

JOURNAL OF THE HOUSE**Sixty-eighth Legislative Assembly**

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Bismarck, March 30, 2023

The House convened at 1:00 p.m., with Speaker D. Johnson presiding.

The prayer was offered by Chaplain George Crawley, Lincoln Police Department, Crisis Care Chaplaincy, Lincoln.

The roll was called and all members were present except Representatives Hoverson, McLeod, and J. Olson.

A quorum was declared by the Speaker.

POINT OF PERSONAL PRIVILEGE

REP. ROHR rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE ROHR

MR. SPEAKER: Mr. Speaker and members of the Assembly -

It is my honor to introduce Rebekah Peterson. Rebekah Peterson is the 2022-2023 North Dakota High School Rodeo Queen and a native of New Leipzig ND. She is the daughter of Darren and Summer Joy Peterson and a resident of District 31. She has two younger siblings, TC and Savannah. She and her family live on a ranch along the Cedar River where they raise Red Angus/Charolais cattle, bison, goats, and horses.

Rebekah competes in barrel racing, pole bending, team roping, and her favorite, cattle cutting. She is active in 4-H, Trap and Skeet Club, Branded Youth Group, and runs a home bakery specializing in pies. She can be found on horseback daily and is excited to study with Ken McNabb Horsemanship after high school! In her free time, she enjoys refinishing furniture.

As the North Dakota High School Rodeo Association Queen, Rebekah wants to get more kids involved in the sport of rodeo. She believes a rodeo queen is first a cowgirl who should be an example of hard work, responsibility, and integrity. While it may be easy to follow the crowd, treating people kindly, and having faith in God and yourself is important. Rebekah's message is simple..... "Ride by Faith!"

Please join me in welcoming the North Dakota High School Rodeo Association Queen, Rebekah Peterson, to the chamber.

REQUEST

REP. BOSCH REQUESTED that the remarks of Rep. Rohr be printed in the Journal, which request was granted.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Reps. Marvin Nelson and Tracy Boe

POINT OF PERSONAL PRIVILEGE

REP. NELSON rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE NELSON

MR. SPEAKER: Mr. Delouya is currently Consul General at the Consulate General of Canada in Minneapolis. From 2009 to 2012, he served as Ambassador of Canada to the Republic of Tunisia. He also served as Minister-Counsellor for Congressional and Legal Affairs at the Embassy of Canada to the United States, in Washington, D.C. (2002-2006) and was posted to Ankara, Turkiye from 1987 to 1989.

In Ottawa, Mr. Delouya has held several positions, including Departmental spokesperson with the Media Relations Office and Deputy Director of the International Economic Relations

and Summits Division, where he was responsible for G7 summits. From 1998 to 2002, Mr. Delouya was on secondment to the Privy Council Office, first as foreign policy advisor in the Foreign and Defense Policy Secretariat from 1998 to 2000, and then as Chief of Staff to the Clerk of the Privy Council from 2000 to 2002. From 2006 to 2009, he worked as Director of the Policy Research Division at Global Affairs Headquarters, as Executive Director for Mission Inspections from 2012 to 2014, and as Director General of the Engaging Canadians Bureau from 2014 to 2018.

Mr. Speaker:

MOTION

REP. BOSCH MOVED that a party of two be appointed to escort Consul General Ariel Delouya to the podium, which motion prevailed.

THE SPEAKER APPOINTS Rep. Dobervich and Rep. Monson to the Escort Committee.

REMARKS OF ARIEL DELOUYA Canada Consul General

MR. SPEAKER AND HONOURABLE STATE REPRESENTATIVES.

THANK YOU FOR INVITING ME TO ADDRESS THIS CHAMBER AND YOU, THE REPRESENTATIVES OF THE PEOPLE OF THE GREAT STATE OF NORTH DAKOTA. IT IS TRULY AN HONOUR.

YOUR GRACIOUS INVITATION IS A TESTAMENT TO THE WARMTH AND IMPORTANCE OF THE RELATIONSHIP BETWEEN CANADA AND NORTH DAKOTA, AND THE BROADER RELATIONSHIP BETWEEN CANADA AND THE UNITED STATES, WHICH IS LIKE NO OTHER IN CONTEMPORARY INTERNATIONAL RELATIONS.

AS A CANADIAN, AND AS YOUR GUEST IN THIS GREAT STATE WITH ITS DEEP HISTORY, IT IS IMPORTANT TO PAUSE AND RECOGNIZE THE ORIGINAL STEWARDS OF THESE LANDS, THE INDIGENOUS INHABITANTS OF NORTH AMERICA. CANADA IS COMMITTED TO THE ONGOING PROCESS OF RECONCILIATION WITH INDIGENOUS PEOPLES.

IN THAT SPIRIT, I WANT TO HONOUR THE DAKOTA AND ANISHINAABE PEOPLE – AND IN PARTICULAR, THE FIVE FEDERALLY RECOGNIZED TRIBES LOCATED WITHIN NORTH DAKOTA: THE SISSETON WAHPETON OYATE; SPIRIT LAKE NATION; STANDING ROCK SIOUX TRIBE; MANDAN, HIDATSA, AND ARIKARA NATION; AND TURTLE MOUNTAIN BAND OF CHIPPEWA. WE THANK THEM FOR CONTINUING TO STEWARD THE LANDS AND WATERS OF OUR COMMON HOME.

DISTINGUISHED STATE REPRESENTATIVES.

I HAVE THE HONOUR AND PRIVILEGE OF SERVING AS CONSUL GENERAL OF CANADA IN MINNEAPOLIS, AND AS MY GOVERNMENT'S TOP DIPLOMATIC REPRESENTATIVE IN THE U.S. UPPER MIDWEST STATES OF NORTH DAKOTA, MINNESOTA, IOWA, NEBRASKA, AND SOUTH DAKOTA.

AFTER MORE THAN FOUR YEARS IN THIS DEEPLY FULFILLING AND SATISFYING ASSIGNMENT, MY TIME REPRESENTING CANADA IN THIS PART OF THE WORLD – A PART OF THE WORLD THAT IS BOTH LITERALLY AND FIGURATIVELY CLOSE TO CANADA AND CANADIANS, IS COMING TO AN END.

OVER THE COURSE OF NEARLY 37 YEARS, I HAVE HAD THE ENORMOUS GOOD FORTUNE OF SERVING MY COUNTRY ALL ACROSS THE GLOBE. FROM TURKEY TO WASHINGTON, DC, AND PRIOR TO THIS POSTING, AS AMBASSADOR TO TUNISIA, I'VE REPRESENTED CANADA, CONDUCTING MY COUNTRY'S DIPLOMATIC RELATIONS AND WORKING HARD:

TO CONNECT CANADA AND CANADIANS WITH ELECTED OFFICIALS AND MEMBERS OF THE PUBLIC;

TO PROMOTE CANADIAN PRODUCTS, EXPERTISE AND BUSINESSES;

TO SERVE CANADIANS NEEDING ASSISTANCE;

AND PERHAPS MOST IMPORTANTLY, TO PROJECT CANADIAN VALUES.

I'VE WORKED IN AREAS OF THE WORLD WHERE THESE VALUES: PEACE; DEMOCRACY; FREEDOM; THE RULE OF LAW; HUMAN RIGHTS; EQUAL OPPORTUNITY; SECURITY; SUSTAINABILITY; AND ECONOMIC GROWTH AND PROSPERITY – ARE EITHER IGNORED, OR ACTIVELY SUPPRESSED BY AUTHORITIES.

WE SHARE THESE VALUES WITH THE UNITED STATES AND HER PEOPLE, AND HAVE DEFENDED AND PROMOTED THEM THROUGHOUT THE WORLD, BOTH IN TIMES OF WAR AND IN PEACE, FOR MORE THAN A CENTURY.

SO, I COME BEFORE YOU TODAY WITH A CLEAR-EYED APPRECIATION FOR ALL THAT WE IN NORTH AMERICA HAVE BUILT THROUGH HARD WORK, INGENUITY AND PERSEVERANCE, AND ENJOY TODAY.

LET NONE OF IT BE LOST ON US. WE ARE FORTUNATE TO HAVE EACH OTHER AS NEIGHBOURS. AND, AS PRESIDENT RONALD REAGAN ONCE SAID, WE ENJOY THE “DEEP, UNBENDING BONDS OF TRUST BETWEEN OLD AND DEVOTED FRIENDS.” THESE UNBREAKABLE TIES WERE REAFFIRMED JUST LAST WEEK IN OTTAWA DURING PRESIDENT BIDEN'S OFFICIAL VISIT, WHICH INCLUDED AN ADDRESS TO PARLIAMENT.

SO, WE HAVE MUCH FOR WHICH TO BE THANKFUL. AND, IF YOU'LL INDULGE A REQUEST BY A SOON-TO-BE-RETIRED DIPLOMAT, I'D ASK YOU, TODAY, TO ALSO BE PURPOSEFUL. CANADA AND THE UNITED STATES ENJOY A RELATIONSHIP BUILT ON TRUST, MUTUAL RESPECT, AND SHARED VALUES AND A COMMITMENT TO DEMOCRATIC PRINCIPLES.

THIS IS A BLESSING. BUT, IT'S NOT A GIVEN. IT TAKES WORK. IT TAKES PATIENCE. AND IT TAKES UNDERSTANDING.

NO TWO NATIONS DEPEND MORE ON EACH OTHER FOR THEIR MUTUAL PROSPERITY AND SECURITY THAN THE UNITED STATES AND CANADA. OUR NATIONS ARE UNITED BY OUR GEOGRAPHY, HISTORY, VALUES, ECONOMY, AND ENVIRONMENT. AND THROUGH OUR RESOLVE TO IMPROVE THE LIVES OF OUR CITIZENS.

THIS COOPERATION HAS RESULTED IN ONE OF THE RICHEST AND FREEST REGIONS IN THE WORLD.

STILL, WE MUST BE REALISTIC ABOUT THE WORLD TODAY; THE INTERCONNECTED GLOBAL ECONOMY THAT WE HELPED BUILD IS AT RISK. IT IS TIME FOR US TO STRENGTHEN OUR CONNECTION WITH EACH OTHER AS WE CONSIDER THIS NEW GLOBAL PARADIGM, AND ADDRESS THE GATHERING RISKS, AND THE GROWING THREAT TO OUR VALUES AND INTERESTS THAT WE FACE FROM GEOSTRATEGIC RIVALS.

