

JOURNAL OF THE SENATE

Sixty-seventh Legislative Assembly

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Bismarck, April 22, 2021

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

The prayer was offered by Pastor Kai Hardee, Gateway Community Fellowship, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

CONSIDERATION OF MESSAGES FROM THE HOUSE

SEN. KLEIN MOVED that the Senate do not concur in the House amendments to Engrossed SB 2018 and in the House amendments to Engrossed SB 2139 and that a conference committee be appointed to meet with a like committee from the House on each of these measures, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEES

THE PRESIDENT APPOINTED as a Conference Committee on:

Engrossed SB 2018: Sens. Bekkedahl, Holmberg, Heckaman.

Engrossed SB 2139: Sens. Burckhard, Bell, Oban.

CONSIDERATION OF AMENDMENTS

HB 1015, as engrossed: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1015: A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; to provide an appropriation to the state treasurer; to provide an appropriation to the department of career and technical education, the department of public instruction, the university of North Dakota, Dickinson state university, the highway patrol, the judicial branch, the department of transportation, and the agriculture commissioner; to create and enact a new section to chapter 10-04 of the North Dakota Century Code, relating to notice filing for certain legacy fund investments; to amend and reenact subsection 1 of section 10-04-03, a new chapter to title 54, as created by section 3 in House Bill No. 1452, as approved by the sixty-seventh legislative assembly, sections 54-44.1-18, 54-44.4-07, 54-44.4-08, 57-51.1-07.5, subsections 2 and 3 of section 57-51.1-07.7, and subsection 2 of section 57-51.1-07.8 of the North Dakota Century Code, relating to qualifications of the securities commissioner, the clean sustainable energy authority, publishing political subdivision budgets, environmentally preferable products, the state share of oil and gas tax revenue allocations, the municipal infrastructure fund, and the county and township infrastructure fund; to repeal section 54-06-25 of the North Dakota Century Code, relating to the state employee compensation commission; to provide for a transfer; to provide for a claims payment; to provide compensation guidelines; to provide an exemption; to provide for a legislative management study; to provide a report; 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 43 YEAS, 4 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Klein; Krebsbach; Kreun; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag;

Vedaa; Wanzek; Wardner; Weber; Wobbema

NAYS: Kannianen; Larsen, D.; Larsen, O.; Larson, D.

Engrossed HB 1015, as amended, passed and the emergency clause was declared carried.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. DAVISON MOVED that the conference committee report on Engrossed SB 2016 as printed on SJ pages 1605-1607 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2016, as amended, was placed on the Eleventh order of business.

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; to provide for a report; to provide for a statement of legislative intent; 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; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

Reengrossed SB 2016 passed and the emergency clause was declared carried.

MOTION

SEN. KLEIN MOVED that the Senate stand in recess until 12:30 p.m., which motion prevailed.

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

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KLEIN MOVED that the Senate do not concur in the House amendments to Engrossed SB 2245 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on:

Engrossed SB 2245: Sens. Krebsbach, Davison, Rust.

REPORT OF CONFERENCE COMMITTEE

HB 1027, as engrossed: Your conference committee (Sens. Schaible, Lemm, Wobbema and Reps. Zubke, Monson, Owens) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1421, adopt amendments as follows, and place HB 1027 on the Seventh order:

That the Senate recede from its amendments as printed on page 1421 of the House Journal and page 977 of the Senate Journal and that Engrossed House Bill No. 1027 be amended as follows:

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

Page 1, line 4, after "students" insert "; and to provide for a legislative management study"

Page 1, line 9, replace "The" with "Subject to legislative appropriation, the"

Page 2, line 4, replace "The" with "Subject to legislative appropriation, the"

Page 2, line 12, after "section" insert ", with the exception of the 2021-22 and 2022-23 school years, for which the superintendent of public instruction shall calculate each school district's payment based on the district's miles and ridership data from the 2018-19 school year or the previous school year, whichever is greater"

Page 2, line 18, replace "The" with "Subject to legislative appropriation, the"

Page 2, line 29, replace "A" with "Subject to legislative appropriation, a"

Page 3, line 3, replace "The" with "Subject to legislative appropriation, the"

Page 3, line 19, replace "The" with "Subject to legislative appropriation, the"

Page 3, line 20, after "districts" insert ", to and from area career and technology centers."

Page 3, line 21, replace "vocational" with "career"

Page 4, line 1, replace "A" with "Subject to legislative appropriation, a"

Page 4, line 7, replace "vocational" with "career"

Page 4, line 21, replace "The" with "Subject to legislative appropriation, the"

Page 4, line 27, replace "The" with "Subject to legislative appropriation, the"

Page 4, line 30, after the underscored period insert "The superintendent of public instruction may not distribute more than one-half of the amount appropriated for transportation grants for any biennium in the first year of the biennium. If total transportation reimbursement claims exceed the amount appropriated by the legislative assembly, the superintendent of public instruction shall reduce transportation reimbursements on a prorated basis for all school districts requesting reimbursements."

Page 5, after line 19, insert:

"SECTION 7. LEGISLATIVE MANAGEMENT STUDY - CAREER AND TECHNICAL EDUCATION STUDENT TRANSPORTATION COSTS. During the 2021-22 interim, the legislative management shall consider studying the impact of additional career and technical education center student transportation on student transportation costs. 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

Engrossed HB 1027 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. SCHAIBLE MOVED that the conference committee report on Engrossed HB 1027 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1027, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

HB 1027: A BILL for an Act to create and enact five new sections to chapter 15.1-27 of the North Dakota Century Code, relating to school district transportation aid payments; to amend and reenact section 15.1-31-05 of the North Dakota Century Code, relating to the transportation of open enrollment students; and to provide for a legislative management study.

ROLL CALL

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

committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Heitkamp

Engrossed HB 1027, as amended, passed.

