

JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, April 12, 2023

The House convened at 8:00 a.m., with Speaker D. Johnson presiding.

The prayer was offered by Pastor Brandon Vetter, Legacy United Methodist Church, Bismarck.

The roll was called and all members were present except Representatives Christy, Dobervich, Hoverson, Kempenich, Mitskog, and Schatz.

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 Sixty-third Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1846, line 4, replace "Hagert" with "Hager"

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

CONSIDERATION OF MESSAGES FROM THE SENATE

REP. BOSCH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1231 as printed on HJ pages 1679-1680 and in the Senate amendments to Engrossed HB 1508 as printed on HJ pages 1796-1797 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 1231: Reps. Timmons, Conmy, Jonas.

Engrossed HB 1508: Reps. Fegley, Hatlestad, Warrey.

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 2261, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

SB 2261: Reps. Roers Jones, Heinert, Novak

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to Engrossed SB 2016 and SB 2330.

Engrossed SB 2016 and SB 2330, as amended, were placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2392: A BILL for an Act to amend and reenact subdivision ee of subsection 1 of section 41-09-02 of the North Dakota Century Code, relating to the definition of deposit account.

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 82 YEAS, 8 NAYS, 0

EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Cory; Dakane; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; 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; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Conmy; Davis; Finley-DeVille; Hager; Hanson; Ista; Kreidt; O'Brien

ABSENT AND NOT VOTING: Christy; Dobervich; Hoverson; Schatz

Engrossed SB 2392 passed.

SECOND READING OF SENATE BILL

SB 2330: A BILL for an Act to amend and reenact sections 21-10-11 and 21-10-12 of the North Dakota Century Code, relating to the legacy and budget stabilization fund advisory board and legacy fund definitions; and to declare an emergency.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dockter; Dyk; Fegley; Finley-DeVille; 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; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; 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; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Dobervich; Hoverson; Schatz

SB 2330, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2016: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the adjutant general; to provide an exemption; to provide a statement of legislative intent; to provide for a transfer; to provide for a legislative management study; and to declare an emergency.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dockter; Dyk; Fegley; Finley-DeVille; 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; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; 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; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Henderson; Nelson

ABSENT AND NOT VOTING: Christy; Dobervich; Hoverson; Schatz

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. STEINER MOVED that the conference committee report on HB 1176 as printed on HJ pages 1754-1755 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1176: A BILL for an Act to create and enact two new sections to chapter 57-38 and two new subdivisions to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an adoption tax credit and a tax credit for contributions to a maternity home, child placing agency, or pregnancy help center; and to provide an effective date.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemm; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; 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; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Hanson

ABSENT AND NOT VOTING: Christy; Dobervich; Hoverson; Kempenich; Schatz

Engrossed HB 1176 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. FRELICH MOVED that the conference committee report on Engrossed HB 1102 as printed on HJ page 1806 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1102: A BILL for an Act to create and enact section 24-02-51 of the North Dakota Century Code, relating to authority to acquire and administer federal transportation related grants; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dockter; Dyk; Fegley;

Finley-DeVilleville; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; 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; VanWinkle; Vetter; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Dobervich; Hoverson; Kempenich; Schatz

Reengrossed HB 1102 passed and the emergency clause was declared carried.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. STEINER MOVED that the conference committee report on HB 1383 as printed on HJ page 1807 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1383: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to the provision of an income tax credit for qualified compensation paid to an apprentice; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dockter; Dyk; Fegley; Finley-DeVilleville; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; 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; VanWinkle; Vetter; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Dobervich; Hoverson; Kempenich; Schatz

Engrossed HB 1383 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. HATLESTAD MOVED that the conference committee report on HB 1210 as printed on HJ page 1807 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1210: A BILL for an Act to amend and reenact subsection 60 of section 57-39.2-04 and subsection 27 of section 57-40.2-04 of the North Dakota Century Code, relating to qualification and notification requirements for sales and use tax exemptions for certain sales made to a senior citizen organization; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dockter; Dyk; Fegley;

Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; 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; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Dobervich; Hoverson; Kempenich; Schatz

Engrossed HB 1210 passed and the emergency clause was declared carried.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. PRICHARD MOVED that the conference committee report on HB 1207 as printed on HJ page 1807 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1207: A BILL for an Act to create and enact a new section to chapter 23-12 of the North Dakota Century Code, relating to the display of vaccine adverse event data.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; 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; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Dobervich; Hoverson; Kempenich; Schatz

Engrossed HB 1207 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. FRELICH MOVED that the conference committee report on Engrossed HB 1418 as printed on HJ page 1808 be adopted, which motion prevailed on a voice vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. VETTER MOVED that the conference committee report on Engrossed HB 1324 as printed on HJ page 1807 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1324: A BILL for an Act to amend and reenact section 16.1-01-10 of the North Dakota Century Code, relating to sufficiency of petitions as determined by the secretary of state.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dockter; Dyk; Fegley;

Finley-DeVilleville; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; 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: Henderson; Holle; VanWinkle

ABSENT AND NOT VOTING: Christy; Dobervich; Hoverson; Schatz

Reengrossed HB 1324 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. HAGERT MOVED that the conference committee report on HB 1170 as printed on HJ pages 1806-1807 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1170: A BILL for an Act to create and enact a new section to chapter 57-06 of the North Dakota Century Code, relating to a property tax exemption for certain natural gas pipeline property; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 1 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dockter; Dyk; Fegley; Finley-DeVilleville; 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; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; 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: VanWinkle

ABSENT AND NOT VOTING: Christy; Dobervich; Hoverson; Schatz

Engrossed HB 1170 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. DOCKTER MOVED that the conference committee report on Engrossed HB 1439 as printed on HJ page 1808 be adopted, which motion prevailed on a voice vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KARLS MOVED that the conference committee report on Engrossed HB 1333 as printed on HJ page 1854 be adopted.

REQUEST

REP. PRICHARD REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to adopt the conference committee report on Engrossed HB 1333, the roll was called and there were 46 YEAS, 44 NAYS, 0 EXCUSED, 4 ABSENT

AND NOT VOTING.

YEAS: Anderson, B.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Conmy; Dakane; Davis; Fegley; Finley-DeVillie; Grueneich; Hager; Hagert; Hanson; Heinert; Ista; Jonas; Karls; Klemin; Lefor; Longmuir; Martinson; Mitskog; Mock; Murphy; Nathe; Nelson; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Ruby, M.; Sanford; Satrom; Schneider; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, D.; Anderson, K.; Bellew; Christensen; Cory; Dockter; Dyk; Fisher; Frelich; Hatlestad; Hauck; Headland; Heilman; Henderson; Holle; Johnson, J.; Kasper; Kempenich; Kiefert; Koppelman; Kreidt; Louser; Marschall; McLeod; Meier; Monson; Motschenbacher; Novak; Olson, S.; Prichard; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Schauer; Schobinger; Steiner; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa

ABSENT AND NOT VOTING: Christy; Dobervich; Hoverson; Schatz

The conference committee report on Engrossed HB 1333 was adopted on a recorded roll call vote.

SECOND READING OF HOUSE BILL

HB 1333: A BILL for an Act to create and enact a new section to chapter 12.1-27.1 of the North Dakota Century Code, relating to restrictions on adult-oriented performances; to amend and reenact section 12.1-27.1-12 of the North Dakota Century Code, relating to state pre-emption of local laws regulating obscenity; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 76 YEAS, 14 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Brandenburg; Christensen; Cory; Dakane; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Monson; Motschenbacher; Nathe; Nelson; Novak; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schobinger; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Boschee; Conmy; Davis; Finley-DeVillie; Hager; Hanson; Ista; Mitskog; Mock; Murphy; O'Brien; Roers Jones; Schneider; Schreiber-Beck

ABSENT AND NOT VOTING: Christy; Dobervich; Hoverson; Schatz

Reengrossed HB 1333 passed.