THE BUILDING BLOCKS FOR A STRENGTHENED U.S.-CANADA RELATIONSHIP ARE ALREADY IN PLACE. WE HAVE OUR LONGSTANDING FOREIGN POLICY AND SECURITY COOPERATION, FREE AND FAIR TRADE UNDER THE UNITED STATES-MEXICO-CANADA TRADE AGREEMENT (USMCA), OUR COMMITMENT TO PROTECT OUR ENVIRONMENT, AND THE STABILITY THAT COMES FROM THE NORTH AMERICAN INTEGRATED ENERGY MARKET, SOMETHING THIS STATE KNOWS BETTER THAN MOST. MOST IMPORTANTLY, HOWEVER, THERE ARE THE DEEP AND CENTURIES-OLD PEOPLE-TO-PEOPLE CONNECTIONS THAT EXIST BETWEEN OUR COUNTRIES.

BUT IN THE FACE OF THE INCREASED FOREIGN INTERFERENCE FROM HOSTILE STATE ACTORS THAT I ALLUDED TO A FEW MOMENTS AGO, WE MUST GO FURTHER IN OUR COOPERATION. THIS MUST INCLUDE FRIEND-SHORING WITHIN THE NORTH AMERICAN MARKET, ENHANCED SECURITY PREPAREDNESS, AND A COMMITMENT TO VALUES-BASED PARTNERSHIPS WITH OUR COMMON ALLIES.

WE WILL SUCCEED OR FAIL TOGETHER IN THIS NEW WORLD. NOW IS NOT THE TIME FOR PROTECTIONIST POLICIES THAT WILL HARM JOBS, IMPEDE TRADE, INCREASE RED TAPE, BURDEN TAXPAYERS FURTHER OR LIMIT OUR ABILITY TO SUPPORT EACH OTHER WITH STRATEGIC GOODS IN THE FACE OF SUPPLY CHAIN BLOCKAGES.

DISAGREEMENTS ARE INEVITABLE IN A PARTNERSHIP AS LARGE AND COMPLEX AS OURS. BUT CANADA IS INVESTED IN THE SUCCESS OF THE UNITED STATES, AND WE'LL ALWAYS BE READY TO WORK TOWARDS SOLUTIONS.

AND I KNOW YOU ARE OF THE SAME MIND. I'VE SEEN YOUR WILLINGNESS TO STRENGTHEN THE NORTH-DAKOTA-CANADA RELATIONSHIP FIRSTHAND THESE LAST FOUR YEARS.

I'VE SEEN IT FROM THOSE OF YOU WHO ARE NORTH DAKOTA'S DELEGATES TO THE INTERNATIONAL LEGISLATORS FORUM, A PARTNERSHIP BETWEEN NORTH DAKOTA, MANITOBA, MINNESOTA, AND SOUTH DAKOTA.

I'VE SEEN IT FROM THOSE OF YOU WHO ARE PART OF THE MIDWEST-CANADA RELATIONS COMMITTEE OF THE COUNCIL OF STATE GOVERNMENTS MIDWESTERN LEGISLATIVE CONFERENCE.

I'VE SEEN IT FROM GOVERNOR BURGUM AND MEMBERS OF HIS ADMINISTRATION. THE GOVERNOR'S READINESS TO HELP YOUR MANITOBA AND SASKATCHEWAN NEIGHBOURS DURING THE PANDEMIC STANDS OUT AS A RECENT AND POWERFUL EXAMPLE.

NORTH DAKOTA IS NOT LACKING IN LEADERS WHO ARE WILLING TO REACH OUT. TO MEET YOUR CANADIAN COUNTERPARTS. TO LISTEN AND LEARN. TO FIND COMMON GROUND.

THAT'S TRUE LEADERSHIP. THAT'S HOW YOU MAKE A RELATIONSHIP WORK. IT'S HOW YOU MAKE A NEIGHBORHOOD THRIVE.

AND I CAN TELL YOU – CANADA APPRECIATES NORTH DAKOTA.

THE CANADA-NORTH DAKOTA RELATIONSHIP IS DEEP AND MUTUALLY BENEFICIAL.

CANADA IS, BY FAR AND WITHOUT A DOUBT, NORTH DAKOTA'S NUMBER ONE CUSTOMER. AND IT'S NOT EVEN CLOSE. IN FACT, NORTH DAKOTA SELLS MORE GOODS TO CANADA THAN TO THE REST OF THE WORLD.

YOU'RE WELCOME.

OUR GEOGRAPHY AS NEIGHBOURS AND OUR HISTORY AS PARTNERS MEAN THAT CANADA AND NORTH DAKOTA ARE CONNECTED IN NUMEROUS WAYS.

WE TRADE IN AGRICULTURE. WE TRADE IN ENERGY. AND, WE BUILD AND MAKE THINGS TOGETHER THROUGH INTEGRATED SUPPLY CHAINS.

WE PROTECT OUR SHARED ENVIRONMENT TOGETHER – WATER, AIR, AND LAND - AND ARE TAKING ACTION TO MITIGATE THE RISKS POSED BY CLIMATE CHANGE. AND WE SHARE A LONG, FRIENDLY BORDER – INDEED, THE LONGEST IN THE WORLD.

DURING HIS OFFICIAL VISIT TO CANADA JUST LAST WEEK AND IN HIS ADDRESS TO OUR PARLIAMENT IN OTTAWA, PRESIDENT BIDEN OBSERVED, AND I QUOTE, THAT "AMERICANS AND CANADIANS ARE TWO PEOPLE, TWO COUNTRIES, SHARING ONE HEART. NO TWO NATIONS ON EARTH ARE BOUND BY SUCH CLOSE TIES – FRIENDSHIP, FAMILY, COMMERCE, AND CULTURE".

AS WE LOOK AROUND THE GLOBE AND SEE EXAMPLE AFTER EXAMPLE OF NEIGHBOURING COUNTRIES IN CONFLICT, OR OUTHRIGHT WAR – THIS IS TRULY SOMETHING TO CELEBRATE.

THE WORLD RECENTLY MARKED A SOBER MILESTONE: THE ONE-YEAR ANNIVERSARY SINCE RUSSIA INVADED UKRAINE. AS ALLIES, CANADA AND THE UNITED STATES STAND TOGETHER IN RESPONDING TO THIS CRISIS, AS WE HAVE AS IN SO MANY OTHERS ACROSS THE GLOBE AND THROUGHOUT HISTORY.

OUR MANY MILITARY AND SECURITY PARTNERSHIPS UNITE US IN DEFENCE OF NORTH AMERICA, PROMOTE PEACE AND SECURITY INTERNATIONALLY, SECURE OUR HOMELANDS, AND DEFEND OUR DEMOCRATIC VALUES.

CANADIAN AND AMERICAN TROOPS FOUGHT TOGETHER IN WORLD WAR I, WORLD WAR II, IN THE KOREAN WAR, AND IN AFGHANISTAN.

WE THANK OUR BRAVE MEN AND WOMEN WHO WORK TOGETHER, EACH AND EVERY DAY, IN ALL CORNERS OF THE WORLD, TO KEEP US SAFE.

BECAUSE IT'S TRUE. FREEDOM IS NOT FREE. DEMOCRACY IS NOT A GIVEN.

WE ARE SO FORTUNATE HERE. SOMETIMES WE HAVE A TENDENCY TO TAKE OUR GOOD FORTUNE FOR GRANTED. TO TAKE OUR NEIGHBOR FOR GRANTED.

OVER NEARLY NINE YEARS WORKING AND LIVING IN THE UNITED STATES, I HAVE COME TO APPRECIATE THE CANADA-UNITED STATES RELATIONSHIP FOR WHAT IT IS: THE SINGLE GREATEST FRIENDSHIP AND PARTNERSHIP IN THE WORLD.

THANK YOU FOR INVITING ME TO BE WITH YOU TODAY IN THIS VERY SPECIAL PLACE. I WISH YOU GOD'S SPEED AND A SUCCESSFUL LEGISLATIVE SESSION DOING THE VITAL BUSINESS OF THE PEOPLE OF NORTH DAKOTA. AND I THANK YOU FOR BEING SUCH RELIABLE PARTNERS AND FRIENDS FOR CANADA.

MERCI BEAUCOUP. THANK YOU.

MOTION

REP. BOSCH MOVED that the remarks of Rep. Nelson and Consul General Ariel Delouya be printed in the Journal, which motion prevailed.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on March 28, 2023, I have signed the following: HB 1272.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on March 29, 2023, I have signed the following: HB 1076, HB 1145, HB 1181, HB 1189, HB 1246, HB 1286, HB 1338, HB 1393, and HB 1417.

VETO MEASURE

Pursuant to Article V, Section 9 of the North Dakota Constitution, I have vetoed House Bill 1475 and return it to the House.

House Bill 1475 increases the maximum speed limit on access-controlled, multilane interstate highways from 75 miles per hour (mph) to 80 mph unless otherwise permitted, restricted or required by conditions.

Increasing the maximum speed limit on interstate highways increases both the risk of speed-related crashes and the potential severity of such crashes. From 2017 to 2021, 178 people died in speed/aggressive driving-related crashes in North Dakota, and speeding or traveling too fast for conditions is a factor in approximately 30% to 40% of all fatal crashes in North Dakota each year. A study by the Insurance Institute of Highway Safety found that a 5 mph increase in the speed limit is associated with an 8.5% increase in fatality rates on interstate highways and freeways.

This increased risk runs counter to the goals of Vision Zero, North Dakota's multi-agency effort to eliminate fatalities and serious injuries caused by motor vehicle crashes. The 98 fatalities from motor vehicle crashes in North Dakota recorded in 2022 was the lowest annual total in 20 years, yet much work remains to improve seat belt usage in our state. In 2022, approximately 2 out of 3 fatalities were unbelted where seat belts were present in the vehicle.

Compared with secondary enforcement laws, primary seat belt laws have been associated with a 10% to 12% higher observed seat belt use rate, according to 2019 data from the National Highway Traffic Safety Administration.

A primary seat belt law is a reasonable and responsible means of mitigating the increased risk of a higher speed limit. In the absence of a primary seat belt law, I am unable to support the heightened risk of an increased speed limit on interstates.

For the reasons stated above, House Bill 1475 is vetoed.

MOTION

REP. BOSCH MOVED that HB 1475 be placed on the Eleventh order, which motion prevailed.

MOTION

REP. BOSCH MOVED that HB 1475, which is on the Eleventh order, be laid over two legislative days, which motion prevailed.

MOTION

REP. BOSCH MOVED that SB 2360, which is on the Sixth order, be laid over five legislative days, which motion prevailed.

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to Reengrossed SB 2107, SB 2161, SB 2205, Engrossed SB 2254, and Reengrossed SB 2380.

Reengrossed SB 2107, as amended, was rereferred to the **Appropriations Committee**.

SB 2161, SB 2205, Engrossed SB 2254, and Reengrossed SB 2380, as amended, were placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2362: A BILL for an Act to amend and reenact section 39-21-41.4 of the North Dakota Century Code, relating to safety belt usage; to repeal section 39-21-41.5 of the North Dakota Century Code, relating to secondary enforcement of safety belt requirements; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 53 YEAS, 38 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVille; Hager; Hagert; Hanson; Hatlestad; Heinert; Holle; Ista; Jonas; Kiefert; Klemin; Lefor; Longmuir; Martinson; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; O'Brien; Ostlie; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Stemen; Strinden; Swiontek; VanWinkle; Wagner; Warrey; Speaker Johnson, D.

NAYS: Bellew; Christensen; Dyk; Fisher; Frelich; Grueneich; Hauck; Headland; Heilman; Henderson; Johnson, J.; Karls; Kasper; Kempenich; Koppelman; Kreidt; Louser; Marschall; Meier; Motschenbacher; Novak; Olson, S.; Porter; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Schatz; Schobinger; Steiner; Thomas; Timmons; Toman; Tveit; Vetter; Vigesaa; Weisz

ABSENT AND NOT VOTING: Hoverson; McLeod; Olson, J.

SB 2362 passed.

MOTION

REP. KOPPELMAN MOVED that the House reconsider its action whereby SB 2124, as

amended, failed to pass, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILL

SB 2124: A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to meal reimbursement.

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 59 YEAS, 32 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Christy; Dockter; Dyk; Fegley; Fisher; Frelich; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Johnson, J.; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Mock; Monson; Motschenbacher; Murphy; Nathe; Novak; Olson, S.; Ostlie; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Steiner; Stemen; Swiontek; Thomas; VanWinkle; Vetter; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Finley-DeVille; Grueneich; Hager; Henderson; Holle; Ista; Jonas; Meier; Mitskog; Nelson; O'Brien; Porter; Prichard; Rios; Ruby, M.; Schauer; Schneider; Schobinger; Schreiber-Beck; Strinden; Timmons; Toman; Tveit; Vigesaa

ABSENT AND NOT VOTING: Hoverson; McLeod; Olson, J.

SB 2124, as amended, passed.

SECOND READING OF SENATE BILL

SB 2207: A BILL for an Act to create and enact a new subsection to section 43-07-07 of the North Dakota Century Code, relating to license fees and license renewal fees for nonprofit construction contractors; and to amend and reenact section 43-07-08 of the North Dakota Century Code, relating to contractor licensing exceptions.

ROLL CALL

The question being on the final passage of the 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: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Headland; Hoverson; McLeod; Olson, J.

Engrossed SB 2207 passed.

SECOND READING OF SENATE BILL

SB 2389: A BILL for an Act to provide for a legislative management study of the prior authorization process for health insurance.

ROLL CALL

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

recommendation of DO PASS, the roll was called and there were 88 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVile; Fisher; Frelich; Grueneich; Hager; Hager; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; VanWinkle; Vetter; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Prichard; Steiner; Timmons

ABSENT AND NOT VOTING: Hoverson; McLeod; Olson, J.

Engrossed SB 2389 passed.

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

MADAM PRESIDENT: The House has passed, and your favorable consideration is requested on: HCR 3035.

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

MADAM PRESIDENT: The House has passed, unchanged: SB 2052, SB 2269, SB 2291, SB 2378.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2104.

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

MADAM PRESIDENT: The House has amended and subsequently failed to pass: SB 2258.

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

MADAM PRESIDENT: The House has failed to pass, unchanged: SB 2128, SB 2251, SB 2351, SB 2354.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1095, HB 1111, HB 1165, HB 1205, HB 1265, HB 1368, HB 1413, HB 1455, HB 1511, HB 1536.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1095

Page 2, line 26, after "to" insert "eligible"

Page 2, line 26, after "enrollees" insert "who elect to participate in a comprehensive medication management program"

Page 2, line 30, after "provider" insert ", if applicable, and"

Page 3, line 2, remove "The enrollee had three or more hospital admissions in the preceding year."

Page 3, line 3, remove "c."

Page 3, line 4, replace "Congestive heart" with "Heart"

Page 3, line 9, replace "d." with "c."

Page 3, line 11, remove "; and"

- Page 3, line 12, remove "e. Additional criteria identified by the commissioner and adopted by rule"
- Page 3, line 17, after "carrier" insert "network's or health carrier's affiliate"
- Page 3, line 28, replace "medical" with "pharmacy"
- Page 4, line 3, remove "The health carrier shall audit quarterly at least twenty-five percent of provider"
- Page 4, remove lines 4 and 5
- Page 4, line 6, remove "c."
- Page 4, line 9, replace "d." with "c."
- Page 4, line 11, replace "e." with "d."
- Page 4, line 14, remove "Gender:"
- Page 4, line 15, remove "(3)"
- Page 4, line 16, replace "(4)" with "(3)"
- Page 4, line 17, replace "(5)" with "(4)"
- Page 4, line 18, replace "(6)" with "(5)"
- Page 4, line 24, after "recommendations" insert "for the implementation of comprehensive medication management and"
- Page 4, line 28, after the first underscored comma insert "provider directories."
- Page 4, line 28, remove "and"
- Page 4, line 28, after "requirements" insert ", billing standards, and potential cost-savings and cost increases to consumers"
- Page 5, line 10, after "An" insert "organization representing"
- Page 5, line 10, replace "nurse" with "nurses"
- Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1111

- Page 1, line 7, remove ", either directly through the"
- Page 1, line 8, remove "organization or indirectly through law or regulation"
- Page 1, line 8, replace "on" with "in"
- Page 1, line 8, after "state" insert "unless enacted through legislation or a signed executive order"
- Re-number accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1165

- Page 2, line 11, remove "23-01-02, 23-01-03,"
- Page 2, line 12, remove "state health council,"
- Page 78, line 1, remove "23-01-02, 23-01-03,"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1205

Page 1, line 9, remove "does not include works of art that, when taken as a"

Page 1, remove lines 10 through 13

Page 1, line 14, replace "computer video, or computer-generated image, showing" with "means any material which"

Page 1, line 15, replace "Human masturbation" with "Taken as a whole, appeals to the prurient interest of minors"

Page 1, line 16, replace "Deviant sexual intercourse" with "Is patently offensive to prevailing standards in the adult community in North Dakota as a whole with respect to what is suitable material for minors"

Page 1, line 16, after the underscored semicolon insert "and"

Page 1, line 17, remove "Sexual intercourse:"

Page 1, remove lines 18 through 21

Page 1, line 22, replace "(8) Sexual perversion" with "Taken as a whole, lacks serious literary, artistic, political, or scientific value for minors"

Page 2, line 1, remove "containing collections of books or periodicals for"

Page 2, remove line 2

Page 2, line 3, replace "derived from taxation" with "established under chapter 40-38"

Page 2, line 4, after "its" insert "children's collection"

Page 2, line 9, replace "and disposal" with "or relocation"

Page 2, line 9, replace "from" with "in"

Page 2, line 14, after "removal" insert "or relocation"

Page 2, line 17, after "material" insert "in the children's collection"

Page 2, line 19, remove "a policy and process for reviewing"

Page 2, line 20, replace "library collections" with "collection development and relocation of materials policies"

Page 2, line 22, after "any" insert "children's"

Page 2, line 22, remove "or library collection"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1265

Page 1, line 14, replace "life science" with "health"

Page 2, line 9, replace "science" with "health"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1368

Page 1, line 18, replace "For purposes of determining whether a company boycotts Israel, a" with "If the state receives evidence that a company boycotts Israel, the state shall determine whether the company boycotts Israel. If accompanied by the conduct described under subsection 1, a"

Page 1, line 19, replace the first "it" with "indicates the company"

Page 1, line 19, replace "boycotts" with "a boycott"

Page 1, line 19, remove "that it"

Page 1, line 19, remove the second "the"

Page 1, line 21, replace "can" with "may"

Page 1, line 21, replace the first "a" with "the"

Page 1, line 22, remove "when accompanied with the conduct described under subsection 1"

Page 1, line 23, after "activity" insert ", alone."

Page 2, line 16, remove "which has more than ten full-time employees"

Page 2, line 19, remove "Failure to comply with this subsection"

Page 2, line 20, replace "does not affect the enforceability of a contract" with "The office of management and budget or purchasing agency may waive the requirement in this subsection if the waiver is in the best interest of the state. A waiver under this subsection may not affect the enforceability of a contract"

Page 2, after line 20, insert:

3. If the state receives evidence that a company boycotts Israel, the state shall determine whether the company boycotts Israel. If accompanied by the conduct described under subsection 1, a company statement that indicates the company is participating in a boycott of Israel or has taken boycott action at the request, in compliance with, or in furtherance of calls for a boycott of Israel, may be considered as one type of evidence that the company is participating in a boycott of Israel. An expressive activity, alone, directed at a specific person or a governmental action may not be considered evidence of a boycott of Israel.

4. This section does not apply to:

- a. A contract with a value of less than one hundred thousand dollars; or
- b. A contract with a company that has fewer than ten full-time employees."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1413

Page 1, line 10, after "c." insert """Health benefit plan" has the same meaning as provided in section 26.1-36.3-01.

d."

Page 1, remove lines 13 and 14

Page 1, line 16, replace "policy" with "health benefit plan"

Page 1, line 17, replace "policy" with "health benefit plan"

Page 1, line 18, replace "policy" with "health benefit plan"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1455

Page 1, line 1, after "enact" insert "a new subdivision to subsection 3 of section 54-35-26,"

Page 1, line 1, after "57-39.2" insert a comma

Page 1, line 2, replace "4" with "3"

Page 1, line 2, after "to" insert "evaluation of economic development tax incentives and"

Page 1, line 3, after "for" insert "raw"

Page 1, line 3, after "materials" insert ", single-use product contact systems, and reagents"

Page 1, line 3, remove "in the research and development of bioscience and"

Page 1, remove line 4

Page 1, line 5, remove "products"

Page 1, line 5, replace "use in the health care industry" with "biologic manufacturing"

Page 1, after line 6, insert:

"SECTION 1. A new subdivision to subsection 3 of section 54-35-26 of the North Dakota Century Code is created and enacted as follows:

Sales and use tax exemption for raw materials, single-use product contact systems, and reagents used for biologic manufacturing."

Page 1, line 9, after "**for**" insert "**raw**"

Page 1, line 9, after "**materials**" insert "**, single-use product contact systems, and reagents**"

Page 1, line 9, remove "**in the research and development of** "

Page 1, remove line 10

Page 1, line 11, replace "**and biotechnology products used in the health care industry**" with "**for biologic manufacturing**"

Page 1, line 12, remove "tangible personal property purchased for use, storage, or"

Page 1, remove line 13

Page 1, line 14, remove "bioscience and biotechnology in the health care industry and"

Page 1, line 14, remove "or"

Page 1, line 15, replace "consumables purchased" with ", single-use product contact systems, and reagents used directly for discovery, testing, screening, and production"

Page 1, line 15, remove "use, storage, or consumption which are critical to"

Page 1, line 16, replace "the health care industry" with "this state are exempt from taxes under this chapter"

Page 1, line 17, remove "qualified biotechnology taxpayer"

Page 1, line 18, remove "or qualified bioscience"

Page 1, line 19, remove "tangible personal property."

Page 1, line 19, after the second underscored comma insert "single-use product contact systems."

Page 1, line 19, replace "consumables" with "reagents"

Page 1, line 20, remove "If a certificate is not received before the purchase, the qualified"

Page 1, remove lines 21 and 22

Page 1, line 23, remove "If the tangible personal property, raw materials, or consumables are purchased or"

Page 1, remove line 24

Page 2, remove lines 1 and 2

Page 2, line 3, remove "4."

Page 2, line 4, replace "includes" with "means"

Page 2, line 5, after the first "product" insert "discovery, development,"

Page 2, line 6, after "in-process" insert "products"

Page 2, line 6, remove "in the"

Page 2, line 7, replace "health care industry" with "which exclusively occurs within this state"

Page 2, line 8, remove """Bioscience" means the use of compositions, methods, and organisms in cellular"

Page 2, remove lines 9 through 11

Page 2, line 12, replace "microbiology" with """Single-use product contact systems" means tubing, capsule filters, ion exchange membrane chromatography devices, mixers, bioreactors, sterile fluid containment bags, connection devices, and sampling receptacles"

Page 2, remove lines 13 through 30

Page 3, replace lines 1 through 10 with:

"SECTION 3. A new subdivision to subsection 3 of section 57-40.2-03.3 of the North Dakota Century Code is created and enacted as follows:"

Page 3, line 11, replace "Tangible personal property, raw" with "Raw"

Page 3, line 11, replace "or consumables" with "single-use product contact systems, and reagents used for biologic manufacturing"

Page 3, line 12, replace "1" with "2"

Page 3, line 13, replace "This" with "Sections 2 and 3 of this"

Page 3, line 13, replace "is" with "are"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1511

Page 1, line 1, after "enact" insert "a new subdivision to subsection 3 of section 54-35-26,"

Page 1, line 3, after the first "to" insert "evaluation of economic development tax incentives,"

Page 1, line 4, after "feedstock" insert a comma

Page 1, after line 7, insert:

"SECTION 1. A new subdivision to subsection 3 of section 54-35-26 of the North Dakota Century Code is created and enacted as follows:

Sales and use tax exemption for materials used to construct or expand a coal processing facility that utilizes coal as a feedstock."

Page 2, line 16, replace "1" with "2"

Page 2, line 23, replace "1" with "2"

Page 3, line 10, replace "This" with "Sections 2, 3, and 4 of this"

Page 3, line 10, replace "is" with "are"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1536

Page 1, line 1, replace "a new subsection to section 27-20.3-19" with "sections 27-20.3-19.1, 27-20.3-19.2, 27-20.3-19.3, 27-20.3-19.4, and 27-20.3-19.5"

Page 1, line 2, after the first "to" insert "adopting a state"

Page 1, line 2, after "welfare" insert "act"

Page 1, line 2, after the semicolon insert "to amend and reenact section 27-20.3-19 of the North Dakota Century Code, relating to Indian child welfare;"

Page 1, replace lines 5 through 19 with:

"SECTION 1. AMENDMENT. Section 27-20.3-19 of the North Dakota Century Code is amended and reenacted as follows:

27-20.3-19. Indian child welfare - Active efforts and procedures.

1. As used in this section and sections 27-20.3-19.1 through 27-20.3-19.5:
 - a. "Act" means this section and sections 27-20.3-19.2 through 27-20.3-19.5.
 - b. "Active efforts" means affirmative, active, thorough, and timely efforts intended primarily to maintain or reunite an Indian child with the Indian child's family. ~~Active efforts required of the federal Indian Child Welfare Act of 1978 [25 U.S.C. 1901 through 1963] apply or may apply, including during the verification process.~~ If an agency is involved in the child-custody proceeding, active efforts must involve assisting ~~the parent or parents~~ a parent or Indian custodian ~~through~~ with the steps of a case plan ~~and with~~ including accessing or developing the resources necessary to satisfy the case plan. To the maximum extent possible, active efforts should be provided in a manner consistent with the prevailing social and cultural conditions and way of life of the Indian child's tribe and should be conducted in partnership with the Indian child and the Indian child's parents, extended family members, Indian custodians, and tribe. Active efforts are to be tailored to the facts and circumstances of the case. The term includes:
 - (1) Conducting a comprehensive assessment of the circumstances of the Indian child's family, with a focus on safe reunification as

the most desirable goal, with ongoing timely assessment to determine when the threat is resolved and placement of the Indian child can be returned to the custodian.

- (2) Identifying appropriate services and helping ~~the parents~~a parent or Indian custodian to overcome barriers, including actively assisting ~~the parents~~a parent or Indian custodian in obtaining such services.
- (3) Identifying, notifying, and inviting representatives of the Indian child's tribe to participate in providing support and services to the Indian child's family and in family team meetings, permanency planning, and resolution of placement issues.
- (4) Conducting or causing to be conducted a diligent search for the Indian child's extended family members, and contacting and consulting with extended family members to provide family structure and support for the Indian child and the Indian child's ~~parents~~parent or Indian custodian.
- (5) Offering and employing available and culturally appropriate family preservation strategies and facilitating the use of remedial and rehabilitative services provided by the Indian child's tribe.
- (6) Taking steps to keep siblings together, if possible.
- (7) Supporting regular visits with ~~parents~~a parent or Indian custodian in the most natural setting possible as well as ~~trial home~~ visits of the Indian child during any period of removal, consistent with the need to ensure the health, safety, and welfare of the Indian child.
- (8) Identifying community resources, including housing, financial, transportation, mental health, substance abuse, and peer support services and actively assisting the Indian child's ~~parents~~parent or Indian custodian or, as appropriate, the Indian child's family, in utilizing and accessing those resources.
- (9) Monitoring progress and participation in services.
- (10) Considering alternative ways to address the needs of the Indian child's ~~parents~~parent or Indian custodian and where appropriate, the family, if the optimum services do not exist or are not available.
- (11) Providing post-reunification services and monitoring.

b-c. "Adoptive placement" means the permanent placement of an Indian child for adoption.

d. "Extended family member" means a relationship defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, means an individual who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent.

e-e. "Foster care or non-foster care placement" means the removal of an Indian child from the home of his or her parent or Indian custodian for temporary placement in a foster home, qualified residential treatment program, residential care center for Indian children and youth, or certified shelter care facility, in the home of a relative other than a parent or Indian custodian, or in the home of a guardian, from which placement the parent or Indian custodian cannot have the

Indian child returned upon demand. The term does not include an adoptive placement, a preadoptive placement, or emergency change in placement under section 27-20.3-06 or holding an Indian child in custody.

- f. "Indian" means an individual who is a member of an Indian tribe, or who is a native and a member of a regional corporation as defined under 43 U.S.C. 1606.
- d-g. "Indian child" means any unmarried individual who is under the age of eighteen and is either a member of an Indian tribe or is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe.
- e-h. "Indian child custody proceeding" means a proceeding brought by the state involving:
- (1) Foster care or non-foster care placement;
 - (2) A preadoptive placement;
 - (3) An adoptive placement; or
 - (4) A termination of parental rights under section 27-20.3-20 for an Indian child.
- i. "Indian child's tribe" means the Indian tribe in which an Indian child is a member or eligible for membership or, in the case of an Indian child who is a member of or eligible for membership in more than one tribe, the Indian tribe with which the Indian child has the more significant contacts.
- f-j. "Indian custodian" means any Indian individual who has legal custody of an Indian child under tribal law or custom or under state law or to whom temporary physical care, custody, and control has been transferred by the parent of the Indian child.
- g-k. "Indian tribe" means an Indian tribe, band, nation, or other organized Indian group or community of Indians recognized as eligible for services provided to Indians by the United States secretary of the interior because of their status as Indians, including any Alaska native village as defined in 43 U.S.C. 1602(c).
- h-l. "Parent" means ~~any~~ any biological parent ~~or parents~~ of an Indian child or ~~any~~ any Indian individual who has lawfully adopted an Indian child, including adoptions under tribal law or custom. The term does not include the unwed father if paternity has not been acknowledged or established.
- i-m. "Preadoptive placement" means the temporary placement of an Indian child in a foster home, home of a relative other than a parent or Indian custodian, or home of a guardian after a termination of parental rights but before or in lieu of an adoptive placement, but does not include an emergency change in placement under section 27-20.3-06.
- n. "Termination of parental rights" means any action resulting in the termination of the parent-child relationship. It does not include a placement based upon an act by an Indian child which, if committed by an adult, would be deemed a crime or a placement upon award of custody to one of the Indian child's parents in a divorce proceeding.
2. Before removal of an Indian child from the custody of a parent or Indian custodian for purposes of involuntary foster care placement or the termination of parental rights over an Indian child, the court shall find that

active efforts have been made to provide remedial services and rehabilitative services designed to prevent the breakup of the Indian family and that these efforts have proved unsuccessful. The court may not order the removal unless evidence of active efforts shows there has been a vigorous and concerted level of casework beyond the level that would constitute reasonable efforts under section 27-20.3-26.

Reasonable efforts may not be construed to be active efforts. Active efforts must be made in a manner that takes into account the prevailing social and cultural values, conditions, and way of life of the Indian child's tribe. Active efforts must utilize the available resources of the Indian child's extended family, tribe, tribal and other relevant social service agencies, and individual Indian caregivers.

3. The court may order the removal of the Indian child for involuntary foster care placement only if the court determines, by clear and convincing evidence, that continued custody of the Indian child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the Indian child. Evidence must show a causal relationship between the particular conditions in the home and the likelihood that continued custody of the Indian child will result in serious emotional or physical damage to the particular Indian child who is the subject of the proceeding. Poverty, isolation, custodian age, crowded or inadequate housing, substance use, or nonconforming social behavior does not by itself constitute clear and convincing evidence of imminent serious emotional or physical damage to the Indian child. As soon as the threat has been removed and the Indian child is no longer at risk, the state should terminate the removal, by returning the Indian child to the parent while offering a solution to mitigate the situation that gave rise to the need for emergency removal and placement.
4. The court may only order the termination of parental rights over the Indian child only if the court determines, by evidence beyond a reasonable doubt that continued custody of the Indian child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the Indian child.
5. In considering whether to involuntarily place an Indian child in foster care or to terminate the parental rights of the parent of an Indian child, the court shall require that a qualified expert witness must be qualified to testify regarding whether the Indian child's continued custody by the parent or Indian custodian is likely to result in serious emotional or physical damage to the Indian child and should be qualified to testify as to the prevailing social and cultural standards of the Indian child's tribe. An individual may be designated by the Indian child's tribe as being qualified to testify to the prevailing social and cultural standards of the Indian child's tribe. If the parties stipulate in writing and the court is satisfied the stipulation is made knowingly, intelligently, and voluntarily, the court may accept a declaration or affidavit from a qualified expert witness in lieu of testimony. The court or any party may request the assistance of the Indian child's tribe or the bureau of Indian affairs office serving the Indian child's tribe in locating individuals qualified to serve as expert witnesses. The social worker regularly assigned to the Indian child may not serve as a qualified expert witness in child-custody proceedings concerning the Indian child. The qualified expert witness should be someone familiar with the particular Indian child and have contact with the ~~parents~~parent or Indian custodian to observe interaction between the ~~parents~~parent or Indian custodian, the Indian child, and extended family members. The child welfare agency and courts should facilitate access to the family and records to facilitate accurate testimony.
6. An emergency removal or placement of an Indian child under state law must terminate immediately when the removal or placement is no longer necessary to prevent imminent physical damage or harm to the Indian child.

7. To facilitate the intent of the act, the agency, in cooperation with the Indian child's tribe of affiliation, unless a parent objects, shall take steps to enroll the Indian child in the tribe with the goal of finalizing enrollment before termination.

SECTION 2. Section 27-20.3-19.1 of the North Dakota Century Code is created and enacted as follows:

27-20.3-19.1. Indian child welfare - Jurisdiction over custody proceedings.

1. The act includes requirements that apply if an Indian child is the subject of:
 - a. A child-custody proceeding, including:
 - (1) An involuntary proceeding; and
 - (2) A voluntary proceeding that could prohibit the parent or Indian custodian from regaining custody of the Indian child upon demand.
 - b. An emergency proceeding other than:
 - (1) A tribal court proceeding; or
 - (2) A proceeding regarding a delinquent act.
 - c. An award of custody of the Indian child to one of the parents, including an award in a divorce proceeding; or
 - d. A voluntary placement that either parent, both parents, or the Indian custodian has, of his or her or their free will, without a threat of removal by a state agency, chosen for the Indian child and that does not operate to prohibit the Indian child's parent or Indian custodian from regaining custody of the Indian child upon demand.
2. If a proceeding under subsection 1 concerns an Indian child, the act applies to that proceeding. In determining whether the act applies to a proceeding, the state court may not consider factors such as the participation of a parent or the Indian child in tribal cultural, social, religious, or political activities; the relationship between the Indian child and the Indian child's parent; whether the parent ever had custody of the Indian child; or the Indian child's blood quantum.
3. If the act applies at the commencement of a proceeding, the act does not cease to apply solely because the Indian child reaches age eighteen during the pendency of the proceeding.
4. In an Indian child custody proceeding under this chapter involving an Indian child who is not residing or domiciled within the reservation of the Indian child's tribe, the court assigned to exercise jurisdiction under this chapter, upon the petition of the Indian child's parent, Indian custodian, or tribe, shall transfer the proceeding to the jurisdiction of the tribe unless either of the following applies:
 - a. A parent of the Indian child objects to the transfer.
 - b. An Indian tribe has exclusive jurisdiction over an Indian child custody proceeding involving an Indian child who resides or is domiciled within the reservation of the tribe, except if that jurisdiction is otherwise vested in the state by federal law. If an Indian child is a ward of a tribal court, the Indian tribe retains exclusive jurisdiction regardless of the residence or domicile of the Indian child.

5. In an Indian child custody proceeding under this chapter involving an Indian child who is not residing or domiciled within the reservation of the Indian child's tribe, the court assigned to exercise jurisdiction under this chapter, upon the petition of the Indian child's parent, Indian custodian, or tribe, shall transfer the proceeding to the jurisdiction of the tribe unless any of the following apply:
 - a. A parent of the Indian child objects to the transfer.
 - b. The Indian child's tribe does not have a tribal court, or the tribal court of the Indian child's tribe declines jurisdiction.
 - c. The court determines good cause exists to deny the transfer. In determining whether good cause exists to deny the transfer, the court may not consider any perceived inadequacy of the tribal social services department or the tribal court of the Indian child's tribe. The court may determine good cause exists to deny the transfer only if the person opposing the transfer shows by clear and convincing evidence that the evidence or testimony necessary to decide the case cannot be presented in tribal court without undue hardship to the parties or the witnesses and that the tribal court is unable to mitigate the hardship by making arrangements to receive the evidence or testimony by use of telephone or live audiovisual means, by hearing the evidence or testimony at a location that is convenient to the parties and witnesses, or by use of other means permissible under the tribal court's rules of evidence.
6. An Indian child's tribe may intervene at any point in an Indian child custody proceeding.
7. The state shall give full faith and credit to the public acts, records, and judicial proceedings of an Indian tribe which are applicable to an Indian child custody proceeding to the same extent that the state gives full faith and credit to the public acts, records, and judicial proceedings of any other governmental entity.

SECTION 3. Section 27-20.3-19.2 of the North Dakota Century Code is created and enacted as follows:

27-20.3-19.2. Indian child welfare - Court proceedings.

1. In a proceeding involving the foster care or non-foster care placement of or termination of parental rights to an Indian child whom the court knows or has reason to know may be an Indian child, the party seeking the foster care or non-foster care placement or termination of parental rights, for the first hearing of the proceeding, shall notify the Indian child's parent, Indian custodian, and tribe, by registered mail, return receipt requested, of the pending proceeding and of the parties' right to intervene in the proceeding and shall file the return receipt with the court. Notice of subsequent hearings in a proceeding must be in writing and may be given by mail, personal delivery, facsimile transmission, or electronic mail. If the identity or location of the Indian child's parent, Indian custodian, or tribe cannot be determined, that notice shall be given to the United States secretary of the interior in like manner. The first hearing in the proceeding may not be held until at least ten days after receipt of the notice by the parent, Indian custodian, and tribe or at least fifteen days after receipt of the notice by the United States secretary of the interior. On request of the parent, Indian custodian, or tribe, the court shall grant a continuance of up to twenty additional days to enable the requester to prepare for that hearing.
2. Each party to a child custody proceeding of an Indian child has the right to examine all reports or other documents filed with the court upon which a decision with respect to the out-of-home care placement, termination of parental rights, or return of custody may be based.

SECTION 4. Section 27-20.3-19.3 of the North Dakota Century Code is created and enacted as follows:

27-20.3-19.3. Indian child welfare - Voluntary proceedings - Consent - Withdrawal.

1. A voluntary consent by a parent or Indian custodian to a foster care or non-foster care placement of an Indian child is not valid unless the consent or delegation is executed in writing, recorded before a judge, and accompanied by a written certification by the judge that the terms and consequences of the consent or delegation were fully explained in detail to and were fully understood by the parent or Indian custodian. The judge also shall certify the parent or Indian custodian fully understood the explanation in English or that the explanation was interpreted into a language the parent or Indian custodian understood. Any consent or delegation of powers given under this subsection before or within ten days after the birth of the Indian child is not valid. A parent or Indian custodian who has executed a consent or delegation of powers under this subsection may withdraw the consent or delegation for any reason at any time, and the Indian child must be returned to the parent or Indian custodian. A parent or Indian custodian who has executed a consent or delegation of powers under this subsection also may move to invalidate the out-of-home care placement.
2. A voluntary consent by a parent to a termination of parental rights under subdivision d of section 27-20.3-20 is not valid unless the consent is executed in writing, recorded before a judge, and accompanied by a written certification by the judge that the terms and consequences of the consent were fully explained in detail to and were fully understood by the parent. The judge also shall certify the parent fully understood the explanation in English or that the explanation was interpreted into a language that the parent understood. Consent given under this subsection before or within ten days after the birth of the Indian child is not valid. A parent who has executed a consent under this subsection may withdraw the consent for any reason at any time before the entry of a final order terminating parental rights, and the Indian child must be returned to the Indian child's parent.

SECTION 5. Section 27-20.3-19.4 of the North Dakota Century Code is created and enacted as follows:

27-20.3-19.4. Indian child welfare - Placements preferences.

1. Subject to subsections 3 and 4, in placing an Indian child for adoption or in delegating powers, as described in a lawful executed power of attorney regarding an Indian child, preference must be given, in the absence of good cause, as described in subsection 6, to the contrary, to a placement with or delegation to one of the following, in the order of preference listed:
 - a. An extended family member of the Indian child;
 - b. Another member of the Indian child's tribe;
 - c. Another Indian family with whom the Indian child has a relationship or an Indian family from a tribe that is culturally similar to or linguistically connected to the Indian child's tribe; or
 - d. The tribe's statutory adopted placement preferences.
2. An Indian child who is accepted for a foster care or non-foster care placement or a preadoptive placement must be placed in the least restrictive setting that most approximates a family that meets the Indian child's special needs, if any, and which is within reasonable proximity to the Indian child's home, taking into account those special needs. Subject

- to subsections 4 and 6, in placing an Indian child in a foster care or non-foster care placement or a preadoptive placement, preference must be given, in the absence of good cause, as described in subsection 6, to the contrary, to a placement in one of the following, in the order of preference listed:
- a. The home of an extended family member of the Indian child;
 - b. A foster home licensed, approved, or specified by the Indian child's tribe;
 - c. An Indian foster home licensed or approved by the department; or
 - d. A qualified residential treatment facility or residential care center for children and youth approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the needs of the Indian child.
3. An Indian child who is the subject of an emergency removal or placement under a child custody determination under section 27-20.3-06 must be placed in compliance with foster care or non-foster care placement or preadoptive placement preferences, unless the person responsible for determining the placement finds good cause, as described in subsection 6, for departing from the order of placement preference under subsection 2 or finds that emergency conditions necessitate departing from that order. When the reason for departing from that order is resolved, the Indian child must be placed in compliance with the order of placement preference under subsection 2.
4. In placing an Indian child under subsections 1 and 2 regarding an Indian child under subsection 1, if the Indian child's tribe has established, by resolution, an order of preference that is different from the order specified in subsection 1 or 2, the order of preference established by that tribe must be followed, in the absence of good cause, as described in subsection 6, to the contrary, so long as the placement under subsection 1 is appropriate for the Indian child's special needs, if any, and the placement under subsection 2 is the least restrictive setting appropriate for the Indian child's needs as specified in subsection 2.
5. The standards to be applied in meeting the placement preference requirements of this subsection must be the prevailing social and cultural standards of the Indian community in which the Indian child's parent, Indian custodian, or extended family members reside or with which the Indian child's parent, Indian custodian, or extended family members maintain social and cultural ties.
6. a. If a party asserts that good cause not to follow the placement preferences exists, the reasons for that belief or assertion must be stated orally on the record or provided in writing to the parties to the child-custody proceeding and the court.
- b. The party seeking departure from the placement preferences bears the burden of proving by clear and convincing evidence that there is good cause to depart from the placement preferences.
- c. A court's determination of good cause to depart from the placement preferences must be made on the record or in writing and must be based on one or more of the following considerations:
- (1) The request of the Indian child's parent, if they attest that they have reviewed the placement options, if any, that comply with the order of preference.
 - (2) The request of the Indian child, if the Indian child is of sufficient age and capacity to understand the decision being made.

- (3) The presence of a sibling attachment that can be maintained only through a particular placement.
 - (4) The extraordinary physical, mental, or emotional needs of the Indian child, such as specialized treatment services that may be unavailable in the community where families who meet the placement preferences live.
 - (5) The unavailability of a suitable placement after a determination by the court that a diligent search was conducted to find suitable placements meeting the preference criteria, but none has been located. For purposes of this analysis, the standards for determining whether a placement is unavailable must conform to the prevailing social and cultural standards of the Indian community in which the Indian child's parent, Indian custodian, or extended family resides or with which the Indian child's parent, Indian custodian, or extended family members maintain social and cultural ties.
- d. A placement may not depart from the preferences based on the socioeconomic status of any placement relative to another placement.
 - e. A placement may not depart from the preferences based solely on ordinary bonding or attachment that flowed from time spent in a nonpreferred placement that was made in violation of the act.
 - f. The burden of establishing good cause to depart from the order of placement preference is on the party requesting that departure.
7. The department or a child welfare agency shall maintain a record of each adoptive placement, foster care or non-foster care placement, preadoptive placement, and delegation of powers, made of an Indian child, evidencing the efforts made to comply with the placement preference requirements specified in this section, and shall make that record available at any time on the request of the United States secretary of the interior or the Indian child's tribe.

SECTION 6. Section 27-20.3-19.5 of the North Dakota Century Code is created and enacted as follows:

27-20.3-19.5. Adoptee information.

1. The state court entering a final adoption decree or order in any voluntary or involuntary Indian child adoptive placement must furnish a copy of the decree or order within thirty days to the Bureau of Indian Affairs, Chief, Division of Human Services, 1849 C Street NW, Mail Stop 3645 MIB, Washington, DC 20240, along with the following information, in an envelope marked "Confidential":
 - a. The birth name and birth date of the Indian child, and tribal affiliation and name of the Indian child after adoption;
 - b. The names and addresses of the biological parents;
 - c. The names and addresses of the adoptive parents;
 - d. The name and contact information for any agency having files or information relating to the adoption;
 - e. Any affidavit signed by the biological parent or parents requesting the parent's identity remain confidential; and
 - f. Any information relating to tribal membership or eligibility for tribal membership of the adopted Indian child.

2. The court shall give the birth parent of the Indian child the opportunity to file an affidavit indicating that the birth parent wishes the United States secretary of the interior to maintain the confidentiality of the birth parent's identity. If the birth parent files that affidavit, the court shall include the affidavit with the information provided to the United States secretary of the interior under subsection 1, and that secretary shall maintain the confidentiality of the birth parent's identity.

Page 1, line 20, after "**STUDY**" insert "- **INDIAN CHILD WELFARE**"

Page 1, line 21, remove "implications of codifying the Indian Child"

Page 1, line 22, replace "Welfare Act of 1978 [25 U.S.C. 1901 et seq.]" with "implementation of sections 27-20.3-19 through 27-20.3-19.5"

Page 1, line 22, remove "the Indian"

Page 1, line 23, replace "Child Welfare Act of 1978 [25 U.S.C. 1901 et seq.], section 27-20.3-19," with "federal statutes related to Indian child welfare,"

Page 1, line 23, replace "related" with "relevant"

ReNUMBER accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1457.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2183 and SB 2223.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: Your signature is respectfully requested on: HB 1140, HB 1318.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2065, SB 2076, SB 2113, SB 2183, SB 2221, SB 2223, SB 2289, SB 2363.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1140, HB 1318.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: HB 1136.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on March 30, 2023: HB 1136.

MOTION

REP. BOSCH MOVED that the absent members be excused, which motion prevailed.

MOTION

REP. BOSCH MOVED that the House be on the Fourth, Fifth, Ninth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, March 31, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2087: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). SB 2087 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2135: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2135 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2184, as engrossed: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2184 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 43-51 of the North Dakota Century Code, relating to uniform regulation of occupations and professions; and to amend and reenact section 54-10-27 of the North Dakota Century Code, relating to the duties of the state auditor.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 43-51 of the North Dakota Century Code is created and enacted as follows:

Uniform administration of boards.

1. As used in this section, the term "board" includes the state board of accountancy, state electrical board, North Dakota real estate appraiser qualifications and ethics board, state real estate commission, secretary of state with respect to contractor licensing, North Dakota board of medicine, and state board of dental examiners.
2. A board shall regulate the board's occupation or profession in the least restrictive manner appropriate to protect public health and safety. At the first regularly scheduled meeting of each calendar year, a board shall discuss this requirement and related plans to remove unnecessary restrictions and regulatory burdens. The board shall include the plan in the board's minutes.
3. A board shall develop a mission statement consistent with the board's obligation of protecting public health and safety. The board shall recite the mission statement at the beginning of each regularly scheduled board meeting.
4. A board shall follow processes to allow for efficient and accurate processing of licensing applications, including timely communication to an applicant to address issues or deficiencies.
 - a. A board may adopt rules to provide for issuance of a provisional or temporary license between board meetings for a routine application as determined by the board.
 - b. If a board does not defer routine application approval to staff or selected board members, the board shall convene at least monthly to ensure timely issuance of licenses. A board may adopt rules defining what is considered a routine application that may be approved by staff or selected board members.
5. A board may assist in providing education for a licensee or an individual interested in pursuing the regulated occupation or profession.
6. The governor shall appoint the members of a board as provided by law and may remove a member for cause, misconduct, incapacity, or neglect of duty. After expiration of a board member's term, the board member may continue to serve until the governor makes an appointment to fill the position.
7. A board shall set and maintain an annual budget and financial statements accounting for fees collected. The board shall maintain an appropriate reserve as determined by the board.

8. A board may contract for administrative and support services to assist in the operation of the board.
9. A board may contract with the information technology department and may obtain and purchase services through the information technology department, including electronic mail systems, website services, and cybersecurity services.
10. Unless otherwise specifically provided by law, a board member who has a direct and substantial personal or pecuniary interest in a matter before the board shall disclose the fact and may not participate in or vote on that matter without the consent of a majority of the board.
11. Annually, the attorney general shall conduct online or in-person training for new board members. The training must include information regarding open meetings and open records, lobbying, and conflicts of interests. During the first year of a board member's initial term, the board member shall attend the training and after the first year, the board member may attend the training. A board may offer additional orientation training to a new board member.

SECTION 2. 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.

1. 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. The state auditor may charge an occupational or professional board a fee not to exceed ninety dollars an hour for the costs of reviewing the audit report.
2. Instead of providing for an audit every two years, an occupational or professional board that has less than two ~~hundred thousand~~ million 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~~ 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 ~~eighty-six~~ ninety dollars an hour for the costs of reviewing the annual report.
3. If an audit report or annual report shows the amount of the unobligated and undesignated balance of a board's operating fund exceeds two hundred fifty thousand dollars, the report must include a statement from the board regarding the board's plans for handling this excess amount."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2185, as engrossed and amended: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO NOT PASS** (17 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2185, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2243, as engrossed: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2243 was placed on the Sixth order on the calendar.

Page 1, line 1, after the second comma insert "27-08.1-01,"

Page 1, line 3, after "park" insert ", small claims court jurisdiction,"

Page 1, line 11, remove "section 47-10-28 and"

Page 1, line 15, after the underscored period insert "The department may assess a civil penalty not exceeding five thousand dollars for each violation of this section thirty days after issuing a notice of noncompliance. The civil penalty may be assessed without notice and a hearing. The civil penalty must be awarded to the department and deposited into the department's general operating fund for use in regulating compliance with this chapter. A person subject to a civil penalty pursuant to an order issued under this section may request a hearing before the department if a written request is made within ten days after the receipt of the order. Upon receipt of a proper and timely request for a hearing, the department shall conduct an adjudicative proceeding under this section in accordance with chapter 28-32, unless otherwise provided for by law. If the department prevails in an adjudicative proceeding under this section, the department may assess the nonprevailing party for all adjudicative proceeding and hearing costs, including reasonable attorney's fees, investigation fees, and costs and expenses of the action."

Page 1, line 24, remove "A license for the operation of"

Page 2, remove lines 1 and 2

Page 2, after line 9, insert:

"SECTION 3. AMENDMENT. Section 27-08.1-01 of the North Dakota Century Code is amended and reenacted as follows:

27-08.1-01. Small claims court - Jurisdictional limits - Venue.

1. All judges of the district courts may exercise the jurisdiction conferred by this chapter, and while sitting in the exercise of that jurisdiction must be known and referred to as the "small claims court". The jurisdiction of this court is confined to cases for recovery of money, a tenant's claim for civil damages under subsection 9 of section 47-10-28, or the cancellation of any agreement involving material fraud, deception, misrepresentation, or false promise, when the value of the agreement or the amount claimed by the plaintiff or the defendant does not exceed fifteen thousand dollars.
2. The proceedings in this court must be commenced:
 - a. If the defendant is a corporation, limited liability company, or a partnership, in any county in which the defendant has a place of business or in any county in which the subject matter of the claim occurred.
 - b. If the claim is for collection of a check written without sufficient funds or without an account, in the county where the check was passed, or in the county of the defendant's residence or place of business.
 - c. If the defendant is an individual and the claim is for collection of an open account on which credit has been extended:
 - (1) In the county of the defendant's residence or place of business; or
 - (2) If the amount of the claim is less than one thousand dollars and is not from a telephone or mail order transaction, in the county

where the transaction occurred or in the county of the defendant's residence or place of business.

- d. If the defendant is an individual and the claim is not made under subdivision b or c, in the county of the defendant's residence.
 - e. If the defendant is an individual and the claim arose as the result of the defendant's lease of real property or as the result of a dispute over disposition of earnest money or other money deposit arising from a contract to purchase real property, in the county where the real property is located unless the plaintiff and the defendant consent in writing to a proceeding in a different county.
 - f. If the plaintiff is a political subdivision and the claim is for a public utility debt, in the county in which the political subdivision is located.
 - g. If the claim is for civil damages under subsection 9 of section 47-10-28, in the county in which the mobile home park is located.
3. Except for an action under subdivision c, e, ~~or f~~, or g of subsection 2, the defendant may elect to remove the action to a small claims court in the defendant's county of residence. A claim may not be filed by an assignee of that claim. A garnishment or attachment may not issue from this court until after judgment is entered."

Page 4, line 30, overstrike "exceeding"

Page 4, line 30, after "~~one~~" insert "less than two thousand five hundred dollars but not exceeding the greater of"

Page 4, line 30, overstrike ", whichever is"

Page 4, line 30, remove "greater"

Page 4, line 31, overstrike "reasonable" and insert immediately thereafter "actual"

Page 4, after the period insert:

"10."

Page 4, line 31, after "license" insert ", issued under chapter 23-10."

Page 5, line 1, replace "as provided in section 23-10-12" with "by the district court of the county where the mobile home park is situated for a violation of this section"

Page 5, line 1, remove "If a landlord's license is suspended the rental"

Page 5, line 2, replace "obligations of the park tenants are suspended until the license is reinstated" with "The holder of the mobile home park license must be assessed a civil penalty for each day the holder's license remains suspended. The amount of the daily penalty is equal to half of the total rent listed on the rent roll for the mobile home park divided by the number of days in that month. The license holder must prove each violation has been remedied and has satisfied all civil penalties assessed before the license holder's license may be reinstated. The district court has discretion over the terms to be satisfied before a license is reinstated. If a license holder fails to comply with the terms of the district court's order, the district court may revoke the holder's license. All park tenants must be allowed to continue to reside in the mobile home park through the duration of the license suspension, unless the department of health and human services takes further disciplinary action against the license under chapter 23-10. During the period of suspension, the license holder or the license holder's agent may not modify the park rules or regulations, modify any tenant's rental arrangement, increase any tenant's rental rate, or terminate any tenant's lease without cause"

Page 5, line 3, replace "10. Notwithstanding section 23-10-02, in" with:

"11. In"

Page 5, line 5, after "dispute" insert "relating to the suspension of a license. For the recovery of civil damages under subsection 9, the tenant may elect to commence the action in small claims court or district court. If an action between a landlord and tenant is commenced, the tenant shall continue paying rent and comply with all park rules and regulations in effect at the time the action was commenced. During a pending action under this section, the license holder or the license holder's agent may not modify the park rules or regulations, modify the tenant's rental arrangement, increase a tenant's monthly rental rate, or terminate a tenant's lease without cause"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2249, as engrossed: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2249 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and"

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

Page 1, line 16, replace "shall prepare and request" with "may recommend"

Page 2, line 7, replace "shall prepare and request" with "may recommend"

Page 2, after line 10, insert:

"SECTION 4. EMERGENCY. This Act is declared to be an emergency measure."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2253, as engrossed: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2253 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2276, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2276 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to a cross-disability advisory council; and to repeal section 50-06-32 of the North Dakota Century Code, relating to the autism spectrum disorder task force.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 50-06 of the North Dakota Century Code is created and enacted as follows:

Cross-disability advisory council - Appointment - Duties.

1. The cross-disability advisory council shall participate with and provide feedback to the department regarding the implementation, planning, and design of the cross-disability children's waiver, level of care reform for the comprehensive developmental disabilities Medicaid home and community-based waiver, and a service option that will allow payment to a legally responsible individual who provides extraordinary care to an eligible individual through the Medicaid 1915(c) waivers. This subsection

- does not apply to the Medicaid 1915(c) waiver for home and community-based services, aged and disabled.
2. The department shall contract with a qualified, independent third party to facilitate and provide support services to the council. The contracted facilitator shall appoint the cross-disability advisory council members in accordance with subsection 3 and establish the length of member terms and the structure of the cross-disability advisory council. A representative from the contracted facilitator shall serve as the presiding officer of the advisory council.
 3. The cross-disability advisory council consists of up to fifteen voting members. A majority of the members of the council must be family members of individuals with a disability, or must be individuals with a disability, who receive Medicaid home and community-based services. The remaining members of the council must be appointed based on their professional subject matter expertise in or knowledge of the needs and interests of individuals with disabilities. The council's membership must represent different regions of the state and a broad range of disabilities that pertain to the Medicaid home and community-based services. Upon request of the department, state agency representatives shall participate with the cross-disability advisory council in a nonvoting role.
 4. The cross-disability advisory council shall meet at least quarterly and may appoint subcommittees to address specific topics or disabilities, which may include autism, traumatic brain injury, and fetal alcohol spectrum disorder. A majority of the voting members of the council constitutes a quorum.
 5. The cross-disability advisory council shall:
 - a. Discuss strategies to address gaps or needs regarding individuals with disabilities and Medicaid home and community-based services, including eligibility of legally responsible individuals;
 - b. Provide for the active participation of stakeholders, including consumers and providers; and
 - c. Receive information from the department and its consultants.
 6. The cross-disability advisory council members, excluding the contracted facilitator, are entitled to reimbursement from the department for travel and lodging at the same rate as provided for state officers and employees.

SECTION 2. REPEAL. Section 50-06-32 of the North Dakota Century Code is repealed."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2284, as reengrossed: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2284 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15.1-06 and a new section to chapter 15.1-32 of the North Dakota Century Code, relating to school purchases of gifts or gratuities and permitting private tutors on public school premises; to"

Page 1, line 1, replace "section 15.1-01-01" with "sections 15.1-01-03, 15.1-07-25.4, and 15.1-07-26"

Page 1, line 2, replace the first "subsection" with "subsections 2 and"

Page 1, line 3, replace the first "section" with "sections"

Page 1, line 3, after "15.1-27-04.1" insert ", 15.1-36-02, and 15.1-36-04"

Page 1, line 4, after "members" insert ", virtual learning, a policy to revert a reorganized school district back to separate districts, school district enrollment"

Page 1, line 5, after "teacher"" insert ", a school district's policy governing possession of a weapon"

Page 1, line 5, after the third quotation mark insert "dangerous"

Page 1, line 6, after "maximums" insert ", loans from the coal development trust fund, evidences of indebtedness"

Page 1, line 7, after "a" insert "legislative management"

Page 1, line 7, after "report" insert "; to provide for a teacher shortage and military families task force"

Page 1, line 8, remove "and"

Page 1, line 8, after "date" insert "; and to declare an emergency"

Page 1, remove lines 10 through 23

Page 2, remove lines 1 through 31

Page 3, replace lines 1 through 5 with:

"SECTION 1. AMENDMENT. Section 15.1-01-03 of the North Dakota Century Code is amended and reenacted as follows:

15.1-01-03. State board of public school education - Powers and duties.

1. The state board of public school education shall:
 - a. Assist county committees in carrying out their duties.
 - b. Provide county committees with clerical assistance, plans of procedure, standards, data, maps, forms, and other materials, information, and services.
 - c. Appoint members to the county committee, if the county superintendent does not fulfill this duty, as provided for in section 15.1-10-01.
 - d. Provide oversight for regional education associations as required by chapter 15.1-09.1.
 - e. Establish and certify a North Dakota learning continuum to allow a district-approved, mastery framework policy to award units required under sections 15.1-21-01 and 15.1-21-02 and to waive unit instructional time requirements under section 15.1-21-03, upon the recommendation of the kindergarten through grade twelve education coordination council.
 - f. Develop a policy and procedures for a school district formed by the reorganization process under chapter 15.1-12 to revert to individual school districts. For a reorganized school district to be eligible for the reversion process, the reorganized school district must have been formed by school districts located in two or more communities, including a rural community, and may not have been formed by

school districts that were located in the same city. The board shall develop the policy and procedures on or before January 1, 2024.

2. The state board of public school education may adopt rules in accordance with chapter 28-32.

SECTION 2. A new section to chapter 15.1-06 of the North Dakota Century Code is created and enacted as follows:

Purchase of gifts or gratuities - Gift fund.

1. A public school or school district may create a gift fund. The gift fund may not include state funds.
2. A public school or school district may use funds from the gift fund to purchase an item as a gift or gratuity for an individual, including a school district employee, an individual who speaks or performs at a school function, or a guest on the school premises.
3. For purposes of this section, "gift" includes:
 - a. A beverage, food item, or refreshment;
 - b. For parent-teacher conferences, beverages, food items, or refreshments, costing no more than twenty-five dollars per teacher;
 - c. A catered meal costing no more than fifty dollars per meal;
 - d. Pens, notepads, or other promotional materials;
 - e. An item of cultural significance, including a quilt, basket, beadwork, sage, or quillwork;
 - f. An award or incentive, as approved by the superintendent of public instruction or the superintendent's designee; and
 - g. Any other item of de minimis value.

SECTION 3. AMENDMENT. Section 15.1-07-25.4 of the North Dakota Century Code is amended and reenacted as follows:

15.1-07-25.4. Virtual learning - School district policy - Report to legislative management and legislative assembly.

The board of a school district or governing board of a nonpublic school that operates a physical school plant may adopt a policy to allow students to engage in virtual instruction and in the case of a school district, qualify for average daily membership in the district. The superintendent of public instruction shall adopt rules governing policies under this section. A policy adopted by a school district under this section must comply with the rules adopted by the superintendent of public instruction. The superintendent of public instruction shall provide biennial reports and an annual report to the legislative management regarding in even-numbered years and the legislative assembly in odd-numbered years comparing the academic performance metrics of students participating in virtual instruction with students not participating in virtual instruction under this section using the statewide prekindergarten through grade twelve strategic vision framework goals. If the superintendent of public instruction does not have access to academic performance reports of a school district's virtual instruction subgroup because of low group size, the district shall provide the annual report required under this section for the district's comparison data.

SECTION 4. AMENDMENT. Section 15.1-07-26 of the North Dakota Century Code is amended and reenacted as follows:

15.1-07-26. School district demographics enrollment - Long-term planning process Review - Report.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district shall invite the public to participate in a ~~planning process review~~ addressing the effects that ~~demographics might decreasing or increasing enrollment will~~ have on the district in the ensuing three-year and five-year periods, and specifically addressing potential effects on:
 - a. ~~Academic and extracurricular programs achievement including progress toward state academic goals adopted by the statewide prekindergarten through grade twelve education strategic vision steering committee;~~
 - b. ~~Instructional and administrative, and ancillary staffing;~~
 - c. ~~Co-curricular or extracurricular programs;~~
 - d. ~~Facility needs and utilization; and~~
 - e. ~~District property tax levies.~~
2. At the conclusion of the ~~planning process review~~, the board shall prepare a report, ~~publish a notice in the official newspaper of the district indicating that the report is available~~ submit the report to the superintendent of public instruction by August first of each even-numbered year, make the report available on the district website, and make the report available upon request.
3. The superintendent of public instruction shall provide an aggregate report on these plans to the legislative assembly."

Page 3, after line 9, insert:

"SECTION 6. AMENDMENT. Subsection 2 of section 15.1-19-10 of the North Dakota Century Code is amended and reenacted as follows:

2. The policy must ~~prohibit~~:
 - a. ~~Prohibit~~ the possession of a dangerous weapon or a firearm by a student on school property and at school functions and provide for the punishment of any student found to be in violation. ~~Punishment must include immediate suspension from school and expulsion. A~~
 - b. Require a student who possesses a firearm in violation of this section ~~must~~ be expelled for at least one year. ~~The school district firearms policy must authorize~~
 - c. Authorize the school district superintendent or the school principal, if the school district does not have a superintendent, to modify an expulsion for firearms possession under this section on a case-by-case basis in accordance with criteria established by the board. Before expelling a student, a school board or its designated hearing officer, within ten days of the student's suspension, shall provide the student with a hearing at which time the school board or its designated hearing officer shall take testimony and consider evidence, including the existence of mitigating circumstances. If a designated hearing officer orders that a student be expelled, the student may seek a review of the decision by the school board, based on the record of the expulsion hearing.
 - d. Include a referral mechanism to the criminal justice or juvenile delinquency system for a student who possesses a firearm in violation of this subsection."

Page 3, line 13, after "a." insert "Dangerous weapon" has the meaning provided in 18 U.S.C. 930(g)(2).

b."

Page 3, line 15, overstrike "b." and insert immediately thereafter "c."

Page 3, remove lines 18 through 31

Page 4, remove lines 1 through 3

Page 5, line 8, overstrike "0.082" and insert immediately thereafter "0.088"

Page 5, line 27, after "report" insert ", adjusted for students that will generate average daily membership."

Page 5, line 31, after "enrollment" insert ", adjusted for students that will generate average daily membership."

Page 6, line 12, after "enrollment" insert ", adjusted for students that will generate average daily membership."

Page 9, line 29, replace "forty-four" with "ninety-five"

Page 10, line 4, replace "forty-four" with "ninety-five"

Page 10, line 11, replace "eight hundred sixty" with "nine hundred thirteen"

Page 10, line 17, replace "eight hundred sixty" with "nine hundred thirteen"

Page 16, line 18, replace "forty-four" with "ninety-five"

Page 16, line 24, replace "forty-four" with "ninety-five"

Page 16, line 31, replace "eight hundred sixty" with "nine hundred thirteen"

Page 17, line 6, replace "eight hundred sixty" with "nine hundred thirteen"

Page 20, after line 13, insert:

SECTION 12. A new section to chapter 15.1-32 of the North Dakota Century Code is created and enacted as follows:

Private tutors.

A school district shall permit private tutors to provide tutoring services on school premises.

SECTION 13. AMENDMENT. Section 15.1-36-02 of the North Dakota Century Code is amended and reenacted as follows:

15.1-36-02. Coal development trust fund - Board of university and school lands - School construction projects - Unanticipated construction projects and emergency repairs - Loans.

1. Up to sixty million dollars from the coal development trust fund is available to the board of university and school lands for loans under this section.
2. To be eligible for a loan under this section, the school district must demonstrate a need based on an unanticipated construction project, an unanticipated replacement project, or an emergency repair or situation, and the board of a school district shall:

- a. Obtain the approval of the superintendent of public instruction for the construction project under section 15.1-36-01; and
 - b. Submit to the superintendent of public instruction an application containing all information deemed necessary by the superintendent, including potential alternative sources or methods of financing the construction project.
3. The superintendent of public instruction shall consider each loan application in the order ~~the~~ the application received approval under section 15.1-36-01.
4. If the superintendent of public instruction approves the loan, the board of university and school lands shall issue a loan from the coal development trust fund.
- a. For a loan made under this section:
 - a. (1) The minimum loan amount is two hundred fifty thousand dollars and the maximum loan amount for which a school district may qualify is ~~two~~ five million dollars;
 - b. (2) The term of the loan is twenty years, unless the board of the school district requests a shorter term in the written loan application; and
 - e. (3) The interest rate of the loan may not exceed two percent per year.
 - b. For a loan made under this section which includes additional expenses due to unanticipated construction inflation:
 - (1) The unanticipated construction inflation must have occurred for a construction project bid after January 1, 2021, and before June 30, 2024;
 - (2) The maximum loan amount for which a school district may qualify is five million dollars;
 - (3) The interest rate on the loan may not exceed two percent per year;
 - (4) The term of the loan is twenty years, unless the board of the school district requests a shorter term in the written loan application; and
 - (5) The school district may pledge revenues derived from its general fund levy authority or other sources of revenue authorized by law.
5. a. If a school district seeking a loan under this section received an allocation of the oil and gas gross production tax during the previous fiscal year in accordance with chapter 57-51, the board of the district shall provide to the board of university and school lands, and to the state treasurer, its evidence of indebtedness indicating ~~that~~ the loan originated under this section.
- b. If the evidence of indebtedness is payable solely from the school district's allocation of the oil and gas gross production tax in accordance with section 57-51-15, the loan does not constitute a general obligation of the school district and may not be considered a debt of the district.
 - c. If a loan made to a school district is payable solely from the district's allocation of the oil and gas gross production tax in accordance with

section 57-51-15, the terms of the loan must require that the state treasurer withhold the dollar amount or percentage specified in the loan agreement, from each of the district's oil and gas gross production tax allocations, in order to repay the principal and interest of the evidence of indebtedness. The state treasurer shall deposit the amount withheld into the fund from which the loan originated.

- d. Any evidence of indebtedness executed by the board of a school district under this subsection is a negotiable instrument and not subject to taxation by the state or any political subdivision of the state.
6. For purposes of this section, a "construction project" means the purchase, lease, erection, or improvement of any structure or facility by a school board, provided the acquisition or activity is within a school board's authority.

SECTION 14. AMENDMENT. Section 15.1-36-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-36-04. Evidences of indebtedness.

The board of a school district may issue and sell evidences of indebtedness under ~~chapter~~ chapters 21-02 and 21-03 to finance the construction or improvement of a project approved under this chapter. The principal amount of the loan and the evidences of indebtedness to repay the loan may not exceed the loan amount for which the district is eligible under ~~this~~ chapter 21-03. Evidences of indebtedness issued under this chapter constitute a general obligation of the school district."

Page 21, after line 3, insert:

- "e. A district with a school construction loan secured on the open bond market may apply to refinance the loan when callable with the school construction assistance revolving loan fund under this subsection.
- f. A district that qualifies for a loan under subdivision b, which was approved for a loan of up to ten million dollars for a construction project bid after January 1, 2021, and before June 30, 2024, may apply for a loan in an amount equal to the difference between fifty million dollars and the amount of the approved loan."

Page 21, replace lines 4 through 10 with:

"SECTION 16. LEGISLATIVE MANAGEMENT STUDY - COMPOSITION OF THE STATE BOARD OF PUBLIC SCHOOL EDUCATION.

1. During the 2023-24 interim, the legislative management shall consider studying the composition of the state board of public school education. The study must include:
 - a. An analysis of the state board of public school education boundaries, including a comparison of methodologies for creating the boundaries;
 - b. An analysis of the inclusion of representatives from small, large, urban, and rural schools on the board;
 - c. An evaluation of term limits for board members, including staggering terms to ensure continuity of knowledge;
 - d. An evaluation of the benefits and consequences of requiring the composition of the board to include two school district superintendents, two members of a board of a school district, and two citizens at large;

- e. An evaluation of the benefits and consequences of requiring a minimum or maximum number of candidates to be submitted to the governor and permitting the governor to request a new list of potential candidates once; and
 - f. An analysis of the role and practices of the county superintendent of schools.
2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

SECTION 17. TEACHER SHORTAGE AND MILITARY FAMILIES TASK FORCE - REPORT TO LEGISLATIVE MANAGEMENT. During the 2023-24 interim, the superintendent of public instruction shall establish a teacher shortage and military families task force to examine employer recruitment needs, applicable state regulations, and benefit options for kindergarten through grade twelve educators within the state, including potential barriers to military personnel and spouses teaching in the classroom. The task force shall identify immediate and long-term public policy strategies to address teacher shortage and support for military families and spouses. The task force shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly.

SECTION 18. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION - GRANTS FOR FREE MEALS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$6,000,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing grants to school districts to defray the expenses of providing meals, free of charge, for all students enrolled in public school at or below two hundred percent of the federal poverty guideline, for the biennium beginning July 1, 2023, and ending June 30, 2025. The superintendent of public instruction shall develop guidelines and reporting requirements for the grants.

Page 21, after line 23, insert:

SECTION 20. APPROPRIATION - PUBLIC INSTRUCTION FUND - DEPARTMENT OF PUBLIC INSTRUCTION - DYSLEXIA IDENTIFICATION TRAINING. There is appropriated out of any moneys in the public instruction fund in the state treasury, not otherwise appropriated, the sum of \$279,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing training in identification of dyslexia characteristics to one educator in every school that instructs students in kindergarten through third grade for one year, for the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 21. APPROPRIATION - PUBLIC INSTRUCTION FUND - DEPARTMENT OF PUBLIC INSTRUCTION - READING LEARNING PLATFORM TRAINING. There is appropriated out of any moneys in the public instruction fund in the state treasury, not otherwise appropriated, the sum of \$558,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing training in a reading learning platform approved by the superintendent of public instruction to one educator in every school that instructs students in kindergarten through third grade for two years, for the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 22, line 1, replace "10" with "19"

Page 22, after line 2, insert:

"SECTION 23. EXEMPTION - TRANSFER - PUBLIC INSTRUCTION FUND. Notwithstanding section 54-44.1-11, if, after the superintendent of public instruction complies with all statutory payment obligations imposed for the 2021-23 biennium, any moneys remain in the integrated formula payments line item in subdivision 1 of section 1 of chapter 13 of the 2021 Session Laws, the lesser of \$837,000 or the remaining amount must be continued into the 2023-25 biennium and the office of

management and budget shall transfer this amount into the public instruction fund for the purpose of funding training in identification of dyslexia characteristics and reading training for kindergarten through grade three teachers as appropriated in sections 20 and 21 of this Act."

Page 22, line 8, replace "5" with "9"

Page 22, after line 8 insert:

"SECTION 26. EXPIRATION DATE. Section 13 of this Act is effective through June 30, 2025, and after that date is ineffective.

SECTION 27. EMERGENCY. Section 13 of this Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2285, as engrossed: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2285 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2295: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2295 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and"

Page 1, line 4, after "fund" insert "; and to provide for a transfer"

Page 2, after line 22, insert:

"SECTION 4. TRANSFER - UNSATISFIED JUDGMENT FUND TO STATE HIGHWAY FUND. The office of management and budget shall transfer any balance in the unsatisfied judgment fund on the effective date of this Act to the state highway fund."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2299, as amended: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2299, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2325, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO PASS** (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2325 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2348, as engrossed: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2348 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2374, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (9 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). Engrossed SB 2374 was placed on the Fourteenth order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Weisz, Klemin, Lefor, Nelson, Toman and Sens. Hogue, Klein introduced:
(Approved by the Delayed Bills Committee)

HCR 3036: A concurrent resolution urging Congress not to support legislation, or other efforts, relating to the adoption of a Central Bank Digital Currency in the United States.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

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

Buell J. Reich, Chief Clerk