment to require a public vote on every revenue increase and require 60 percent approval. This so-called "Taxpayer Bill of Rights" or TABOR has bogged down and hurt good government in other states, further complicating school funding. It was defeated this time.

Agriculture

Corporation huggers won on significant bills relating to Genetically Modified seeds – Monsanto went away smiling again. **SB 2235** would have placed the liability for contamination by GM wheat on the seed provider (Monsanto) rather than the farmer or grain dealer. This was killed.

SB 2277 prevents counties and townships from passing zoning laws to regulate GM seeds. It passed, and the combination of these two legislative actions leaves farmers the scapegoats if GM seeds run amuck.

Corporate interests won again on **HB 1518** which raised the wheat tax and required the Wheat Commission to contract work with two trade associations. Many farmers feel the trade groups do a better job of representing corporate interests than farmers.

Renewable Energy

Two comprehensive renewable energy bills (**HB 1308** and **SB 2229**) were shelved. Despite a lot of lip service about renewable energy, the legislature failed to pass any meaningful renewable energy legislation.

Social Security

HCR 3056 was a resolution approving of President Bush's shortsighted attempt to privatize Social Security. Privatizing Social Security would have added trillions in new debt, had us trade a guaranteed benefit into a guaranteed gamble, and left most of us with much less in retirement. **HCR 3056** passed. Rather than playing a roller-coaster stock market game, **HB 3030** was a resolution supporting strengthening Social Security and opposing President Bush's privatization plan. It failed.

Human Rights

SB 2337 would have created an advisory human rights commission in the Department of Labor, simply giving a voice to people who need one. This failed, demonstrating exactly how much the conservative legislators disregard any opinions but their own.

Progressive Coalition North Dakota Special Report by the Legislative Session 2005 North Dakota



Cover artwork by Hannah Montgomery



North Dakota Progressive Coalition
410 East Thayer Avenue, Suite 2
Bismarck, ND 58501-4049
701-224-8090 • NoDakPC@btinet.net
www.ndprogressive.org

“Beggars can't be choosers,” State Senator John Andrist (R-Crosby) said on the Senate floor on April 11, 2005. He applied the old cliché to rural North Dakotans and those of us who believe accountability is important to responsible economic development.

The senator revealed the guiding principle of so much of the 2005 North Dakota Legislative Session. In bill after bill, a majority of legislators acted as if most people are merely hungry for the scraps for which we can beg. So the advice is: meekly take what we can and be quiet about it. Not good advice in a democracy.

We compiled 14 votes each from the House and Senate that represent a broad swath of issues that will make or could have made a difference in people's lives.

Economic Development

HB 1203 was the hollowed-out bill left standing after the defeat of **HB 1424** and **SB 2051**, bills with many more teeth for economic development accountability and job quality standards. (Senator Andrist made his infamous comment during the floor debate on **HB 1203**.) Activists and supportive legislators worked hard to improve **HB 1203**. In the end, the Senate approved five of our amendments. Two defeated amendments were 1) to require companies receiving public subsidies to report the number of jobs created that paid above and below \$12/hour and 2) to require subsidized businesses to meet locally-set community criteria, including wage standards.

Still, passage of **HB 1203** is a breakthrough and can be counted as a victory for grassroots democracy. Activists, as part of the NDPC's five year campaign across the state, made it clear to lawmakers that corporate beneficiaries of economic development incentives must be held accountable and our subsidies must produce better jobs and community benefits.

SB 2407 granted authority to local school boards to approve or deny property tax exemptions granted to businesses as incentives. If an exemption would damage the school's budget, the school board would be allowed to retain control of its finances. This was defeated.

Under the incredible guise of aiding oil development, legislative leaders put in an emergency bill, **HB 1530**, to give oil companies another tax break. This came at a time of record oil high prices and enormous profits for oil companies. The NDPC, DRC and others made the case for common sense and, after the Senate hearing, the bill morphed into a study request instead.