MOTION

REP. KLEMIN MOVED that the House reconsider its action whereby the House Did Concur in the Senate amendments to HB 1313, which motion prevailed on a voice vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KLEMIN MOVED that the House do not concur in the Senate amendments to Engrossed HB 1313 as printed on HJ page 1411 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on:
Engrossed HB 1313: Reps. Klemin, Cory, Rios.

ANNOUNCEMENT

SPEAKER D. JOHNSON announced that the House will stand in recess until 12:30 p.m.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker D. Johnson presiding.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 11, 2023, I have signed the following: HB 1068, HB 1091, HB 1097, HB 1107, HB 1137, HB 1138, HB 1142, HB 1144, HB 1156, HB 1171, HB 1172, HB 1182, HB 1191, HB 1212, HB 1218, HB 1223, HB 1249, HB 1255, HB 1263, HB 1284, HB 1289, HB 1305, HB 1315, HB 1339, HB 1340, HB 1350, HB 1352, HB 1353, HB 1361, HB 1382, HB 1390, HB 1427, HB 1430, HB 1434, HB 1440, HB 1489, and HB 1490.

REPORT OF STANDING COMMITTEE (MAJORITY)

SB 2247, as engrossed and amended: Appropriations Committee (Rep. Vigesaa, Chairman) A **MAJORITY** of your committee (Reps. Hanson, Martinson, Swiontek, Sanford, Stemen, Mock, Pyle, Mitskog, Nathe, Nelson, O'Brien, Richter) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

In lieu of the amendments adopted by the House as printed on pages 1308 and 1309 of the House Journal, Engrossed Senate Bill No. 2247 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "to provide for a legislative management study relating to the effects of required curriculum on accreditation and related constitutional issues.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - EFFECTS OF PROHIBITING SPECIFIED CONTENT IN ACADEMIC CURRICULUM OR TRAINING.**

During the 2023-24 interim, the legislative management shall consider studying the effects of prohibiting specified content in academic curriculum or in the training of students or school employees. The study must include possible effects on the accreditation status of North Dakota's eleven institutions of higher education. The study also must examine potential conflicts between such prohibitions and the United States Constitution and article VIII of the Constitution of North Dakota, including the constitutional authority of the state board of higher education. 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

REPORT OF STANDING COMMITTEE (MINORITY)

SB 2247, as engrossed and amended: Appropriations Committee (Rep. Vigesaa, Chairman) A **MINORITY** of your committee (Reps. Kempenich, Vigesaa, Meier, Monson, Strinden, Schobinger, Schatz, B. Anderson, Bellew, Brandenburg, Kreidt) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

In lieu of the amendments adopted by the House as printed on pages 1308 and 1309 of the House Journal, Engrossed Senate Bill No. 2247 is amended as follows:

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

Page 1, line 3, remove "provide an expiration date"

Page 3, remove lines 23 through 29

Page 4, remove lines 1 through 3

Page 4, line 4, replace "**15-10.6-05**" with "**15-10.6-04**"

Page 4, remove lines 22 and 23

Renumber accordingly

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

HB 1086, as engrossed: Your conference committee (Sens. K. Roers, Cleary, Braunberger and Reps. Louser, J. Johnson, Karls) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1303 and place HB 1086 on the Seventh order.

Engrossed HB 1086 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2061, as engrossed: Your conference committee (Sens. Wobbema, Larson, Sickler and Reps. Ostlie, Christy, Dakane) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1195-1196, adopt amendments as follows, and place SB 2061 on the Seventh order:

That the House recede from its amendments as printed on page 1048 of the Senate Journal and pages 1195 and 1196 of the House Journal and that Engrossed Senate Bill No. 2061 be amended as follows:

Page 6, line 4, remove ". at least sixty years of age"

Page 6, line 8, remove ". at least sixty years of age"

Renumber accordingly

Engrossed SB 2061 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SCR 4014, as engrossed: Your conference committee (Sens. Patten, Kessel, Magrum and Reps. Kiefert, Tveit, Prichard) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1073 and place SCR 4014 on the Seventh order.

Engrossed SCR 4014 was placed on the Seventh order of business on the calendar.

MOTION

REP. BOSCH MOVED that SB 2247, which is on the Seventh order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE SENATE

REP. BOSCH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1012 as printed on HJ pages 1840-1845, in the Senate amendments to Engrossed HB 1019 as printed on HJ pages 1831-1835, in the Senate amendments to Engrossed HB 1021 as printed on HJ pages 1835-1838, and in the Senate amendments to Engrossed HB 1114 as printed on HJ pages 1626-1627 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 1012: Reps. Brandenburg, Monson, Mock.

Engrossed HB 1019: Reps. Richter, Sanford, Nathe.

Engrossed HB 1021: Reps. Kempenich, Meier, Mock.

Engrossed HB 1114: Reps. Cory, S. Olson, Schneider.

APPOINTMENT OF CONFERENCE COMMITTEE

REP. BOSCH MOVED that the Speaker appoint a new committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed HB 1501, which motion prevailed.

THE SPEAKER APPOINTED as a new Conference Committee on:

Engrossed HB 1501: Reps. Schreiber-Beck, Beltz, Headland

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 Engrossed SB 2023, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed SB 2023: Reps. Meier, Pyle, Mock

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. OSTLIE MOVED that the conference committee report on Engrossed SB 2061 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2061: A BILL for an Act to create and enact a new subsection to section 43-02.2-09 of the North Dakota Century Code, relating to administrative hearings; and to amend and reenact subsection 11 of section 43-02.2-02, paragraph 2 of subdivision f of subsection 5 of section 43-02.2-03, and sections 43-02.2-04 and 43-02.2-10, of the North Dakota Century Code, relating to the practice and licensure of public accountancy.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; 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: Christy; Hoverson

Engrossed SB 2061, as amended, passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. PRICHARD MOVED that the conference committee report on Engrossed SCR 4014 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4014: A concurrent resolution urging the Secretary of the Interior and the Director of the National Park Service to modify its proposed livestock management plan, to recognize the benefits of grazing, and to continue to allow for interpretative, cultural, and historical purposes a herd of longhorn steers in the North Unit of the Theodore Roosevelt National Park and the presence of a wild horse herd in the South Unit of the Theodore Roosevelt National Park.

ROLL CALL

The question being on the final adoption of the resolution, which has been read. 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; 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; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; 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: Christy; Hoverson

Engrossed SCR 4014 was declared adopted on a recorded roll call vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. LOUSER MOVED that the conference committee report on Engrossed HB 1086 as printed on HJ page 1303 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1086: A BILL for an Act to provide for an information technology department study relating to the language of chapter 54-59 of the North Dakota Century Code; and to provide for a legislative management report.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 1 YEAS, 90 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Mock

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVile; 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; McLeod; Mitskog; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; 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: Christy; Hoverson; Meier

Reengrossed HB 1086 failed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HEADLAND MOVED that the House do concur in the Senate amendments to HB 1267 as printed on HJ pages 1534-1535, which motion prevailed on a voice vote.

HB 1267, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1267: A BILL for an Act to amend and reenact section 57-28-20 of the North Dakota Century Code, relating to the disposition of proceeds from tax lien foreclosures.

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 68 YEAS, 24 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Conmy; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVile; Fisher; Frelich;

Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Ista; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mock; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Pyle; Richter; Rios; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Tveit; Warrey; Speaker Johnson, D.

NAYS: Anderson, K.; Bellew; Christensen; Cory; Dyk; Henderson; Holle; Kasper; Klemin; McLeod; Mitskog; Monson; Porter; Prichard; Rohr; Schatz; Steiner; Timmons; Toman; VanWinkle; Vetter; Vigesaa; Wagner; Weisz

ABSENT AND NOT VOTING: Christy; Hoverson

Engrossed HB 1267 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LOUSER MOVED that the House do concur in the Senate amendments to Engrossed HB 1528 as printed on HJ pages 1799-1802, which motion prevailed on a voice vote.

Engrossed HB 1528, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1528: A BILL for an Act to amend and reenact sections 15-10-44, 54-46-02, 54-46-04, 54-46-05, and 54-46-08 of the North Dakota Century Code, relating to the retention of electronic mail for institutions under the control of the state board of higher education, final disposition of records, mandatory records retention policies for state agencies, and the administration of employee accounts upon employee departure from an agency; to provide for a legislative management study; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; 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; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nelson; Novak; O'Brien; Olson, J.; 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: Christy; Hoverson; Nathe

Reengrossed HB 1528 passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. THOMAS MOVED that the House do concur in the Senate amendments to Engrossed HB 1153 as printed on HJ pages 1798-1799.

REQUEST

REP. HAGERT REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to concur in the Senate amendments to Engrossed HB

1153, 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; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Frellich; Grueneich; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; 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: Finley-DeVille; Hager; Hagert; Hanson; Richter; Toman

ABSENT AND NOT VOTING: Christy; Hoverson

The motion prevailed on a recorded roll call vote.

Engrossed HB 1153, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1153: A BILL for an Act to amend and reenact sections 4.1-04-08 and 4.1-04-09 of the North Dakota Century Code, relating to the duties and powers of the corn council; 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 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; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frellich; Grueneich; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; 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.

NAYS: Hager; Hagert; Ista

ABSENT AND NOT VOTING: Christy; Hoverson

Reengrossed HB 1153 passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SCHAUER MOVED that the House do concur in the Senate amendments to HB 1183 as printed on HJ pages 1791-1794, which motion prevailed on a voice vote.

HB 1183, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1183: A BILL for an Act to amend and reenact subsection 12 of section 54-52-01, section 54-52-06.4, subsection 3 of section 54-52-17, and subsection 4 of section 54-52-17 of the North Dakota Century Code, relating to a public employees retirement system retirement plan for peace officers; and to provide for a legislative management study.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; 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; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; 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; Toman; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Christensen; Henderson; Prichard; VanWinkle

ABSENT AND NOT VOTING: Christy; Hoverson

Engrossed HB 1183 passed.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1015.

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1015

Page 1, line 2, replace "provide for a report" with "authorize the issuance of bonds; to provide a statement of legislative intent"

Page 1, replace lines 12 through 17 with:

| | | | |
|--------------------------------|-------------------|--------------------|--------------------|
| "Adult services | \$258,140,591 | \$170,778,154 | \$428,918,745 |
| Youth services | <u>24,584,845</u> | <u>1,555,722</u> | <u>26,140,567</u> |
| Total all funds | \$282,725,436 | \$172,333,876 | \$455,059,312 |
| Less estimated income | <u>64,865,627</u> | <u>125,451,497</u> | <u>190,317,124</u> |
| Total general fund | \$217,859,809 | \$46,882,379 | \$264,742,188 |
| Full-time equivalent positions | 907.79 | 16.00 | 923.79" |

Page 1, replace line 23 with:

| | | |
|------------|-----------|--------------|
| "Equipment | \$191,000 | \$1,022,800" |
|------------|-----------|--------------|

Page 2, replace line 7 with:

| | | |
|---|---|--------------|
| "Heart River correctional center facility | 0 | 131,200,000" |
|---|---|--------------|

Page 2, replace lines 14 through 16 with:

| | | |
|---|---|-----------|
| "Offender management system review | 0 | 500,000 |
| Maintenance and extraordinary repairs | 0 | 1,000,000 |
| James River correctional center remodel | 0 | 255,500" |

Page 2, replace lines 22 through 24 with:

| | | |
|--|-------------------|--------------------|
| "Roughrider industries cold storage | 0 | 200,000 |
| Roughrider industries paint line replacement | <u>0</u> | <u>2,300,000</u> |
| Total all funds | \$18,940,572 | \$156,871,715 |
| Less estimated income | <u>18,634,572</u> | <u>144,632,261</u> |
| Total general fund | \$306,000 | \$12,239,454" |

Page 3, line 7, replace "\$165,057,000" with "\$35,057,000"

Page 3, line 8, replace "\$161,200,000" with "\$31,200,000"

Page 3, after line 10, insert:

"SECTION 5. WOMEN'S PRISON CONSTRUCTION PROJECT - BOND ISSUANCE AUTHORIZATION. The industrial commission, acting as the North Dakota building authority, shall arrange through the issuance of evidences of indebtedness under chapter 54-17.2 for the biennium beginning July 1, 2023, and ending June 30, 2025, for project costs associated with the department of corrections and rehabilitation women's prison construction project declared to be in the public interest, for which \$100,000,000 is appropriated from bond proceeds in section 1 of this Act. The industrial commission shall issue evidences of indebtedness under this section with the condition that repayments need not begin until July 1, 2025. The authority of the industrial commission to issue evidences of indebtedness under this section ends June 30, 2025, but the industrial commission may continue to exercise all other powers granted to it under chapter 54-17.2 and this Act and comply with any covenants entered into before that date.

SECTION 6. HEART RIVER CORRECTIONAL CENTER FACILITY - LEGISLATIVE INTENT. It is the intent of the sixty-eighth legislative assembly that the sixty-ninth legislative assembly appropriate \$30,000,000 to complete the construction of the new women's prison facility at the Heart River correctional center, for the biennium beginning July 1, 2025, and ending June 30, 2027."

Page 4, after line 10, insert:

"SECTION 11. EXEMPTION - FEDERAL STATE FISCAL RECOVERY FUND. The amount of \$990,000 from federal funds derived from the state fiscal recovery fund appropriated to the department of corrections and rehabilitation for stipends to county jails for deferred admissions in subsection 4 of section 1 of chapter 550 of the 2021 Special Session Session Laws is not subject to section 54-44.1-11, and any unexpended funds from this appropriation may be used for payments for deferred admissions during the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehab. - Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|-----------------------|---------------|---------------|----------------|----------------|
| Adult services | \$258,140,591 | \$475,662,717 | (\$46,743,972) | \$428,918,745 |
| Youth services | 24,584,845 | 27,583,723 | (1,443,156) | 26,140,567 |
| Total all funds | \$282,725,436 | \$503,246,440 | (\$48,187,128) | \$455,059,312 |
| Less estimated income | 64,865,627 | 218,004,391 | (27,687,267) | 190,317,124 |
| General fund | \$217,859,809 | \$285,242,049 | (\$20,499,861) | \$264,742,188 |
| FTE | 907.79 | 931.79 | (8.00) | 923.79 |

Department 530 - Department of Corrections and Rehab. - Detail of Senate Changes

| | Adjusts Funding for Salary and Benefit Increases ¹ | Adjusts New FTE Positions ² | Removes Salary Funding for Funding Pool ³ | Reduces Funding for New FTE Operating Costs ⁴ | Reduces Funding for the Free Through Recovery Program ⁵ | Reduces Funding for Community Behavioral Telehealth Services ⁶ |
|-----------------------|---|--|--|--|--|---|
| Adult services | \$2,534,046 | (\$1,333,753) | (\$12,006,154) | (\$108,851) | (\$4,200,000) | (\$250,000) |
| Youth services | (178,803) | | (1,169,113) | | | |
| Total all funds | \$2,355,243 | (\$1,333,753) | (\$13,175,267) | (\$108,851) | (\$4,200,000) | (\$250,000) |
| Less estimated income | 126,264 | 0 | (569,031) | 0 | 0 | 0 |
| General fund | \$2,228,979 | (\$1,333,753) | (\$12,606,236) | (\$108,851) | (\$4,200,000) | (\$250,000) |
| FTE | 0.00 | (8.00) | 0.00 | 0.00 | 0.00 | 0.00 |

| | Adjusts Funding for One-Time Items ⁷ | Adjusts Funding for the New Women's Prison Facility ⁸ | Total Senate Changes |
|------------------------|---|--|-----------------------|
| Adult services | (\$1,379,260) | (\$30,000,000) | (\$46,743,972) |
| Youth services | (95,240) | | (1,443,156) |
| Total all funds | (\$1,474,500) | (\$30,000,000) | (\$48,187,128) |
| Less estimated income | 2,755,500 | (30,000,000) | (27,687,267) |
| General fund | (\$4,230,000) | \$0 | (\$20,499,861) |
| FTE | 0.00 | 0.00 | (8.00) |

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 | \$2,401,925 | \$132,121 | \$2,534,046 |
| Health insurance adjustment | (172,946) | (5,857) | (178,803) |
| Total | \$2,228,979 | \$126,264 | \$2,355,243 |

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

² New FTE positions added by the House and related funding are reduced as follows:

| | FTE Positions | General Fund |
|---|---------------|---------------|
| Parole and probation | (3.00) | (\$401,379) |
| Inmate case managers | (4.00) | (515,516) |
| Heart River Correctional Center residential treatment | | (246,160) |
| Heart River Correctional Center behavioral health | (1.00) | (170,698) |
| Total | (8.00) | (\$1,333,753) |

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 |
|----------------------|----------------|-------------|----------------|
| New FTE positions | (\$1,774,442) | \$0 | (\$1,774,442) |
| Vacant FTE positions | (10,831,794) | (569,031) | (11,400,825) |
| Total | (\$12,606,236) | (\$569,031) | (\$13,175,267) |

⁴ Funding added by the House for operating costs for new FTE positions is adjusted by the Senate to reflect the removal of 8 new FTE positions.

⁵ Funding is reduced by \$4.2 million from the general fund to provide a total increase of \$4.1 million from the general fund for the free through recovery program. The House increased funding by \$8.3 million from the general fund for the program. The free through recovery program had a legislative base budget of \$8 million from the general fund.

⁶ Funding is reduced by \$250,000 from the general fund to provide a total increase of \$750,000 from the general fund for community behavioral telehealth services. The House added \$1 million from the general fund for community behavioral telehealth services.

⁷ Funding for other one-time funding items is adjusted as follows:

| | House Version | Senate Version | Increase (Decrease) |
|--|---------------|----------------|---------------------|
| Offender management system review | \$757,000 | \$500,000 | (\$257,000) |
| New cameras | 275,000 | 0 | (275,000) |
| Equipment (including \$75,000 from federal funds) | 1,720,800 | 1,022,800 | (698,000) |
| Maintenance and extraordinary repairs | 4,000,000 | 1,000,000 | (3,000,000) |
| James River Correctional Center remodel (other funds) | 0 | 255,500 | 255,500 |
| Roughrider Industries cold storage (other funds) | 0 | 200,000 | 200,000 |
| Roughrider Industries paint line replacement (other funds) | 0 | 2,300,000 | 2,300,000 |
| Total | \$6,752,800 | \$5,278,300 | (\$1,474,500) |

⁸ Funding for the new women's prison facility project at the Heart River Correctional Center is adjusted to provide a total of \$131.2 million, including \$31.2 million from the strategic investment and improvements fund and \$100 million from bond proceeds. Legislative intent

is added for the 69th Legislative Assembly to provide an additional \$30 million for the project. The House provided \$161.2 million from the strategic investment and improvements fund for the project.

This amendment also:

- Adjusts a section to provide a total of \$35,057,000 is from the strategic investment and improvements fund. The House included \$165,057,000 from the strategic investment and improvements fund.
- Adds a section to provide \$100 million of bonding authority for the new women's prison facility project at the Heart River Correctional Center. The House did not include bonding authority for this project.
- Adds a section to provide legislative intent that the 69th Legislative Assembly appropriate an additional \$30 million for the new women's prison facility project. The House did not include legislative intent for future funding for the project.
- Adds a section to provide an exemption to allow the department to continue \$990,000 of federal funds appropriation authority derived from the federal State Fiscal Recovery Fund for deferred admissions payments to county jails.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1003, HB 1014, HB 1379.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1003

Page 1, line 2, after the semicolon insert "to provide an appropriation to the Bank of North Dakota;"

Page 1, line 2, replace "five" with "a new section to chapter 6-09, three"

Page 1, line 2, after "15-10" insert ", section 15-10-48.2,"

Page 1, line 3, after "to" insert "an economic diversification research fund, matching grants for agricultural research and extension,"

Page 1, line 4, remove "funding of severance agreements, academic program approval,"

Page 1, line 16, remove ", 15-10-53,"

Page 1, line 19, replace "pilot program" with "legislative management study"

Page 2, remove lines 6 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 31

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 31

Page 8, replace lines 1 and 2 with:

"NORTH DAKOTA UNIVERSITY SYSTEM

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|-------------------------------------|-------------------|--|----------------------|
| Capital assets - bond payments | \$13,385,264 | (\$2,187,368) | \$11,197,896 |
| Competitive research programs | 5,685,750 | 0 | 5,685,750 |
| System governance | 8,605,570 | 3,266,239 | 11,871,809 |
| Core technology services | 62,962,817 | 6,881,654 | 69,844,471 |
| Student financial assistance grants | 23,917,306 | 6,000,000 | 29,917,306 |

| | | | |
|--|---------------|--------------|---------------|
| Professional student exchange program | 3,699,342 | 0 | 3,699,342 |
| Academic and CTE scholarships | 16,216,749 | 1,000,000 | 17,216,749 |
| Scholars program | 1,807,115 | 0 | 1,807,115 |
| Native American scholarship | 555,323 | 444,677 | 1,000,000 |
| Tribally controlled community college grants | 1,000,000 | 400,000 | 1,400,000 |
| Education incentive programs | 260,000 | 0 | 260,000 |
| Student mental health | 284,400 | 0 | 284,400 |
| Veterans' assistance grants | 277,875 | 177,000 | 454,875 |
| Shared campus services | 800,000 | 0 | 800,000 |
| Nursing education consortium | 1,356,000 | 0 | 1,356,000 |
| NASA EPSCoR | 342,000 | 0 | 342,000 |
| Education challenge fund | 0 | 20,000,000 | 20,000,000 |
| Workforce education grants | 0 | 10,000,000 | 10,000,000 |
| Dual-credit tuition scholarship | 1,500,000 | 0 | 1,500,000 |
| Dakota digital academy | 0 | 450,000 | 450,000 |
| Severance agreements | 0 | 300,000 | 300,000 |
| Total all funds | \$142,655,511 | \$46,732,202 | \$189,387,713 |
| Less estimated income | 25,757,035 | 487,073 | 26,244,108 |
| Total general fund | \$116,898,476 | \$46,245,129 | \$163,143,605 |
| Full-time equivalent positions | 158.83 | 5.00 | 163.83 |

Subdivision 2.

BISMARCK STATE COLLEGE

| | Base Level | Adjustments or Enhancements | Appropriation |
|--------------------------------|---------------|-----------------------------|---------------|
| Operations | \$100,571,387 | \$7,699,688 | \$108,271,075 |
| Capital assets | 1,922,561 | 12,400,000 | 14,322,561 |
| Behavioral health initiative | 0 | 204,000 | 204,000 |
| Total all funds | \$102,493,948 | \$20,303,688 | \$122,797,636 |
| Less estimated income | 70,409,893 | 10,869,688 | 81,279,581 |
| Total general fund | \$32,084,055 | \$9,434,000 | \$41,518,055 |
| Full-time equivalent positions | 332.90 | 2.43 | 335.33 |

Subdivision 3.

LAKE REGION STATE COLLEGE

| | Base Level | Adjustments or Enhancements | Appropriation |
|-----------------------------------|--------------|-----------------------------|---------------|
| Operations | \$39,150,913 | \$2,263,509 | \$41,414,422 |
| Capital assets | 362,667 | 1,000,000 | 1,362,667 |
| Minimum amount payable adjustment | 0 | 569,686 | 569,686 |
| Behavioral health initiative | 0 | 109,000 | 109,000 |
| Total all funds | \$39,513,580 | \$3,942,195 | \$43,455,775 |
| Less estimated income | 25,271,428 | 2,257,339 | 27,528,767 |
| Total general fund | \$14,242,152 | \$1,684,856 | \$15,927,008 |
| Full-time equivalent positions | 115.76 | 4.83 | 120.59 |

Subdivision 4.

WILLISTON STATE COLLEGE

| | Base Level | Adjustments or Enhancements | Appropriation |
|--------------------------------|--------------|-----------------------------|---------------|
| Operations | \$34,044,304 | \$2,929,048 | \$36,973,352 |
| Capital assets | 1,261,968 | 43,913,939 | 45,175,907 |
| Behavioral health initiative | 0 | 169,140 | 169,140 |
| Total all funds | \$35,306,272 | \$47,012,127 | \$82,318,399 |
| Less estimated income | 24,019,535 | 45,011,392 | 69,030,927 |
| Total general fund | \$11,286,737 | \$2,000,735 | \$13,287,472 |
| Full-time equivalent positions | 101.29 | 1.54 | 102.83 |

Subdivision 5.

UNIVERSITY OF NORTH DAKOTA

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|-----------------------------------|-------------------|--|----------------------|
| Operations | \$902,173,330 | \$60,080,851 | \$962,254,181 |
| Capital assets | 4,411,566 | 127,500,000 | 131,911,566 |
| Minimum amount payable adjustment | 0 | 616,332 | 616,332 |
| National security initiative | 0 | 9,000,000 | 9,000,000 |
| Research network | 0 | 3,201,100 | 3,201,100 |
| Behavioral health initiative | 0 | 660,000 | 660,000 |
| Total all funds | \$906,584,896 | \$201,058,283 | \$1,107,643,179 |
| Less estimated income | 755,657,771 | 156,803,837 | 912,461,608 |
| Total general fund | \$150,927,125 | \$44,254,446 | \$195,181,571 |
| Full-time equivalent positions | 2,059.98 | 0.58 | 2,060.56 |

Subdivision 6.

NORTH DAKOTA STATE UNIVERSITY

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|-----------------------------------|-------------------|--|----------------------|
| Operations | \$756,049,321 | \$46,573,844 | \$802,623,165 |
| Capital assets | 7,799,104 | 107,000,000 | 114,799,104 |
| Minimum amount payable adjustment | 0 | 4,537,253 | 4,537,253 |
| Research network | 0 | 3,201,100 | 3,201,100 |
| Behavioral health initiative | 0 | 1,100,000 | 1,100,000 |
| Total all funds | \$763,848,425 | \$162,412,197 | \$926,260,622 |
| Less estimated income | 625,417,100 | 135,106,551 | 760,523,651 |
| Total general fund | \$138,431,325 | \$27,305,646 | \$165,736,971 |
| Full-time equivalent positions | 1,829.43 | 38.07 | 1,867.50 |

Subdivision 7.

NORTH DAKOTA STATE COLLEGE OF SCIENCE

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|-----------------------------------|-------------------|--|----------------------|
| Operations | \$95,547,465 | \$5,686,699 | \$101,234,164 |
| Capital assets | 1,012,379 | 0 | 1,012,379 |
| Minimum amount payable adjustment | 0 | 1,005,347 | 1,005,347 |
| Behavioral health initiative | 0 | 186,750 | 186,750 |
| Total all funds | \$96,559,844 | \$6,878,796 | \$103,438,640 |
| Less estimated income | 60,845,052 | 2,639,567 | 63,484,619 |
| Total general fund | \$35,714,792 | \$4,239,229 | \$39,954,021 |
| Full-time equivalent positions | 311.61 | 2.34 | 313.95 |

Subdivision 8.

DICKINSON STATE UNIVERSITY

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|--------------------------------|-------------------|--|----------------------|
| Operations | \$50,826,060 | \$5,244,442 | \$56,070,502 |
| Capital assets | 409,078 | 20,600,000 | 21,009,078 |
| Behavioral health initiative | 0 | 327,000 | 327,000 |
| Total all funds | \$51,235,138 | \$26,171,442 | \$77,406,580 |
| Less estimated income | 30,992,408 | 20,685,562 | 51,677,970 |
| Total general fund | \$20,242,730 | \$5,485,880 | \$25,728,610 |
| Full-time equivalent positions | 175.50 | 2.50 | 178.00 |

Subdivision 9.

MAYVILLE STATE UNIVERSITY

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|--------------------------------|-------------------|--|----------------------|
| Operations | \$50,603,276 | \$5,068,561 | \$55,671,837 |
| Capital assets | 358,992 | 49,970,100 | 50,329,092 |
| Behavioral health initiative | <u>0</u> | <u>308,734</u> | <u>308,734</u> |
| Total all funds | \$50,962,268 | \$55,347,395 | \$106,309,663 |
| Less estimated income | <u>32,282,440</u> | <u>52,019,679</u> | <u>84,302,119</u> |
| Total general fund | \$18,679,828 | \$3,327,716 | \$22,007,544 |
| Full-time equivalent positions | 230.35 | (3.43) | 226.92 |

Subdivision 10.

MINOT STATE UNIVERSITY

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|--------------------------------|-------------------|--|----------------------|
| Operations | \$104,154,777 | \$10,794,119 | \$114,948,896 |
| Capital assets | 1,099,620 | 7,865,000 | 8,964,620 |
| Behavioral health initiative | <u>0</u> | <u>170,000</u> | <u>170,000</u> |
| Total all funds | \$105,254,397 | \$18,829,119 | \$124,083,516 |
| Less estimated income | <u>64,047,767</u> | <u>10,588,652</u> | <u>74,636,419</u> |
| Total general fund | \$41,206,630 | \$8,240,467 | \$49,447,097 |
| Full-time equivalent positions | 403.04 | 20.59 | 423.63 |

Subdivision 11.

VALLEY CITY STATE UNIVERSITY

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|--------------------------------|-------------------|--|----------------------|
| Operations | \$50,083,400 | \$5,135,290 | \$55,218,690 |
| Capital assets | 455,823 | 22,000,000 | 22,455,823 |
| Behavioral health initiative | <u>0</u> | <u>236,000</u> | <u>236,000</u> |
| Total all funds | \$50,539,223 | \$27,371,290 | \$77,910,513 |
| Less estimated income | <u>26,377,846</u> | <u>23,684,575</u> | <u>50,062,421</u> |
| Total general fund | \$24,161,377 | \$3,686,715 | \$27,848,092 |
| Full-time equivalent positions | 202.77 | 9.17 | 211.94 |

Subdivision 12.

DAKOTA COLLEGE AT BOTTINEAU

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|--------------------------------|-------------------|--|----------------------|
| Operations | \$23,640,055 | \$2,227,163 | \$25,867,218 |
| Capital assets | 114,007 | 5,800,000 | 5,914,007 |
| Behavioral health initiative | <u>0</u> | <u>170,000</u> | <u>170,000</u> |
| Total all funds | \$23,754,062 | \$8,197,163 | \$31,951,225 |
| Less estimated income | <u>14,216,200</u> | <u>6,434,747</u> | <u>20,650,947</u> |
| Total general fund | \$9,537,862 | \$1,762,416 | \$11,300,278 |
| Full-time equivalent positions | 91.86 | (7.86) | 84.00 |

Subdivision 13.

UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|---------------------------------|--------------------|--|----------------------|
| Operations | \$218,253,058 | \$19,850,819 | \$238,103,877 |
| Healthcare workforce initiative | <u>10,676,150</u> | <u>0</u> | <u>10,676,150</u> |
| Total all funds | \$228,929,208 | \$19,850,819 | \$248,780,027 |
| Less estimated income | <u>160,806,249</u> | <u>7,107,862</u> | <u>167,914,111</u> |
| Total general fund | \$68,122,959 | \$12,742,957 | \$80,865,916 |
| Full-time equivalent positions | 492.67 | (3.84) | 488.83 |

Subdivision 14.

NORTH DAKOTA FOREST SERVICE

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|--------------------------------|-------------------|--|----------------------|
| Operations | \$15,343,065 | \$9,318,100 | \$24,661,165 |
| Capital assets | 118,728 | 0 | 118,728 |
| Total all funds | \$15,461,793 | \$9,318,100 | \$24,779,893 |
| Less estimated income | 10,669,315 | 8,471,957 | 19,141,272 |
| Total general fund | \$4,792,478 | \$846,143 | \$5,638,621 |
| Full-time equivalent positions | 28.00 | 1.00 | 29.00 |

Subdivision 15.

TOTAL - SECTION 1

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|---------------------------|-------------------|--|----------------------|
| Grand total general fund | \$686,328,526 | \$171,256,335 | \$857,584,861 |
| Grand total special funds | 1,926,770,039 | 482,168,481 | 2,408,938,520 |
| Grand total all funds | \$2,613,098,565 | \$653,424,816 | \$3,266,523,381" |

Page 8, replace lines 8 through 12 with:

| | | |
|--|-----------|---------------|
| "Capital projects - strategic investment and improvements fund | \$0 | \$205,727,053 |
| Capital project inflation - general fund | 0 | 13,160,000 |
| Capital projects - other funds | 4,363,000 | 179,161,986 |
| University of North Dakota national security initiative | 0 | 9,000,000 |
| Additional hold harmless adjustment | 0 | 6,728,618" |

Page 8, remove lines 28 through 31

Page 9, replace lines 1 through 6 with:

| | | |
|------------------------------------|---------------|---------------|
| "Higher education challenge grants | 11,150,000 | 20,000,000 |
| Dakota digital academy | 475,000 | 450,000 |
| Workforce education grants | 0 | 10,000,000 |
| Behavioral health initiative | 0 | 3,640,624 |
| Financial aid software | 0 | 1,669,354 |
| Severance agreement | 0 | 300,000 |
| Total all funds | \$207,876,121 | \$449,837,635 |
| Total other funds | 190,851,121 | 384,889,039 |
| Total general fund | \$17,025,000 | \$64,948,596" |

Page 9, remove lines 23 through 29

Page 10, line 9, replace "\$293,290,000" with "\$205,727,053"

Page 10, replace lines 11 through 23 with:

| | |
|---|----------------|
| "Williston state college medical healthcare building | \$25,962,053 |
| University of North Dakota science, engineering, and national security corridor | 57,400,000 |
| North Dakota state university center for engineering and computational sciences | 59,000,000 |
| Dickinson state university agriculture and technical education building | 17,100,000 |
| Mayville state university old main renovation | 42,200,000 |
| Minot state university Dakota hall demolition | 765,000 |
| Dakota college at Bottineau old main renovation | 3,300,000 |
| Total strategic investment and improvements fund | \$205,727,053" |

Page 10, remove lines 24 through 30

Page 11, remove lines 1 through 30

Page 12, remove lines 1 through 4

Page 12, line 8, after the third comma insert "and any funds in the severance agreements line item in subdivision 1 of section 1 of this Act,"

Page 12, line 21, replace "\$7,500,000" with "\$3,400,000"

Page 12, line 26, replace "\$7,500,000" with "\$3,400,000"

Page 12, after line 28, insert:

**"SECTION 10. APPROPRIATION - BANK OF NORTH DAKOTA -
TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND -
ECONOMIC DIVERSIFICATION RESEARCH FUND.** The office of management and budget shall transfer \$10,000,000 from the strategic investment and improvements fund to the economic diversification research fund, the sum of which is appropriated to the Bank of North Dakota for the purpose of providing grants to institutions under the control of the state board of higher education, for the biennium beginning July 1, 2023, and ending June 30, 2025, as requested by the commissioner of higher education."

Page 13, replace lines 20 and 21 with:

| | |
|---|--------------|
| "Bismarck state college polytechnic project inflation | \$12,400,000 |
| Lake region state college wind turbine gearbox replacement and parking lot repairs" | 1,000,000 |

Page 13, replace line 24 with:

| | |
|--|-------------|
| "University of North Dakota Merrifield hall and Twamley hall project inflation | 12,500,000" |
|--|-------------|

Page 13, remove lines 26 and 27

Page 13, remove lines 29 and 30

Page 14, replace lines 1 and 2 with:

| | |
|---|------------------|
| "Dickinson state university generator and project inflation | 2,600,000 |
| Mayville state university old main renovation | 49,970,100 |
| Minot state university Hartnett hall project inflation | 4,000,000 |
| Dakota college at Bottineau old main renovation | <u>5,800,000</u> |
| Total | \$308,870,100" |

Page 14, line 5, remove "The state board of higher education may not include requests for any state funds for"

Page 14, remove lines 6 through 15

Page 14, line 16, remove "3."

Page 14, line 19, replace "4." with "2."

Page 14, line 25, replace "5." with "3."

Page 14, line 25, replace "Any" with "It is the intent of the sixty-eighth legislative assembly that any"

Page 15, replace lines 3 through 10 with:

"SECTION 15. A new section to chapter 6-09 of the North Dakota Century Code is created and enacted as follows:

Economic diversification research fund - Report to legislative management.

1. There is created in the state treasury the economic diversification research fund. The fund consists of all moneys deposited in or transferred to the fund pursuant to legislative action. Moneys in the fund may be spent by the Bank of North Dakota pursuant to legislative appropriations to provide grants to institutions under the control of the state board of higher education for economic diversification research.
2. In consultation with representatives of North Dakota state university and the university of North Dakota, the Bank, in consultation with the state board of higher education, shall award grants to institutions under the control of the state board of higher education. Up to ninety percent of the funding must be awarded to North Dakota state university and the university of North Dakota with equal amounts awarded to each institution. The remaining funding must be awarded to the other institutions under the control of the state board of higher education, as determined by the board. The state board of higher education may not award more than fifty percent of the available funding during the first year of the biennium. The Bank of North Dakota shall distribute the grant funding as awarded by the state board of higher education.
3. The state board of higher education shall develop guidelines for the economic diversification research grants. The purpose of the grants is to stimulate economic activity across the state through innovation of new technology, concepts, and products; to promote job creation and career and wage growth; to enhance health care outcomes; to address loss of revenue and jobs in communities with economies that depend primarily on the fossil fuel industry; and to provide experiential learning opportunities for students. Research projects may be initiated by an institution under the control of the state board of higher education or by the private sector. The guidelines must include consideration for research projects with matching funds and provisions for grant oversight by an internal advisory committee and an external advisory committee.
4. The state board of higher education shall develop reporting requirements for the institutions under the control of the board. The reporting requirements must include criteria for assessing performance outcomes related to the grants. The state board of higher education shall compile the reports and submit a comprehensive report annually to the legislative management. The comprehensive report must include information on how the research efforts by each institution align with the state's priorities, how the institutions collaborate when appropriate, and how the outcomes of the research meet established performance expectations."

Page 15, line 13, remove "**budget**"

Page 15, line 14, replace "**section**" with "**legislative management**"

Page 15, line 15, remove "**budget**"

Page 15, line 16, replace "**section**" with "**legislative management**"

Page 15, remove lines 21 through 31

Page 16, remove lines 1 through 8

Page 22, line 3, replace "five million" with "two million seven hundred thousand"

Page 22, line 5, replace "four million" with "two million two hundred thousand"

Page 22, line 6, remove "each"

Page 22, line 7, remove "and the North Dakota state university"

Page 22, line 8, remove "main research center"

Page 22, after line 10, insert:

"SECTION 23. Section 15-10-48.2 of the North Dakota Century Code is created and enacted as follows:

Agricultural research and extension - Matching grants - North Dakota state university agricultural experiment station.

1. a. Subject to legislative appropriations, each biennium the state board of higher education shall award one dollar in matching grants for every two dollars raised by the institutional foundation of North Dakota state university for projects dedicated exclusively to agricultural research and extension at the agricultural experiment station. Notwithstanding section 15-10-53, awards under this section may be used for endowments, operations, facility repair projects, and new capital construction projects.
- b. To be eligible for a matching grant, the institution shall demonstrate:
 - (1) Its foundation has raised at least twenty-five thousand dollars in cash or monetary pledges for a qualifying project; and
 - (2) The project has been approved by the grant review committee established in section 15-10-51.
- c. The board may award up to two million two hundred thousand dollars in matching grants under this section.
- d. If the remaining dollars are insufficient to provide a matching grant in the amount of one dollar for every two dollars raised by the institutional foundation, the board shall award a lesser amount.
2. The state board of higher education shall retain up to one-quarter of one percent of any grant awarded under this section to assist with the administrative expenses incurred in the grant review process."

Page 22, line 14, replace "Three million" with "One million seven hundred thousand"

Page 22, line 17, replace "Two million" with "One million one hundred thousand"

Page 22, line 19, replace "One million" with "Six hundred thousand"

Page 24, line 22, replace "\$72.39" with "\$73.15"

Page 24, line 24, replace "\$102.78" with "\$103.76"

Page 24, line 26, replace "\$109.30" with "\$110.38"

Page 25, line 25, replace "six hundred fifty" with "three hundred seventy-five"

Page 25, line 26, replace "One thousand one hundred" with "Nine hundred seventeen"

Page 27, line 28, remove ", 15-10-53,"

Page 28, line 11, remove "- LAKE REGION STATE"

Page 28, replace lines 12 through 15 with:

"Notwithstanding any matching requirements in chapter 15-54.1, the following projects are authorized to use funding from the respective institution's allocation in the university system capital building fund:

| | |
|--|---------------------|
| Lake region state college wind turbine gearbox replacement and parking lot repairs | \$1,000,000 |
| Williston state college medical healthcare building | 637,947 |
| Mayville state university old main renovation | 2,330,087 |
| Dakota college at Bottineau old main renovation | <u>1,000,000</u> |
| Total | <u>\$4,968,034"</u> |

Page 28, line 27, after the second "programs" insert ", including for the Twamley hall project at the university of North Dakota,"

Page 28, after line 28, insert:

"SECTION 41. LEGISLATIVE MANAGEMENT STUDY - DUAL-CREDIT FUNDING. During the 2023-24 interim, the legislative management shall study funding for dual-credit courses. The study must include a review of all funding sources relating to dual-credit courses in the state, including tuition and fees, the higher education funding formula, elementary and secondary education integrated formula payments, institution scholarships, state scholarships, and the Bank of North Dakota. The study must also include a review of funding for dual-credit courses in other states. 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 42. LEGISLATIVE MANAGEMENT STUDY - ARTIFICIAL INTELLIGENCE IMPACTS. During the 2023-24 interim, the legislative management shall consider studying the emergence of artificial intelligence and the potential impacts on the state's institutions, agencies, businesses, citizens, and youth. The study must include a review of the effect of artificial intelligence on the provision of health care, effects on student learning, potential opportunities or threats to the integrity of state services, the potential impact on electoral processes, including mitigating action to be taken leading up to the 2024 state elections, opportunities for state investment or policy changes to promote artificial intelligence businesses, and cybersecurity implications across all state institutions. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Page 28, line 31, remove "and fee"

Page 29, line 5, remove "and fee"

Page 30, line 1, after "hygienist" insert "and dental assistant"

Page 30, line 3, replace "Section 35" with "Sections 2, 5, 11, 12, 13, 32, 38, and the capital assets line items in section 1"

Page 30, line 3, replace "is" with "are"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1003 - Summary of Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|--------------------------|-------------------|--------------------|---------------------|-------------------|
| University System Office | | | | |
| Total all funds | \$142,655,511 | \$236,706,896 | (\$47,319,183) | \$189,387,713 |
| Less estimated income | <u>25,757,035</u> | <u>26,629,233</u> | <u>(385,125)</u> | <u>26,244,108</u> |
| General fund | \$116,898,476 | \$210,077,663 | (\$46,934,058) | \$163,143,605 |
| FTE | 158.83 | 162.83 | 1.00 | 163.83 |
| Bismarck State College | | | | |
| Total all funds | \$102,493,948 | \$141,013,611 | (\$18,215,975) | \$122,797,636 |
| Less estimated income | <u>70,409,893</u> | <u>104,810,627</u> | <u>(23,531,046)</u> | <u>81,279,581</u> |
| General fund | \$32,084,055 | \$36,202,984 | \$5,315,071 | \$41,518,055 |
| FTE | 332.90 | 335.33 | 0.00 | 335.33 |

| | | | | |
|-------------------------------|---------------|-----------------|----------------|-----------------|
| Lake Region State College | | | | |
| Total all funds | \$39,513,580 | \$42,136,398 | \$1,319,377 | \$43,455,775 |
| Less estimated income | 25,271,428 | 26,926,556 | 602,211 | 27,528,767 |
| General fund | \$14,242,152 | \$15,209,842 | \$717,166 | \$15,927,008 |
| FTE | 115.76 | 120.59 | 0.00 | 120.59 |
| Williston State College | | | | |
| Total all funds | \$35,306,272 | \$82,009,207 | \$309,192 | \$82,318,399 |
| Less estimated income | 24,019,535 | 68,850,090 | 180,837 | 69,030,927 |
| General fund | \$11,286,737 | \$13,159,117 | \$128,355 | \$13,287,472 |
| FTE | 101.29 | 102.83 | 0.00 | 102.83 |
| University of North Dakota | | | | |
| Total all funds | \$906,584,896 | \$1,198,001,089 | (\$90,357,910) | \$1,107,643,179 |
| Less estimated income | 755,657,771 | 974,271,737 | (61,810,129) | 912,461,608 |
| General fund | \$150,927,125 | \$223,729,352 | (\$28,547,781) | \$195,181,571 |
| FTE | 2,059.98 | 2,060.56 | 0.00 | 2,060.56 |
| UND Medical Center | | | | |
| Total all funds | \$228,929,208 | \$246,725,638 | \$2,054,389 | \$248,780,027 |
| Less estimated income | 160,806,249 | 166,588,967 | 1,325,144 | 167,914,111 |
| General fund | \$68,122,959 | \$80,136,671 | \$729,245 | \$80,865,916 |
| FTE | 492.67 | 488.83 | 0.00 | 488.83 |
| North Dakota State University | | | | |
| Total all funds | \$763,848,425 | \$920,309,083 | \$5,951,539 | \$926,260,622 |
| Less estimated income | 625,417,100 | 755,918,135 | 4,605,516 | 760,523,651 |
| General fund | \$138,431,325 | \$164,390,948 | \$1,346,023 | \$165,736,971 |
| FTE | 1,829.43 | 1,867.50 | 0.00 | 1,867.50 |
| State College of Science | | | | |
| Total all funds | \$96,559,844 | \$121,371,653 | (\$17,933,013) | \$103,438,640 |
| Less estimated income | 60,845,052 | 83,058,003 | (19,573,384) | 63,484,619 |
| General fund | \$35,714,792 | \$38,313,650 | \$1,640,371 | \$39,954,021 |
| FTE | 311.61 | 313.95 | 0.00 | 313.95 |
| Dickinson State University | | | | |
| Total all funds | \$51,235,138 | \$74,317,834 | \$3,088,746 | \$77,406,580 |
| Less estimated income | 30,992,408 | 50,414,027 | 1,263,943 | 51,677,970 |
| General fund | \$20,242,730 | \$23,903,807 | \$1,824,803 | \$25,728,610 |
| FTE | 175.50 | 178.00 | 0.00 | 178.00 |
| Mayville State University | | | | |
| Total all funds | \$50,962,268 | \$105,818,246 | \$491,417 | \$106,309,663 |
| Less estimated income | 32,282,440 | 84,015,644 | 286,475 | 84,302,119 |
| General fund | \$18,679,828 | \$21,802,602 | \$204,942 | \$22,007,544 |
| FTE | 230.35 | 226.92 | 0.00 | 226.92 |
| Minot State University | | | | |
| Total all funds | \$105,254,397 | \$126,949,121 | (\$2,865,605) | \$124,083,516 |
| Less estimated income | 64,047,767 | 79,552,328 | (4,915,909) | 74,636,419 |
| General fund | \$41,206,630 | \$47,396,793 | \$2,050,304 | \$49,447,097 |
| FTE | 403.04 | 423.63 | 0.00 | 423.63 |
| Valley City State University | | | | |
| Total all funds | \$50,539,223 | \$90,901,990 | (\$12,991,477) | \$77,910,513 |
| Less estimated income | 26,377,846 | 63,314,690 | (13,252,269) | 50,062,421 |
| General fund | \$24,161,377 | \$27,587,300 | \$260,792 | \$27,848,092 |
| FTE | 202.77 | 211.94 | 0.00 | 211.94 |
| Dakota College at Bottineau | | | | |
| Total all funds | \$23,754,062 | \$31,247,197 | \$704,028 | \$31,951,225 |
| Less estimated income | 14,216,200 | 20,055,822 | 595,125 | 20,650,947 |
| General fund | \$9,537,862 | \$11,191,375 | \$108,903 | \$11,300,278 |
| FTE | 91.86 | 84.00 | 0.00 | 84.00 |
| Forest Service | | | | |
| Total all funds | \$15,461,793 | \$24,714,730 | \$65,163 | \$24,779,893 |
| Less estimated income | 10,669,315 | 19,139,209 | 2,063 | 19,141,272 |
| General fund | \$4,792,478 | \$5,575,521 | \$63,100 | \$5,638,621 |
| FTE | 28.00 | 29.00 | 0.00 | 29.00 |
| Bank of North Dakota | | | | |
| Total all funds | \$0 | \$0 | \$10,000,000 | \$10,000,000 |

| | | | | |
|-----------------------|-----------------|-----------------|-----------------|-----------------|
| Less estimated income | 0 | 0 | 10,000,000 | 10,000,000 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |
| Bill total | | | | |
| Total all funds | \$2,613,098,565 | \$3,442,222,693 | (\$165,699,312) | \$3,276,523,381 |
| Less estimated income | 1,926,770,039 | 2,523,545,068 | (104,606,548) | 2,418,938,520 |
| General fund | \$686,328,526 | \$918,677,625 | (\$61,092,764) | \$857,584,861 |
| FTE | 6,533.99 | 6,605.91 | 1.00 | 6,606.91 |

House Bill No. 1003 - General Fund Summary

| | Base Budget | House Version | Senate Changes | Senate Version |
|-------------------------------|---------------|---------------|----------------|----------------|
| University System Office | \$116,898,476 | \$210,077,663 | (\$46,934,058) | \$163,143,605 |
| Bismarck State College | 32,084,055 | 36,202,984 | 5,315,071 | 41,518,055 |
| Lake Region State College | 14,242,152 | 15,209,842 | 717,166 | 15,927,008 |
| Williston State College | 11,286,737 | 13,159,117 | 128,355 | 13,287,472 |
| University of North Dakota | 150,927,125 | 223,729,352 | (28,547,781) | 195,181,571 |
| UND Medical Center | 68,122,959 | 80,136,671 | 729,245 | 80,865,916 |
| North Dakota State University | 138,431,325 | 164,390,948 | 1,346,023 | 165,736,971 |
| State College of Science | 35,714,792 | 38,313,650 | 1,640,371 | 39,954,021 |
| Dickinson State University | 20,242,730 | 23,903,807 | 1,824,803 | 25,728,610 |
| Mayville State University | 18,679,828 | 21,802,602 | 204,942 | 22,007,544 |
| Minot State University | 41,206,630 | 47,396,793 | 2,050,304 | 49,447,097 |
| Valley City State University | 24,161,377 | 27,587,300 | 260,792 | 27,848,092 |
| Dakota College at Bottineau | 9,537,862 | 11,191,375 | 108,903 | 11,300,278 |
| Forest Service | 4,792,478 | 5,575,521 | 63,100 | 5,638,621 |
| Bank of North Dakota | | | | |
| Total general fund | \$686,328,526 | \$918,677,625 | (\$61,092,764) | \$857,584,861 |

Detail of Senate Changes to the General Fund

| | Adjusts Funding for University System Office ¹ | Provides Funding Formula Adjustments ² | Adjusts Special Funds ³ | Adds Funding for Adjusted Minimum Amount Payable ⁴ | Reduces Funding for National Security Initiative ⁵ | Removes Funding for Workforce Education ⁶ |
|-------------------------------|---|---|------------------------------------|---|---|--|
| University System Office | (\$46,934,058) | | | | | |
| Bismarck State College | | \$355,071 | | | | |
| Lake Region State College | | 147,480 | | \$569,686 | | |
| Williston State College | | 128,355 | | | | |
| University of North Dakota | | 1,835,887 | | 616,332 | (\$36,000,000) | |
| UND Medical Center | | 729,245 | | | | |
| North Dakota State University | | 1,608,770 | | 4,537,253 | | (\$4,800,000) |
| State College of Science | | 635,024 | | 1,005,347 | | |
| Dickinson State University | | 224,803 | | | | |
| Mayville State University | | 204,942 | | | | |
| Minot State University | | 450,304 | | | | |
| Valley City State University | | 260,792 | | | | |
| Dakota College at Bottineau | | 108,903 | | | | |
| Forest Service | | | | | | |
| Bank of North Dakota | | | | | | |
| Total general fund | (\$46,934,058) | \$6,689,576 | \$0 | \$6,728,618 | (\$36,000,000) | (\$4,800,000) |

| | Adjusts Funding for Capital Projects ⁷ | Adjusts Forest Service Funding ⁸ | Adds Funding for Economic Diversification Research Grants ⁹ | Total the General Fund Changes |
|-------------------------------|---|---|--|--------------------------------|
| University System Office | | | | (\$46,934,058) |
| Bismarck State College | \$4,960,000 | | | 5,315,071 |
| Lake Region State College | | | | 717,166 |
| Williston State College | | | | 128,355 |
| University of North Dakota | 5,000,000 | | | (28,547,781) |
| UND Medical Center | | | | 729,245 |
| North Dakota State University | | | | 1,346,023 |
| State College of Science | | | | 1,640,371 |
| Dickinson State University | 1,600,000 | | | 1,824,803 |
| Mayville State University | | | | 204,942 |
| Minot State University | 1,600,000 | | | 2,050,304 |
| Valley City State University | | | | 260,792 |
| Dakota College at Bottineau | | | | 108,903 |
| Forest Service | | \$63,100 | | 63,100 |
| Bank of North Dakota | | | | |
| Total general fund | \$13,160,000 | \$63,100 | \$0 | (\$61,092,764) |

House Bill No. 1003 - Other Funds Summary

| | Base Budget | House Version | Senate Changes | Senate Version |
|-------------------------------|-----------------|-----------------|-----------------|-----------------|
| University System Office | \$25,757,035 | \$26,629,233 | (\$385,125) | \$26,244,108 |
| Bismarck State College | 70,409,893 | 104,810,627 | (23,531,046) | 81,279,581 |
| Lake Region State College | 25,271,428 | 26,926,556 | 602,211 | 27,528,767 |
| Williston State College | 24,019,535 | 68,850,090 | 180,837 | 69,030,927 |
| University of North Dakota | 755,657,771 | 974,271,737 | (61,810,129) | 912,461,608 |
| UND Medical Center | 160,806,249 | 166,588,967 | 1,325,144 | 167,914,111 |
| North Dakota State University | 625,417,100 | 755,918,135 | 4,605,516 | 760,523,651 |
| State College of Science | 60,845,052 | 83,058,003 | (19,573,384) | 63,484,619 |
| Dickinson State University | 30,992,408 | 50,414,027 | 1,263,943 | 51,677,970 |
| Mayville State University | 32,282,440 | 84,015,644 | 286,475 | 84,302,119 |
| Minot State University | 64,047,767 | 79,552,328 | (4,915,909) | 74,636,419 |
| Valley City State University | 26,377,846 | 63,314,690 | (13,252,269) | 50,062,421 |
| Dakota College at Bottineau | 14,216,200 | 20,055,822 | 595,125 | 20,650,947 |
| Forest Service | 10,669,315 | 19,139,209 | 2,063 | 19,141,272 |
| Bank of North Dakota | | | 10,000,000 | 10,000,000 |
| Total other funds | \$1,926,770,039 | \$2,523,545,068 | (\$104,606,548) | \$2,418,938,520 |

Detail of Senate Changes to Other Funds

| | Adjusts Funding for University System Office ¹ | Provides Funding Formula Adjustments ² | Adjusts Special Funds ³ | Adds Funding for Adjusted Minimum Amount Payable ