

## JOURNAL OF THE HOUSE

## Sixty-seventh Legislative Assembly

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Bismarck, April 9, 2021

The House convened at 12:30 p.m., with Acting Speaker Bellew presiding.

The prayer was offered by Rep. Schauer, District 13.

The roll was called and all members were present except Representatives Guggisberg, Hoverson, K. Koppelman, Mitskog, and Satrom.

A quorum was declared by the Acting Speaker.

**CORRECTION AND REVISION OF THE JOURNAL**

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Bellew, Chairman)** has carefully examined the Journal of the Fifth, Fifty-eighth, and Fifty-ninth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 229, line 7, replace "14 YEAS, 0 NAYS, 0 ABSENT" with "13 YEAS, 0 NAYS, 1 ABSENT"

Page 1439, line 14, replace "amended" with "engrossed"

Page 1474, line 4, replace "Sections" with "Section"

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

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on April 8, 2021, I have signed the following: HB 1002, HB 1005, HB 1007, HB 1011, HB 1014, HB 1034, HB 1065, HB 1073, HB 1078, HB 1079, HB 1145, HB 1208, HB 1335, HB 1345, HB 1370, HB 1416, HB 1447, and HB 1449.

**MOTION**

**REP. LOUSER MOVED** that HB 1498 be moved to the top of the Twelfth order, which motion prevailed on a voice vote.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. KLEMIN MOVED** that the House do concur in the Senate amendments to Engrossed HB 1498 as printed on HJ page 1514, which motion prevailed on a voice vote.

Engrossed HB 1498, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1498:** A BILL for an Act to create and enact a new section to chapter 62.1-02 of the North Dakota Century Code, relating to brandishing a dangerous weapon; and to amend and reenact sections 12.1-05-06, 12.1-05-07, and 12.1-05-07.2 of the North Dakota Century Code, relating to use of force in defense of property, limits on the use of force and deadly force, and immunity from civil liability.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 78 YEAS, 10 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Boe; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Hauck; Headland; Heinert; Howe; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson;

Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Hager; Hanson; Ista; Nelson, M.; Schneider

**ABSENT AND NOT VOTING:** Guggisberg; Hoverson; Kading; Mitskog; Satrom; Speaker Koppelman, K.

Reengrossed HB 1498 passed.

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#### REPORT OF PROCEDURAL COMMITTEE

**MR. SPEAKER:** Your procedural **Rules Committee (Rep. Pollert, Chairman)** recommends that Joint Rule 805 be reconsidered and amended as follows:

**SECTION 1. AMENDMENT.** Joint Rule 805 is amended as follows:

##### 805. Public health.

1. ~~Except as provided in subsection 2, each individual in~~ an area of the Capitol complex controlled by the Legislative Assembly shall wear a face mask or shield covering the nose and mouth completely, although the face mask or shield may be lowered or removed while speaking on the floor of the chamber after the member is recognized by the presiding officer. Areas controlled by the Legislative Assembly include the legislative chambers, committee rooms, Memorial Hall, Legislative Hall, the Legislative Council office, and any additional space the Legislative Assembly acquires for its use.
2. ~~When social distancing is maintained without exception, a member may remove the member's face mask or shield in areas of the Capitol complex controlled by the Legislative Assembly. However, a face mask or shield must be worn by each member during floor sessions and for at least thirty minutes before and after each floor session at which the members are physically present. "Social distancing" means remaining at least six feet from all other individuals.~~
3. ~~Notwithstanding subsection 2, a committee chairman may require each individual in the chairman's committee room to wear a face mask or shield covering the nose and mouth completely, although a face mask or shield may be lowered or removed by an individual recognized by the chairman while the individual is addressing the committee during a meeting.~~
4. ~~Consistent with the Centers for Disease Control and Prevention guidelines, it is recommended that members of the Legislative Assembly and legislative branch employees complete a health self assessment before arriving at the Capitol complex. Members of the Legislative Assembly and legislative branch employees shall submit to a temperature screening upon entering the Capitol complex. A member of the Legislative Assembly who has a temperature reading of 100.4 or greater or who is experiencing any symptoms of Coronavirus (COVID-19) shall report the temperature reading or existence of the symptoms to the member's party leader or designee immediately and comply with the protocols established jointly by the Majority and Minority Leaders. A legislative branch employee who has a temperature reading of 100.4 or greater or who is experiencing any symptoms of COVID-19 shall report the temperature reading or existence of the symptoms to the director of the Legislative Council or the director's designee.~~

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

#### APPOINTMENT OF CONFERENCE COMMITTEE

**REP. LOUSER MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2168, which

motion prevailed.

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

**Engrossed SB 2168:** Reps. Vetter, Magrum, Hanson

**SECOND READING OF SENATE BILL ON CONSENT CALENDAR**

**SB 2258:** A BILL for an Act to provide for a legislative management study relating to shelter care programs for runaway youth.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, the roll was called and there were 87 YEAS, 1 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke

**NAYS:** Ertelt

**ABSENT AND NOT VOTING:** Boe; Damschen; Guggisberg; Mitskog; Satrom; Speaker Koppelman, K.

SB 2258 passed.

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**SECOND READING OF SENATE RESOLUTIONS ON CONSENT CALENDAR**

**SCR 4009:** A concurrent resolution recognizing the cooperative efforts of the rotary clubs and districts, and the citizens of multiple states from southern Texas to the far northern reaches of North Dakota and Saskatchewan, in the completion of marking the North Dakota segment of the Great Western Cattle Trail on June 27, 2021, and acknowledging the legendary role of the Great Western Cattle Trail in the history of the United States.

**SCR 4012:** A concurrent resolution to establish a state policy to support the reliability and resilience of the electric grid, ensure price transparency to consumers in electric markets, and incentivize carbon capture utilization and storage as an alternative to preserve dispatchable thermal electric generation and its associated benefits.

**SCR 4014:** A concurrent resolution directing the Legislative Management to consider studying the apportionment of voting rights in relation to a voter's ability to approve or protest a tax increase, bond issuance, or the formation of an improvement district and whether the current manner of apportioning voting rights is equitable and appropriate.

The question being on the final adoption of the resolutions, which have been read.

SCR 4009, SCR 4012, and SCR 4014 were declared adopted on a voice vote.

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

**MR. SPEAKER:** The Senate respectfully requests the return of: HB 1233.

**MOTION**

**REP. LOUSER MOVED** that the House return HB 1233 to the Senate, which motion prevailed on a voice vote.

**MOTION**

**REP. LOUSER MOVED** that SB 2146 be moved to the bottom of the calendar, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2269:** A BILL for an Act to create and enact a new section to chapter 15.1-32 of the North Dakota Century Code, relating to a postsecondary transitional grant program.

**ROLL CALL**

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Bellew; Ertelt; Koppelman, B.; Magrum; Marschall

**ABSENT AND NOT VOTING:** Guggisberg; Mitskog; Satrom; Speaker Koppelman, K.

Engrossed SB 2269, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2212:** A BILL for an Act to provide for a legislative management study of prescription drug pricing, importation, reference pricing, and the role pharmacy benefit managers play in drug pricing.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 5 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Zubke

**NAYS:** Becker; Bellew; Delzer; Ertelt; Westlind

**ABSENT AND NOT VOTING:** Guggisberg; Hoverson; Mitskog; Satrom; Skroch; Speaker Koppelman, K.

Engrossed SB 2212, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2145:** A BILL for an Act to create and enact chapter 50-10.3 of the North Dakota Century Code, relating to access to long-term care facilities; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 1 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke

**NAYS:** Johnson, M.

**ABSENT AND NOT VOTING:** Guggisberg; Mitskog; Paur; Satrom; Speaker Koppelman, K.

Engrossed SB 2145, as amended, passed and the emergency clause was declared carried.

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**SECOND READING OF SENATE BILL**

**SB 2282:** A BILL for an Act to provide for a legislative management study regarding the memberships of the board of university and school lands and the industrial commission.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 2 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schneider; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke

**NAYS:** Johnson, M.; Schobinger

**ABSENT AND NOT VOTING:** Guggisberg; Mitskog; Paur; Satrom; Speaker Koppelman, K.

Engrossed SB 2282, as amended, passed.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4007:** A concurrent resolution directing the Legislative Management to consider studying the memberships of the Board of University and School Lands and the Industrial Commission.

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

Engrossed SCR 4007, as amended, was declared lost on a voice vote.

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**SECOND READING OF SENATE BILL**

**SB 2256:** A BILL for an Act to provide for a legislative management study of the state's developmental disability services.

**ROLL CALL**

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Guggisberg; Mitskog; Satrom; Speaker Koppelman, K.

Engrossed SB 2256, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2271:** A BILL for an Act to provide a statement of legislative intent regarding presidential elections; and to provide a directive.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 6 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hager; Hagert; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Adams; Boschee; Buffalo; Dobervich; Hanson; Ista

**ABSENT AND NOT VOTING:** Guggisberg; Mitskog; Satrom; Speaker Koppelman, K.

Engrossed SB 2271, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2313:** A BILL for an Act to create and enact three new sections to chapter 49-05 of the North Dakota Century Code, relating to resource planning, planning reserve margin, and reliable service obligation; to amend and reenact sections 17-05-05 and 17-05-13 of the North Dakota Century Code, relating to the powers of the transmission authority and the transmission authority's reporting requirements; and to provide a penalty.

**ROLL CALL**

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Guggisberg; Mitskog; Satrom; Speaker Koppelman, K.

Engrossed SB 2313, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2016:** A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota; to amend and reenact subsection 4 of section 52-06-01 of the North Dakota Century Code, relating to conditions required to be eligible for unemployment benefits; and to declare an emergency.

**ROLL CALL**

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Owens; Ruby, D.; Steiner

**ABSENT AND NOT VOTING:** Guggisberg; Mitskog; Satrom; Speaker Koppelman, K.

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

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**SECOND READING OF SENATE BILL**

**SB 2213:** A BILL for an Act to amend and reenact section 57-02-08.8 of the North Dakota Century Code, relating to the property tax credit for disabled veterans; and to provide an effective date.

**ROLL CALL**

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin;

Dobervich; Dockter; Fegley; Fisher; Hager; Hager; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke

**NAYS:** Bellew; Ertelt; Howe

**ABSENT AND NOT VOTING:** Guggisberg; Mitskog; Satrom; Speaker Koppelman, K.

Engrossed SB 2213, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2272:** A BILL for an Act to create and enact section 15-10-38.3 of the North Dakota Century Code, relating to administrative fees retained by the state board of higher education; to amend and reenact sections 15-10-38.1 and 15-10-38.2 of the North Dakota Century Code, relating to the skilled workforce student loan repayment program and skilled workforce scholarship program; to repeal sections 15-10-38.1 and 15-10-38.2 of the North Dakota Century Code, relating to the skilled workforce student loan repayment program and the skilled workforce scholarship program; to provide a continuing appropriation; to provide for a transfer; to provide an effective date; to provide an expiration date; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 60 YEAS, 29 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Bosch; Brandenburg; Cory; Damschen; Dobervich; Dockter; Fegley; Fisher; Hager; Hager; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Keiser; Klemin; Kreidt; Lefor; Longmuir; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Pollert; Porter; Pyle; Richter; Roers Jones; Sanford; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Thomas; Trottier; Vigasaa; Weisz; Westlind; Zubke

**NAYS:** Becker; Bellew; Boe; Boschee; Buffalo; Christensen; Delzer; Devlin; Ertelt; Hauck; Hoverson; Kasper; Kempenich; Kiefert; Koppelman, B.; Louser; Magrum; Owens; Paulson; Paur; Rohr; Ruby, D.; Ruby, M.; Schatz; Skroch; Steiner; Toman; Tveit; Vetter

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Mitskog; Satrom; Speaker Koppelman, K.

Engrossed SB 2272, as amended, passed but the emergency clause failed.

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**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House accedes to the Senate request for the return of: HB 1233.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, unchanged: SB 2258.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, unchanged: SCR 4009, SCR 4012.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2212, SB 2213, SB 2256, SB 2269, SB 2271, SB 2282, SB 2313.



**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SCR 4014.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2016, SB 2145.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause failed: SB 2272.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SCR 4007.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1004, HB 1018, HB 1023.

#### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1004

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

Page 1, line 2, after "54-10-10" insert ", 54-10-14, and 54-10-27"

Page 1, line 3, after "auditor" insert ", political subdivision audits, and occupational and professional board audits"

Page 1, replace lines 12 through 18 with:

"Salaries and wages	\$12,668,218	\$620,866	\$13,289,084
Operating expenses	1,161,820	219,883	1,381,703
Information technology consultants	<u>450,000</u>	<u>0</u>	<u>450,000</u>
Total all funds	\$14,280,038	\$840,749	\$15,120,787
Less estimated income	<u>4,173,178</u>	<u>1,652,974</u>	<u>5,826,152</u>
Total general fund	\$10,106,860	(\$812,225)	\$9,294,635
Full-time equivalent positions	58.00	4.00	62.00"

Page 2, line 5, replace "thirteen" with "fourteen"

Page 2, line 6, replace "nine" with "four"

Page 2, line 6, replace "twenty-five" with "eighty-six"

Page 2, after line 6, insert:

**"SECTION 4. AMENDMENT.** Section 54-10-14 of the North Dakota Century Code is amended and reenacted as follows:

#### **54-10-14. Political subdivisions - Audits - Fees - Alternative audits and reports.**

1. The state auditor shall audit the following political subdivisions once every two years, except as provided in this section or otherwise by law:
  - a. Counties.
  - b. Cities, and when a city is audited, to include any political subdivision that was created by the city and has bonding authority.
  - c. Park districts.
  - d. School districts.
  - e. Firefighters relief associations.

- f. Airport authorities.
  - g. Public libraries.
  - h. Water resource districts.
  - i. Garrison Diversion Conservancy District.
  - j. Rural fire protection districts.
  - k. Special education districts.
  - l. Area career and technology centers.
  - m. Correction centers.
  - n. Recreation service districts.
  - o. Weed boards.
  - p. Irrigation districts.
  - q. Rural ambulance service districts.
  - r. Southwest water authority.
  - s. Regional planning councils.
  - t. Soil conservation districts.
  - u. Western area water supply authority industrial water sales on an annual basis.
2. The state auditor shall charge the political subdivision an amount equal to the fair value of the audit and any other services rendered. The fees must be deposited in the state auditor operating account. The state treasurer shall credit the state auditor operating account with the amount of interest earnings attributable to the deposits in that account. Expenses relating to political subdivision audits must be paid from the state auditor operating account, within the limits of legislative appropriation.
3. In lieu of conducting an audit every two years, the state auditor may require annual reports from school districts with less than one hundred enrolled students; cities with less than five hundred population; and other political subdivisions subject to this section, or otherwise provided by law, with less than ~~three hundred~~ seven hundred fifty thousand dollars of annual receipts, excluding any federal funds passed through the political subdivision to another entity. If any federal agency performs or requires an audit of a political subdivision that receives federal funds to pass through to another entity, the political subdivision shall provide a copy to the state auditor upon request by the state auditor. The reports must contain the financial information required by the state auditor. The state auditor also may make any additional examination or audit determined necessary in addition to the annual report. When a report is not filed, the state auditor may charge the political subdivision an amount equal to the fair value of the additional examination or audit and any other services rendered. The state auditor may charge a political subdivision a fee not to exceed ~~eighty~~ eighty-six dollars an hour for the costs of reviewing the annual report.
4. A political subdivision, at the option of its governing body, may be audited by a certified public accountant or licensed public accountant rather than by the state auditor. The public accountant shall comply with generally accepted government auditing standards for audits of political subdivisions. The report must be in the form and content required by the

state auditor. The number of copies of the audit report requested by the state auditor must be filed with the state auditor when the public accountant delivers the audit report to the political subdivision. The state auditor shall review the audit report to determine if the report is in the required form and has the required content, and if the audit meets generally accepted government auditing standards. The state auditor also may periodically review the public accountant's workpapers to determine if the audit meets generally accepted government auditing standards. If the report is in the required form and has the required content, and the report and workpapers comply with generally accepted government auditing standards, the state auditor shall accept the audit report. The state auditor may charge the political subdivision a fee of up to ~~eighty-eighty-six~~ dollars an hour, but not to exceed ~~fivesix~~ hundred dollars per review, for the related costs of reviewing the audit report and workpapers.

5. A political subdivision may not pay a public accountant for an audit until the state auditor has accepted the audit. However, a political subdivision may make progress payments to the public accountant. A political subdivision shall retain twenty percent of any progress payment until the audit report is accepted by the state auditor.
6. The state auditor may require the correction of any irregularities, objectionable accounting procedures, or illegal actions on the part of the governing board, officers, or employees of the political subdivision disclosed by the audit report or workpapers, and failure to make the corrections must result in audits being resumed by the state auditor until the irregularities, objectionable accounting procedures, or illegal actions are corrected.

**SECTION 5. AMENDMENT.** Section 54-10-27 of the North Dakota Century Code is amended and reenacted as follows:

**54-10-27. Occupational and professional boards - Audits and reports.**

The governing board of any occupational or professional board shall provide for an audit once every two years by a certified public accountant or licensed public accountant. The accountant conducting the audit shall submit the audit report to the state auditor's office. If the report is in the form and style prescribed by the state auditor, the state auditor may not audit that board. An occupational or professional board may request the state auditor to conduct its audit, and if the state auditor agrees to conduct the audit, the state auditor shall deposit the fees charged to the occupational or professional board into the state auditor operating account. Instead of providing for an audit every two years, an occupational or professional board that has less than two hundred thousand dollars of annual receipts may submit an annual report to the state auditor. The report must contain the information required by the state auditor. The state auditor also may make any additional examination or audit determined necessary in addition to the annual report. When a report is not filed, the state auditor may charge the occupational or professional board an amount equal to the fair value of the additional examination or audit and any other services rendered. The state auditor may charge an occupational or professional board a fee not to exceed ~~fifty-eighty-six~~ dollars an hour for the costs of reviewing the annual report."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1004 - State Auditor - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$12,668,218	\$11,880,488	\$1,408,596	\$13,289,084
Operating expenses	1,161,820	1,262,547	119,156	1,381,703
Information technology consultants	450,000	450,000		450,000
Total all funds	\$14,280,038	\$13,593,035	\$1,527,752	\$15,120,787
Less estimated income	4,173,178	4,667,785	1,158,367	5,826,152

General fund	\$10,106,860	\$8,925,250	\$369,385	\$9,294,635
FTE	58.00	54.00	8.00	62.00

**Department 117 - State Auditor - Detail of Senate Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Adds Local Government Division Audit Positions <sup>2</sup>	Restores Auditor IV Positions <sup>3</sup>	Total Senate Changes
Salaries and wages	\$14,469	\$1,054,155	\$339,972	\$1,408,596
Operating expenses		99,156	20,000	119,156
Information technology consultants				
Total all funds	\$14,469	\$1,153,311	\$359,972	\$1,527,752
Less estimated income	5,056	1,153,311	0	1,158,367
General fund	\$9,413	\$0	\$359,972	\$369,385
FTE	0.00	6.00	2.00	8.00

<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The House provided salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and a maximum monthly increase of \$250.

<sup>2</sup> Six FTE Local Government Division audit positions, including salaries and wages and operating expenses, are added to provide a total of 8 new Local Government Division audit positions. Funding for operating expenses for each new audit position is increased from \$10,422 as provided by the House to \$15,000.

<sup>3</sup> Two vacant FTE auditor IV positions and related salaries and wages and operating expenses removed by the House are restored.

This amendment also:

- Amends Section 3 to provide the statutory changes necessary to increase the State Auditor's salary from the current salary of \$110,582 to \$112,241 (1.5 percent) in fiscal year 2022, and to \$114,486 (2 percent) in fiscal year 2023.
- Adds Section 4 to increase the:

Threshold for political subdivisions to provide an annual report in lieu of an audit from \$300,000 of annual receipts to \$750,000 of annual receipts;

Hourly fee for the review of political subdivision annual reports from \$80 per hour to \$86 per hour;

Hourly fee for the review of political subdivision audit reports and workpapers from \$80 per hour to \$86 per hour;

Maximum fee for review of political subdivision audit reports and workpapers from \$500 per review to \$600 per review.

- Adds Section 5 to increase the hourly fee for the review of occupational and professional board annual reports from \$50 per hour to \$86 per hour.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1018**

Page 1, replace lines 12 through 14 with:

"Salaries and wages	\$14,295,816	\$1,687,233	\$15,983,049
Operating expenses	3,941,585	557,078	4,498,663
Capital assets	1,225,542	4,375,473	5,601,015"

Page 1, replace lines 17 through 20 with:

"Total all funds	\$20,562,943	\$6,619,784	\$27,182,727
Less estimated income	3,194,252	4,235,700	7,429,952
Total general fund	\$17,368,691	\$2,384,084	\$19,752,775
Full-time equivalent positions	75.00	3.75	78.75"

Page 2, replace line 2 with:

"Historical site and extraordinary repairs	\$1,000,000	\$4,200,000
Artifact storage and collections center planning	0	150,000"

Page 2, replace lines 7 through 9 with:

"Total all funds	\$1,682,000	\$4,375,000
Total special funds	85,000	4,200,000
Total general fund	\$1,597,000	\$175,000"

Page 2, line 24, replace "\$1,400,000" with "\$4,200,000"

Page 2, after line 26, insert:

**"SECTION 6. ESTIMATED INCOME - DEPARTMENT OF TRANSPORTATION GRANT.** The estimated income line item in section 1 of this Act, includes \$100,000 of grant funding from the department of transportation for the purpose of defraying expenses for the Lewis and Clark interpretive center."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1018 - State Historical Society - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$14,295,816	\$14,548,481	\$1,434,568	\$15,983,049
Operating expenses	3,941,585	3,899,163	599,500	4,498,663
Capital assets	1,225,542	2,651,015	2,950,000	5,601,015
Grants	600,000	600,000		600,000
Cultural heritage grants	500,000	500,000		500,000
<b>Total all funds</b>	<b>\$20,562,943</b>	<b>\$22,198,659</b>	<b>\$4,984,068</b>	<b>\$27,182,727</b>
Less estimated income	3,194,252	4,533,036	2,896,916	7,429,952
<b>General fund</b>	<b>\$17,368,691</b>	<b>\$17,665,623</b>	<b>\$2,087,152</b>	<b>\$19,752,775</b>
FTE	75.00	75.00	3.75	78.75

**Department 701 - State Historical Society - Detail of Senate Changes**

	Adds Funding for Salary Increases <sup>1</sup>	Transfers the Lewis and Clark Interpretive Center Operations <sup>2</sup>	Increases Funding for Temporary Salaries <sup>3</sup>	Restores Funding for Operating Expenses <sup>4</sup>	Increases One-Time Funding for Historic Site and Repairs <sup>5</sup>	Adds One-Time Funding for Artifact Storage and Collections Center Planning <sup>6</sup>
Salaries and wages	\$5,474	\$1,029,094	\$400,000			
Operating expenses		399,500		\$200,000		
Capital assets					\$2,800,000	\$150,000
Grants						
Cultural heritage grants						
<b>Total all funds</b>	<b>\$5,474</b>	<b>\$1,428,594</b>	<b>\$400,000</b>	<b>\$200,000</b>	<b>\$2,800,000</b>	<b>\$150,000</b>
Less estimated income	342	287,999	(191,425)	0	2,800,000	0
<b>General fund</b>	<b>\$5,132</b>	<b>\$1,140,595</b>	<b>\$591,425</b>	<b>\$200,000</b>	<b>\$0</b>	<b>\$150,000</b>
FTE	0.00	3.75	0.00	0.00	0.00	0.00

	Total Senate Changes
Salaries and wages	\$1,434,568
Operating expenses	599,500
Capital assets	2,950,000
Grants	
Cultural heritage grants	
<b>Total all funds</b>	<b>\$4,984,068</b>
Less estimated income	2,896,916
<b>General fund</b>	<b>\$2,087,152</b>
FTE	3.75

<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The House provided salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and a maximum monthly increase of \$250.

<sup>2</sup> Funding and 3.75 FTE positions are added to transfer the Lewis and Clark Interpretive Center from the Parks and Recreation Department to the State Historical Society. The House did not provide for this transfer.

<sup>3</sup> Increases funding for temporary employees by \$591,425 from the general fund and removes \$191,425 of funding from other funds for temporary employees provided by the House.

<sup>4</sup> Restores \$200,000 from the general fund removed by the House for operating expenses.

<sup>5</sup> One-time funding is increased by \$2.8 million from the strategic investment and improvements fund from \$1.4 million provided by the House to \$4.2 million for historic site and extraordinary repairs.

<sup>6</sup> One-time funding of \$150,000 is provided from the general fund for the planning of a new artifact storage and collections center. The House did not include this funding.

This amendment also adds a section to identify that \$100,000 of funding in the estimated income line item is from the Department of Transportation for defraying the expenses of the Lewis and Clark Interpretive Center for the 2021-23 biennium.

#### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1023

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

Page 1, replace lines 11 through 15 with:

"Salaries and wages	\$6,652,604	\$635,260	\$7,287,864
Operating expenses	2,443,592	172,354	2,615,946
Capital assets	0	257,600	257,600
Contingencies	<u>250,000</u>	<u>0</u>	<u>250,000</u>
Total special funds	\$9,346,196	\$1,065,214	\$10,411,410
Full-time equivalent positions	34.50	2.00	36.50"

Page 1, line 16, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY**"

Page 1, line 17, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace lines 19 through 21 with:

"Information technology risk assessment	\$40,000	\$0
Upgrade business system software	190,000	0
Upgrade benefit enrollment system	0	209,000
Upgrade PERSLink business system	<u>0</u>	<u>257,600</u>
Total special funds	\$230,000	\$466,600

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The public employees retirement system shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 3. LEGISLATIVE MANAGEMENT STUDY - HEALTH INSURANCE FERTILITY BENEFITS.** During the 2021-22 interim, the legislative management shall consider studying the feasibility and desirability of expanding fertility benefits under the public employees retirement system uniform group

insurance health benefits as a precursor under section 54-03-28 to mandating the fertility benefits for health insurance in the private market. The study must include a public employees retirement system actuarial study of the cost of expanding the fertility benefits of the state health plan and must include consideration of the positive and negative aspects of mandating fertility benefits for health insurance in the private market. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1023 - Public Employees Retirement System - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$6,652,604	\$6,927,497	\$360,367	\$7,287,864
Operating expenses	2,443,592	2,378,216	237,730	2,615,946
Capital assets			257,600	257,600
Contingencies	250,000	250,000		250,000
Total all funds	\$9,346,196	\$9,555,713	\$855,697	\$10,411,410
Less estimated income	9,346,196	9,555,713	855,697	10,411,410
General fund	\$0	\$0	\$0	\$0
FTE	34.50	34.50	2.00	36.50

#### Department 192 - Public Employees Retirement System - Detail of Senate Changes

	Adjusts Funding for Salary Increases <sup>1</sup>	Adds Funding for a Receptionist Position <sup>2</sup>	Adds Funding for an Internal Auditor Position <sup>3</sup>	Adds Funding for a Public Information Specialist Position <sup>4</sup>	Adds One-Time Funding to Upgrade Benefit Enrollment Software <sup>3</sup>	Adds One-Time Funding to Upgrade the PERSLink Business System <sup>5</sup>
Salaries and wages	\$2,677	\$21,216	\$180,926	\$155,548		
Operating expenses			14,365	14,365	\$209,000	
Capital assets						\$257,600
Contingencies						
Total all funds	\$2,677	\$21,216	\$195,291	\$169,913	\$209,000	\$257,600
Less estimated income	2,677	21,216	195,291	169,913	209,000	257,600
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.20	1.00	0.80	0.00	0.00

	Total Senate Changes
Salaries and wages	\$360,367
Operating expenses	237,730
Capital assets	257,600
Contingencies	
Total all funds	\$855,697
Less estimated income	855,697
General fund	\$0
FTE	2.00

<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The House provided salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and a maximum monthly increase of \$250.

<sup>2</sup> Funding of \$21,216 is added for a .20 FTE receptionist position. The House did not provide funding for this position.

<sup>3</sup> Funding of \$195,291, including \$180,926 for salaries and wages and \$14,365 for related operating costs, is added for 1 FTE internal auditor position. The House removed 1 FTE internal auditor position and added 1 FTE accountant position. The Senate amendments do not adjust funding for the accountant position.

<sup>4</sup> Funding of \$169,913, including \$155,548 for salaries and wages and \$14,365 for related

operating costs, is added for a .80 FTE public information specialist position. The House did not provide funding for this position.

<sup>5</sup> One-time funding of \$209,000 is added to operating expenses to upgrade the benefit enrollment software. The House did not provide funding for this item.

<sup>6</sup> One-time funding of \$257,600 is added to capital assets to upgrade the PERSLink business system. The House did not provide funding for this item.

This amendment also:

- Provides for a Legislative Management study of the feasibility and desirability of expanding fertility benefits under the Public Employees Retirement System uniform group insurance health benefit plan.

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1142, HB 1215.

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1498.

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

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

**HB 1163:** Sens. Anderson; K. Roers; Clemens

**HB 1276:** Sens. Meyer; J. Roers; Wobbema

**HB 1407:** Sens. Anderson; K. Roers; Hogan

**HB 1492:** Sens. Anderson; Clemens; Hogan

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2005, SB 2023, SB 2078, SB 2085, SB 2088, SB 2123, SB 2165, SB 2187, SB 2189, SB 2214, SB 2233, and SB 2308.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2043, SB 2089, and SB 2247, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2043:** Sens. Vedaa; Meyer; Marcellais

**SB 2089:** Sens. Lee; Anderson; Hogan

**SB 2247:** Sens. Burckhard; Larson; Kannianen

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2059, SB 2060, SB 2103, SB 2166, SB 2261, SB 2273, SB 2276, SB 2340.

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

**MR. SPEAKER:** The President has signed: SB 2001, SB 2009, SB 2032, SB 2034, SB 2054, SB 2068, SB 2099, SB 2101, SB 2110, SB 2113, SB 2142, SB 2162, SB 2206, SB 2215, SB 2216, SB 2232, SB 2253, SB 2259, SB 2263, SB 2280, SB 2317, SB 2328, SB 2341, SB 2344.

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

**MR. SPEAKER:** The President has signed: SCR 4013.

**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, Seventh, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Monday, April 12, 2021, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**SB 2004, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2004 was placed on the Sixth order on the calendar.

Page 1, line 3, after the first semicolon insert "to provide a statement of legislative intent;"

Page 1, remove lines 14 through 23

Page 2, replace lines 1 and 2 with:

"Salaries and wages	\$37,719,574	\$3,643,394	\$41,362,968
Operating expenses	32,398,526	(820,983)	31,577,543
Capital assets	2,164,813	481,580	2,646,393
Grants	53,257,292	1,991,853	55,249,145
Tobacco prevention	12,902,064	507,958	13,410,022
Women, infants, and children food payments	19,780,000	120,000	19,900,000
Statewide health strategies	0	3,000,000	3,000,000
COVID-19	0	<u>13,446,460</u>	<u>13,446,460</u>
Total all funds	\$158,222,269	\$22,370,262	\$180,592,531
Less estimated income	<u>121,951,679</u>	<u>15,047,816</u>	<u>136,999,495</u>
Total general fund	\$36,270,590	\$7,322,446	\$43,593,036
Full-time equivalent positions	204.00	3.50	207.50"

Page 2, replace lines 11 and 12 with:

"Vital records system technology updates	0	275,000
Statewide health strategies initiative	0	3,000,000
COVID-19 response	0	9,262,341"

Page 2, replace lines 14 through 16 with:

"Total all funds	\$2,057,554	\$13,447,341
Less estimated income	<u>1,967,554</u>	<u>7,919,065</u>
Total general fund	\$90,000	\$5,528,276"

Page 2, after line 31, insert:

**"SECTION 4. CONTINGENT APPROPRIATION - STATEWIDE HEALTH STRATEGIES.** One-time funding of \$1,500,000 appropriated from the community health trust fund for statewide health strategies in section 1 of this Act is contingent on the state department of health securing dollar-for-dollar matching funds."

Page 3, line 5, replace "\$18,337,620" with "\$20,837,620"

Page 3, after line 13, insert

"Forensic examiner contract	1,000,000
Statewide health strategies initiative	1,500,000"

Page 3, replace line 17 with:

"Total community health trust fund	\$20,837,620"
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Page 4, after line 10, insert:

**"SECTION 8. LEGISLATIVE INTENT - FUNDING FOR COVID-19 RESPONSE.** It is the intent of the sixty-seventh legislative assembly that the state department of health use federal COVID-19 funds or other available funds for defraying expenses related to local public health pandemic response grants before accessing \$4,515,296 appropriated from the community health trust fund in section 1 of this Act."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2004 - State Department of Health - House Action**

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$37,719,574	\$41,243,222	\$119,746	\$41,362,968
Operating expenses	32,398,526	30,334,543	1,243,000	31,577,543
Capital assets	2,164,813	2,646,393		2,646,393
Grants	53,257,292	55,249,145		55,249,145
Tobacco prevention	12,902,064	13,410,241	(219)	13,410,022
WIC food payments	19,780,000	19,900,000		19,900,000
Statewide health strategies			3,000,000	3,000,000
COVID-19		106,813,177	(93,366,717)	13,446,460
COVID-19 line of credit		25,000,000		25,000,000
Total all funds	\$158,222,269	\$294,596,721	(\$89,004,190)	\$205,592,531
Less estimated income	121,951,679	250,529,471	(88,529,976)	161,999,495
General fund	\$36,270,590	\$44,067,250	(\$474,214)	\$43,593,036
FTE	204.00	212.50	(5.00)	207.50

**Department 301 - State Department of Health - Detail of House Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Increases Funding for State Health Officer's Salary <sup>2</sup>	Removes COVID-19 FTE Positions and Temporary Salaries <sup>3</sup>	Removes Funding for Clinical Laboratory Improvement Amendment (CLIA) Director <sup>4</sup>	Increases Funding for the UND Forensic Examiner Contract <sup>5</sup>	Adjusts Funding Source of Snow Removal Tractor <sup>6</sup>
Salaries and wages	(\$12,254)	\$132,000				
Operating expenses				(\$32,000)	\$1,000,000	
Capital assets						
Grants						
Tobacco prevention	(219)					
WIC food payments						
Statewide health strategies						
COVID-19	4,068		(\$1,278,717)			
COVID-19 line of credit						
Total all funds	(\$8,405)	\$132,000	(\$1,278,717)	(\$32,000)	\$1,000,000	\$0
Less estimated income	49,160	132,000	(1,050,037)	(12,800)	1,000,000	40,000
General fund	(\$57,565)	\$0	(\$228,680)	(\$19,200)	\$0	(\$40,000)
FTE	0.00	0.00	(5.00)	0.00	0.00	0.00

	Adjusts One-Time Funding for Electronic Medical Records <sup>7</sup>	Adds One-Time Funding for Vital Records System Technology Updates <sup>8</sup>	Adds One-Time Funding for Statewide Health Strategies <sup>9</sup>	Removes Federal COVID-19 Funding <sup>10</sup>	Total House Changes
Salaries and wages				\$119,746	\$119,746
Operating expenses		\$275,000		1,243,000	1,243,000
Capital assets					
Grants					
Tobacco prevention				(219)	(219)
WIC food payments					
Statewide health strategies			\$3,000,000		3,000,000
COVID-19				(\$92,092,068)	(\$92,092,068)
COVID-19 line of credit					
Total all funds	\$0	\$275,000	\$3,000,000	(\$92,092,068)	(\$89,004,190)
Less estimated income	128,769	275,000	3,000,000	(92,092,068)	(88,529,976)
General fund	(\$128,769)	\$0	\$0	\$0	(\$474,214)
FTE	0.00	0.00	0.00	0.00	(5.00)

<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The Senate provided salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300, and 2 percent on July 1, 2022.

<sup>2</sup> Funding from federal funds is added to increase the State Health Officer's salary.

<sup>3</sup> Five FTE positions in Group 1 of the department's prioritization list are removed to provide 7.5 FTE positions for COVID-19. The Senate provided 12.5 FTE positions for COVID-19. In addition, funding for 3 temporary COVID-19 positions is removed to provide 7 temporary COVID-19 positions. The Senate provided funding for 10 temporary COVID-19 positions.

<sup>4</sup> Funding for professional fees for the department to contract for a part-time CLIA director is removed. The Senate and House added a .5 FTE position to serve as the CLIA director.

<sup>5</sup> Funding from the community health trust fund is added to increase operating expenses related to the University of North Dakota forensic examiner contract to provide a total of \$1,625,270, of which \$625,270 is from the general fund.

<sup>6</sup> The funding source of a snow removal tractor is adjusted from the general fund to federal funds.

<sup>7</sup> A portion of the one-time funding for an electronic medical records system is adjusted from the general fund to federal funds to provide total one-time funding of \$350,000, of which \$221,231 is from the general fund and \$128,769 is from federal funds.

<sup>8</sup> One-time funding from special funds available from fees is added for operating expenses related to updating vital records system technology.

<sup>9</sup> One-time funding of \$3 million, of which \$1.5 million is from the community health trust fund, is added for a statewide health strategies initiative. A section is also added to provide funding from the community health trust fund is contingent on the department securing dollar-for-dollar matching funds.

<sup>10</sup> Federal funding provided in the COVID-19 line item is removed because it is appropriated in House Bill No. 1394.

This amendment also adds a section of legislative intent that the department use federal funding available for COVID-19 before using \$4,515,296 made available from the community health trust fund for local public health pandemic response grants.