REPORT OF CONFERENCE COMMITTEE

HB 1019, as engrossed: Your conference committee (Sens. Sorvaag, Bekkedahl, Mathern and Reps. Nathe, Monson, Boe) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1169-1171, adopt amendments as follows, and place HB 1019 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1464-1466 of the House Journal and pages 1169-1171 of the Senate Journal and that Engrossed House Bill No. 1019 be amended as follows:

Page 1, line 5, after the first semicolon insert "to provide for the conveyance of real property; to provide for a legislative management study; to provide for application;"

Page 1, line 5, after the second "provide" insert "for"

Page 1, replace lines 17 through 23 with:

"Administration	\$2,604,999	\$410,071	\$3,015,070
Park operations and maintenance	20,914,593	8,140,930	29,055,523
Recreation	<u>9,023,560</u>	<u>3,735,402</u>	<u>12,758,962</u>
Total all funds	\$32,543,152	\$12,286,403	\$44,829,555
Less estimated income	<u>20,046,609</u>	<u>12,085,784</u>	<u>32,132,393</u>
Total general fund	\$12,496,543	\$200,619	\$12,697,162
Full-time equivalent positions	61.50	(3.75)	57.75"

Page 2, replace lines 11 through 14 with:

"Lewis and Clark interpretive center	<u>\$1,304,375</u>	<u>(\$1,304,375)</u>	<u>\$0</u>
Total all funds	\$1,304,375	(\$1,304,375)	\$0
Less estimated income	<u>334,118</u>	<u>(334,118)</u>	<u>0</u>
Total general fund	\$970,257	(\$970,257)	\$0"

Page 2, replace lines 18 through 20 with:

"Grand total general fund	\$14,343,129	(\$769,638)	\$13,573,491
Grand total special funds	<u>20,380,727</u>	<u>14,751,666</u>	<u>35,132,393</u>
Grand total all funds	\$34,723,856	\$13,982,028	\$48,705,884"

Page 2, replace line 26 with:

"Extraordinary repairs and capital projects	\$634,126	\$7,900,000"
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Page 2, after line 28, insert:

"Parks matching grant program	0	1,632,800"
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Page 3, replace lines 5 through 7 with:

"Total all funds	\$8,311,126	\$12,782,800	
Less estimated income	8,311,126		<u>12,532,800</u>
Total general fund	\$0	\$250,000"	

Page 3, replace lines 25 through 28 with:

"SECTION 5. CONVEYANCE OF LAND AND BUILDINGS - LEWIS AND CLARK INTERPRETIVE CENTER - APPLICATION. The state of North Dakota, by and through the parks and recreation department, shall convey ownership of the Lewis and Clark interpretive center and surrounding real property to the state historical society. Sections 54-01-05.2 and 54-01-05.5 do not apply to this conveyance."

Page 3, line 29, after "**MAINTENANCE**" insert "**AND CAPITAL PROJECTS**"

Page 3, line 29, remove "**STRATEGIC INVESTMENT AND**"

Page 3, line 30, replace "**IMPROVEMENTS FUND**" with "**FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND**"

Page 4, line 1 replace "\$7,500,000" with "\$7,900,000"

Page 4, line 1, replace "the strategic investment and improvements fund" with "federal funds derived from the federal coronavirus capital projects fund"

Page 4, line 2, after "maintenance" insert "and capital projects"

Page 4, line 2, after the period insert "The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item."

SECTION 7. PARKS MATCHING GRANT PROGRAM - FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND. The recreation line item in subdivision 1 of section 1 of this Act includes \$1,632,800, of which \$816,400 is from federal funds derived from the federal coronavirus capital projects fund and \$816,400 is matching funds from nonstate sources for a matching grant program for the biennium beginning July 1, 2021, and ending June 30, 2023. The parks and recreation department may spend these funds for capital project improvements at state parks, subject to the department obtaining matching funds from nonstate sources for each project on a dollar-for-dollar basis. The federal funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item."

Page 4, line 3, remove "**STRATEGIC INVESTMENT AND**"

Page 4, line 4, replace "**IMPROVEMENTS FUND**" with "**FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND**"

Page 4, line 5, remove "strategic investment and improvements"

Page 4, line 6, replace "fund" with " federal funds derived from the federal coronavirus capital projects fund"

Page 4, line 11, after the period insert "The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item."

Page 5, after line 16, insert:

"SECTION 14. LEGISLATIVE MANAGEMENT STUDY - PARKS MATCHING GRANT PROGRAM. During the 2021-22 interim, the legislative management shall consider studying the effectiveness of the parks matching grant program created in section 7 of this Act and the feasibility and desirability of creating a parks and recreation foundation. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Page 5, line 17, remove "the strategic investment and"

Page 5, line 18, replace "improvements fund" with " federal funds derived from the federal coronavirus capital projects fund"

Page 5, line 19, replace "7" with "8"

Page 5, line 19, replace "8" with "9"

Page 5, line 19, replace "9" with "10"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1019 - Parks and Recreation Department - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Administration	\$2,604,999	\$3,013,439	\$1,631	\$3,015,070	\$3,015,070	
Park operations and maintenance	20,914,593	28,652,175	403,348	29,055,523	28,655,523	\$400,000
Recreation	9,023,560	11,124,958	1,634,004	12,758,962	13,126,162	(367,200)
International Peace Garden	876,329	3,876,329		3,876,329	3,876,329	
Lewis and Clark Interpretive Center	1,304,375	1,440,912	(1,440,912)			
Total all funds	\$34,723,856	\$48,107,813	\$598,071	\$48,705,884	\$48,673,084	\$32,800
Less estimated income	20,380,727	33,687,692	1,444,701	35,132,393	35,099,593	32,800
General fund	\$14,343,129	\$14,420,121	(\$846,630)	\$13,573,491	\$13,573,491	\$0
FTE	61.50	61.50	(3.75)	57.75	57.75	0.00

Department 750 - Parks and Recreation Department - Detail of Conference Committee Changes

	Adjusts Funding for Salary Increases ¹	Transfers the Lewis and Clark Interpretive Center Operatons ²	One-Time Funding for Parks Matching Program ³	Adds One-Time Funding for Deferred Maintenance ⁴	Adjusts One-Time Funding Source for International Peace Garden ⁵	Total Conference Committee Changes
Administration	\$1,631					\$1,631
Park operations and maintenance	3,348			\$400,000		403,348
Recreation	1,204		\$1,632,800			1,634,004
International Peace Garden						
Lewis and Clark Interpretive Center	(12,121)	(\$1,428,791)				(1,440,912)
Total all funds	(\$5,938)	(\$1,428,791)	\$1,632,800	\$400,000	\$0	\$598,071
Less estimated income	96	(588,195)	1,632,800	400,000	0	1,444,701
General fund	(\$6,034)	(\$840,596)	\$0	\$0	\$0	(\$846,630)
FTE	0.00	(3.75)	0.00	0.00	0.00	(3.75)

¹ 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 same as the Senate version. 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.

