

JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, April 6, 2023

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

The prayer was offered by Monsignor Schumacher, Corpus Christi Catholic Church, Bismarck.

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

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 1468, remove lines 16-45

Remove pages 1469-1484

Page 1485, replace lines 1-21 with:

"SENATE AMENDMENTS TO HOUSE BILL NO. 1158

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 3 of section 15.1-27-02, sections 15.1-27-04.1 and 15.1-27-04.2, subsection 1 of section 57-02-08.1, sections 57-15-01 and 57-15-01.1, subsection 1 of section 57-15-14, section 57-15-14.2, subdivision c of subsection 1 of section 57-20-07.1, and subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to the determination of state aid payments, the homestead tax credit, information displayed on property tax statements, school district levy authority, and exempting taxable income in the first income bracket from taxation for individuals, estates, and trusts; to repeal sections 15.1-27-04.3, 15.1-27-15.1, and 15.1-27-20.2 of the North Dakota Century Code, relating to adjustments to state aid payments; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 3 of section 15.1-27-02 of the North Dakota Century Code is amended and reenacted as follows:

3. On or before December fifteenth, each school district shall file with the superintendent of public instruction the taxable valuation and mill levy certifications, which must be separated by property classification. If a district fails to file the taxable valuation and mill levy certifications by the required date, the superintendent of public instruction may not forward to the district any state aid payments to which the district is entitled, until the taxable valuation and mill levy certifications are filed.

SECTION 2. AMENDMENT. Section 15.1-27-04.1 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04.1. Baseline funding - Establishment - Determination of state aid. (~~Effective through June 30, 2025~~)

1. To determine the amount of state aid payable to each district, the superintendent of public instruction shall establish each district's baseline funding. A district's baseline funding consists of:
 - a. All state aid received by the district in accordance with chapter 15.1-27 during the 2018-19 school year;
 - b. An amount equal to the property tax deducted by the superintendent of public instruction to determine the 2018-19 state aid payment;
 - c. An amount equal to seventy-five percent of the revenue received by the school district during the 2017-18 school year for the following revenue types:
 - (1) Revenue reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
 - (2) Mineral revenue received by the school district through direct allocation from the state treasurer and not reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
 - (3) Tuition reported under code 1300 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08, with the exception of revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition received for the provision of an adult farm management program, and beginning in the 2021-22 school year, seventeen percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid, and an additional seventeen percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid each school year thereafter, until the 2024-25 school year when sixty-eight percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid must be excluded from the tuition calculation under this paragraph;
 - (4) Revenue from payments in lieu of taxes on the distribution and transmission of electric power;
 - (5) Revenue from payments in lieu of taxes on electricity generated from sources other than coal; and
 - (6) Revenue from the leasing of land acquired by the United States for which compensation is allocated to the state under 33 U.S.C. 701(e)(3);
 - d. An amount equal to the total revenue received by the school district during the 2017-18 school year for the following revenue types:
 - (1) Mobile home tax revenue;
 - (2) Telecommunications tax revenue; and

- (3) Revenue from payments in lieu of taxes and state reimbursement of the homestead credit and disabled veterans credit; and
- e. Beginning with the 2020-21 school year, the superintendent shall reduce the baseline funding for any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2012-13 school year. The reduction must be proportional to the number of weighted student units in the grades that are offered through another school district relative to the total number of weighted student units the school district offered in the year before the school district became an elementary district. The reduced baseline funding applies to the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter. For districts that become an elementary district prior to the 2020-21 school year, the superintendent shall use the reduced baseline funding to calculate state aid for the 2020-21 school year and for each year thereafter.
2. a. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's 2017-18 weighted student units to determine the district's baseline funding per weighted student unit.
- b. For any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2017-18 school year, the superintendent shall adjust the district's baseline funding per weighted student unit used to calculate state aid. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's weighted student units after the school district becomes an elementary district to determine the district's adjusted baseline funding per weighted student unit. The superintendent shall use the district's adjusted baseline funding per weighted student unit in the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter.
- c. Beginning with the 2021-22 school year and for each school year thereafter, the superintendent shall reduce the district's baseline funding per weighted student unit. Each year the superintendent shall calculate the amount by which the district's baseline funding per weighted student unit exceeds the payment per weighted student unit provided in subsection 3. The superintendent shall reduce the district's baseline funding per weighted student unit by fifteen percent of the amount by which the district's baseline funding per weighted student unit exceeds the payment per weighted student unit for the 2021-22 school year. For each year thereafter, the reduction percentage is increased by an additional fifteen percent. However, the district's baseline funding per weighted student unit, after the reduction, may not be less than the payment per weighted student unit provided in subsection 3.
3. a. For the 2021-22 school year, the superintendent shall calculate state aid as the greater of:
- (1) The district's weighted student units multiplied by ten thousand one hundred thirty-six dollars;
- (2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ten thousand one hundred thirty-six dollars; or

- (3) ~~The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by fifteen percent and then the difference added to the amount determined in paragraph 1.~~
- b. ~~For the 2022-23 school year and each school year thereafter, the superintendent shall calculate state aid as the greater of:~~
- (1) ~~The district's weighted student units multiplied by ten thousand two hundred thirty-seven dollars;~~
 - (2) ~~One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ten thousand two hundred thirty-seven dollars; or~~
 - (3) ~~The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by thirty percent for the 2022-23 school year and the reduction percentage increasing by fifteen percent each school year thereafter until the difference is reduced to zero, and then the difference added to the amount determined in paragraph 1.~~
- e. ~~The superintendent also shall adjust state aid determined in this subsection to ensure the amount does not exceed the transition maximum as follows:~~
- (1) ~~For the 2021-22 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.~~
 - (2) ~~For the 2022-23 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.~~
 - (3) ~~For the 2023-24 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus twenty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.~~
 - (4) ~~For the 2024-25 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus forty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.~~

- (5) For the 2025-26 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus sixty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.
 - (6) For the 2026-27 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus eighty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.
4. After determining the product in accordance with subsection 3, the superintendent of public instruction shall:
- a. Subtract an amount equal to sixty mills multiplied by the taxable valuation of the school district, except the amount in dollars subtracted for purposes of this subdivision may not exceed the previous year's amount in dollars subtracted for purposes of this subdivision by more than twelve percent, adjusted pursuant to section 15.1-27-04.3; and
 - b. Subtract an amount equal to seventy-five percent of all revenue types listed in subdivisions c and d of subsection 1. Before determining the deduction for seventy-five percent of all revenue types, the superintendent of public instruction shall adjust revenues as follows:
 - (1) Tuition revenue shall be adjusted as follows:
 - (a) In addition to deducting tuition revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition revenue received for the provision of an adult farm management program, and tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid as directed each school year in paragraph 3 of subdivision e of subsection 1, the superintendent of public instruction also shall reduce the total tuition reported by the school district by the amount of tuition revenue received for the education of students not residing in the state and for which the state has not entered a cross-border education contract; and
 - (b) The superintendent of public instruction also shall reduce the total tuition reported by admitting school districts meeting the requirements of subdivision e of subsection 2 of section 15.1-29-12 by the amount of tuition revenue received for the education of students residing in an adjacent school district.
 - (2) After adjusting tuition revenue as provided in paragraph 1, the superintendent shall reduce all remaining revenues from all

~~revenue types by the percentage of mills levied in 2020 by the school district for sinking and interest relative to the total mills levied in 2020 by the school district for all purposes.~~

5. ~~The amount remaining after the computation required under subsection 4 is the amount of state aid to which a school district is entitled, subject to any other statutory requirements or limitations.~~
6. ~~On or before June thirtieth of each year, the school board shall certify to the superintendent of public instruction the final average daily membership for the current school year.~~
7. ~~For purposes of the calculation in subsection 4, each county auditor, in collaboration with the school districts, shall report the following to the superintendent of public instruction on an annual basis:~~
 - a. ~~The amount of revenue received by each school district in the county during the previous school year for each type of revenue identified in subdivisions c and d of subsection 1;~~
 - b. ~~The total number of mills levied in the previous calendar year by each school district for all purposes; and~~
 - c. ~~The number of mills levied in the previous calendar year by each school district for sinking and interest fund purposes.~~

~~Baseline funding – Establishment – Determination of state aid. (Effective after June 30, 2025)~~

1. To determine the amount of state aid payable to each district, the superintendent of public instruction shall establish each district's baseline funding. A district's baseline funding consists of:
 - a. All state aid received by the district in accordance with chapter 15.1-27 during the 2018-19 school year;
 - b. An amount equal to the property tax deducted by the superintendent of public instruction to determine the 2018-19 state aid payment;
 - c. An amount equal to seventy-five percent of the revenue received by the school district during the 2017-18 school year for the following revenue types:
 - (1) Revenue reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
 - (2) Mineral revenue received by the school district through direct allocation from the state treasurer and not reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
 - (3) Tuition reported under code 1300 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08, with the exception of revenue:
 - (a) Revenue received specifically for the operation of an educational program provided at a residential treatment facility; ~~tuition;~~

- (b) Tuition received for the provision of an adult farm management program; ~~and beginning~~
- (c) Beginning in the:
- [1] 2023-24 school year, fifty-one percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid;
 - [2] 2024-25 school year, sixty-eight percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid;
 - [3] 2025-26 school year, eighty-five percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid; ~~until the; and~~
 - [4] 2026-27 school year, and each school year thereafter, ~~when~~ all tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid ~~must be excluded from the tuition calculation under this paragraph;~~
- (4) Revenue from payments in lieu of taxes on the distribution and transmission of electric power;
- (5) Revenue from payments in lieu of taxes on electricity generated from sources other than coal; and
- (6) Revenue from the leasing of land acquired by the United States for which compensation is allocated to the state under 33 U.S.C. 701(c)(3); ~~and~~
- d. An amount equal to the total revenue received by the school district during the 2017-18 school year for the following revenue types:
- (1) Mobile home tax revenue;
 - (2) Telecommunications tax revenue; and
 - (3) Revenue from payments in lieu of taxes and state reimbursement of the homestead credit and disabled veterans credit; and
- e. Beginning with the 2020-21 school year, the superintendent shall reduce the baseline funding for any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2012-13 school year. The reduction must be proportional to the number of weighted student units in the grades that are offered through another school district relative to the total number of weighted student units the school district offered in the year before the school district became an elementary district. The reduced baseline funding applies to the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter. For districts that become an elementary district prior to the 2020-21 school year, the superintendent shall use the reduced baseline funding to calculate state aid for the 2020-21 school year and for each year thereafter.

2.
 - a. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's 2017-18 weighted student units to determine the district's baseline funding per weighted student unit.
 - b. For any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2017-18 school year, the superintendent shall adjust the district's baseline funding per weighted student unit used to calculate state aid. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's weighted student units after the school district becomes an elementary district to determine the district's adjusted baseline funding per weighted student unit. The superintendent shall use the district's adjusted baseline funding per weighted student unit in the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter.
 - c. Beginning with the 2021-22 school year and for each school year thereafter, the superintendent shall reduce the district's baseline funding per weighted student unit. Each year the superintendent shall calculate the amount by which the district's baseline funding per weighted student unit exceeds the payment per weighted student unit provided in subsection 3. The superintendent shall reduce the district's baseline funding per weighted student unit by fifteen percent of the amount by which the district's baseline funding per weighted student unit exceeds the payment per weighted student unit for the 2021-22 school year. For each year thereafter, the reduction percentage is increased by an additional fifteen percent. However, the district's baseline funding per weighted student unit, after the reduction, may not be less than the payment per weighted student unit provided in subsection 3.
3.
 - a. For the 2021-22 school year, the superintendent shall calculate state aid as the greater of:
 - (1) The district's weighted student units multiplied by ten thousand one hundred thirty-six dollars;
 - (2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ten thousand one hundred thirty-six dollars; or
 - (3) The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by fifteen percent and then the difference added to the amount determined in paragraph 1.
 - b. For the 2022-23 school year and each school year thereafter, the superintendent shall calculate state aid as the greater of:
 - (1) The district's weighted student units multiplied by ten thousand two hundred thirty-seven dollars;
 - (2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ten thousand two hundred thirty-seven dollars; or

- (3) The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by thirty percent for the 2022-23 school year and the reduction percentage increasing by fifteen percent each school year thereafter until the difference is reduced to zero, and then the difference added to the amount determined in paragraph 1.
- c. The superintendent also shall adjust state aid determined in this subsection to ensure the amount does not exceed the transition maximum as follows:
- (1) ~~For the 2021-22 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.~~
 - (2) ~~For the 2022-23 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.~~
 - (3) For the 2023-24 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus twenty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.
 - ~~(4)~~(2) For the 2024-25 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus forty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.
 - ~~(5)~~(3) For the 2025-26 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus sixty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.
 - ~~(6)~~(4) For the 2026-27 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus eighty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not

exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.

4. After determining the product in accordance with subsection 3, the superintendent of public instruction shall:
 - a. Subtract an amount equal to ~~sixty~~the sum of:
 - (1) Forty mills multiplied by the taxable valuation of residential, agricultural, and commercial property in the school district. For purposes of this paragraph, "taxable valuation" means, for taxable year 2023, the 2022 taxable valuation of the school district, and for taxable year 2024 and each year thereafter, the 2022 taxable valuation increased by five percent per year, or the actual increase in taxable valuation, as compared to the previous year's taxable valuation calculation, whichever is less, beginning with taxable year 2024 and each year thereafter; and
 - (2) Sixty mills multiplied by the taxable valuation of centrally assessed property in the school district; and
 - b. Subtract an amount equal to seventy-five percent of all revenue types listed in subdivisions c and d of subsection 1. Before determining the deduction for seventy-five percent of all revenue types, the superintendent of public instruction shall adjust revenues as follows:
 - (1) Tuition revenue shall be adjusted as follows:
 - (a) In addition to deducting tuition revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition revenue received for the provision of an adult farm management program, and tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid as directed each school year in paragraph 3 of subdivision c of subsection 1, the superintendent of public instruction also shall reduce the total tuition reported by the school district by the amount of tuition revenue received for the education of students not residing in the state and for which the state has not entered a cross-border education contract; and
 - (b) The superintendent of public instruction also shall reduce the total tuition reported by admitting school districts meeting the requirements of subdivision e of subsection 2 of section 15.1-29-12 by the amount of tuition revenue received for the education of students residing in an adjacent school district.
 - (2) After adjusting tuition revenue as provided in paragraph 1, the superintendent shall reduce all remaining revenues from all revenue types by the percentage of mills levied in ~~2020~~2022 by the school district for sinking and interest relative to the total mills levied in ~~2020~~2022 by the school district for all purposes.
5. The amount remaining after the computation required under subsection 4 is the amount of state aid to which a school district is entitled, subject to any other statutory requirements or limitations.
6. On or before June thirtieth of each year, the school board shall certify to the superintendent of public instruction the final average daily membership for the current school year.

7. For purposes of the calculation in subsection 4, each county auditor, in collaboration with the school districts, shall report the following to the superintendent of public instruction on an annual basis:
 - a. The amount of revenue received by each school district in the county during the previous school year for each type of revenue identified in subdivisions c and d of subsection 1;
 - b. The total number of mills levied in the previous calendar year by each school district for all purposes, separated by property classification; and
 - c. The number of mills levied in the previous calendar year by each school district for sinking and interest fund purposes, separated by property classification.

SECTION 3. AMENDMENT. Section 15.1-27-04.2 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04.2. State aid - Minimum local effort - Determination.