#### REPORT OF STANDING COMMITTEE

**SB 2014: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2014 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "a new section to chapter"

Page 1, line 3, remove "6-09.4 and"

Page 1, line 4, remove "bonded debt repayments and"

Page 1, line 5, remove "sections 6-09-49, 6-09.4-06, 6-09.4-10, 6-09.16-02, 6-09.16-03, 6-09.16-05, 15-11-40,"

Page 1, line 6, replace "50-30-04, 54-17-40, and 57-51.1-07.9" with "section 6-09.4-05.1, subsection 6 of section 17-05-08, subsection 1 of section 38-22-14, and subsection 1 of section 38-22-15"

Page 1, line 6, remove the second "the"

Page 1, remove lines 7 and 8

Page 1, line 9, replace "energy research center, and the housing incentive fund; to provide a continuing appropriation" with "to transmission authority projects and carbon dioxide storage fees"

Page 2, replace line 1 with:

"Salaries and wages	\$23,409,450	\$288,669	\$23,698,119"
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Page 2, replace lines 6 through 8 with:

"Total all funds	\$39,977,988	\$10,987,070	\$50,965,058
Less estimated income	<u>12,723,790</u>	<u>11,645,395</u>	<u>24,369,185</u>
Total general fund	\$27,254,198	(\$658,325)	\$26,595,873"

Page 2, replace lines 14 through 17 with:

"Bank of North Dakota operations	\$62,847,799	\$2,955,453	\$65,803,252
Capital assets	<u>1,510,000</u>	<u>0</u>	<u>1,510,000</u>
Total special funds	\$64,357,799	\$2,955,453	\$67,313,252
Full-time equivalent positions	181.50	(12.00)	169.50"

Page 2, replace line 22 with:

"Salaries and wages	\$8,509,015	\$972,680	\$9,481,695"
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Page 2, replace lines 27 and 28 with:

"Total special funds	\$47,421,891	\$11,429,064	\$58,850,955
Full-time equivalent positions	44.00	4.00	48.00"

Page 3, replace lines 13 through 15 with:

"Grand total general fund	\$27,254,198	(\$658,325)	\$26,595,873
Grand total special funds	<u>201,498,304</u>	<u>37,412,297</u>	<u>238,910,601</u>
Grand total all funds	\$228,752,502	\$36,753,972	\$265,506,474"

Page 3, after line 26 insert:

"Housing finance agency - housing assessment		0	35,000"
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Page 3, replace lines 28 through 30 with:

"Total all funds		\$12,965,000	\$141,206
Less estimated income		<u>5,270,000</u>	<u>35,000</u>
Total general fund		\$7,695,000	\$106,206"

Page 4, remove lines 28 through 30

Page 5, remove lines 1 and 2

Page 5, line 3, remove "**APPROPRIATION - GENERAL FUND -**"

Page 5, line 3, after "**TRANSFER**" insert "**STRATEGIC INVESTMENT AND IMPROVEMENTS FUND**"

Page 5, line 4, remove "**- INTENT**"

Page 5, line 4, remove "There is appropriated out of any moneys in the general fund in"

Page 5, remove line 5

Page 5, line 6, replace "as may be necessary, which the office of management and budget shall transfer" with "The office of management and budget shall transfer the sum of \$9,500,000 from the strategic investment and improvements fund"

Page 5, line 7, remove "The"

Page 5, remove lines 8 through 26

Page 5, line 28, replace "\$1,215,980" with "\$1,214,768"

Page 7, line 19, replace "\$14,000,000" with "\$9,500,000"

Page 8, remove lines 1 through 31

Page 9, remove lines 1 through 31

Page 10, remove lines 1 through 31

Page 11, remove lines 1 through 31

Page 12, remove lines 1 through 31

Page 13, remove lines 1 through 31

Page 14, remove lines 1 through 30

Page 15, remove lines 1 through 29

Page 16, remove lines 1 through 31

Page 17, replace lines 1 through 11 with:

**"SECTION 14. AMENDMENT.** Section 6-09.4-05.1 of the North Dakota Century Code is amended and reenacted as follows:

**6-09.4-05.1. Administrative agreements with state agencies.**

The public finance authority and any state agency authorized by state or federal law to make an allocation of bonds or bonding authority or to make loans, or to issue bonds to obtain funds for the purpose of making loans, ~~to political subdivisions or grants,~~ may enter into an administrative agreement, which may authorize the public finance authority to administer the loan or bond program for the state agency. The agreement may delegate to the public finance authority the authority to make loans, or to issue bonds to obtain funds for the purpose of making loans, ~~to political subdivisions or grants.~~

**SECTION 15. AMENDMENT.** Subsection 6 of section 17-05-08 of the North Dakota Century Code is amended and reenacted as follows:

6. The commission may approve a resolution for the issuance of bonds as provided in this section which states in substance that this subsection is applicable to any required debt service reserve for bonds issued under that resolution in an aggregate amount not to exceed two hundred forty million dollars plus costs of issuance, credit enhancement, and any reserve funds required by agreements with or for the benefit of holders of the evidences of indebtedness for the purposes for which the authority is created under this chapter. The amount of any refinancing, however, may not be counted toward the two hundred forty million dollar limitation to the extent the amount does not exceed the outstanding amount of the obligations being refinanced. No more than thirty percent of the total project costs or the appraised value, whichever is greater, for any single transmission facility project may be financed by bonds issued under this section which are supported by the debt service reserve fund approved by the commission under this subsection. To ensure the maintenance of the required debt service reserve fund approved by the commission under this subsection, the legislative assembly shall appropriate and pay to the authority for deposit in the reserve fund any sum, certified by the commission as necessary to restore the reserve fund to an amount equal to the required debt service reserve fund approved by the commission.

**SECTION 16. AMENDMENT.** Subsection 1 of section 38-22-14 of the North Dakota Century Code is amended and reenacted as follows:

1. Storage operators shall pay the commission a fee on each ton of carbon dioxide injected for storage. The fee must be in the amount set by commission rule. The amount must be based on the contribution of the storage facility and the source of the carbon dioxide to the energy and agriculture production economy of North Dakota and the commission's anticipated expenses that it will incur in regulating storage facilities during their construction, operational, and preclosure phases.

**SECTION 17. AMENDMENT.** Subsection 1 of section 38-22-15 of the North Dakota Century Code is amended and reenacted as follows:

1. Storage operators shall pay the commission a fee on each ton of carbon dioxide injected for storage. The fee must be in the amount set by commission rule. The amount must be based on the contribution of the storage facility and the source of the carbon dioxide to the energy and agriculture production economy of North Dakota and the commission's anticipated expenses associated with the long-term monitoring and management of a closed storage facility."

Page 17, remove lines 29 and 30

Page 18, remove lines 1 through 31

Page 19, remove lines 1 through 25

Page 20, replace lines 4 through 9 with:

**"SECTION 21. EXEMPTION - SCHOOL CONSTRUCTION ASSISTANCE REVOLVING LOAN FUND.** Notwithstanding the requirements under section 15.1-36-08 to use the moneys in the fund for loan disbursements and administrative expenses and pursuant to the continuing appropriation authority under section 15.1-36-08, \$2,500,000, or so much of the sum as may be necessary, is available from the school construction assistance revolving loan fund to the Bank of North Dakota to provide interest rate buydowns associated with loans issued under section 15.1-36-06, for the biennium beginning July 1, 2021, and ending June 30, 2023. In addition, subject to sufficient funding being available for loans to local school districts, the Bank of North Dakota may utilize funding from the school construction assistance revolving loan fund to repay a portion of the outstanding principal balance of loans issued under section 15.1-36-06 for the purpose of transferring a portion of the loans issued under that section from the Bank of North Dakota to the school construction assistance revolving loan fund, for the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 20, after line 23, insert:

**"SECTION 24. STATE ENERGY RESEARCH CENTER - STUDY OF HYDROGEN.** In addition to the duties under section 15-11-40, the state energy research center shall consider studying the development and implementation of hydrogen energy in the state during the biennium beginning July 1, 2021, and ending June 30, 2023. The study must include a plan for the development and implementation of hydrogen energy and must include consideration of existing resources, methods of production and delivery, and potential uses of hydrogen. The study may include estimates of the cost and timeline to develop infrastructure for hydrogen energy and the use of public and private partnerships to assist in the development of infrastructure for hydrogen energy. During the 2021-22 interim, the state energy research center shall provide at least one report to the legislative management regarding the study."

Renumber accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

## Senate Bill No. 2014 - Summary of House Action

	Base Budget	Senate Version	House Changes	House Version
Industrial Commission				
Total all funds	\$39,977,988	\$65,212,937	(\$14,247,879)	\$50,965,058
Less estimated income	12,723,790	24,371,687	(2,502)	24,369,185
General fund	\$27,254,198	\$40,841,250	(\$14,245,377)	\$26,595,873
FTE	112.25	108.25	0.00	108.25
Bank of North Dakota				
Total all funds	\$64,357,799	\$167,604,371	(\$100,291,119)	\$67,313,252
Less estimated income	64,357,799	167,604,371	(100,291,119)	67,313,252
General fund	\$0	\$0	\$0	\$0
FTE	181.50	171.50	(2.00)	169.50
Housing Finance Agency				
Total all funds	\$47,421,891	\$74,006,784	(\$15,155,829)	\$58,850,955
Less estimated income	47,421,891	59,006,784	(155,829)	58,850,955
General fund	\$0	\$15,000,000	(\$15,000,000)	\$0
FTE	44.00	49.00	(1.00)	48.00
Mill and Elevator				
Total all funds	\$76,994,824	\$88,377,209	\$0	\$88,377,209
Less estimated income	76,994,824	88,377,209	0	88,377,209
General fund	\$0	\$0	\$0	\$0
FTE	156.00	156.00	0.00	156.00
Bill total				
Total all funds	\$228,752,502	\$395,201,301	(\$129,694,827)	\$265,506,474
Less estimated income	201,498,304	339,360,051	(100,449,450)	238,910,601
General fund	\$27,254,198	\$55,841,250	(\$29,245,377)	\$26,595,873
FTE	493.75	484.75	(3.00)	481.75

## Senate Bill No. 2014 - Industrial Commission - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$23,409,450	\$23,945,998	(\$247,879)	\$23,698,119
Operating expenses	5,830,227	5,125,558		5,125,558
Capital assets		100,660		100,660
Grants - Bond payments	10,508,767	22,040,721		22,040,721
Contingencies	229,544			
Oil and gas research fund		14,000,000	(14,000,000)	
Total all funds	\$39,977,988	\$65,212,937	(\$14,247,879)	\$50,965,058
Less estimated income	12,723,790	24,371,687	(2,502)	24,369,185
General fund	\$27,254,198	\$40,841,250	(\$14,245,377)	\$26,595,873
FTE	112.25	108.25	0.00	108.25

## Department 405 - Industrial Commission - Detail of House Changes

	Adjusts Funding for Salary Increases <sup>1</sup>	Underfunds Salaries and Wages <sup>2</sup>	Adjusts Oil and Gas Research Transfer <sup>3</sup>	Total House Changes
Salaries and wages	(\$33,519)	(\$214,360)		(\$247,879)
Operating expenses				
Capital assets				
Grants - Bond payments				
Contingencies				
Oil and gas research fund			(\$14,000,000)	(14,000,000)
Total all funds	(\$33,519)	(\$214,360)	(\$14,000,000)	(\$14,247,879)
Less estimated income	(2,502)	0	0	(2,502)
General fund	(\$31,017)	(\$214,360)	(\$14,000,000)	(\$14,245,377)
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The Senate provided salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300, and 2 percent on July 1, 2022.

<sup>2</sup> Funding for salaries and wages is reduced for anticipated savings from vacant positions and employee turnover.

<sup>3</sup> A transfer of \$14 million from the general fund to the oil and gas research fund, which was added by the Senate, is removed and replaced with a transfer of \$9.5 million from the strategic investment and improvements fund to the oil and gas research fund.

This amendment also:

- Removes authorization added by the Senate for the Public Finance Authority to issue up to \$100 million of bonds to support the long-term care facility loan fund.
- Provides a transfer of \$9.5 million from the strategic investment and improvements fund to the oil and gas research fund. The Senate provided a transfer of \$14 million from the general fund.
- Adjusts the transfer for administrative services related to salary increases to provide \$1,214,768. The Senate provided \$1,215,980.
- Clarifies the Public Finance Authority may make administrative agreements when distributing bond proceeds for loans or grants.
- Allows the Industrial Commission to issue bonds to support North Dakota Transmission Authority projects with a limit of 30 percent of the total project cost or 30 percent of the appraised value, whichever is greater.
- Clarifies the fees for the carbon dioxide storage facility fund and the carbon dioxide trust fund to reflect the impact of a storage facility and the source of carbon dioxide. The Senate did not include the clarification related to carbon dioxide storage fees.
- Retains the June 30, 2023, expiration date on the State Energy Research Center by removing sections added by the Senate, which removed the expiration date.
- Removes an increase of \$6 million related to oil and gas tax revenue allocations to the oil and gas research fund and maintains the current level of \$10 million of oil allocations per biennium. The senate increased the allocations to the oil and gas research fund by \$6 million, from \$10 million to \$16 million.
- Provides for the State Energy Research Center to conduct a study of hydrogen during the 2021-23 biennium. The Senate did not include this study.

#### Senate Bill No. 2014 - Bank of North Dakota - House Action

	Base Budget	Senate Version	House Changes	House Version
Capital assets	\$1,510,000	\$1,510,000		\$1,510,000
Bank of North Dakota operations	62,847,799	66,094,371	(\$291,119)	65,803,252
Bond proceeds		100,000,000	(100,000,000)	
Total all funds	\$64,357,799	\$167,604,371	(\$100,291,119)	\$67,313,252
Less estimated income	64,357,799	167,604,371	(100,291,119)	67,313,252
General fund	\$0	\$0	\$0	\$0
FTE	181.50	171.50	(2.00)	169.50

#### Department 471 - Bank of North Dakota - Detail of House Changes

	Adjusts Funding for Salary Increases <sup>1</sup>	Removes FTE Positions <sup>2</sup>	Removes Bonding Proceeds <sup>3</sup>	Total House Changes
Capital assets				
Bank of North Dakota operations	(\$18,018)	(\$273,101)		(\$291,119)
Bond proceeds			(\$100,000,000)	(100,000,000)
Total all funds	(\$18,018)	(\$273,101)	(\$100,000,000)	(\$100,291,119)
Less estimated income	(18,018)	(273,101)	(100,000,000)	(100,291,119)
General fund	\$0	\$0	\$0	\$0
FTE	0.00	(2.00)	0.00	(2.00)

<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The Senate provided salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300, and 2 percent on July 1, 2022.

<sup>2</sup> Two new undesignated FTE positions and \$273,101 are removed to provide a total of



4 new undesignated FTE positions and \$546,201. The Senate added 6 new undesignated FTE positions and \$819,302 to support future growth in the Bank of North Dakota's operations.

<sup>3</sup> Funding of \$100 million from bond proceeds is removed. The Senate authorized bonds to be issued for transfer to the long-term care facility loan fund to support loans for long-term care facility construction projects.

This amendment also:

- Removes a section added by the Senate to expand the infrastructure revolving loan fund, which included additional eligible projects, longer loan terms, increases in the loan amounts, and approval by the Department of Transportation and the State Water Commission for road and water projects, respectively; and
- Authorizes up to \$2.5 million from the school construction assistance revolving loan fund to continue interest rate buydowns on school construction loans held by the Bank of North Dakota.

### Senate Bill No. 2014 - Housing Finance Agency - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$8,509,015	\$9,637,524	(\$155,829)	\$9,481,695
Operating expenses	5,346,276	6,144,060		6,144,060
Capital assets		150,000		150,000
Grants	33,466,600	42,975,200		42,975,200
HFA contingencies	100,000	100,000		100,000
Housing incentive fund		15,000,000	(15,000,000)	
Total all funds	\$47,421,891	\$74,006,784	(\$15,155,829)	\$58,850,955
Less estimated income	47,421,891	59,006,784	(155,829)	58,850,955
General fund	\$0	\$15,000,000	(\$15,000,000)	\$0
FTE	44.00	49.00	(1.00)	48.00

### Department 473 - Housing Finance Agency - Detail of House Changes

	Adjusts Funding for Salary Increases <sup>1</sup>	Removes FTE Positions <sup>2</sup>	Removes a Housing Incentive Fund Transfer <sup>3</sup>	Total House Changes
Salaries and wages	(\$6,675)	(\$149,154)		(\$155,829)
Operating expenses				
Capital assets				
Grants				
HFA contingencies				
Housing incentive fund			(\$15,000,000)	(15,000,000)
Total all funds	(\$6,675)	(\$149,154)	(\$15,000,000)	(\$15,155,829)
Less estimated income	(6,675)	(149,154)	0	(155,829)
General fund	\$0	\$0	(\$15,000,000)	(\$15,000,000)
FTE	0.00	(1.00)	0.00	(1.00)

<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The Senate provided salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300, and 2 percent on July 1, 2022.

<sup>2</sup> One new FTE position and \$149,154 are removed to provide a total of 2 new FTE positions and \$566,962 to manage the residential mortgage loan program, which is being transferred from the Bank of North Dakota. The Senate added 3 new FTE positions and \$716,116 to manage the residential mortgage loan program.

<sup>3</sup> A section transferring \$15 million from the general fund to the housing incentive fund is removed. The Senate provided the transfer to support the housing incentive fund.

This amendment also removes a section that adjusted the amount of funding in the housing incentive fund designated for developing communities and projects to prevent

homelessness.

#### REPORT OF STANDING COMMITTEE

**SB 2063: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2063 was placed on the Sixth order on the calendar.

Page 1, line 2, after "trophy" insert "; to provide for a budget section report; and to provide a contingent appropriation"

Page 1, line 6, overstrike "**Nickel**" and insert immediately thereafter "**Football**"

Page 1, after line 6, insert:

"1. After being retired by the university of North Dakota and the North Dakota state university of agriculture and applied science, the state-owned nickel trophy must be displayed permanently in the heritage center.

2."

Page 1, line 9, overstrike "the nickel" and insert immediately thereafter "a state-owned"

Page 1, line 10, after "game" insert "beginning with the football game in the fall of 2023"

Page 1, line 10, overstrike "If the athletic director or president of either institution elects"

Page 1, line 11, overstrike "not to play for the nickel trophy, the nickel trophy must be"

Page 1, line 12, remove "acquired by the state historical society and become part of the state historical society's"

Page 1, line 13, remove "permanent collection"

Page 1, line 13, overstrike the period

Page 1, after line 13, insert:

**"SECTION 2. CONTINGENT APPROPRIATION - REPORT TO BUDGET SECTION - FOOTBALL TROPHY.** The university of North Dakota and North Dakota state university of agriculture and applied science shall present a report to the budget section before June 30, 2022, with a plan for how the universities will collaborate to design and create a state-owned trophy for purposes of section 15-10-62. If the budget section approves the plan for collaboration, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$9,900, or so much of the sum as may be necessary, to the university of North Dakota and North Dakota state university of agriculture and applied science for the purpose of designing and creating a state-owned trophy, for the biennium beginning July 1, 2021, and ending June 30, 2023. The funds appropriated under this section may be supplemented by other resources of the universities, provided the use of the other resources is not contrary to legislative appropriations."

Renumber accordingly

#### REPORT OF CONFERENCE COMMITTEE

**HB 1148:** Your conference committee (Sens. Dwyer, Fors, Conley and Reps. Becker, Christensen, Hanson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1281, adopt amendments as follows, and place HB 1148 on the Seventh order:

That the Senate recede from its amendments as printed on pages 932 and 933 of the Senate Journal and page 1281 of the House Journal and that House Bill No. 1148 be amended as follows:

Page 17, after line 30, insert:

- "7. An individual under the age of eighteen may not operate a class 3 electric bicycle unless the individual is wearing a safety helmet."

Renumber accordingly

HB 1148 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1045, as engrossed:** Your conference committee (Sens. Myrdal, O. Larsen, Lemm and Reps. Beltz, Dobervich, Richter) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1073, adopt amendments as follows, and place HB 1045 on the Seventh order:

That the Senate recede from its amendments as printed on page 1073 of the House Journal and pages 743 and 744 of the Senate Journal and that Engrossed House Bill No. 1045 be amended as follows:

Page 1, line 1, replace "two" with "three"

Page 1, line 2, after "to" insert "prohibited acts and"

Page 1, line 9, overstrike "**Hemp (cannabis sativa L.)**" and insert immediately thereafter "**Definitions**"

Page 1, after line 9, insert:

"1."

Page 1, line 12, after "~~delta-9~~" insert "total"

Page 1, line 13, after the period insert "The term does not include any commodity or product using hemp which exceeds the allowable amount of total tetrahydrocannabinol determined by the commissioner."

2. "Tetrahydrocannabinol" means delta-9 tetrahydrocannabinol and any structural, optical, or geometric isomers of tetrahydrocannabinol, including:
  - a. Delta-7 tetrahydrocannabinol;
  - b. Delta-8 tetrahydrocannabinol; and
  - c. Delta-10 tetrahydrocannabinol.
3. "Total tetrahydrocannabinol" means the sum of the percentage, by weight, of tetrahydrocannabinolic acid multiplied by eight hundred seventy-seven thousandths plus the percentage of weight of tetrahydrocannabinol."

Page 1, line 17, after "~~the~~" insert "total"

Page 1, line 18, replace "in compliance with" with "not to exceed"

Page 2, after line 6, insert:

**"SECTION 4.** A new section to chapter 4.1-18.1 of the North Dakota Century Code is created and enacted as follows:

#### **Prohibited acts.**

A licensee may not:

1. Engage in the isomerization of cannabinoids to create isomers of tetrahydrocannabinol, including delta-8, delta-9, and delta-10 tetrahydrocannabinol; and
2. Sell hemp or hemp products that were created using the isomerization of cannabinoids to create isomers of tetrahydrocannabinol, including delta-8, delta-9, and delta-10 tetrahydrocannabinol."

Page 2, line 11, after "delta-9" insert "total"

Renumber accordingly

Engrossed HB 1045 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1074:** Your conference committee (Sens. Kreun, J. Roers, Piepkorn and Reps. Zubke, D. Anderson, Ista) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1121 and place HB 1074 on the Seventh order.

HB 1074 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1096, as engrossed:** Your conference committee (Sens. Bell, Schaible, Patten and Reps. M. Ruby, Marschall, Zubke) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1314 and place HB 1096 on the Seventh order.

Engrossed HB 1096 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1371:** Your conference committee (Sens. Heitkamp, Kannianen, Oban and Reps. Pyle, Cory, M. Nelson) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1184, adopt further amendments as follows, and place HB 1371 on the Seventh order:

That the House accede to the Senate amendments as printed on page 846 of the Senate Journal and page 1184 of the House Journal and that House Bill No. 1371 be further amended as follows:

Page 1, line 12, remove "thirtieth"

Page 1, line 13, replace "day after" with "July 1 following"

Page 1, line 13, after the first "the" insert "date the"

Renumber accordingly

HB 1371 was placed on the Seventh order of business on the calendar.

The House stood adjourned pursuant to Representative Louser's motion.

**Buell J. Reich, Chief Clerk**