² Funding and 3.75 FTE positions are removed to transfer the Lewis and Clark Interpretive Center to the State Historical Society, the same as the Senate version. The House did not

provide for this transfer.

³ One-time funding of \$1,632,800 is provided from the federal Coronavirus Capital Projects Fund (\$816,400) and from matching funds (\$816,400) for a parks matching grant program. The Senate provided funding of \$1,000,000 from the strategic investment and improvements fund and \$1,000,000 from matching funds. The House did not include this funding.

⁴ Changes the funding source from the strategic investment and improvements fund to the federal Coronavirus Capital Projects Fund to provide a total of \$7.9 million for deferred maintenance and capital projects. The Senate and the House provided \$7.5 million from the strategic investment and improvements fund.

⁵ Changes the funding source from the strategic investment and improvements fund to the federal Coronavirus Capital Projects Fund for the International Peace Garden capital projects. The Senate and the House provided \$3 million from the strategic investment and improvements fund.

This amendment also:

- Conveys ownership of the Lewis and Clark Interpretive Center and surrounding real property to the State Historical Society. The section exempts the conveyance from North Dakota Century Code Sections 54-01-05.2 and 54-01-05.5 relating to the sale of state-owned land and the preparation of an assessment of the property. The Senate version included this section, the House did not.
- Creates a parks matching grant program requiring dollar-for-dollar matching funds provided from nonstate sources, the same as the Senate version. The House did not include this section.
- Provides for a Legislative Management study of the parks matching grant program and the feasibility and desirability of creating a parks and recreation foundation, the same as the Senate version. The House did not include this section.
- Removes a section providing for a \$100,000 transfer from the Department of Transportation for defraying expenses of the Lewis and Clark Interpretive Center, the same as the Senate version. The House included this section.

Engrossed HB 1019 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. SORVAAG MOVED that the conference committee report on Engrossed HB 1019 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1019, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

HB 1019: A BILL for an Act to provide an appropriation for defraying the expenses of the parks and recreation department; to provide for a transfer; to amend and reenact section 10 of chapter 44 of the 2019 Session Laws, relating to International Peace Garden capital projects; to repeal section 12 of chapter 44 of the 2019 Session Laws, relating to International Peace Garden capital projects; to provide for the conveyance of real property; to provide for a legislative management study; to provide for application; to provide for an exemption; to provide for a report; 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 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

NAYS: Heitkamp; Larsen, D.; Larsen, O.

Engrossed HB 1019, as amended, passed and the emergency clause was declared carried.

MOTION

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

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tempore Luick presiding.

CONSIDERATION OF VETOED MEASURE

HB 1298: AN ACT to create and enact a new section to chapter 14-02.4 of the North Dakota Century Code, relating to participation in athletic events exclusively for males or females; and to provide for a legislative management study.

ROLL CALL

The question being on the final passage of the enrolled bill, over the Governor's veto, which has been read, the roll was called and there were 28 YEAS, 19 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Burckhard; Clemens; Conley; Dwyer; Elkin; Erbele; Fors; Heitkamp; Hogue; Kannianen; Klein; Larsen, D.; Larsen, O.; Larson, D.; Lemm; Luick; Meyer; Myrdal; Patten; Roers, J.; Rust; Schaible; Vedaa; Wanzek; Wardner; Weber; Wobbema

NAYS: Bakke; Bekkedahl; Bell; Davison; Dever; Heckaman; Hogan; Holmberg; Krebsbach; Kreun; Lee; Marcellais; Mathern; Oban; Oehlke; Piepkorn; Poolman; Roers, K.; Sorvaag

The Senate sustained the Governor's veto of HB 1298, as enrolled.

CONSIDERATION OF VETOED MEASURE

HB 1323: AN ACT to create and enact a new section to chapter 23-07 of the North Dakota Century Code, relating to limitations on mask wearing requirements.

ROLL CALL

The question being on the final passage of the enrolled bill, over the Governor's veto, which has been read, the roll was called and there were 32 YEAS, 15 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heitkamp; Hogue; Holmberg; Kannianen; Klein; Larsen, D.; Larsen, O.; Larson, D.; Lemm; Luick; Meyer; Myrdal; Patten; Poolman; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

NAYS: Anderson; Bakke; Bekkedahl; Heckaman; Hogan; Krebsbach; Kreun; Lee; Marcellais; Mathern; Oban; Oehlke; Piepkorn; Roers, J.; Roers, K.

The Senate overrode the Governor's veto of HB 1323, as enrolled.

REPORT OF CONFERENCE COMMITTEE

SB 2002, as engrossed: Your conference committee (Sens. Hogue, Dever, Heckaman and Reps. Bellew, Kempenich, Brandenburg) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1149-1153, adopt amendments as follows, and place SB 2002 on the Seventh order:

That the House recede from its amendments as printed on pages 1149-1153 of the Senate Journal and pages 1365-1369 of the House Journal and that Engrossed Senate Bill No. 2002 be amended as follows:

Page 1, line 3, remove the first "and"

Page 1, line 3, replace the second "and" with a comma

Page 1, line 3, after "50-09-02.1" insert "and section 50-25.1-11.1, as amended in section 2 of Senate Bill No. 2131, as approved by the sixty-seventh legislative assembly,"

Page 1, line 5, remove "and"

Page 1, line 5, after "judges" insert ", and criminal history record checks for children's advocacy centers"

Page 1, replace lines 17 through 23 with:

"Salaries and wages	\$11,338,720	(\$135,814)	\$11,202,906
Operating expenses	2,705,762	(355,668)	2,350,094
Guardianship monitoring program	<u>283,042</u>	<u>3,055</u>	<u>286,097</u>
Total all funds	\$14,327,524	(\$488,427)	\$13,839,097
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
Total general fund	\$14,327,524	(\$488,427)	\$13,839,097"

Page 2, replace lines 4 through 10 with:

"Salaries and wages	\$73,242,268	\$2,853,541	\$76,095,809
Operating expenses	20,396,902	(449,529)	19,947,373
Capital assets	0	2,000,000	2,000,000
Judges' retirement	<u>280,332</u>	<u>(143,086)</u>	<u>137,246</u>
Total all funds	\$93,919,502	\$4,260,926	\$98,180,428
Less estimated income	<u>1,659,596</u>	<u>(902,633)</u>	<u>756,963</u>
Total general fund	\$92,259,906	\$5,163,559	\$97,423,465"

Page 2, replace lines 15 through 19 with:

"Judicial conduct commission and disciplinary board	<u>\$1,250,962</u>	<u>\$66,519</u>	<u>\$1,317,481</u>
Total all funds	\$1,250,962	\$66,519	\$1,317,481
Less estimated income	<u>482,701</u>	<u>19,799</u>	<u>502,500</u>
Total general fund	\$768,261	\$46,720	\$814,981"

Page 2, replace lines 24 through 27 with:

"Grand total general fund	\$107,355,691	\$4,721,852	\$112,077,543
Grand total special funds	<u>2,142,297</u>	<u>(882,834)</u>	<u>1,259,463</u>
Grand total all funds	\$109,497,988	\$3,839,018	\$113,337,006
Full-time equivalent positions	363.00	(1.00)	362.00"

Page 3, replace lines 2 through 5 with:

"Juvenile case management system		\$0	\$2,000,000"
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Page 3, replace line 9 with:

"Total all funds		\$1,117,352	\$2,000,000"
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Page 3, replace line 11 with:

"Total general fund		\$147,352	\$2,000,000"
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Page 7, line 21, remove "one hundred sixty-six thousand six hundred"

Page 7, line 22, replace "sixty-two" with "one hundred sixty-five thousand eight hundred forty-five"

Page 7, line 23, replace "one hundred sixty-nine thousand nine hundred ninety-five" with "one hundred sixty-nine thousand one hundred sixty-two"

Page 7, line 25, replace "four thousand seven hundred thirteen" with "four thousand six hundred ninety"

Page 7, line 26, remove "four thousand eight"

Page 7, line 27, replace "hundred seven" with "four thousand seven hundred eighty-four"

Page 8, line 3, remove "one hundred fifty-two thousand nine hundred"

Page 8, line 4, replace "twenty-five" with "one hundred fifty-two thousand one hundred seventy-five"

Page 8, line 5, replace "one hundred fifty-five thousand nine hundred eighty-four" with "one hundred fifty-five thousand two hundred nineteen"

Page 8, line 10, replace "four thousand three hundred forty-five" with "four thousand three hundred twenty-four"

Page 8, line 11, replace "four thousand four hundred thirty-two" with "four thousand four hundred ten"

Page 8, after line 25, insert:

"SECTION 13. AMENDMENT. Section 50-25.1-11.1 of the North Dakota Century Code, as amended in section 2 of Senate Bill No. 2131, as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

50-25.1-11.1. Children's advocacy centers - Confidentiality of records - Criminal history record checks.

1. Records and digital media in the possession of a children's advocacy center relating to a forensic medical examination, forensic interview, or therapy are confidential and may be released only to a person other than a law enforcement agency, the department or the department's authorized agent, or a medical or mental health professional when the child comes before the medical or mental health professional in that person's professional capacity, upon service of a subpoena signed by a judge.
2. ~~Upon receipt of a request by a children's advocacy center, the~~The department may submit a request for a criminal history record check under section 12-60-24. ~~Under this subsection, a children's advocacy center may require the following individuals to submit to a criminal history record check:~~
 - a. ~~An on an~~ employee, final applicant for employment, contractor, multidisciplinary team member, or volunteer; of a children's advocacy center who has contact with a child at or through a children's advocacy center; ~~and~~
 - b. ~~An individual a children's advocacy center determines requires a~~ criminal history record check to participate in services at a center."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2002 - Summary of Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Supreme Court						
Total all funds	\$14,327,524	\$15,905,355	(\$2,066,258)	\$13,839,097	\$15,839,097	(\$2,000,000)
Less estimated income	0	0	0	0	0	0
General fund	\$14,327,524	\$15,905,355	(\$2,066,258)	\$13,839,097	\$15,839,097	(\$2,000,000)

FTE	43.50	43.50	0.00	43.50	43.50	0.00
District Courts						
Total all funds	\$93,919,502	\$100,771,191	(\$2,590,763)	\$98,180,428	\$95,820,799	\$2,359,629
Less estimated income	1,659,596	1,691,910	(934,947)	756,963	756,963	0
General fund	\$92,259,906	\$99,079,281	(\$1,655,816)	\$97,423,465	\$95,063,836	\$2,359,629
FTE	315.00	313.50	0.50	314.00	315.00	(1.00)
Judicial Conduct Commission						
Total all funds	\$1,250,962	\$1,320,197	(\$2,716)	\$1,317,481	\$1,317,481	\$0
Less estimated income	482,701	502,500	0	502,500	502,500	0
General fund	\$768,261	\$817,697	(\$2,716)	\$814,981	\$814,981	\$0
FTE	4.50	4.50	0.00	4.50	4.50	0.00
Department of Corrections and Rehab.						
Total all funds	\$0	\$0	\$0	\$0	\$0	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Bill total						
Total all funds	\$109,497,988	\$117,996,743	(\$4,659,737)	\$113,337,006	\$112,977,377	\$359,629
Less estimated income	2,142,297	2,194,410	(934,947)	1,259,463	1,259,463	0
General fund	\$107,355,691	\$115,802,333	(\$3,724,790)	\$112,077,543	\$111,717,914	\$359,629
FTE	363.00	361.50	0.50	362.00	363.00	(1.00)

Senate Bill No. 2002 - Supreme Court - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$11,338,720	\$11,236,107	(\$33,201)	\$11,202,906	\$11,202,906	
Operating expenses	2,705,762	2,350,094		2,350,094	2,350,094	
Capital assets		2,032,000	(2,032,000)		2,000,000	(\$2,000,000)
Guardianship monitoring program	283,042	287,154	(1,057)	286,097	286,097	
Total all funds	\$14,327,524	\$15,905,355	(\$2,066,258)	\$13,839,097	\$15,839,097	(\$2,000,000)
Less estimated income	0	0	0	0	0	0
General fund	\$14,327,524	\$15,905,355	(\$2,066,258)	\$13,839,097	\$15,839,097	(\$2,000,000)
FTE	43.50	43.50	0.00	43.50	43.50	0.00

Department 181 - Supreme Court - Detail of Conference Committee Changes

	Adjusts Funding for Salary Increases ¹	Removes One-Time Funding ²	Total Conference Committee Changes
Salaries and wages	(\$33,201)		(\$33,201)
Operating expenses			
Capital assets		(\$2,032,000)	(2,032,000)
Guardianship monitoring program	(1,057)		(1,057)
Total all funds	(\$34,258)	(\$2,032,000)	(\$2,066,258)
Less estimated income	0	0	0
General fund	(\$34,258)	(\$2,032,000)	(\$2,066,258)
FTE	0.00	0.00	0.00

¹ 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 same as the House version. 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.

² One-time funding from the general fund is removed as follows:

General Fund	
Zoom remote video equipment (same as House version)	(\$32,000)
Docket management system (the House and Senate versions included this funding)	(2,000,000)
Total	(\$2,032,000)

Senate Bill No. 2002 - District Courts - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$73,242,268	\$77,153,703	(\$1,057,894)	\$76,095,809	\$76,196,548	(\$100,739)
Operating expenses	20,396,902	21,152,242	(1,204,869)	19,947,373	19,487,005	460,368
Capital assets		2,328,000	(328,000)	2,000,000		2,000,000
Judges' retirement	280,332	137,246		137,246	137,246	
Total all funds	\$93,919,502	\$100,771,191	(\$2,590,763)	\$98,180,428	\$95,820,799	\$2,359,629
Less estimated income	1,659,596	1,691,910	(934,947)	756,963	756,963	0
General fund	\$92,259,906	\$99,079,281	(\$1,655,816)	\$97,423,465	\$95,063,836	\$2,359,629
FTE	315.00	313.50	0.50	314.00	315.00	(1.00)

Department 182 - District Courts - Detail of Conference Committee Changes

	Adjusts Funding for Salary Increases ¹	Adjusts Funding for the Transfer of Child Support Services ²	Removes Funding for a Veterans' Treatment Court ³	Reduces Funding for Juvenile Intensive In-Home Services ⁴	Removes Funding for Youth Cultural Achievement Programs ⁵	Adjusts Funding for Information Technology Equipment ⁶
Salaries and wages	(\$166,969)	(\$790,186)	(\$100,739)			
Operating expenses		(144,761)	(44,508)	(\$200,000)	(\$455,000)	(\$203,000)
Capital assets						
Judges' retirement						
Total all funds	(\$166,969)	(\$934,947)	(\$145,247)	(\$200,000)	(\$455,000)	(\$203,000)
Less estimated income	0	(934,947)	0	0	0	0
General fund	(\$166,969)	\$0	(\$145,247)	(\$200,000)	(\$455,000)	(\$203,000)
FTE	0.00	0.50	0.00	0.00	0.00	0.00

	Removes One-Time Funding ²	Total Conference Committee Changes
Salaries and wages		(\$1,057,894)
Operating expenses	(\$157,600)	(1,204,869)
Capital assets	(328,000)	(328,000)
Judges' retirement		
Total all funds	(\$485,600)	(\$2,590,763)
Less estimated income	0	(934,947)
General fund	(\$485,600)	(\$1,655,816)
FTE	0.00	0.50

¹ 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 same as the House version. 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.

² Funding of \$934,947 from federal funds is removed to reflect the transfer of certain child support duties to the Department of Human Services, the same as the House version. This amendment also restores a 0.5 FTE position removed by the Senate for child support duties. The House version restored 1.5 FTE positions removed by the Senate.

³ Funding of \$145,247 from the general fund added by the Senate and included in the House version for a veterans' treatment court is removed by the Conference Committee.

⁴ Funding of \$200,000 from the general fund for juvenile intensive in-home services is removed to provide a total of \$300,000 from the general fund for juvenile intensive in-home services. The Senate version included \$500,000 for juvenile intensive in-home services and the House version included \$0 for the services.

⁵ Funding of \$455,000 from the general fund for youth cultural achievement programs is removed, the same as the House version.

⁶ Funding to lease information technology equipment is reduced by \$203,000, to provide for a total increase from the base budget of \$912,008 from the general fund to lease information technology equipment. The Senate version provided \$1,115,008 from the general fund and

the House version provided \$707,132 from the general fund to lease information technology equipment.

⁷ One-time funding from the general fund removed by the House is also removed by the Conference Committee as follows:

	General Fund
Zoom remote video equipment	(\$328,000)
Wi-Fi access points	(157,600)
Total	(\$485,600)

The Conference Committee included \$2 million for a new juvenile case management system which was added by the Senate, but removed by the House.

Senate Bill No. 2002 - Judicial Conduct Commission - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Judicial Conduct Commission	\$1,250,962	\$1,320,197	(\$2,716)	\$1,317,481	\$1,317,481	
Total all funds	\$1,250,962	\$1,320,197	(\$2,716)	\$1,317,481	\$1,317,481	\$0
Less estimated income	482,701	502,500	0	502,500	502,500	0
General fund	\$768,261	\$817,697	(\$2,716)	\$814,981	\$814,981	\$0
FTE	4.50	4.50	0.00	4.50	4.50	0.00

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

	Adjusts Funding for Salary Increases ¹	Total Conference Committee Changes
Judicial Conduct Commission	(\$2,716)	(\$2,716)
Total all funds	(\$2,716)	(\$2,716)
Less estimated income	0	0
General fund	(\$2,716)	(\$2,716)
FTE	0.00	0.00

¹ 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 same as the House version. 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.

Senate Bill No. 2002 - Other Changes - Conference Committee Action

This amendment also:

- Amends North Dakota Century Code Sections 27-02-02 and 27-05-03 to increase the salaries of Supreme Court justices and district court judges by 1.5 percent beginning July 1, 2021, and by 2 percent beginning July 1, 2022.
- Amends Section 50-25.1-11.1, as amended in Section 2 of Senate Bill No. 2131, as approved by the 67th Legislative Assembly, relating to criminal history record checks for children's advocacy centers.

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. HOGUE MOVED that the conference committee report on Engrossed SB 2002 be adopted, which motion prevailed on a voice vote.

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

SECOND READING OF SENATE BILL

SB 2002: A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to amend and reenact sections 14-08.1-08, 14-09-08.1, 14-09-08.2,

14-09-09.29, 14-09-26, 27-02-02, 27-05-03, subsection 2 of section 50-09-02.1, and section 50-25.1-11.1 as amended in section 2 of Senate Bill No. 2131, as approved by the sixty-seventh legislative assembly, of the North Dakota Century Code, relating to clerk of court responsibilities regarding child support, salaries of justices of the supreme court, salaries of district court judges, and criminal history record checks for children's advocacy centers; to provide for a report; to provide a statement of legislative intent; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Reengrossed SB 2002 passed.

REPORT OF CONFERENCE COMMITTEE

SB 2043: Your conference committee (Sens. Vedaa, Meyer, Marcellais and Reps. Steiner, Louser, B. Koppelman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1220, adopt amendments as follows, and place SB 2043 on the Seventh order:

That the House recede from its amendments as printed on page 1220 of the Senate Journal and pages 1285 and 1286 of the House Journal and that Senate Bill No. 2043 be amended as follows:

Page 1, line 1, after "reenact" insert "subsection 1 of section 39-03.1-09 and"

Page 1, line 2, after "by" insert "members and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 1 of section 39-03.1-09 of the North Dakota Century Code is amended and reenacted as follows:

1. Every member, except as provided in section 39-03.1-07, shall contribute into the fund ten and thirty-hundredths percent of the member's monthly salary, which sum must be deducted from the member's salary and credited to the member's account in the fund. Member contributions increase by one percent of the member's monthly salary beginning with the monthly reporting period of January 2012; with an additional increase of one percent, beginning with the monthly reporting period of January 2013; ~~and~~ with an additional increase of one percent, beginning with the monthly reporting period of January 2014; with an additional increase of one-half of one percent, beginning with the monthly reporting period of January 2022; with an additional increase of one-half of one percent, beginning with the monthly reporting period of January 2023; with an additional increase of one-half of one percent, beginning with the monthly reporting period of January 2024; and with an additional increase of one-half of one percent, beginning with the monthly reporting period of January 2025."

Page 1, line 13, replace "two" with "one-half of one"

Page 1, line 13, remove "and"

Page 1, line 14, replace "two" with "one-half of one"

Page 1, line 14, after "2023" insert "; with an additional increase of one-half of one percent, beginning with the monthly reporting period of January 2024; and with an additional increase of one-half of one percent, beginning with the monthly reporting period of January 2025"

Renumber accordingly

SB 2043 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. VEDAA MOVED that the conference committee report on SB 2043 be adopted, which motion prevailed on a voice vote.

SB 2043, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2043: A BILL for an Act to amend and reenact subsection 1 of section 39-03.1-09 and section 39-03.1-10 of the North Dakota Century Code, relating to contributions to the highway patrolmen's retirement system by members and the state.

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; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

Engrossed SB 2043 passed.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1015.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2018 and SB 2139, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2018: Sens. Bekkedahl; Holmberg; Heckaman

SB 2139: Sens. Burckhard; Bell; Oban

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2245, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2245: Sens. Krebsbach; Davison; Rust

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2002, SB 2043.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1027.

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

MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2016.

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

MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1019.

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

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

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1027.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1035, HB 1465.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2019, SB 2144, SB 2247, SB 2319.

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

MR. PRESIDENT: The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1019.

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

MR. PRESIDENT: The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2015.

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

MR. PRESIDENT: The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2016.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently failed to pass: HB 1279.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2015, SB 2019, SB 2144, SB 2247, SB 2319.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1020.

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

MR. PRESIDENT: The Speaker has signed: SB 2003, SB 2013, SB 2026, SB 2074, SB 2089, SB 2212, SB 2244, SB 2271, SB 2304, SB 2311, SB 2332, SCR 4014, SCR 4016.

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

MR. SPEAKER: The President has signed: SB 2003, SB 2013, SB 2026, SB 2074, SB 2089, SB 2212, SB 2244, SB 2271, SB 2304, SB 2311, SB 2332.

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

MR. SPEAKER: The President has signed: SCR 4014, SCR 4016.

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

MR. SPEAKER: The President has signed: HB 1020.

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

MR. PRESIDENT: The Speaker has signed: HB 1017, HB 1032, HB 1162, HB 1164, HB 1183, HB 1247, HB 1418, HB 1475, HB 1493.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 22, 2021: SB 2003, SB 2013, SB 2026, SB 2074, SB 2089, SB 2212, SB 2244, SB 2271, SB 2304, SB 2311, SB 2332.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 21, 2021, I have signed the following: SB 2041, SB 2077, SB 2130, SB 2137, SB 2168, SB 2202, SB 2208, SB 2217, SB 2248, SB 2293, and SB 2338.

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

MR. PRESIDENT: The House has overridden the Governor's veto on HB 1298. The vote was 68 YEAS, 25 NAYS, 1 ABSENT AND NOT VOTING, and your favorable consideration is requested.

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

MR. PRESIDENT: The House has overridden the Governor's veto on HB 1323. The vote was 66 YEAS, 27 NAYS, 1 ABSENT AND NOT VOTING, and your favorable consideration is requested.

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

MR. PRESIDENT: The House has sustained the Governor's veto on HB 1378. The vote was 32 YEAS, 61 NAYS, 1 ABSENT AND NOT VOTING.

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

MR. SPEAKER: The Senate has overridden the Governor's veto on HB 1323. The vote was 32 YEAS, 15 NAYS, 0 ABSENT AND NOT VOTING.

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

MR. SPEAKER: The Senate has sustained the Governor's veto on HB 1298. The vote was 28 YEAS, 19 NAYS, 0 ABSENT AND NOT VOTING.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for filing on April 22, 2021: SCR 4014, SCR 4016.

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Friday, April 23, 2021, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SB 2006, as engrossed: Your conference committee (Sens. Bekkedahl, Holmberg, Davison and Reps. Kempenich, Meier, Mock) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1363-1365, adopt amendments as follows, and place SB 2006 on the Seventh order:

That the House recede from its amendments as printed on pages 1363-1365 of the Senate Journal and pages 1468-1470 of the House Journal and that Engrossed Senate Bill No. 2006 be amended as follows:

Page 1, line 2, remove "to provide for a report;"

Page 1, replace line 12 with:

"Salaries and wages	\$1,526,328	\$72,982	\$1,599,310"
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Page 1, replace lines 14 through 16 with:

"Grants	<u>25,800,000</u>	<u>1,750,000</u>	<u>27,550,000</u>
Total all funds	\$29,331,082	\$1,885,905	\$31,216,987
Less estimated income	<u>28,831,082</u>	<u>1,910,905</u>	<u>30,741,987"</u>

Page 1, line 19, remove "EFFECT ON BASE BUDGET - REPORT TO THE"

Page 1, line 20, remove "SIXTY-EIGHTH LEGISLATIVE ASSEMBLY"

Page 1 line 21, remove "and the"

Page 1 line 22, remove "2021-23 one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 2 and 3 with:

"Airport grants	<u>\$20,000,000</u>	<u>\$0</u>
Total special funds	<u>\$20,000,000</u>	<u>\$0"</u>

Page 2, remove lines 4 through 7

Page 2, remove lines 15 through 17

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2006 - Summary of Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
University System						
Total all funds	\$0	\$0	\$0	\$0	\$5,000,000	(\$5,000,000)
Less estimated income	0	0	0	0	5,000,000	(5,000,000)
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Aeronautics Commission						
Total all funds	\$29,331,082	\$36,220,647	(\$5,003,660)	\$31,216,987	\$31,216,987	\$0
Less estimated income	<u>28,831,082</u>	<u>35,745,647</u>	<u>(5,003,660)</u>	<u>30,741,987</u>	<u>30,741,987</u>	<u>0</u>
General fund	<u>\$500,000</u>	<u>\$475,000</u>	<u>\$0</u>	<u>\$475,000</u>	<u>\$475,000</u>	<u>\$0</u>
FTE	7.00	7.00	0.00	7.00	7.00	0.00
Bill total						
Total all funds	\$29,331,082	\$36,220,647	(\$5,003,660)	\$31,216,987	\$36,216,987	(\$5,000,000)
Less estimated income	<u>28,831,082</u>	<u>35,745,647</u>	<u>(5,003,660)</u>	<u>30,741,987</u>	<u>35,741,987</u>	<u>(5,000,000)</u>
General fund	<u>\$500,000</u>	<u>\$475,000</u>	<u>\$0</u>	<u>\$475,000</u>	<u>\$475,000</u>	<u>\$0</u>
FTE	7.00	7.00	0.00	7.00	7.00	0.00

Senate Bill No. 2006 - Aeronautics Commission - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$1,526,328	\$1,602,970	(\$3,660)	\$1,599,310	\$1,599,310	
Operating expenses	2,004,754	2,067,677		2,067,677	2,067,677	
Grants	<u>25,800,000</u>	<u>32,550,000</u>	<u>(5,000,000)</u>	<u>27,550,000</u>	<u>27,550,000</u>	
Total all funds	\$29,331,082	\$36,220,647	(\$5,003,660)	\$31,216,987	\$31,216,987	\$0
Less estimated income	<u>28,831,082</u>	<u>35,745,647</u>	<u>(5,003,660)</u>	<u>30,741,987</u>	<u>30,741,987</u>	<u>0</u>
General fund	<u>\$500,000</u>	<u>\$475,000</u>	<u>\$0</u>	<u>\$475,000</u>	<u>\$475,000</u>	<u>\$0</u>
FTE	7.00	7.00	0.00	7.00	7.00	0.00

Department 412 - Aeronautics Commission - Detail of Conference Committee Changes

	Adds Funding for Salary and Benefit Increases ¹	Removes One-Time Funding for Airport Grants ²	Total Conference Committee Changes
Salaries and wages	(\$3,660)		(\$3,660)
Operating expenses			
Grants		(\$5,000,000)	(5,000,000)
Total all funds	(\$3,660)	(\$5,000,000)	(\$5,003,660)
Less estimated income	<u>(3,660)</u>	<u>(5,000,000)</u>	<u>(5,003,660)</u>
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FTE	0.00	0.00	0.00

¹ 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 same as the House. 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.

² Funding of \$5 million from the strategic investment and improvements fund added by the Senate for airport grants is removed. The House also removed the funding, but provided \$5 million from federal funds to the University System office for the UND apron at the Grand Forks airport. The Conference Committee did not include the \$5 million from federal funds to the University System office.

Engrossed SB 2006 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2008, as engrossed: Your conference committee (Sens. Krebsbach, Rust, Mathern and Reps. Meier, Bellew, Brandenburg) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1153-1154, adopt amendments as follows, and place SB 2008 on the Seventh order:

That the House recede from its amendments as printed on pages 1153 and 1154 of the Senate Journal and pages 1370 and 1371 of the House Journal and that Engrossed Senate Bill No. 2008 be amended as follows:

Page 1, line 2, after institutions insert a semicolon

Page 1, line 2, replace "for a transfer" with "an exemption"

Page 1, replace line 11 with:

"Salaries and wages	\$7,022,655	\$392,443	\$7,415,098"
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Page 1, replace line 14 with:

"Total special funds	\$8,684,567	\$421,940	\$9,106,507"
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Page 2, line 1, after the first "institutions" insert "during the biennium beginning July 1, 2021, and ending June 30, 2023"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2008 - Department of Financial Institutions - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$7,022,655	\$7,436,406	(\$21,308)	\$7,415,098	\$7,415,098	
Operating expenses	1,641,912	1,671,409		1,671,409	1,671,409	
Contingency	20,000	20,000		20,000	20,000	
Total all funds	\$8,684,567	\$9,127,815	(\$21,308)	\$9,106,507	\$9,106,507	\$0
Less estimated income	8,684,567	9,127,815	(21,308)	9,106,507	9,106,507	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	31.00	31.00	0.00	31.00	31.00	0.00

Department 413 - Department of Financial Institutions - Detail of Conference Committee Changes

	Adds Funding for Salary Increases ¹	Total Conference Committee Changes
Salaries and wages	(\$21,308)	(\$21,308)
Operating expenses		
Contingency		
<hr/>		
Total all funds	(\$21,308)	(\$21,308)
Less estimated income	(21,308)	(21,308)
General fund	\$0	\$0
<hr/>		
FTE	0.00	0.00

¹ 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 same as the House. 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.

This amendment also authorizes the Department of Financial Institutions to transfer appropriation authority between line items without Emergency Commission approval for the 2021-23 biennium. The Senate included the line item transfer authority without specifying the biennium, but the House removed the line item transfer authority. Engrossed SB 2008 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1024, as engrossed: Your conference committee (Sens. Hogue, Rust, Davison and Reps. Howe, Mock, Meier) recommends that the **HOUSE ACCEDE** to the Senate amendments and place HB 1024 on the Seventh order.

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

REPORT OF CONFERENCE COMMITTEE

HB 1035, as engrossed: Your conference committee (Sens. Larson, Hogue, Bakke and Reps. Meier, Bellew, Kempenich) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1459-1460, adopt amendments as follows, and place HB 1035 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1459 and 1460 of the House Journal and pages 1171 and 1172 of the Senate Journal and that Engrossed House Bill No. 1035 be amended as follows:

Page 1, line 19, after the second semicolon insert "to provide an appropriation; to provide a legislative management report;"

Page 77, line 22, replace "27-02.3-15" with "27-20.3-15"

Page 90, line 23, after "all" insert "less"

Page 92, line 28, remove "in subdivision c"

Page 94, line 10, after "determination" insert "for intellectual or developmental disabilities program management services and a level of care assessment"

Page 94, line 11, remove "of the eligibility determination"

Page 94, line 11, after "court" insert "upon completion. The department of human services shall provide status updates to the court"

Page 94, line 14, after "a" insert "serious and persistent"

Page 94, line 14, replace "health disorder" with "illness"

Page 94, line 15, replace "mental health hospital placement prescreening" with "diagnostic assessment that includes a recommendation for necessary level of care"

Page 94, line 16, replace "twenty-four" with "forty-eight"

Page 94, line 16, replace "and" with ". The person conducting the diagnostic assessment shall file"

Page 94, line 16, remove "must be filed"

Page 124, after line 14, insert:

"SECTION 46. APPROPRIATION - LEGISLATIVE MANAGEMENT REPORT - LEGAL COUNSEL SERVICES FOR JUVENILES. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$325,000, or so much of the sum as may be necessary, to the commission on legal counsel for indigents for the purpose of providing legal counsel for juveniles, for the biennium beginning July 1, 2021, and ending June 30, 2023. During the 2021-22 interim, the commission on legal counsel for indigents shall report to the legislative management by July 1, 2022, regarding:

1. Actual costs incurred to date and expected costs to be incurred for the 2021-23 biennium to provide legal counsel and related services to indigent juveniles;
2. Actual costs incurred to date and expected costs to be incurred for the 2021-23 biennium to provide legal counsel and related services to nonindigent juveniles; and
3. Any amounts collected from those financially able to pay all or part of the cost of providing legal counsel and related services for juveniles."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1035 - Comm. on Legal Counsel for Indigents - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Comm. on Legal Counsel for Indigents			\$325,000	\$325,000	\$450,000	(\$125,000)
Total all funds	\$0	\$0	\$325,000	\$325,000	\$450,000	(\$125,000)
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$325,000	\$325,000	\$450,000	(\$125,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 188 - Comm. on Legal Counsel for Indigents - Detail of Conference Committee Changes

	Adds Funding for Legal Counsel for Juveniles ¹	Total Conference Committee Changes
Comm. on Legal Counsel for Indigents	\$325,000	\$325,000
Total all funds	\$325,000	\$325,000
Less estimated income	0	0
General fund	\$325,000	\$325,000
FTE	0.00	0.00

¹ Funding of \$325,000 from the general fund is added for the Commission on Legal Counsel for Indigents to provide legal counsel for juveniles. The House did not provide funding for this purpose. The Senate provided \$450,000 from the general fund. The Conference Committee amendments require the Commission on Legal Counsel for Indigents to provide a report to the Legislative Management by July 1, 2022, regarding costs to provide legal counsel and

related services to juveniles.

Engrossed HB 1035 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1465, as engrossed: Your conference committee (Sens. Anderson, Lee, Hogan and Reps. Westlind, Beltz, Devlin) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1513, adopt amendments as follows, and place HB 1465 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1513 and 1514 of the House Journal and pages 1256 and 1257 of the Senate Journal and that Engrossed House Bill No. 1465 be amended as follows:

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 health insurance networks.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - HEALTH INSURANCE NETWORKS.

1. During the 2021-22 interim, the legislative management shall consider studying health insurance networks, including narrow networks. The study must include:
 - a. Consideration of the use and regulation of broad and narrow networks in the state by individuals and employers, the sales and marketing of broad and narrow networks, opportunities for consumer choice-of-provider, and premium differentials among states with choice-of-provider laws;
 - b. A review of legislative and court history regarding the impact of choice-of-provider laws on exclusive provider organizations and preferred provider organizations and how choice-of-provider laws apply to risk-pooled health plans regulated by the federal Employee Retirement Income Security Act of 1974;
 - c. The impact of the consolidation of the health care market on consumer cash prices, insurance plan deductibles and premiums prices, and consumer options;
 - d. A comparison of health maintenance organizations provider network designs and other health insurer provider network designs;
 - e. A review of how vertical integrated networks utilize HMO plans; and
 - f. A comparison of premiums of health benefit plans offered in the individual and small group markets in relation to the provider network design associated with those plans along with the growth of value-based purchasing.
2. The legislative management shall report its finding and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

Engrossed HB 1465 was placed on the Seventh order of business on the calendar.

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

Shanda Morgan, Secretary