If a district's taxable valuation per student is less than twenty percent of the state average valuation per student, the superintendent of public instruction, for purposes of determining state aid in accordance with subsection 4 of section 15.1-27-04.1, shall ~~utilize an amount equal to sixty~~ deduct the sum of the following:

1. Forty mills times twenty percent of the state average valuation of residential, agricultural, and commercial property per student multiplied by the number of weighted student units in the district; and
2. Sixty mills times twenty percent of the state average valuation of centrally assessed property per student multiplied by the number of weighted student units in the district.

SECTION 4. AMENDMENT. Subsection 1 of section 57-02-08.1 of the North Dakota Century Code is amended and reenacted as follows:

1. a. Any person sixty-five years of age or older or permanently and totally disabled, in the year in which the tax was levied, with an income that does not exceed the limitations of subdivision c is entitled to receive a reduction in the assessment on the taxable valuation on the person's homestead. An exemption under this subsection applies regardless of whether the person is the head of a family.
- b. The exemption under this subsection continues to apply if the person does not reside in the homestead and the person's absence is due to confinement in a nursing home, hospital, or other care facility, for as long as the portion of the homestead previously occupied by the person is not rented to another person.
- c. The exemption must be determined according to the following schedule:
 - (1) If the person's income is not in excess of ~~twenty-two~~twenty-five thousand dollars, a reduction of one hundred percent of the taxable valuation of the person's homestead up to a maximum reduction of ~~five~~nine thousand ~~six hundred twenty-five~~ dollars of taxable valuation.
 - (2) If the person's income is in excess of ~~twenty-two~~twenty-five thousand dollars and not in excess of ~~twenty-six~~seventy-five thousand dollars, a reduction of ~~eighty~~eighty-five percent of the taxable valuation of the person's homestead up to a maximum reduction of four thousand five hundred dollars of taxable valuation.

- (3) ~~If the person's income is in excess of twenty-six thousand dollars and not in excess of thirty thousand dollars, a reduction of sixty percent of the taxable valuation of the person's homestead up to a maximum reduction of three thousand three hundred seventy-five dollars of taxable valuation.~~
 - (4) ~~If the person's income is in excess of thirty thousand dollars and not in excess of thirty-four thousand dollars, a reduction of forty percent of the taxable valuation of the person's homestead up to a maximum reduction of two thousand two hundred fifty dollars of taxable valuation.~~
 - (5) ~~If the person's income is in excess of thirty-four thousand dollars and not in excess of thirty-eight thousand dollars, a reduction of twenty percent of the taxable valuation of the person's homestead up to a maximum reduction of one thousand one hundred twenty-five dollars of taxable valuation.~~
 - (6) ~~If the person's income is in excess of thirty-eight thousand dollars and not in excess of forty-two thousand dollars, a reduction of ten percent of the taxable valuation of the person's homestead up to a maximum reduction of five hundred sixty-three dollars of taxable valuation.~~
- d. Persons residing together, as spouses or when one or more is a dependent of another, are entitled to only one exemption between or among them under this subsection. Persons residing together, who are not spouses or dependents, who are co-owners of the property are each entitled to a percentage of a full exemption under this subsection equal to their ownership interests in the property.
 - e. This subsection does not reduce the liability of any person for special assessments levied upon any property.
 - f. Any person claiming the exemption under this subsection shall sign a verified statement of facts establishing the person's eligibility. Any income information contained in the statement of facts is a confidential record.
 - g. ~~A person is ineligible for the exemption under this subsection if the value of the assets of the person and any dependent residing with the person exceeds five hundred thousand dollars, including the value of any assets divested within the last three years.~~
 - h. The assessor shall attach the statement filed under subdivision f to the assessment sheet and shall show the reduction on the assessment sheet.
 - i.h. An exemption under this subsection terminates at the end of the taxable year of the death of the applicant.
 - i. A person who is eligible for an exemption under this subsection is eligible to receive a full or partial exemption under this subsection based on the date of submission of the verified statement of facts required under subdivision f. If the person submits the verified statement of facts:
 - (1) By February first of the current taxable year, the person is eligible for the full exemption under this subsection.
 - (2) After February first of the current taxable year and no later than November fifth of the current taxable year, the person is eligible to receive a pro rata share of the exemption under this subsection. To claim a pro rata share of the exemption under this subsection, the person shall submit the verified statement

of facts by the fifth day of the month preceding the first full month of the prorated exemption. The tax commissioner shall calculate the pro rata share of the exemption based on the number of months remaining in the taxable year, beginning the month after the verified statement of facts is timely submitted.

SECTION 5. AMENDMENT. Section 57-15-01 of the North Dakota Century Code is amended and reenacted as follows:

57-15-01. Levy in specific amounts - Exceptions.

With the exception of special assessment taxes and such general taxes as may be definitely fixed by law, all state, county, city, township, school district, and park district taxes must be levied or voted in specific amounts of money. For purposes of communicating with the public and comparing the amount levied in the current taxable year to the amount levied in the preceding taxable year, taxing districts shall express levies in terms of dollars rather than mills.

SECTION 6. AMENDMENT. Section 57-15-01.1 of the North Dakota Century Code is amended and reenacted as follows:

57-15-01.1. Protection of taxpayers and taxing districts.

Each taxing district may levy the lesser of the amount in dollars as certified in the budget of the governing body, or the amount in dollars as allowed in this section, subject to the following:

1. No taxing district may levy more taxes expressed in dollars than the amounts allowed by this section.
2. For purposes of this section:
 - a. "Base year" means the taxing district's taxable year with the highest amount levied in dollars in property taxes of the three taxable years immediately preceding the budget year; ~~and~~
 - b. "Budget year" means the taxing district's year for which the levy is being determined under this section; ~~and~~
 - c. "Calculated mill rate" means the mill rate that results from dividing the base year taxes levied by the sum of the taxable value of the taxable property in the base year plus the taxable value of the property exempt by local discretion or charitable status, calculated in the same manner as the taxable property; ~~and~~
 - d. "Property exempt by local discretion or charitable status" means property exempted from taxation as new or expanding businesses under chapter 40-57.1; improvements to property under chapter 57-02.2; or buildings belonging to institutions of public charity, new single-family residential or townhouse or condominium property, property used for early childhood services, or pollution abatement improvements under section 57-02-08.
 - e. "Taxing district" means any political subdivision, other than a school district, empowered by law to levy taxes.
3. A taxing district may elect to levy the amount levied in dollars in the base year. Any levy under this section must be specifically approved by a resolution approved by the governing body of the taxing district. Before determining the levy limitation under this section, the dollar amount levied in the base year must be:
 - a. Reduced by an amount equal to the sum determined by application of the base year's calculated mill rate for that taxing district to the final base year taxable valuation of any taxable property and

property exempt by local discretion or charitable status which is not included in the taxing district for the budget year but was included in the taxing district for the base year.

- b. Increased by an amount equal to the sum determined by the application of the base year's calculated mill rate for that taxing district to the final budget year taxable valuation of any taxable property or property exempt by local discretion or charitable status which was not included in the taxing district for the base year but which is included in the taxing district for the budget year.
 - c. ~~Reduced to reflect expired temporary mill levy increases authorized by the electors of the taxing district. For purposes of this subdivision, an expired temporary mill levy increase does not include a school district general fund mill rate exceeding one hundred ten mills which has expired or has not received approval of electors for an extension under subsection 2 of section 57-64-03.~~
 - d. ~~Reduced by the amount of state aid under chapter 15.1-27, which is determined by multiplying the budget year taxable valuation of the school district by the lesser of the base year mill rate of the school district minus sixty mills or fifty mills, if the base year is a taxable year before 2013.~~
4. In addition to any other levy limitation factor under this section, a taxing district may increase its levy in dollars to reflect new or increased mill levies authorized by the legislative assembly or authorized by the electors of the taxing district.
 5. Under this section a taxing district may supersede any applicable mill levy limitations otherwise provided by law, or a taxing district may levy up to the mill levy limitations otherwise provided by law without reference to this section, but the provisions of this section do not apply to the following:
 - a. Any irrevocable tax to pay bonded indebtedness levied pursuant to section 16 of article X of the Constitution of North Dakota.
 - b. The one-mill levy for the state medical center authorized by section 10 of article X of the Constitution of North Dakota.
 6. ~~A school district choosing to determine its levy authority under this section may apply subsection 3 only to the amount in dollars levied for general fund purposes under section 57-15-14 or, if the levy in the base year included separate general fund and special fund levies under sections 57-15-14 and 57-15-14.2, the school district may apply subsection 3 to the total amount levied in dollars in the base year for both the general fund and special fund accounts. School district levies under any section other than section 57-15-14 may be made within applicable limitations but those levies are not subject to subsection 3.~~
 7. Optional levies under this section may be used by any city or county that has adopted a home rule charter unless the provisions of the charter supersede state laws related to property tax levy limitations.

SECTION 7. AMENDMENT. Subsection 1 of section 57-15-14 of the North Dakota Century Code is amended and reenacted as follows:

1. Unless authorized by the electors of the school district in accordance with this section, a school district may not impose greater levies than those permitted under section 57-15-14.2.
 - a. In any school district having a total population in excess of four thousand according to the last federal decennial census there may be levied any specific number of mills that upon resolution of the

school board has been submitted to and approved by a majority of the qualified electors voting upon the question at any regular or special school district election.

- b. In any school district having a total population of fewer than four thousand, there may be levied any specific number of mills that upon resolution of the school board has been approved by fifty-five percent of the qualified electors voting upon the question at any regular or special school election.
- c. After June 30, 2009, in any school district election for approval by electors of increased levy authority under subsection 1 or 2, the ballot must specify the number of mills proposed for approval, and the number of taxable years for which that approval is to apply. After June 30, 2009, approval by electors of increased levy authority under subsection 1 or 2 may not be effective for more than ten taxable years.
- d. The authority for a levy of up to a specific number of mills under this section approved by electors of a school district before July 1, 2009, is terminated effective for taxable years after 2015. If the electors of a school district subject to this subsection have not approved a levy for taxable years after 2015 of up to a specific number of mills under this section by December 31, 2015, the school district levy limitation for subsequent years is subject to the limitations under ~~section 57-15-01.1~~ or this section.
- e. For taxable years beginning after 2012:
 - (1) The authority for a levy of up to a specific number of mills, approved by electors of a school district for any period of time that includes a taxable year before 2009, must be reduced by one hundred fifteen mills as a precondition of receiving state aid in accordance with chapter 15.1-27.
 - (2) The authority for a levy of up to a specific number of mills, approved by electors of a school district for any period of time that does not include a taxable year before 2009, must be reduced by forty mills as a precondition of receiving state aid in accordance with chapter 15.1-27.
 - (3) The authority for a levy of up to a specific number of mills, placed on the ballot in a school district election for electoral approval of increased levy authority under subdivision a or b, after June 30, ~~2013~~2022, must be stated as a specific number of mills of general fund levy authority and must include a statement that the statutory school district general fund levy limitation is ~~seventy~~fifty mills on the dollar of the taxable valuation of residential, agricultural, and commercial property in the school district and seventy mills on the dollar of taxable valuation of centrally assessed property in the school district.
- f. The authority for an unlimited levy approved by electors of a school district before July 1, 2009, is terminated effective for taxable years after 2015. If the electors of a school district subject to this subsection have not approved a levy of up to a specific number of mills under this section by December 31, 2015, the school district levy limitation for subsequent years is subject to the limitations under ~~section 57-15-01.1~~ or this section.

SECTION 8. AMENDMENT. Section 57-15-14.2 of the North Dakota Century Code is amended and reenacted as follows:

57-15-14.2. School district levies. (Effective for taxable years through December 31, 2024)

1. The board of a school district may levy a tax not exceeding the amount in dollars that the school district levied for the prior year, plus twelve percent and the dollar amount of the adjustment required in section 15.1-27-04.3, up to a levy of seventy mills on the taxable valuation of the district, for any purpose related to the provision of educational services. The proceeds of this levy must be deposited into the school district's general fund and used in accordance with this subsection. The proceeds may not be transferred into any other fund.
2. The board of a school district may levy no more than twelve mills on the taxable valuation of the district, for miscellaneous purposes and expenses. The proceeds of this levy must be deposited into a special fund known as the miscellaneous fund and used in accordance with this subsection. The proceeds may not be transferred into any other fund.
3. The board of a school district may levy no more than three mills on the taxable valuation of the district for deposit into a special reserve fund, in accordance with chapter 57-19.
4. The board of a school district may levy no more than the number of mills necessary, on the taxable valuation of the district, for the payment of tuition, in accordance with section 15.1-29-15. The proceeds of this levy must be deposited into a special fund known as the tuition fund and used in accordance with this subsection. The proceeds may not be transferred into any other fund.
5. The board of a school district may levy no more than five mills on the taxable valuation of the district, pursuant to section 57-15-15.1, for purposes of developing a school safety plan in accordance with section 15.1-09-60. The proceeds of this levy must be deposited into a special fund known as the school safety plan fund and used in accordance with this subsection.
6. Nothing in this section limits the board of a school district from levying:
 - a. Mills for a building fund, as permitted in sections 15.1-09-49 and 57-15-16; and
 - b. Mills necessary to pay principal and interest on the bonded debt of the district, including the mills necessary to pay principal and interest on any bonded debt incurred under section 57-15-17.1 before July 1, 2013.

School district levies. (Effective for taxable years beginning after December 31, 2024)

1. a. The board of a school district may levy a tax not exceeding for the school district's local contribution to the costs of education which may not exceed the amount in dollars that the school district levied for the prior year, plus twelve percent, up to would be generated by a levy of seventy:
 - (1) Forty mills on the taxable valuation of residential, agricultural, and commercial property in the district, for any purpose related to the provision of educational services. For purposes of this paragraph, "taxable valuation" means, for taxable year 2023, the 2022 taxable valuation of the school district, and for taxable year 2024 and each year thereafter, the 2022 taxable valuation increased by five percent per year, or the actual increase in taxable valuation, as compared to the previous year's taxable valuation calculation, whichever is less, beginning with taxable year 2024 and each year thereafter.

- (2) Sixty mills on the taxable valuation of centrally assessed property in the district.
- b. The proceeds of this levy must be deposited into the school district's general fund and ~~may be used in accordance with this subsection for any purposes related to the provision of educational services.~~ The proceeds may not be transferred into any other fund.
2. The board of a school district may levy no more than ten mills on the taxable valuation of the district, for any purpose related to the provision of educational services. The proceeds of this levy must be deposited into the school district's general fund and used in accordance with this subsection. The proceeds may not be transferred into any other fund.
3. The board of a school district may levy no more than twelve mills on the taxable valuation of the district, for miscellaneous purposes and expenses. The proceeds of this levy must be deposited into a special fund known as the miscellaneous fund and used in accordance with this subsection. The proceeds may not be transferred into any other fund.
- ~~3-4.~~ The board of a school district may levy no more than three mills on the taxable valuation of the district for deposit into a special reserve fund, in accordance with chapter 57-19.
- 4-5. The board of a school district may levy no more than the number of mills necessary, on the taxable valuation of the district, for the payment of tuition, in accordance with section 15.1-29-15. The proceeds of this levy must be deposited into a special fund known as the tuition fund and used in accordance with this subsection. The proceeds may not be transferred into any other fund.
- 5-6. The board of a school district may levy no more than five mills on the taxable valuation of the district, pursuant to section 57-15-15.1, for purposes of developing a school safety plan in accordance with section 15.1-09-60. The proceeds of this levy must be deposited into a special fund known as the school safety plan fund and used in accordance with this subsection.
- 6-7. Nothing in this section limits the board of a school district from levying:
- a. Mills for a building fund, as permitted in sections 15.1-09-49 and 57-15-16; and
 - b. Mills necessary to pay principal and interest on the bonded debt of the district, including the mills necessary to pay principal and interest on any bonded debt incurred under section 57-15-17.1 before July 1, 2013.

SECTION 9. AMENDMENT. Subdivision c of subsection 1 of section 57-20-07.1 of the North Dakota Century Code is amended and reenacted as follows:

- c. ~~Provide~~For tax statements to be mailed to an owner of a residential, agricultural, or commercial parcel of land, provide information identifying the property tax savings provided by the state of North Dakota. The tax statement must include a line item that is entitled "legislative tax relief" and identifies the dollar amount of property tax savings realized by the taxpayer under chapter 50-34 for taxable years before 2019, chapter 50-35 for taxable years after 2018, and chapter 15.1-27.
- (1) For purposes of this subdivision, legislative tax relief under chapter 15.1-27 is determined by multiplying the taxable value for the taxable year for each parcel shown on the tax statement by the number of mills of mill levy reduction grant under chapter 57-64 for the 2012 taxable year plus the ~~number of~~

mills determined by subtracting from the 2012 taxable year mill rate of the school district in which the parcel is located the lesser of:

- (a) ~~Fifty~~Seventy mills; or
 - (b) The 2012 taxable year mill rate of the school district minus ~~sixty~~forty mills.
- (2) Legislative tax relief under chapter 50-35 is determined by multiplying the taxable value for the taxable year for each parcel shown on the tax statement by the number of mills of relief determined by dividing the amount calculated in subsection 1 of section 50-35-03 for a human service zone by the taxable value of taxable property in the zone for the taxable year.

SECTION 10. AMENDMENT. Subsection 1 of section 57-38-30.3 of the North Dakota Century Code is amended and reenacted as follows:

1. A tax is hereby imposed for each taxable year upon income earned or received in that taxable year by every resident and nonresident individual, estate, and trust. A taxpayer computing the tax under this section is only eligible for those adjustments or credits that are specifically provided for in this section. Provided, that for purposes of this section, any person required to file a state income tax return under this chapter, but who has not computed a federal taxable income figure, shall compute a federal taxable income figure using a pro forma return in order to determine a federal taxable income figure to be used as a starting point in computing state income tax under this section. The tax for individuals is equal to North Dakota taxable income multiplied by the rates in the applicable rate schedule in subdivisions a through d corresponding to an individual's filing status used for federal income tax purposes. For an estate or trust, the schedule in subdivision e must be used for purposes of this subsection.

- a. Single, other than head of household or surviving spouse.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
\$0	\$37,450	1.10%	\$0
\$37,450	\$90,750	\$411.95 + 2.04%	\$37,450
\$90,750	\$189,300	\$1,499.27 + 2.27%	\$90,750
\$189,300	\$411,500	\$3,736.36 + 2.64%	\$189,300
\$411,500		\$9,602.44 + 2.90%	\$411,500
\$0	\$44,725	\$0.00 + 0.00%	\$0
\$44,725	\$108,325	\$0.00 + 2.04%	\$44,725
\$108,325	\$225,975	\$1,297.44 + 2.27%	\$108,325
\$225,975	\$491,350	\$3,968.10 + 2.64%	\$225,975
\$491,350		\$10,974.00 + 2.90%	\$491,350

- b. Married filing jointly and surviving spouse.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
\$0	\$62,600	1.10%	\$0
\$62,600	\$151,200	\$688.60 + 2.04%	\$62,600
\$151,200	\$230,450	\$2,496.04 + 2.27%	\$151,200
\$230,450	\$411,500	\$4,295.02 + 2.64%	\$230,450
\$411,500		\$9,074.74 + 2.90%	\$411,500
\$0	\$74,750	\$0 + 0.00%	\$0
\$74,750	\$180,550	\$0.00 + 2.04%	\$74,750
\$180,550	\$275,100	\$2,158.32 + 2.27%	\$180,550

<u>\$275,100</u>	<u>\$491,350</u>	<u>\$4,304.61 + 2.64%</u>	<u>\$275,100</u>
<u>\$491,350</u>		<u>\$10,013.61 + 2.90%</u>	<u>\$491,350</u>

c. Married filing separately.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
\$0	\$31,300	1.10%	\$0
\$31,300	\$75,600	\$344.30 + 2.04%	\$31,300
\$75,600	\$115,225	\$1,248.02 + 2.27%	\$75,600
\$115,225	\$205,750	\$2,147.51 + 2.64%	\$115,225
\$205,750		\$4,537.37 + 2.90%	\$205,750
\$0	\$37,375	\$0 + 0.00%	\$0
\$37,375	\$90,275	\$0.00 + 2.04%	\$37,375
\$90,275	\$137,550	\$1,079.16 + 2.27%	\$90,275
\$137,550	\$245,675	\$2,152.30 + 2.64%	\$137,550
\$245,675		\$5,006.80 + 2.90%	\$245,675

d. Head of household.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
\$0	\$50,200	1.10%	\$0
\$50,200	\$129,600	\$552.20 + 2.04%	\$50,200
\$129,600	\$209,850	\$2,171.96 + 2.27%	\$129,600
\$209,850	\$411,500	\$3,993.64 + 2.64%	\$209,850
\$411,500		\$9,317.20 + 2.90%	\$411,500
\$0	\$59,950	\$0 + 0.00%	\$0
\$59,950	\$154,750	\$0.00 + 2.04%	\$59,950
\$154,750	\$250,550	\$1,933.92 + 2.27%	\$154,750
\$250,550	\$491,350	\$4,108.58 + 2.64%	\$250,550
\$491,350		\$10,465.70 + 2.90%	\$491,350

e. Estates and trusts.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
\$0	\$2,500	1.10%	\$0
\$2,500	\$5,900	\$27.50 + 2.04%	\$2,500
\$5,900	\$9,050	\$96.86 + 2.27%	\$5,900
\$9,050	\$12,300	\$168.37 + 2.64%	\$9,050
\$12,300		\$254.17 + 2.90%	\$12,300
\$0	\$3,000	\$0 + 0.00%	\$0
\$3,000	\$7,050	\$0.00 + 2.04%	\$3,000
\$7,050	\$10,750	\$82.62 + 2.27%	\$7,050
\$10,750	\$14,650	\$166.61 + 2.64%	\$10,750
\$14,650		\$269.57 + 2.90%	\$14,650

f. For an individual who is not a resident of this state for the entire year, or for a nonresident estate or trust, the tax is equal to the tax otherwise computed under this subsection multiplied by a fraction in which:

- (1) The numerator is the federal adjusted gross income allocable and apportionable to this state; and
- (2) The denominator is the federal adjusted gross income from all sources reduced by the net income from the amounts specified in subdivisions a and b of subsection 2.

In the case of married individuals filing a joint return, if one spouse is a resident of this state for the entire year and the other spouse is a

nonresident for part or all of the tax year, the tax on the joint return must be computed under this subdivision.

- g. The tax commissioner shall prescribe new rate schedules that apply in lieu of the schedules set forth in subdivisions a through e. The new schedules must be determined by increasing the minimum and maximum dollar amounts for each income bracket for which a tax is imposed by the cost-of-living adjustment for the taxable year as determined by the secretary of the United States treasury for purposes of section 1(f) of the United States Internal Revenue Code of 1954, as amended. For this purpose, the rate applicable to each income bracket may not be changed, and the manner of applying the cost-of-living adjustment must be the same as that used for adjusting the income brackets for federal income tax purposes.
- h. The tax commissioner shall prescribe an optional simplified method of computing tax under this section that may be used by an individual taxpayer who is not entitled to claim an adjustment under subsection 2 or credit against income tax liability under subsection 7.

SECTION 11. REPEAL. Section 15.1-27-04.3, 15.1-27-15.1, and 15.1-27-20.2 of the North Dakota Century Code are repealed.

SECTION 12. APPROPRIATION - HOMESTEAD TAX CREDIT PROGRAM. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$80,000,000, or so much of the sum as may be necessary, to the tax commissioner for the purpose of paying the state reimbursement under the homestead tax credit, for the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 13. EFFECTIVE DATE. Sections 4, 6, 7, 8, and 10 of this Act are effective for taxable years beginning after December 31, 2022."

Renumber accordingly"

REP. BELLEW MOVED that the report be adopted, which motion prevailed.

VETO MEASURE

Pursuant to Article V, Section 9 of the North Dakota Constitution, I have vetoed House Bill 1273 and return it to the House.

House Bill 1273 undermines local control of local political subdivisions exercising their granted powers under home rule charter, specifically prohibiting using an approval voting method or ranked-choice voting method in local elections. This bill also applies restrictions to local elections held by counties, cities and other political subdivisions, regardless of whether they have adopted a home rule charter.

To be clear, under existing law, counties and cities currently do not – and should not – have authority to implement approval voting or ranked-choice methods for state and federal elected office. Home rule authority applies only to local elections.

House Bill 1273 blatantly infringes on local control and the ability of residents in home rule cities to determine which method of local city election is best for their communities based on the unique aspects of city elections, including those that often have a very large field of candidates elected at-large and not by wards, with no party affiliation and no primary or runoff elections.

Currently, the mantra of “one person, one vote” is often cited in opposition to approval voting. However, in city and county elections using the current plurality voting method in North Dakota, individual voters already often have the opportunity to vote for multiple candidates for two, three, or four seats on a city council or county commission, for example.

Only one political subdivision, the city of Fargo, uses approval voting, having adopted this method through a citywide ballot measure in 2018 approved by 63.5% of those voting on the measure. Ranked-choice voting is not used by any political subdivision in North Dakota.

House Bill 1273 – sponsored by a dozen legislators but none of the 18 legislators who represent Fargo – subverts the will of Fargo residents and overturns the supermajority approval of their 2018 ballot measure five years later.

House Bill 1273 also rolls back the power granted to all 155 cities – across every North Dakota legislative district – that have adopted a home rule charter under North Dakota Century Code 40-05.1-06 Subsection 9, which states that home rule cities have authority “to provide for all matters pertaining to city elections, except as to qualifications of electors.”

Withdrawing this authority after it has already been exercised to carry out the supermajority will of voters is an egregious example of state overreach and demonstrates a lack of respect for local control. Further, instead of taking the opportunity to respect the decision made by over 30,000 Fargo voters and include a grandfather clause in House Bill 1273, the Legislative Assembly is attempting to move the goalposts after the rules were set and legally followed.

To nullify the legitimate votes of tens of thousands of North Dakota citizens and prevent other home rule cities and counties from exercising their home rule authority over elections of their own elected officials is improper and invites legal action against the state.

In North Dakota, we frequently rail against federal overreach that impacts states’ rights. If we truly believe in limited government and local control, we can begin by honoring the boundaries, intent and spirit of home rule charters, especially when there is no evidence of any harm having occurred from trusting the residents of cities to have self-determination within the bounds of their home rule charters.

For the reasons stated above, House Bill 1273 is vetoed.

MOTION

REP. BOSCH MOVED that HB 1273 be laid over one legislative day, which motion prevailed.

MOTION

REP. BOSCH MOVED that SB 2140, which is on the Fourteenth order, be laid over two legislative days, which motion prevailed.

MOTION

REP. BOSCH MOVED that Engrossed SB 2360, which is on the Sixth order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Rep. Bosch’s motion, Engrossed SB 2360 was rereferred.

MOTION

REP. BOSCH MOVED that Rep. Toman replace Rep. J. Olson on the Conference Committee on HB 1455, which motion prevailed on a voice vote.

MOTION

REP. BOSCH MOVED that Rep. Hatlestad replace Rep. J. Olson on the Conference Committee on HB 1383, which motion prevailed on a voice vote.

MOTION

REP. HEADLAND MOVED that the House reconsider its action whereby the House Did Not Concur in the Senate amendments to HB 1057 and appointed a conference committee, which motion prevailed on a voice vote.

CONSIDERATION OF MESSAGES FROM THE SENATE

REP. BOSCH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1011 as printed on HJ page 1610, in the Senate amendments to Engrossed HB 1371 as printed on HJ pages 1537-1538, in the Senate amendments to Engrossed HB 1497 as printed on HJ pages 1489-1492, and in the Senate amendments to Engrossed HB 1538 as printed on HJ pages 1620-1621 and that a conference committee be appointed to meet with a like committee from the Senate on each of these measures, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed HB 1011: Reps. Brandenburg, Mock, Pyle.
Engrossed HB 1371: Reps. Thomas, Christy, Prichard.
Engrossed HB 1497: Reps. Klemin, Satrom, Schneider.
Engrossed HB 1538: Reps. M. Ruby, J. Olson, Novak.

APPOINTMENT OF CONFERENCE COMMITTEE

REP. BOSCH MOVED that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on SB 2126, SB 2187, and SB 2273, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

SB 2126: Reps. Motschenbacher, Warrey, Ostlie
SB 2187: Reps. Rohr, McLeod, K. Anderson
SB 2273: Reps. Beltz, S. Olson, Monson

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to Engrossed SB 2367.

Engrossed SB 2367, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2266: A BILL for an Act to amend and reenact section 06-06-07 of the North Dakota Century Code, relating to credit union membership.

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 39 YEAS, 53 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Bellew; Beltz; Boschee; Brandenburg; Christensen; Conmy; Davis; Dobervich; Dyk; Finley-DeVillie; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heilman; Heinert; Holle; Ista; Kiefert; Koppelman; Marschall; Meier; Mock; Nelson; Olson, S.; Ostlie; Prichard; Rios; Rohr; Ruby, M.; Schneider; Schobinger; Steiner; Strinden; Speaker Johnson, D.

NAYS: Anderson, B.; Anderson, D.; Bahl; Bosch; Christy; Cory; Dakane; Dockter; Fegley; Fisher; Hauck; Henderson; Hoverson; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; Mitskog; Monson; Motschenbacher; Murphy; Nathe; Novak; O'Brien; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schreiber-Beck; Stemen; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz

ABSENT AND NOT VOTING: McLeod; Olson, J.

Engrossed SB 2266 failed.

SECOND READING OF SENATE BILL

SB 2142: A BILL for an Act to create and enact a new section to chapter 54-60 of the North Dakota Century Code, relating to the creation of an office of legal immigration; to provide an appropriation; and to provide for a report.

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 64 YEAS, 28 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVillie; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Holle; Ista; Jonas; Karls; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Martinson; Meier;

Mitskog; Mock; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Ostlie; Porter; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, K.; Bellew; Christensen; Dyk; Fisher; Frelich; Heilman; Henderson; Hoverson; Johnson, J.; Kasper; Kempenich; Koppelman; Louser; Marschall; Monson; Olson, S.; Prichard; Rios; Ruby, D.; Ruby, M.; Schatz; Schobinger; Thomas; Timmons; Toman; Tveit; VanWinkle

ABSENT AND NOT VOTING: McLeod; Olson, J.

Engrossed SB 2142, as amended, passed.

SECOND READING OF SENATE BILL

SB 2265: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to a dual special needs plan for Medicaid; and to provide an appropriation.

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 71 YEAS, 21 NAYS, 0 EXCUSED, 2 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-DeVillie; Fisher; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Ista; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Ostlie; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Christensen; Dyk; Frelich; Hauck; Heilman; Henderson; Holle; Hoverson; Kasper; Koppelman; Louser; Olson, S.; Prichard; Rios; Ruby, D.; Schatz; Timmons; Tveit; VanWinkle; Vetter

ABSENT AND NOT VOTING: McLeod; Olson, J.

Engrossed SB 2265, as amended, passed.

SECOND READING OF SENATE BILL

SB 2194: A BILL for an Act to create and enact a new section to chapter 4.1-01 of the North Dakota Century Code, relating to a post-production royalty oversight program; to amend and reenact subsection 2 of section 38-08-04.5 of the North Dakota Century Code, relating to the abandoned oil and gas well plugging and site reclamation fund; and to provide a report.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; 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; Ostlie; Porter; 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.

NAYS: Christensen; Henderson; Hoverson; Olson, S.; Prichard

ABSENT AND NOT VOTING: McLeod; Olson, J.

Reengrossed SB 2194, as amended, passed.

SECOND READING OF SENATE BILL

SB 2367: A BILL for an Act to amend and reenact section 57-51.1-07.5 of the North Dakota Century Code, relating to the allocation of the state share of oil and gas taxes.

ROLL CALL

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

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

NAYS: Bellew; Christensen; Cory; Heilman; Henderson; Nathe; Prichard; Schatz; VanWinkle

ABSENT AND NOT VOTING: McLeod; Olson, J.

Engrossed SB 2367, as amended, passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HEADLAND MOVED that the House do concur in the Senate amendments to HB 1057 as printed on HJ page 1130, which motion prevailed on a voice vote.

HB 1057, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1057: A BILL for an Act to amend and reenact subsection 6 of section 11-18-02.2, section 57-02-51, subsection 14 of section 57-36-01, and sections 57-39.2-17 and 57-51-02.2 of the North Dakota Century Code, relating to statements of full consideration, notice of township and city equalization meetings, the definition of snuff, service of notice for sales and use tax purposes, and notice of the gas base rate adjustment and gas production tax rate; and to provide an effective date.

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 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; 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; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Christensen; Hoverson; Timmons

ABSENT AND NOT VOTING: McLeod; Olson, J.

Engrossed HB 1057 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HEINERT MOVED that the House do concur in the Senate amendments to Engrossed HB 1376 as printed on HJ pages 1406-1407, which motion prevailed on a voice vote.

Engrossed HB 1376, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1376: A BILL for an Act to amend and reenact sections 15-19-01, 15.1-07-25.4, 15.1-31-01, 15.1-31-06, 15.1-31-07, and 15.1-31-08 of the North Dakota Century Code, relating to virtual instruction of students and open enrollment.

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 79 YEAS, 13 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Boschee; Conmy; Davis; Dobervich; Dyk; Finley-DeVillie; Hager; Hanson; Ista; Louser; Ostlie; Schneider; Vetter

ABSENT AND NOT VOTING: McLeod; Olson, J.

Reengrossed HB 1376 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KLEMIN MOVED that the House do concur in the Senate amendments to Engrossed HB 1160 as printed on HJ page 1565, which motion prevailed on a voice vote.

Engrossed HB 1160, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1160: A BILL for an Act to create and enact a new subsection to section 54-23.3-04 of the North Dakota Century Code, relating to the duties of the director of the department of corrections and rehabilitation; to amend and reenact subsection 4 of section 27-20.4-01, subsection 3 of section 27-20.4-17, subsections 1 and 8 of section 27-20.4-18, section 27-20.4-21, and section 27-20.4-23 of the North Dakota Century Code, relating to delinquent children; and to declare an emergency.

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 87 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hager; Hanson; Hatlestad; Hauck; Headland; Heinert; Henderson; Holle; Hoverson; 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; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; VanWinkle; Vetter; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Christensen; Heilman; Prichard; Timmons

ABSENT AND NOT VOTING: McLeod; Olson, J.

Reengrossed HB 1160 passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KLEMIN MOVED that the House do concur in the Senate amendments to HB 1277 as printed on HJ page 1565, which motion prevailed on a voice vote.

HB 1277, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1277: A BILL for an Act to amend and reenact section 39-08-01.5 of the North Dakota Century Code, relating to suspension of the electronic alcohol monitoring and sobriety breath testing requirement during drug court program participation; and to declare an emergency.

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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 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-DeVillie; Fisher; Frelich; Grueneich; Hager; Hager; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; 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; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: McLeod; Olson, J.

Engrossed HB 1277 passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LONGMUIR MOVED that the House do concur in the Senate amendments to Engrossed HB 1529 as printed on HJ page 1563, which motion prevailed on a voice vote.

Engrossed HB 1529, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1529: A BILL for an Act to provide for a legislative management study relating to campaign finance.

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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 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-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; 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: McLeod; Olson, J.

Reengrossed HB 1529 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SCHAUER MOVED that the House do concur in the Senate amendments to Engrossed HB 1070 as printed on HJ pages 1467-1468, which motion prevailed on a voice vote.

Engrossed HB 1070, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1070: A BILL for an Act to create and enact three new sections to chapter 37-17.1 of the North Dakota Century Code, relating to the establishment and administration of a hazard mitigation revolving loan fund; to amend and reenact subsection 12 of section 54-16-04.1, relating to emergency commission authorizations; and to provide a continuing appropriation.

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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 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-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; 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: McLeod; Olson, J.

Reengrossed HB 1070 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. VIGESAA MOVED that the House do concur in the Senate amendments to Engrossed HB 1006 as printed on HJ pages 1531-1533, which motion prevailed on a voice vote.

Engrossed HB 1006, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1006: A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota aeronautics commission; and to provide an exemption.

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 83 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVile; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; 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; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Christensen; Heilman; Henderson; Koppelman; Marschall; Motschenbacher; Prichard; Toman

ABSENT AND NOT VOTING: McLeod; Olson, J.

Reengrossed HB 1006 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. VIGESAA MOVED that the House do concur in the Senate amendments to Engrossed HB 1016 as printed on HJ pages 1533-1534, which motion prevailed on a voice vote.

Engrossed HB 1016, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1016: A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota.

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 77 YEAS, 15 NAYS, 0 EXCUSED, 2 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-DeVile; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; 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; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Christensen; Dyk; Hauck; Heilman; Henderson; Hoverson; Koppelman; Marschall; Prichard; Schatz; Toman; Tveit; VanWinkle; Vetter

ABSENT AND NOT VOTING: McLeod; Olson, J.

Reengrossed HB 1016 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SCHAUER MOVED that the House do concur in the Senate amendments to HB 1309 as printed on HJ pages 1618-1619, which motion prevailed on a voice vote.

HB 1309, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1309: A BILL for an Act to amend and reenact section 54-52-06.4, subdivisions e and g of subsection 3 of section 54-52-17, and subsection 4 of section 54-52-17 of the North Dakota Century Code, relating to retirement benefits for peace officers employed by the bureau of criminal investigation.

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 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; 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; Holle; Hoverson; 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, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Henderson; Ruby, D.

ABSENT AND NOT VOTING: McLeod; Olson, J.

Engrossed HB 1309 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HEINERT MOVED that the House do concur in the Senate amendments to Engrossed HB 1030 as printed on HJ pages 1566-1567, which motion prevailed on a voice vote.

Engrossed HB 1030, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1030: A BILL for an Act to amend and reenact sections 15-10-38.4, 15-10-59, 15-62.5-01, and 15-62.5-03, subdivision a of subsection 1 of section 15-62.5-04, and sections 15-63-01, 15-63-02, 15-63-03, 15-63-04, 15-63-05, 15.1-21-02.6, and 15.1-21-02.8 of the North Dakota Century Code, relating to dual-credit tuition scholarships, the North Dakota scholars program, Indian scholarships, and academic and career and technical education scholarships; and to repeal section 15-63-07 of the North Dakota Century Code, relating to the use of Indian scholarship refunds.

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 91 YEAS, 1 NAYS, 0 EXCUSED, 2 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-DeVillie; Fisher; Frellich; Grueneich; Hager; Hager; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; 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; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Schreiber-Beck

ABSENT AND NOT VOTING: McLeod; Olson, J.

Reengrossed HB 1030 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HEINERT MOVED that the House do concur in the Senate amendments to HCR 3023 as printed on HJ pages 1564-1565, which motion prevailed on a voice vote.

HCR 3023, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3023: A concurrent resolution encouraging the judicial branch to consider forming a task force to study the retention of University of North Dakota law graduates in the state, including an evaluation of alternative pathways to bar admission that ensure attorney competence.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 85 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Hauck; Henderson; Marschall; Ruby, D.; Schatz; Timmons

ABSENT AND NOT VOTING: McLeod; Olson, J.

Engrossed HCR 3023 was declared adopted on a recorded roll call vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KLEMIN MOVED that the House do concur in the Senate amendments to Engrossed HB 1313 as printed on HJ page 1411, which motion prevailed on a voice vote.

Engrossed HB 1313, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1313: A BILL for an Act to amend and reenact section 54-35-06 of the North Dakota Century Code, relating to the chairman and vice chairman of the legislative management; to provide for application; and to declare an emergency.

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 41 YEAS, 51 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, K.; Bellew; Beltz; Bosch; Brandenburg; Christensen; Dockter; Grueneich; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Marschall; Meier; Motschenbacher; Olson, S.; Prichard; Richter; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schobinger; Steiner; Swiontek; Thomas; Timmons; VanWinkle; Wagner; Speaker Johnson, D.

NAYS: Anderson, D.; Bahl; Boschee; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Hager; Hagert; Hanson; Hatlestad; Hoverson; Ista; Johnson, J.; Jonas; Karls; Longmuir; Louser; Martinson; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; Novak; O'Brien; Ostlie; Porter; Pyle; Rios; Roers Jones; Sanford; Schauer; Schneider; Schreiber-Beck; Stemen; Strinden; Toman; Tveit; Vetter; Vigesaa; Warrey; Weisz

ABSENT AND NOT VOTING: McLeod; Olson, J.

Reengrossed HB 1313 failed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to HB 1044 as printed on HJ page 1130, which motion prevailed on a voice vote.

HB 1044, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1044: A BILL for an Act to amend and reenact section 50-24.1-32 of the North Dakota Century Code, relating to the medical assistance primary care provider program; and to provide an effective date.

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 84 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; 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; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Christensen; Heilman; Henderson; Hoverson; Prichard; Schatz; Timmons

ABSENT AND NOT VOTING: McLeod; Olson, J.

Engrossed HB 1044 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to Engrossed HB 1416 as printed on HJ page 1561, which motion prevailed on a voice vote.

Engrossed HB 1416, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1416: A BILL for an Act to create and enact section 26.1-36-12.7 of the North Dakota Century Code, relating to freedom of choice for health care services; and to provide for application.

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 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVilleville; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; 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, M.; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Cory; Ruby, D.; Sanford

ABSENT AND NOT VOTING: McLeod; Olson, J.

Reengrossed HB 1416 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KLEMIN MOVED that the House do concur in the Senate amendments to Engrossed HB 1334 as printed on HJ pages 1565-1566, which motion prevailed on a voice vote.

Engrossed HB 1334, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1334: A BILL for an Act to create and enact section 12.1-17-04.1 of the North Dakota Century Code, relating to domestic terrorism; to provide a penalty; and to declare an emergency.

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 86 YEAS, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hager; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; 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; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Davis; Finley-DeVilleville; Hanson; Roers Jones; Schauer; Schneider

ABSENT AND NOT VOTING: McLeod; Olson, J.

Reengrossed HB 1334 passed and the emergency clause was declared carried.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has amended and subsequently passed: SB 2142, SB 2194, SB 2265, SB 2367.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has failed to pass, unchanged: SB 2266.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, unchanged: HB 1530.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1232, HB 1242.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1007, HB 1024, HB 1168, HB 1231, HB 1437, HB 1477, HB 1487, HB 1519.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1007

Page 1, line 1, after the semicolon insert "to provide for a legislative management study;"

Page 1, replace lines 11 through 17 with:

"Salaries and wages	\$19,209,879	\$849,837	\$20,059,716
Operating expenses	5,539,333	538,842	6,078,175
Capital assets	<u>407,271</u>	<u>2,437,811</u>	<u>2,845,082</u>
Total all funds	\$25,156,483	\$3,826,490	\$28,982,973
Less estimated income	<u>19,375,840</u>	<u>3,597,134</u>	<u>22,972,974</u>
Total general fund	\$5,780,643	\$229,356	\$6,009,999
Full-time equivalent positions	114.79	0.00	114.79"

Page 1, replace line 24 with:

"Parking lot and road repairs	0	1,100,000"
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Page 2, replace line 2 with:

"Thermostat replacements	131,500	478,930"
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Page 2, replace lines 6 and 7 with:

"Total all funds	\$1,673,200	\$2,454,680
Less estimated income	<u>1,648,200</u>	<u>2,454,680"</u>

Page 2, remove lines 17 through 21

Page 2, line 23, remove "- **ONE-TIME FUNDING**"

Page 2, line 24, replace "\$328,930" with "\$478,930"

Page 2, replace line 26 with:

"SECTION 5. LEGISLATIVE MANAGEMENT STUDY - VETERANS' HOME GOVERNANCE. During the 2023-24 interim, the legislative management shall consider studying current and future governance needs of the veterans' home. The study must include a review of the report provided in section 6 of this Act. The study must consider the current duties and responsibilities of the administrative committee on veterans' affairs, the veterans' home governing board, and the veterans' home administrator and any organizational changes necessary to provide services for veterans and veterans' spouses, increase resident census at the veterans' home, accomplish goals included in the veterans' home strategic plan, and ensure the

long-term viability of the veterans' home. 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 6. VETERANS' HOME STRATEGIC PLAN - LEGISLATIVE MANAGEMENT REPORT - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY.

The veterans' home shall report to the legislative management by January 1, 2024, regarding the status of implementing recommendations included in the veterans' home strategic plan as provided for in section 1 of chapter 7 of the 2019 Session Laws. The veterans' home shall forward a copy of the report to the governor and each United States senator and congressman representing North Dakota. The veterans' home shall provide an updated report to the appropriations committees of the sixty-ninth legislative assembly, the governor, and each United States senator and congressman representing North Dakota during the 2025 legislative session. The report must include information on the status and progress of:

1. The veterans' home current and future planned marketing initiative outcomes, including:
 - a. Marketing efforts to community-based outpatient clinics throughout the state and how the veterans' home can increase community-based services to veterans statewide; and
 - b. How the agency will increase statewide awareness of the veterans' home, including promoting services available to veterans and veterans' spouses;
2. Implementation of minimum data set and documentation audit recommendations to increase operational efficiencies, census, and staffing;
3. The veterans' home and each United States senator and congressman representing North Dakota collaborating to negotiate with the United States department of veterans affairs on the forgiveness of approximately \$15,700,000 of federal funding used in the construction of the veterans' home and the other options regarding federal funding concerns;
4. Evaluating options to adjust basic care and skilled care reimbursement rates to more adequately compensate for services provided to veterans and veterans' spouses;
5. The feasibility of providing collaborative hospice care at the veterans' home and the creation of a business plan including advantages, disadvantages, and potential costs and revenue;
6. The feasibility of providing assisted and independent living care at the veterans' home and the creation of a business plan including advantages, disadvantages, and potential costs and revenue;
7. The feasibility of providing adult day care at the veterans' home and the creation of a business plan including advantages, disadvantages, and potential costs and revenue;
8. The feasibility of providing outpatient services at the veterans' home and the creation of a business plan including advantages, disadvantages, and potential costs and revenue;
9. The feasibility of engaging in collaborative planning and work efforts with competing senior living providers in areas surrounding the veterans' home and the feasibility of contracting with a third party to operate the veterans' home; and
10. The final strategic plan submitted by the veterans' home third-party consultant."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1007 - Veterans' Home - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$19,209,879	\$20,708,745	(\$649,029)	\$20,059,716
Operating expenses	5,539,333	5,628,175	450,000	6,078,175
Capital assets	407,271	2,195,082	650,000	2,845,082
Total all funds	\$25,156,483	\$28,532,002	\$450,971	\$28,982,973
Less estimated income	19,375,840	22,357,726	615,248	22,972,974
General fund	\$5,780,643	\$6,174,276	(\$164,277)	\$6,009,999
FTE	114.79	114.79	0.00	114.79

Department 313 - Veterans' Home - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Removes Salary Funding for Pool ²	Adds Funding for Resident Food and Professional Services ³	Adjusts One-Time Funding Parking Lot and Road Repairs ⁴	Adds One-Time Funding to Replace Thermostats ⁵	Total Senate Changes
Salaries and wages	\$243,184	(\$892,213)				(\$649,029)
Operating expenses			\$450,000			450,000
Capital assets				\$500,000	\$150,000	650,000
Total all funds	\$243,184	(\$892,213)	\$450,000	\$500,000	\$150,000	\$450,971
Less estimated income	178,446	(663,198)	450,000	500,000	150,000	615,248
General fund	\$64,738	(\$229,015)	\$0	\$0	\$0	(\$164,277)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

¹ Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	\$66,761	\$189,439	\$256,200
Health insurance increase	(2,023)	(10,993)	(13,016)
Total	\$64,738	\$178,446	\$243,184

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

² Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	\$0	\$0	\$0
Vacant FTE positions	(229,015)	(663,198)	(892,213)
Total	(\$229,015)	(\$663,198)	(\$892,213)

³ Funding of \$450,000 is added from the soldiers' home fund, of which \$150,000 is for resident food costs and \$300,000 is for professional services for agency staffing. The House added \$26,000 from the general fund for resident food costs.

⁴ One-time funding of \$600,000 added by the House from the strategic investment and improvements fund is removed and \$1.1 million of one-time funding from the soldiers' home fund is added to mill, patch, and chip seal parking lots and roads on the Veterans' Home campus.

⁵ One-time funding of \$150,000 is added from the federal State Fiscal Recovery Fund for a thermostat and air handling unit replacement project to provide a total of \$478,930. The House added \$328,930 from the federal State Fiscal Recovery Fund for the project.

This amendment also:

- Removes a section added by the House that identified funding provided from the strategic investment and improvements fund for the purpose of repairing parking lots and roads on the Veterans' Home campus.
- Amends a section identifying funding provided from the federal State Fiscal Recovery Fund for a thermostat and air handling unit replacement project.
- Adds a section to provide for a Legislative Management study of the governance of the Veterans' Home.
- Adds a section requiring the Veterans' Home to provide a report to the Legislative Management during the 2023-24 interim and to the appropriations committees of the 69th Legislative Assembly regarding progress on recommendations from the Veterans' Home strategic plan.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1024

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

Page 1, line 4, after "fund" insert "and to provide for an exemption"

Page 1, replace lines 14 through 21 with:

Salaries and wages	\$32,551,817	\$4,553,049	\$37,104,866
Operating expenses	10,771,898	6,475,528	17,247,426
Capital assets	1,247,172	(78,672)	1,168,500
Grants	<u>15,060,118</u>	<u>22,138,000</u>	<u>37,198,118</u>
Total all funds	\$59,631,005	\$33,087,905	\$92,718,910
Less estimated income	<u>46,969,930</u>	<u>29,966,956</u>	<u>76,936,886</u>
Total general fund	\$12,661,075	\$3,120,949	\$15,782,024
Full-time equivalent positions	166.00	7.00	173.00"

Page 1, line 22, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-NINTH LEGISLATIVE ASSEMBLY**"

Page 2, line 19, replace "\$742,080" with "\$723,595"

Page 3, after line 19, insert:

"SECTION 7. EXEMPTION - LABORATORY INFORMATION MANAGEMENT SYSTEM. The sum of \$1,000,000, appropriated from the general fund for the laboratory information management system in section 1 of chapter 52 of the 2021 Session Laws, is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for the laboratory information management system during the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1024 - Department of Environmental Quality - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$32,551,817	\$36,933,657	\$171,209	\$37,104,866
Operating expenses	10,771,898	16,177,694	1,069,732	17,247,426
Capital assets	1,247,172	1,168,500		1,168,500
Grants	<u>15,060,118</u>	<u>36,838,118</u>	360,000	<u>37,198,118</u>
Total all funds	\$59,631,005	\$91,117,969	\$1,600,941	\$92,718,910
Less estimated income	<u>46,969,930</u>	<u>76,828,535</u>	108,351	<u>76,936,886</u>
General fund	\$12,661,075	\$14,289,434	\$1,492,590	\$15,782,024
FTE	166.00	171.00	2.00	173.00

Department 303 - Department of Environmental Quality - Detail of Senate Changes

	Adds Funding for Salary and Benefit Increases ¹	Removes Salary Funding for Pool ²	Adds Funding for Health Insurance Increases for Vacant Positions ³	Adds Salary Equity Funding to Reclassify Positions ⁴	Adds 1 FTE Human Resource Director Position ⁵	Adds 1 FTE Assistant Director Position ⁶
Salaries and wages	\$587,965	(\$3,743,544)	\$121,026	\$2,000,000	\$255,456	\$349,706
Operating expenses					15,165	15,167
Capital assets						
Grants						
Total all funds	\$587,965	(\$3,743,544)	\$121,026	\$2,000,000	\$270,621	\$364,873
Less estimated income	412,219	(2,795,634)	78,694	0	175,903	237,169
General fund	\$175,746	(\$947,910)	\$42,332	\$2,000,000	\$94,718	\$127,704
FTE	0.00	0.00	0.00	0.00	1.00	1.00

	Adds Funding for Federal Climate Pollution Reduction Act Grant ⁷	Total Senate Changes
Salaries and wages	\$600,600	\$171,209
Operating expenses	1,039,400	1,069,732
Capital assets		
Grants	360,000	360,000
Total all funds	\$2,000,000	\$1,600,941
Less estimated income	2,000,000	108,351
General fund	\$0	\$1,492,590
FTE	0.00	2.00

¹ Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	\$180,905	\$424,571	\$605,476
Health insurance increase	(5,159)	(12,352)	(17,511)
Total	\$175,746	\$412,219	\$587,965

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

² Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	(\$364,806)	(\$1,407,442)	(\$1,772,248)
Vacant FTE positions	(583,104)	(1,388,192)	(1,971,296)
Total	(\$947,910)	(\$2,795,634)	(\$3,743,544)

³ Funding is added for health insurance increases for vacant positions that was not included in the executive recommendation or the House version.

⁴ Equity funding is added to increase salaries and wages to reclassify chemist and environmental scientist positions. The funding is provided in addition to equity funding included in the salary equity pool appropriated to the Office of Management and Budget. The House did not include funding to reclassify positions.

⁵ Funding, including funding from federal and special funds, is added for 1 FTE human resource director position in the Office of the Director and related operating expenses.

⁶ Funding, including funding from federal and special funds, is added for 1 FTE assistant director in the Office of the Director and related operating expenses.

⁷ Federal funding is added for a Climate Pollution Reduction Act grant.

This amendment also adds an exemption to allow the department to continue unexpended one-time funding provided during the 2021-23 biennium for the laboratory information management system project.

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1168

Page 1, line 13, replace "twenty" with "ten"

Page 2, line 3, after "c." insert "\"First-time claimant\" means a taxpayer that has not previously claimed a credit against the tax imposed under section 57-38-30 or 57-38-30.3 for purchases of animal agricultural machinery and equipment or manufacturing machinery and equipment for the purpose of automating manufacturing or animal agricultural processes."

d."

Page 2, line 6, replace "d." with "e."

Page 2, line 9, replace "e." with "f."

Page 2, line 13, replace "f." with "g."

Page 2, line 14, replace "g." with "h."

Page 2, line 19, replace "h." with "i."

Page 2, line 29, after "5." insert "a."

Page 2, line 30, replace "one" with "four"

Page 2, line 30, remove "five hundred thousand"

Page 2, line 30, replace "However, if" with:

- (1) From the aggregate credit limit in this subdivision, the tax commissioner shall designate:

 - (a) One million dollars for credits claimed by first-time claimants for animal agricultural machinery and equipment for the purpose of automating animal agricultural processes; and
 - (b) One million dollars for credits claimed by first-time claimants for manufacturing machinery and equipment for the purpose of automating manufacturing processes.
- (2) If the portion of the aggregate limit which is designated for first-time claimants in paragraph 1 is greater than the amount of credits claimed by the corresponding first-time claimants, the remaining portion of the aggregate limit which is designated for the first-time claimants in paragraph 1 must be included in the amount available to claimants that are not first-time claimants.
- (3) If the portion of the aggregate limit which is not designated for first-time claimants in paragraph 1 is greater than the amount of credits claimed by claimants that are not first-time claimants, the remaining portion of the aggregate limit which is not designated for first-time claimants in paragraph 1 must be included in the amount available to first-time claimants to the extent necessary to satisfy all first-time claims.
- (4) If the sum of the portion of the aggregate limit which is designated for the corresponding first-time claimants in paragraph 1 and any amount available to the first-time

claimants under paragraph 3 is less than the amount of credits claimed by the first-time claimants, the tax commissioner shall prorate the credits among the first-time claimants.

b. If"

Page 3, line 2, replace "If" with:

"c. After determining the credits claimed by the first-time claimants as provided in subdivision a. if"

Page 3, line 2, after "section" insert "by claimants that are not first-time claimants"

Page 3, line 3, after "available" insert "to claimants that are not first-time claimants"

Page 3, line 4, after "claimants" insert "that are not first-time claimants"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1231

Page 1, line 1, remove "to create and enact a new section to chapter 15.1-13 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to teacher license requirements for reading instruction competency;"

Page 1, line 3, replace "section" with "sections 15.1-32-25 and"

Page 1, line 3, remove the second "the"

Page 1, line 4, remove "program; to repeal section 15.1-32-25 of the North Dakota"

Page 1, line 5, remove "Century Code, relating to mandatory dyslexia screening"

Page 1, line 6, after the first semicolon insert "and"

Page 1, line 6, remove "; and to provide an effective"

Page 1, line 7, remove "date"

Page 1, remove lines 9 through 22

Page 2, replace lines 1 through 9 with:

"SECTION 1. AMENDMENT. Section 15.1-32-25 of the North Dakota Century Code is amended and reenacted as follows:

15.1-32-25. ReadingDyslexia screening.

Each public elementary school shall ~~include in the developing and processing of assessments and screening of reading, administer universal screening for dyslexia which includes~~ the core components of phonetic awareness, decoding, and spelling and which is approved by the superintendent of public instruction. The screening also must be offered if requested by a parent, legal guardian, or teacher."

Page 2, line 25, remove "from an approved provider on a list maintained by the"

Page 2, line 26, remove "superintendent of public instruction"

Page 2, line 28, remove the overstrike over "operate a"

Page 2, line 29, remove the overstrike over "program to"

Page 3, line 2, after "or" insert "and"

Page 3, line 2, remove the overstrike over "~~special education unit~~"

Page 3, line 12, remove the overstrike over "~~Provide low phonemic awareness and other dyslexia risk factor screenings for~~"

Page 3, line 13, remove the overstrike over "~~children under seven years of age~~"

Page 3, line 14, remove the overstrike over the overstruck semicolon

Page 3, line 14, remove "For enrolled children seven years of age and younger, provide a"

Page 3, remove lines 15 through 18

Page 3, line 18, remove "by a specialist trained in dyslexia characteristics"

Page 3, line 27, replace "kindergarten through grade three" with "appropriate"

Page 3, line 28, remove ". Professional development must"

Page 3, line 29, remove "meet the requirements for continuing education credits for license renewal"

Page 3, line 30, remove "A school district or special education unit shall provide an assessment under"

Page 3, remove line 31

Page 4, line 1, overstrike "5."

Page 4, line 6, remove "dyslexia screening and"

Page 4, line 7, replace "intervention under this section" with "the program"

Page 4, remove line 8

Page 4, line 11, after "studying" insert "all"

Page 4, line 12, after "include" insert "a statutory review completed by a task force comprised of the kindergarten through grade twelve education coordination council or a subcommittee designated by the kindergarten through grade twelve education coordination council, including representative teachers, administrators, and college preparatory program administrators. The study also must include"

Page 4, remove lines 16 and 17

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1437

Page 1, line 16, remove "confined"

Page 2, line 1, replace "eight" with "twelve"

Page 2, line 8, after "**APPROPRIATION**" insert "**- ENVIRONMENT AND RANGELAND PROTECTION FUND**"

Page 2, line 10, replace "general fund" with "environment and rangeland protection fund"

Page 2, line 11, replace "\$600,000," with "\$1,200,000"

Page 2, line 12, remove "confined"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1477

Page 1, line 3, remove "and"

Page 1, line 3, after "appropriation" insert "; and to provide an expiration date"

Page 4, line 11, after the boldfaced dash insert "**RURAL**"

Page 4, line 11, remove "**AND RURAL**"

Page 4, line 12, replace "**AMBULANCE SERVICE DISTRICTS**" with "**GRANTS - ONE-TIME FUNDING**"

Page 4, line 15, remove "aiding the functions and operations of rural emergency"

Page 4, line 16, replace "medical services and rural ambulance service districts" with "providing additional state financial assistance for rural emergency medical services grants"

Page 4, line 17, after "2025" insert ". The funding provided in this section is considered a one-time funding item"

Page 4, after line 17, insert:

"SECTION 7. EXPIRATION DATE. Sections 1 through 5 of this Act are effective through June 30, 2025, and after that date are ineffective."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds an expiration date of June 30, 2025 for the changes to the ambulance service district grant program and clarifies the funding of \$7 million from the community health trust fund is a one-time funding item.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1487

In lieu of the amendments adopted by the Senate as printed on pages 1116 and 1117 of the Senate Journal, Engrossed House Bill No. 1487 is amended as follows:

Page 1, line 3, remove "and"

Page 1, line 3, after "appropriation" insert "; and to provide for a legislative management study"

Page 1, line 13, after "transaction" insert ". or taking any actions related to dispute processing, fraud management, or protecting transaction integrity from concerns related to illegal activities, breach, or cyber risks"

Page 1, line 17, remove "standards"

Page 1, line 17, after "organization" insert "for standardization for firearms retailers"

Page 1, line 18, after "5." insert "\"Firearms retailer\" means any person physically located in this state engaged in the lawful business of selling or trading firearms or ammunition to be used in firearms."

6."

Page 1, line 20, replace "6." with "7."

Page 2, line 6, remove "any merchant located in this state to use"

Page 2, remove line 7

Page 2, line 8, replace "sale of firearms or ammunition from other sporting goods or general merchandise" with "the use of a firearms code in a manner that distinguishes a firearms retailer located in this state from a general merchandise retailer or a sporting goods retailer"

Page 2, line 9, remove "use a firearms code to"

Page 2, after line 14, insert:

"4. Nothing in this section may impair the financial entity's actions related to dispute processing, fraud management, protecting transaction integrity from concerns related to illegal activities, breach, cyber risks, or to comply with state or federal law."

Page 2, line 16, after "1." insert "Any person may allege violations under this chapter to the attorney general."

Page 2, line 16, replace the first "shall" with "may"

Page 2, line 23, after "3." insert "If a court issues an injunction under this section, the court shall award the attorney general reasonable expenses, including reasonable attorney's fees and costs."

4."

Page 2, line 24, replace "five" with "ten"

Page 2, line 24, remove "for the first violation and ten"

Page 2, line 25, replace "thousand dollars for each additional violation" with "per transaction"

Page 2, line 29, replace "4." with "5."

Page 3, line 5, after "chapter" insert an underscored comma

Page 3, line 5, after "general" insert ", and administrative expenses"

Page 3, line 8, after the underscored period insert "The attorney general may use money remaining in the fund after disbursements to defray the costs of administering and enforcing this chapter."

SECTION 2. LEGISLATIVE MANAGEMENT STUDY - ELECTRONIC PAYMENT TRANSACTION INTERCHANGE FEES. During the 2023-24 interim, the legislative management shall consider studying interchange fees charged on electronic payment transactions and the effect on merchants or sellers of applying interchange fees on electronic payment transactions to state and local taxes imposed at the point of sale. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1519

Page 1, line 1, remove "appropriations to the department of transportation, department of"

Page 1, line 2, replace "health and human services," with "an appropriation to the"

Page 1, line 2, remove the second ", department of"

Page 1, line 3, remove "agriculture, and industrial commission"

Page 1, remove lines 6 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 8

Page 3, line 13, replace "\$250,000" with "\$750,000"

Page 4, remove lines 10 through 31

Page 5, remove lines 1 through 31

Page 6, remove lines 1 through 3

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1519 - Summary of Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Dept. of Career and Technical Education				
Total all funds	\$0	\$250,000	\$500,000	\$750,000
Less estimated income	0	250,000	500,000	750,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00
DHHS - Other				
Total all funds	\$0	\$250,000	(\$250,000)	\$0
Less estimated income	0	250,000	(250,000)	0
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00
Industrial Commission				
Total all funds	\$0	\$250,000	(\$250,000)	\$0
Less estimated income	0	250,000	(250,000)	0
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00
Department of Agriculture				
Total all funds	\$0	\$250,000	(\$250,000)	\$0
Less estimated income	0	250,000	(250,000)	0
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00
Department of Transportation				
Total all funds	\$0	\$250,000	(\$250,000)	\$0
Less estimated income	0	250,000	(250,000)	0
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00
Bill total				
Total all funds	\$0	\$1,250,000	(\$500,000)	\$750,000
Less estimated income	0	1,250,000	(500,000)	750,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

House Bill No. 1519 - Dept. of Career and Technical Education - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Unmanned aircraft system grants		\$250,000	\$500,000	\$750,000
Total all funds	\$0	\$250,000	\$500,000	\$750,000
Less estimated income	0	250,000	500,000	750,000
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Department 270 - Dept. of Career and Technical Education - Detail of Senate Changes

	Increases Funding for Unmanned Aircraft System Grants ¹	Total Senate Changes
Unmanned aircraft system grants	\$500,000	\$500,000
Total all funds	\$500,000	\$500,000
Less estimated income	500,000	500,000
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding is increased by \$500,000 from federal funds derived from the federal State Fiscal Recovery Fund to provide a total of \$750,000 to the Department of Career and Technical Education for unmanned aircraft system grants. The House provided \$250,000 from federal funds derived from the State Fiscal Recovery Fund to the Department of Career and Technical Education for unmanned aircraft system grants.

House Bill No. 1519 - DHHS - Other - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Unmanned aircraft system grants		\$250,000	(\$250,000)	
Total all funds	\$0	\$250,000	(\$250,000)	\$0
Less estimated income	0	250,000	(250,000)	0
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Department 325 - DHHS - Other - Detail of Senate Changes

	Removes Funding for Unmanned Aircraft System Grants ¹	Total Senate Changes
Unmanned aircraft system grants	(\$250,000)	(\$250,000)
Total all funds	(\$250,000)	(\$250,000)
Less estimated income	(250,000)	(250,000)
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding of \$250,000 from the federal State Fiscal Recovery Fund for the Department of Health and Human Services for unmanned aircraft system grants is removed by the Senate.

House Bill No. 1519 - Industrial Commission - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Unmanned aircraft system grants		\$250,000	(\$250,000)	
Total all funds	\$0	\$250,000	(\$250,000)	\$0
Less estimated income	0	250,000	(250,000)	0
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Department 405 - Industrial Commission - Detail of Senate Changes

	Removes Funding for Unmanned Aircraft System Grants ¹	Total Senate Changes
Unmanned aircraft system grants	(\$250,000)	(\$250,000)
Total all funds	(\$250,000)	(\$250,000)
Less estimated income	(250,000)	(250,000)
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding of \$250,000 from the federal State Fiscal Recovery Fund for the Industrial Commission for unmanned aircraft system grants is removed by the Senate.

House Bill No. 1519 - Department of Agriculture - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Unmanned aircraft system grants		\$250,000	(\$250,000)	
Total all funds	\$0	\$250,000	(\$250,000)	\$0
Less estimated income	0	250,000	(250,000)	0
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Department 602 - Department of Agriculture - Detail of Senate Changes

	Removes Funding for Unmanned Aircraft System Grants ¹	Total Senate Changes
Unmanned aircraft system grants	(\$250,000)	(\$250,000)
Total all funds	(\$250,000)	(\$250,000)
Less estimated income	(250,000)	(250,000)
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding of \$250,000 from the federal State Fiscal Recovery Fund for the Department of Agriculture for unmanned aircraft system grants is removed by the Senate.

House Bill No. 1519 - Department of Transportation - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Unmanned aircraft system grants		\$250,000	(\$250,000)	
Total all funds	\$0	\$250,000	(\$250,000)	\$0
Less estimated income	0	250,000	(250,000)	0
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Department 801 - Department of Transportation - Detail of Senate Changes

	Removes Funding for Unmanned Aircraft System Grants ¹	Total Senate Changes
Unmanned aircraft system grants	(\$250,000)	(\$250,000)
Total all funds	(\$250,000)	(\$250,000)
Less estimated income	(250,000)	(250,000)
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding of \$250,000 from the federal State Fiscal Recovery Fund for the Department of Transportation for unmanned aircraft system grants is removed by the Senate.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1020, HB 1028, HB 1447.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1020

Page 1, remove lines 17 through 23

Page 2, remove lines 1 through 31

Page 3, replace lines 1 through 28 with:

"NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE

<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
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Extension service	\$56,530,224	\$2,207,613	\$58,737,837
Soil conservation committee	<u>1,211,520</u>	<u>300,000</u>	<u>1,511,520</u>
Total all funds	\$57,741,744	\$2,507,613	\$60,249,357
Less estimated income	<u>28,303,921</u>	<u>682,222</u>	<u>28,986,143</u>
Total general fund	\$29,437,823	\$1,825,391	\$31,263,214
Full-time equivalent positions	241.77	12.93	254.70

Subdivision 2.

NORTHERN CROPS INSTITUTE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Northern crops institute	\$3,909,760	\$5,640,941	\$9,550,701
Total all funds	\$3,909,760	\$5,640,941	\$9,550,701
Less estimated income	<u>1,922,618</u>	<u>5,517,827</u>	<u>7,440,445</u>
Total general fund	\$1,987,142	\$123,114	\$2,110,256
Full-time equivalent positions	13.55	4.60	18.15

Subdivision 3.

UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Upper great plains transportation institute	\$23,527,957	\$1,570,236	\$25,098,193
Total all funds	\$23,527,957	\$1,570,236	\$25,098,193
Less estimated income	<u>19,042,350</u>	<u>959,427</u>	<u>20,001,777</u>
Total general fund	\$4,485,607	\$610,809	\$5,096,416
Full-time equivalent positions	43.88	0.00	43.88

Subdivision 4.

MAIN RESEARCH CENTER

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Main research center	\$111,676,188	\$108,088,315	\$219,764,503
Total all funds	\$111,676,188	\$108,088,315	\$219,764,503
Less estimated income	<u>57,087,956</u>	<u>102,538,358</u>	<u>159,626,314</u>
Total general fund	\$54,588,232	\$5,549,957	\$60,138,189
Full-time equivalent positions	334.56	23.91	358.47

Subdivision 5.

BRANCH RESEARCH CENTERS

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Dickinson research center	\$7,078,838	\$153,874	\$7,232,712
Central grasslands research center	3,553,320	42,199	3,595,519
Hettinger research center	5,174,885	123,393	5,298,278
Langdon research center	3,091,310	74,729	3,166,039
North Central research center	5,203,251	74,501	5,277,752
Williston research center	5,362,734	115,922	5,478,656
Carrington research center	<u>9,827,963</u>	<u>239,286</u>	<u>10,067,249</u>
Total all funds	\$39,292,301	\$823,904	\$40,116,205
Less estimated income	<u>20,722,818</u>	<u>228,047</u>	<u>20,950,865</u>
Total general fund	\$18,569,483	\$595,857	\$19,165,340
Full-time equivalent positions	108.21	3.60	111.81

Subdivision 6.

AGRONOMY SEED FARM

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Agronomy seed farm	\$1,579,655	\$50,109	\$1,629,764
Total special funds	\$1,579,655	\$50,109	\$1,629,764
Full-time equivalent positions	3.00	0.00	3.00

Subdivision 7.

SECTION 1 TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$109,068,287	\$8,705,128	\$117,773,415
Grand total other funds	128,659,318	109,975,990	238,635,308
Grand total all funds	\$237,727,605	\$118,681,118	\$356,408,723"

Page 4, replace line 4 with:

"Deferred maintenance	\$500,000	\$1,000,000"
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Page 4, remove line 6

Page 4, replace line 10 with:

"Nesson Valley irrigation research site project	0	1,700,000"
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Page 4, replace lines 21 through 23 with:

"Total all funds	\$12,827,000	\$109,903,830
Total other funds	12,327,000	106,195,600
Total general fund	\$500,000	\$3,708,230"

Page 5, line 24, replace "\$99,400,000" with "\$89,900,000"

Page 7, line 12, replace "\$2,400,000" with "\$2,900,000"

Page 7, line 17, remove "\$250,000 appropriated from the general fund for a spud"

Page 7, line 18, replace "research fast track" with "\$87,000,000 appropriated from the strategic investment and improvements fund and \$10,000,000 appropriated from other funds for the Waldron Hall replacement project"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1020 - Summary of Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Transportation Institute				
Total all funds	\$23,527,957	\$25,528,332	(\$430,139)	\$25,098,193
Less estimated income	19,042,350	20,100,371	(98,594)	20,001,777
General fund	\$4,485,607	\$5,427,961	(\$331,545)	\$5,096,416
FTE	43.88	43.88	0.00	43.88
Branch Research Centers				
Total all funds	\$39,292,301	\$41,143,677	(\$1,027,472)	\$40,116,205
Less estimated income	20,722,818	21,182,476	(231,611)	20,950,865
General fund	\$18,569,483	\$19,961,201	(\$795,861)	\$19,165,340
FTE	108.21	110.81	1.00	111.81
NDSU Extension Service				
Total all funds	\$57,741,744	\$63,986,011	(\$3,736,654)	\$60,249,357
Less estimated income	28,303,921	30,368,513	(1,382,370)	28,986,143
General fund	\$29,437,823	\$33,617,498	(\$2,354,284)	\$31,263,214
FTE	241.77	255.70	(1.00)	254.70

Northern Crops Institute				
Total all funds	\$3,909,760	\$9,645,484	(\$94,783)	\$9,550,701
Less estimated income	1,922,618	7,488,946	(48,501)	7,440,445
General fund	<u>\$1,987,142</u>	<u>\$2,156,538</u>	<u>(\$46,282)</u>	<u>\$2,110,256</u>
FTE	13.55	18.15	0.00	18.15
Main Research Center				
Total all funds	\$111,676,188	\$224,899,261	(\$5,134,758)	\$219,764,503
Less estimated income	57,087,956	160,561,927	(935,613)	159,626,314
General fund	<u>\$54,588,232</u>	<u>\$64,337,334</u>	<u>(\$4,199,145)</u>	<u>\$60,138,189</u>
FTE	334.56	362.47	(4.00)	358.47
Agronomy Seed Farm				
Total all funds	\$1,579,655	\$1,628,794	\$970	\$1,629,764
Less estimated income	1,579,655	1,628,794	970	1,629,764
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FTE	3.00	3.00	0.00	3.00
Bill total				
Total all funds	\$237,727,605	\$366,831,559	(\$10,422,836)	\$356,408,723
Less estimated income	128,659,318	241,331,027	(2,695,719)	238,635,308
General fund	<u>\$109,068,287</u>	<u>\$125,500,532</u>	<u>(\$7,727,117)</u>	<u>\$117,773,415</u>
FTE	744.97	794.01	(4.00)	790.01

House Bill No. 1020 - Transportation Institute - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Upper Great Plains Trans. Institute	<u>\$23,527,957</u>	<u>\$25,528,332</u>	(\$430,139)	<u>\$25,098,193</u>
Total all funds	\$23,527,957	\$25,528,332	(\$430,139)	\$25,098,193
Less estimated income	19,042,350	20,100,371	(98,594)	20,001,777
General fund	<u>\$4,485,607</u>	<u>\$5,427,961</u>	<u>(\$331,545)</u>	<u>\$5,096,416</u>
FTE	43.88	43.88	0.00	43.88

Department 627 - Transportation Institute - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Increases Funding for Freight Transportation and Logistics Surveys ²	Removes Salary Funding for Funding Pool ³	Removes Funding for a Multimodal Carbon Dioxide Transportation Study ⁴	Total Senate Changes
Upper Great Plains Trans. Institute	<u>\$199,552</u>	<u>\$108,000</u>	<u>(\$339,241)</u>	<u>(\$398,450)</u>	<u>(\$430,139)</u>
Total all funds	\$199,552	\$108,000	(\$339,241)	(\$398,450)	(\$430,139)
Less estimated income	138,352	0	(236,946)	0	(98,594)
General fund	<u>\$61,200</u>	<u>\$108,000</u>	<u>(\$102,295)</u>	<u>(\$398,450)</u>	<u>(\$331,545)</u>
FTE	0.00	0.00	0.00	0.00	0.00

¹ Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	\$62,767	\$141,568	\$204,335
Health insurance adjustment	(1,567)	(3,216)	(4,783)
Total	\$61,200	\$138,352	\$199,552

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

² Funding of \$108,000 from the general fund is added to provide a total of \$408,000 for freight transportation and logistics surveys. The House provided \$300,000 from the general fund for freight transportation and logistics surveys.

³ Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
Vacant FTE positions	(\$102,295)	(\$236,946)	(\$339,241)

⁴ One-time funding of \$398,450 from the general fund added by the House for a multimodal carbon dioxide transportation study is removed by the Senate.

House Bill No. 1020 - Branch Research Centers - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Dickinson Research Center	\$7,078,838	\$7,293,538	(\$60,826)	\$7,232,712
Central Grasslands Research Center	3,553,320	3,668,691	(73,172)	3,595,519
Hettinger Research Center	5,174,885	5,408,774	(110,496)	5,298,278
Langdon Research Center	3,091,310	3,485,946	(319,907)	3,166,039
North Central Research Center	5,203,251	5,387,382	(109,630)	5,277,752
Williston Research Center	5,362,734	5,608,192	(129,536)	5,478,656
Carrington Research Center	9,827,963	10,291,154	(223,905)	10,067,249
Total all funds	\$39,292,301	\$41,143,677	(\$1,027,472)	\$40,116,205
Less estimated income	20,722,818	21,182,476	(231,611)	20,950,865
General fund	\$18,569,483	\$19,961,201	(\$795,861)	\$19,165,340
FTE	108.21	110.81	1.00	111.81

Department 628 - Branch Research Centers - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Reduces Funding for Clubroot Fungus Technician ²	Adds Agronomist Position ³	Removes Salary Funding for Funding Pool ⁴	Total Senate Changes
Dickinson Research Center	\$38,976		\$292,000	(\$391,802)	(\$60,826)
Central Grasslands Research Center	28,584			(101,756)	(73,172)
Hettinger Research Center	42,268			(152,764)	(110,496)
Langdon Research Center	27,003	(\$74,000)		(272,910)	(319,907)
North Central Research Center	42,429			(152,059)	(109,630)
Williston Research Center	50,405			(179,941)	(129,536)
Carrington Research Center	85,994			(309,899)	(223,905)
Total all funds	\$315,659	(\$74,000)	\$292,000	(\$1,561,131)	(\$1,027,472)
Less estimated income	88,201	0	0	(319,812)	(231,611)
General fund	\$227,458	(\$74,000)	\$292,000	(\$1,241,319)	(\$795,861)
FTE	0.00	0.00	1.00	0.00	1.00

¹ Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Dickinson Research Center			
Salary increase	\$40,633	\$0	\$40,633
Health insurance increase	(1,657)	0	(1,657)
Total	\$38,976	\$0	\$38,976
Central Grasslands Research Center			
Salary increase	\$23,078	\$6,452	\$29,530
Health insurance increase	(887)	(59)	(946)
Total	\$22,191	\$6,393	\$28,584
Hettinger Research Center			
Salary increase	\$33,875	\$10,217	\$44,092
Health insurance increase	(1,082)	(742)	(1,824)
Total	\$32,793	\$9,475	\$42,268
Langdon Research Center			
Salary increase	\$21,005	\$7,063	\$28,068
Health insurance increase	(750)	(315)	(1,065)
Total	\$20,255	\$6,748	\$27,003
North Central Research Center			
Salary increase	\$25,125	\$18,960	\$44,085
Health insurance increase	(910)	(746)	(1,656)
Total	\$24,215	\$18,214	\$42,429
Williston Research Center			
Salary increase	\$45,843	\$6,100	\$51,943
Health insurance increase	(1,302)	(236)	(1,538)
Total	\$44,541	\$5,864	\$50,405
Carrington Research Center			
Salary increase	\$46,412	\$43,132	\$89,544
Health insurance increase	(1,925)	(1,625)	(3,550)
Total	\$44,487	\$41,507	\$85,994
Total Branch Research Centers			
Salary increase	\$235,971	\$91,924	\$327,895
Health insurance increase	(8,513)	(3,723)	(12,236)
Total	\$227,458	\$88,201	\$315,659

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

² Funding is reduced by \$74,000 from the general fund to provide a total of \$176,000 for a new FTE technician position to research clubroot fungus at the Langdon Research Center. The House provided \$250,000 from the general fund for a new FTE technician position to research clubroot fungus.

³ Funding of \$292,000 from the general fund, including \$40,000 for operating expenses, is added for 1 new FTE agronomist position at the Dickinson Research Center. The House did not include a new FTE agronomist position.

⁴ Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
Dickinson Research Center			
New FTE positions	(\$252,000)	\$0	(\$252,000)
Vacant FTE positions	(139,802)	0	(139,802)
Total	(\$391,802)	\$0	(\$391,802)
Central Grasslands Research Center			
Vacant FTE positions	(\$79,532)	(\$22,224)	(\$101,756)
Hettinger Research Center			
Vacant FTE positions	(\$116,589)	(\$36,175)	(\$152,764)
Langdon Research Center			
New FTE positions	(\$176,000)	\$0	(\$176,000)
Vacant FTE positions	(72,245)	(24,665)	(96,910)
Total	(\$248,245)	(\$24,665)	(\$272,910)
North Central Research Center			
Vacant FTE positions	(\$86,364)	(\$65,695)	(\$152,059)
Williston Research Center			
Vacant FTE positions	(\$158,357)	(\$21,584)	(\$179,941)
Carrington Research Center			
Vacant FTE positions	(\$160,430)	(\$149,469)	(\$309,899)
Total Branch Research Centers			
New FTE positions	(\$428,000)	\$0	(\$428,000)
Vacant FTE positions	(813,319)	(319,812)	(1,133,131)
Total	(\$1,241,319)	(\$319,812)	(\$1,561,131)

House Bill No. 1020 - NDSU Extension Service - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Extension Service	\$56,530,224	\$62,624,491	(\$3,886,654)	\$58,737,837
Soil Conservation Committee	1,211,520	1,361,520	150,000	1,511,520
Total all funds	\$57,741,744	\$63,986,011	(\$3,736,654)	\$60,249,357
Less estimated income	28,303,921	30,368,513	(1,382,370)	28,986,143
General fund	\$29,437,823	\$33,617,498	(\$2,354,284)	\$31,263,214
FTE	241.77	255.70	(1.00)	254.70

Department 630 - NDSU Extension Service - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Reduces Funding for the Cropping System Initiative ²	Removes New FTE Position for the 4-H Initiative ³	Increases Funding for Operations ⁴	Removes Salary Funding for Funding Pool ⁵	Total Senate Changes
Extension Service	\$767,891	(\$220,000)	(\$240,000)	\$70,000	(\$4,264,545)	(\$3,886,654)
Soil Conservation Committee				150,000		150,000
Total all funds	\$767,891	(\$220,000)	(\$240,000)	\$220,000	(\$4,264,545)	(\$3,736,654)
Less estimated income	380,828	0	0	0	(1,763,198)	(1,382,370)
General fund	\$387,063	(\$220,000)	(\$240,000)	\$220,000	(\$2,501,347)	(\$2,354,284)
FTE	0.00	0.00	(1.00)	0.00	0.00	(1.00)

¹ Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	\$392,348	\$408,486	\$800,834
Health insurance adjustment	(5,285)	(27,658)	(32,943)
Total	\$387,063	\$380,828	\$767,891

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

² Funding is reduced by \$220,000 from the general fund to provide a total of \$480,000 for the cropping system initiative. The House provided \$700,000 from the general fund for the cropping system initiative.

³ Funding is reduced by \$240,000 from the general fund to remove 1 new FTE added by the House for the 4-H initiative. The Senate did not remove \$80,000 from the general fund added by the House for 4-H operating expenses.

⁴ Funding of \$220,000 from the general fund is added for operating support, including \$70,000 for the NDSU Extension Service and \$150,000 for the State Soil Conservation Committee, to provide a total of \$220,000 for the NDSU Extension Service and \$300,000 for the State Soil Conservation Committee operating support. The House provided \$300,000 from the general fund, including \$150,000 for the NDSU Extension Service, and \$150,000 for the State Soil Conservation Committee operating support.

⁵ Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	(\$820,000)	\$0	(\$820,000)
Vacant FTE positions	(1,681,347)	(1,763,198)	(3,444,545)
Total	(\$2,501,347)	(\$1,763,198)	(\$4,264,545)

House Bill No. 1020 - Northern Crops Institute - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Northern Crops Institute	\$3,909,760	\$9,645,484	(\$94,783)	\$9,550,701
Total all funds	\$3,909,760	\$9,645,484	(\$94,783)	\$9,550,701
Less estimated income	1,922,618	7,488,946	(48,501)	7,440,445
General fund	\$1,987,142	\$2,156,538	(\$46,282)	\$2,110,256
FTE	13.55	18.15	0.00	18.15

Department 638 - Northern Crops Institute - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Removes Salary Funding for Funding Pool ²	Total Senate Changes
Northern Crops Institute	\$24,534	(\$119,317)	(\$94,783)
Total all funds	\$24,534	(\$119,317)	(\$94,783)
Less estimated income	12,179	(60,680)	(48,501)
General fund	\$12,355	(\$58,637)	(\$46,282)
FTE	0.00	0.00	0.00

¹ Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	\$13,593	\$13,248	\$26,831
Health insurance adjustment	(1,228)	(1,069)	(2,297)
Total	\$12,355	\$12,179	\$24,534

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

² Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
Vacant FTE positions	(\$58,637)	(\$60,680)	(\$119,317)

House Bill No. 1020 - Main Research Center - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Main Research Center	\$111,676,188	\$224,899,261	(\$5,134,758)	\$219,764,503
Total all funds	\$111,676,188	\$224,899,261	(\$5,134,758)	\$219,764,503
Less estimated income	57,087,956	160,561,927	(935,613)	159,626,314
General fund	\$54,588,232	\$64,337,334	(\$4,199,145)	\$60,138,189
FTE	334.56	362.47	(4.00)	358.47

Department 640 - Main Research Center - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Removes Funding for the Climate Smart Agriculture Initiative ²	Removes Funding for Bee and Apiary Research ³	Removes Funding for Precision Agriculture ⁴	Adjusts Funding for Operations ⁵	Removes Funding for the Spud Research Fast Track ⁶
Main Research Center	\$1,203,644	(\$458,200)	(\$262,000)	(\$600,000)	(\$160,000)	(\$250,000)
Total all funds	\$1,203,644	(\$458,200)	(\$262,000)	(\$600,000)	(\$160,000)	(\$250,000)
Less estimated income	408,782	0	0	0	0	0
General fund	\$794,862	(\$458,200)	(\$262,000)	(\$600,000)	(\$160,000)	(\$250,000)
FTE	0.00	(2.00)	(1.00)	0.00	0.00	(1.00)

	Removes Salary Funding for Funding Pool ¹	Increases Funding for Deferred Maintenance ²	Increases Funding for Nesson Valley Irrigation Research Site ³	Total Senate Changes
Main Research Center	(\$5,608,202)	\$500,000	\$500,000	(\$5,134,758)
Total all funds	(\$5,608,202)	\$500,000	\$500,000	(\$5,134,758)
Less estimated income	(1,844,395)	500,000	0	(935,613)
General fund	(\$3,763,807)	\$0	\$500,000	(\$4,199,145)
FTE	0.00	0.00	0.00	(4.00)

¹ Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	\$824,624	\$425,189	\$1,249,813
Health insurance adjustment	(29,762)	(16,407)	(46,169)
Total	\$794,862	\$408,782	\$1,203,644

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

² Funding of \$458,200 from the general fund and 2 new FTE positions added by the House for the climate smart agriculture initiative are removed by the Senate.

³ Funding of \$262,000 from the general fund and 1 new FTE added by the House for bee and apiary research are removed by the Senate.

⁴ Funding of \$600,000 from the general fund added by the House for precision agriculture operating costs is removed by the Senate.

⁵ Funding of \$180,000 from the general fund for graduate research assistants and \$180,000 from the general fund for other operations support added by the House is removed by the Senate. Funding of \$200,000 from the general fund is added to provide a total increase of \$400,000 for Oakes irrigation site operating support. The House provided \$200,000 from the general fund for Oakes irrigation site operating support.

⁶ Funding of \$250,000 from the general fund and 1 new FTE added by the House for a spud research fast track are removed by the Senate.

⁷ Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	(\$269,000)	\$0	(\$269,000)
Vacant FTE positions	(3,494,807)	(1,844,395)	(5,339,202)
Total	(\$3,763,807)	(\$1,844,395)	(\$5,608,202)

⁸ One-time funding is increased by \$500,000 from the strategic investment and improvements fund (SIIF) to provide a total of \$1 million for deferred maintenance. The House provided \$500,000 from SIIF for deferred maintenance.

⁹ One-time funding is increased by \$500,000 from the general fund to provide a total of \$1.7 million for the Nesson Valley Irrigation Research Site project. The House provided \$1.2 million from the general fund for the Nesson Valley Irrigation Research Site project.

House Bill No. 1020 - Agronomy Seed Farm - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Agronomy Seed Farm	\$1,579,655	\$1,628,794	\$970	\$1,629,764
Total all funds	\$1,579,655	\$1,628,794	\$970	\$1,629,764
Less estimated income	1,579,655	1,628,794	970	1,629,764
General fund	\$0	\$0	\$0	\$0
FTE	3.00	3.00	0.00	3.00

Department 649 - Agronomy Seed Farm - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Removes Salary Funding for Funding Pool ²	Total Senate Changes
Agronomy Seed Farm	\$9,282	(\$8,312)	\$970
Total all funds	\$9,282	(\$8,312)	\$970
Less estimated income	9,282	(8,312)	970
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

¹ Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	Other Funds
Salary increase	\$9,637
Health insurance adjustment	(355)
Total	\$9,282

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

² Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	Other Funds
Vacant FTE positions	(\$8,312)

House Bill No. 1020 - Other Changes - Senate Action

This amendment also:

- Adjusts funding for the Waldron Hall replacement project to provide \$87 million from SIIF and \$10 million from other funds. The House provided \$97 million from SIIF for the project.
- Declares the appropriation of \$97 million for the Waldron Hall replacement project to be an emergency measure.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1028

Page 1, line 2, after the semicolon insert "to amend and reenact section 23-17.3-01 and subdivision h of subsection 1 of section 23-17.3-05 of the North Dakota Century Code, relating to the regulation of home health agencies;"

Page 1, line 3, remove "to provide a statement of legislative intent; to provide for a report to the"

Page 1, line 4, remove "legislative assembly; and"

Page 1, line 4, after "appropriation" insert "; and to declare an emergency"

Page 1, after line 5, insert:

"SECTION 1. AMENDMENT. Section 23-17.3-01 of the North Dakota Century Code is amended and reenacted as follows:

23-17.3-01. Definitions.

In this chapter, unless the context and subject matter otherwise require:

1. "Allowed practitioner" means a physician assistant or advanced practice registered nurse.
2. "Clinical record" means a written account which covers the services the agency provides directly and those provided through arrangements with another agency which account contains pertinent past and current medical, nursing, social, and other therapeutic information, including the plan of treatment.
- ~~2-3.~~ "Department" means the department of health and human services.
- ~~3-4.~~ "Home health agency" means a public or private agency, organization, facility, or subdivision thereof which is engaged in providing home health services to individuals and families where they are presently residing for the purpose of preventing disease and promoting, maintaining, or restoring health or minimizing the effects of illness or disability.
- ~~4-5.~~ "Home health aide" means an individual who renders personal related service under the supervision of a registered professional nurse.
- ~~5-6.~~ "Home health services" means a broad range of health and social services furnished to individuals and families by a home health agency or by others under arrangements with the agency, in the places where the recipients are presently residing. Services must include the services of a currently licensed registered professional nurse and at least one other therapeutic service and may include additional support services. These services may only be provided with the approval of a licensed physician or an allowed practitioner.
- ~~6-7.~~ "Licensed practical nurse" means one who has met all legal requirements for licensure and holds a current license to practice in North Dakota pursuant to chapter 43-12.1.
- ~~7-8.~~ "Nursing services" means those services pertaining to the preventive, curative, and restorative aspects of nursing care that are performed by or under the supervision of a registered professional nurse.
- ~~8-9.~~ "Person" means an individual, firm, partnership, association, corporation, limited liability company, or any other entity, whether organized for profit or not.
- ~~9-10.~~ "Physician" means any person currently licensed pursuant to chapter 43-17.
- ~~10-11.~~ "Registered professional nurse" means a registered nurse as defined under chapter 43-12.1.
- ~~11-12.~~ "Skilled nursing" means professional nursing services rendered by nurses licensed under chapter 43-12.1.
- ~~12-13.~~ "Supportive services" includes the use of medical appliances; medical supplies, other than drugs and biologicals prescribed by a physician; the collection of blood and other samples for laboratory analysis; and nutritional guidance, homemaker, or companion services.
- ~~13-14.~~ "Therapeutic services" means services which include:

- a. Skilled nursing care.
- b. Medical social services.
- c. Home health aide services.
- d. Physical, occupational, or speech therapy.
- e. Respiratory therapy.

SECTION 2. AMENDMENT. Subdivision h of subsection 1 of section 23-17.3-05 of the North Dakota Century Code is amended and reenacted as follows:

- h. The agency shall maintain clinical records on all patients to serve as documentation of the medical, nursing, and therapeutic care rendered to the patient and for communication between the physician or allowed practitioner and the agency."

Page 1, line 10, after "1." insert "Community health representative" means an individual trained through the Indian health service to provide community-based and medically guided health care, which may include traditional native concepts.

2."

Page 1, line 10, after "chapter" insert "to provide preventative services"

Page 1, line 11, replace "2." with "3."

Page 1, after line 11, insert:

- 4. "Preventative services" means services to prevent a disease, disability, or other health condition or the progression of a disease, disability, or other health condition which are provided to an individual:
 - a. With a chronic condition;
 - b. At risk for a chronic condition who is unable to self-manage the chronic condition; or
 - c. With a documented barrier that affects the individual's health."

Page 1, line 16, remove "certification standards for an applicant seeking"

Page 1, line 17, replace "certification as a community health worker" with "and implement a method for certifying community health workers, including:

- a. Community health representatives; and
- b. Other qualified individuals"

Page 1, line 23, remove "- **REPORT TO**"

Page 1, line 24, remove "**LEGISLATIVE MANAGEMENT**"

Page 2, line 4, remove "appointed by the"

Page 2, line 5, replace "department of health and human services must include representatives of the" with "is comprised of"

Page 2, line 6, remove "Department of health and human services, including the division of health equity"

Page 2, line 7, replace "and division of aging services" with "One representative of the medical services division of the department of health and human services, appointed by the department of health and human services"

Page 2, line 8, replace "Department of career and technical education" with "One representative of the public health division of the department of health and human services, appointed by the department of health and human services"

Page 2, line 9, replace "State board of higher education" with "One representative of the local public health units, appointed by the state association of city and county health officials"

Page 2, line 10, replace "Insurance department" with "One representative of the tribal nations in the state, appointed by the Indian affairs commissioner"

Page 2, line 11, remove "University of North Dakota school of medicine and health sciences center for"

Page 2, line 12, replace "rural health" with "One representative of the university of North Dakota school of medicine and health sciences center for rural health, appointed by the dean of the school of medicine and health sciences"

Page 2, line 13, remove "University of North Dakota and North Dakota state university schools of public"

Page 2, line 14, replace "health" with "One representative of the hospitals in this state, appointed by the North Dakota hospital association"

Page 2, line 15, replace "Private health insurers operating in the state" with "One representative of the federally qualified health care centers, appointed by the community health care association of the Dakotas"

Page 2, line 15, after the semicolon insert "and"

Page 2, line 16, remove "Health care sector, including qualified service providers, community health"

Page 2, removes lines 17 through 21

Page 2, line 22, replace "m. North Dakota emergency medical services association" with "One representative of the emergency medical services profession, appointed by the North Dakota emergency medical services association"

Page 2, line 27, after "reimbursement" insert ", including reimbursement to a federally qualified health center"

Page 2, line 28, remove "Develop a plan for a North Dakota community health worker collaborative."

Page 2, line 29, remove "c."

Page 3, line 1, replace "d." with "c."

Page 3, line 4, after "collaborative" insert an underscored period

Page 3, line 5, replace "e." with "d."

Page 3, after line 6, insert:

**"SECTION 5. DEPARTMENT OF HEALTH AND HUMAN SERVICES -
COMMUNITY HEALTH WORKERS - MEDICAID STATE PLAN AMENDMENT.**

During the 2023-25 biennium, the department of health and human services shall seek a Medicaid state plan amendment to authorize the reimbursement of certified community health workers. Upon amendment of the Medicaid state plan, the

commissioner of the department of health and human services shall certify this fact to legislative management."

Page 3, line 9, replace "\$50,000" with "\$100,000"

Page 3, line 12, replace "biennium" with "period"

Page 3, line 12, remove "July 1,"

Page 3, line 13, replace "2023," with "with the effective date of this section"

Page 3, after line 13, insert:

"SECTION 7. EMERGENCY. Sections 4 and 6 of this Act are declared to be emergency measures."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1447

In addition to the amendments adopted by the Senate as printed on page 1014 of the Senate Journal, Engrossed House Bill No. 1447 is further amended as follows:

Page 1, line 4, after "21-10-06" insert "and section 23-01-42"

Page 1, line 5, after "board" insert ", opioid antagonist prescription, distribution, possession, or use,"

Page 2, after line 4, insert:

"SECTION 2. AMENDMENT. Section 23-01-42 of the North Dakota Century Code is amended and reenacted as follows:

23-01-42. Opioid antagonist prescription, distribution, possession, or use - Immunity from liability.

1. As used in this section:
 - a. "Health care professional" means a licensed or certified health care professional who is working within the scope of practice for that profession. The term may include a physician, physician assistant, advanced practice registered nurse, and pharmacist acting in the professional's scope of practice.
 - b. "Opioid antagonist" means a drug:
 - (1) That is approved by the United States food and drug administration for the treatment of a drug overdose and is recognized by the department of health and human services for the treatment of a drug overdose; and
 - (2) That when administered negates or neutralizes, in whole or in part, the pharmacological effects of an opioid in the body.
2. A health care professional acting in good faith may directly or by standing order prescribe, distribute, or dispense an opioid antagonist, if the health-care professional provides training to:
 - a. ~~An individual at risk of experiencing an opioid-related overdose; or~~
 - b. ~~A family member, friend, or other individual in a position to assist an individual at risk of experiencing an opioid-related overdose.~~
3. ~~An individual acting in good faith may receive or possess an opioid antagonist if that individual is:~~

- a: ~~An individual at risk of experiencing an opioid-related overdose; or~~
 - b: ~~A family member, friend, or other individual in a position to assist an individual at risk of experiencing an opioid-related overdose.~~
- ~~4-3.~~ An individual acting in good faith may ~~self-administer an opioid antagonist or~~ administer an opioid antagonist to another individual who the administering individual suspects is at risk of experiencing an opioid overdose.
- ~~5-4.~~ An individual may receive, possess, or administer an opioid antagonist under subsection 3 ~~or 4~~, regardless of whether the individual is the individual for or to whom the opioid antagonist is prescribed, distributed, or dispensed.
- ~~6-5.~~ An individual who prescribes, distributes, dispenses, receives, possesses, or administers an opioid antagonist as authorized under this section is immune from civil and criminal liability for such action. A health care professional who prescribes, distributes, or dispenses an opioid antagonist as authorized under this section is not subject to professional discipline for such action. This section does not expand the scope of practice of a health care professional. Immunity from liability or discipline under this subsection does not apply if the individual's actions constitute recklessness, gross negligence, or intentional misconduct."

Renumber accordingly

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

MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1006, HB 1016, HB 1030, HB 1044, HB 1057, HB 1070, HB 1160, HB 1277, HB 1309, HB 1334, HB 1376, HB 1416, HB 1529, and HCR 3023.

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

MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently failed to pass: HB 1313.

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1011, HB 1371, HB 1497, and HB 1538, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1011: Reps. Brandenburg; Mock; Pyle
HB 1371: Reps. Thomas; Christy; Prichard
HB 1497: Reps. Klemin; Satrom; Schneider
HB 1538: Reps. M. Ruby; J. Olson; Novak

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

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

HB 1207: Sens. Clemens; Lee; Weston
HB 1310: Sens. Paulson; Rummel; Larsen
HB 1333: Sens. Sickler; Larson; Braunberger
HB 1418: Sens. Weston; Clemens; K. Roers

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2025, SB 2034, SB 2036, SB 2046, SB 2051, SB 2093, SB 2104, SB 2110, SB 2118, SB 2124, SB 2147, SB 2205, SB 2208, SB 2249, SB 2263, SB 2364, and SB 2379.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2139, SB 2161, SB 2245, SB 2276, and SB 2391, and the President has appointed as a conference

committee to act with a like committee from the House on:

SB 2139: Sens. Lee; Cleary; Hogan
SB 2161: Sens. Patten; Boehm; Beard
SB 2245: Sens. Luick; Paulson; Braunberger
SB 2276: Sens. Cleary; Hogan; Clemens
SB 2391: Sens. Rummel; Kannianen; Magrum

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

MADAM PRESIDENT: The House has appointed as a conference committee to act with a like committee from the Senate on:

SB 2126: Reps. Motschenbacher; Warrey; Ostlie
SB 2187: Reps. Rohr; McLeod; K. Anderson
SB 2273: Reps. Beltz; S. Olson; Monson

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

MADAM PRESIDENT: The Speaker has appointed Rep. Hatlestad to replace Rep. J. Olson on the Conference Committee on HB 1383.

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

MADAM PRESIDENT: The Speaker has appointed Rep. Toman to replace Rep. J. Olson on the Conference Committee on HB 1455.

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

MADAM PRESIDENT: The House has reconsidered its action whereby it did not concur with the Senate amendments to HB 1057 and wishes to inform you that the House does now concur with the Senate amendments to HB 1057 and subsequently passed the same. Also, the House has dissolved the House Conference Committee on HB 1057.

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

MADAM PRESIDENT: Your signature is respectfully requested on: HB 1068, HB 1138, HB 1171, HB 1172, HB 1182, HB 1219, HB 1263, HB 1284, HB 1289, HB 1315, HB 1339, HB 1340, HB 1350, HB 1382, HCR 3014, HCR 3017, HCR 3018, HCR 3021, HCR 3022, HCR 3025, HCR 3026, HCR 3034.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2097, SB 2145, SB 2282, SB 2286, SB 2297, SB 2338, SB 2381.

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

MR. SPEAKER: Your signature is respectfully requested on: SCR 4002.

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

MADAM PRESIDENT: The Speaker has signed: HB 1095, HB 1111, HB 1128, HB 1139, HB 1141, HB 1155, HB 1165, HB 1167, HB 1173, HB 1228, HB 1245, HB 1249, HB 1254, HB 1257, HB 1260, HB 1265, HB 1268, HB 1294, HB 1316, HB 1360, HB 1368, HB 1375, HB 1423, HB 1431, HB 1459, HB 1489, HB 1494, HB 1502, HB 1506, HB 1511, HB 1512.

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

MADAM PRESIDENT: The Speaker has signed: HCR 3010.

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

MR. SPEAKER: The President has signed: SB 2047, SB 2388.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 6, 2023: HB 1095, HB 1111, HB 1128, HB 1139, HB 1141, HB 1155, HB 1165, HB 1167, HB 1173, HB 1228, HB 1245, HB 1249, HB 1254, HB 1257, HB 1260, HB 1265, HB 1268, HB 1294, HB 1316, HB 1360, HB 1368, HB 1375, HB 1423, HB 1431, HB 1459, HB 1489, HB 1494, HB 1502, HB 1506, HB 1511, HB 1512.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for filing on April 6, 2023: HCR 3010.

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, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, April 7, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2032: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO PASS** (20 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SB 2032 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2033, as engrossed and amended: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO NOT PASS** (18 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2033, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2080: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). SB 2080 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsection" with "subsections"

Page 1, line 1, after "2" insert "and 3"

Page 1, line 1, after "14-15-11" insert "and section 27-20.3-24"

Page 1, line 2, after "investigation" insert "and adoptive child placement priority; and to provide a contingent effective date"

Page 1, line 12, after the underscored period insert "An adoptive home is suitable if, in the manner prescribed by the department, the petitioner is licensed or approved under section 50-11-01 to furnish foster care for children."

SECTION 2. AMENDMENT. Subsection 3 of section 14-15-11 of the North Dakota Century Code is amended and reenacted as follows:

3. A written report of the investigation, which may include the petitioner's foster care assessment to demonstrate the suitability of the adoptive home, must be filed with the court by the investigator before the petition is heard.

SECTION 3. AMENDMENT. Section 27-20.3-24 of the North Dakota Century Code is amended and reenacted as follows:

27-20.3-24. Disposition upon termination of parental rights.

1. If, upon entering an order terminating the parental rights of a parent, there is no parent having parental rights, the court shall:
 - a. Commit the child to the custody of the human service zone director or a licensed child-placing agency willing to accept custody for the purpose of placing the child for adoption or, in the absence of such an agreement, in a foster home;
 - b. Appoint a fit and willing relative or other appropriate individual as the child's legal guardian; or

- c. Establish some other planned permanent living arrangement.
2. The custodian has the rights of a legal custodian and authority to consent to the child's adoption, marriage, enlistment in the armed forces of the United States, and surgical and other medical treatment.
3. If the child is not placed for adoption within twelve months after the date of the order and a legal guardianship or other planned permanent living arrangement for the child has not been established by a court of competent jurisdiction, the child must be returned to the court issuing the original termination order for entry of further orders for the care, custody, and control of the child.
4. Unless sections 27-20.2-15 and 27-20.3-19 or the federal Indian Child Welfare Act of 1978 [25 U.S.C. 1901 et seq.] applies, and if after conducting a diligent search, a fit and willing relative interested in adoption is not located, upon termination of parental rights, a human service zone director or licensed child-placing agency that places a child for adoption under subdivision a of subsection 1, shall give adoptive placement priority to a foster care provider interested in adopting the child, if the foster care provider provided foster care to the child:
 - a. For six months or longer leading up to the termination of parental rights;
 - b. Since the child's birth or since the child was less than one year old;
or
 - c. With the intention of adopting the child.

SECTION 4. AMENDMENT. Section 27-20.3-24 of the North Dakota Century Code is amended and reenacted as follows:

27-20.3-24. Disposition upon termination of parental rights.

1. If, upon entering an order terminating the parental rights of a parent, there is no parent having parental rights, the court shall:
 - a. Commit the child to the custody of the human service zone director or a licensed child-placing agency willing to accept custody for the purpose of placing the child for adoption or, in the absence of such an agreement, in a foster home;
 - b. Appoint a fit and willing relative or other appropriate individual as the child's legal guardian; or
 - c. Establish some other planned permanent living arrangement.
2. The custodian has the rights of a legal custodian and authority to consent to the child's adoption, marriage, enlistment in the armed forces of the United States, and surgical and other medical treatment.
3. If the child is not placed for adoption within twelve months after the date of the order and a legal guardianship or other planned permanent living arrangement for the child has not been established by a court of competent jurisdiction, the child must be returned to the court issuing the original termination order for entry of further orders for the care, custody, and control of the child.
4. Unless sections 27-20.2-15, 27-20.3-19, 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 or the federal Indian Child Welfare Act of 1978 [25 U.S.C. 1901 et seq.] applies, and if after conducting a diligent search, a fit and willing relative interested in adoption is not located, upon termination of parental rights, a human service zone director or licensed child-placing agency that places a child

for adoption under subdivision a of subsection 1, shall give adoptive placement priority to a foster care provider interested in adopting the child, if the foster care provider provided foster care to the child:

- a. For six months or longer leading up to the termination of parental rights;
- b. Since the child's birth or since the child was less than one year old;
or
- c. With the intention of adopting the child.

SECTION 5. CONTINGENT EFFECTIVE DATE. Section 4 of this Act becomes effective at the time provided in House Bill No. 1536 if 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 as created by House Bill No. 1536 are approved by the sixty-eighth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2107, as reengrossed and amended: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (18 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Reengrossed SB 2107, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2274, 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 2274 was placed on the Sixth order on the calendar.

Page 1, line 6, overstrike "**(Repealed effective August**"

Page 1, overstrike line 7

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2295, as amended: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2295, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2372, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2372 was placed on the Fourteenth order on the calendar.

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

Buell J. Reich, Chief Clerk

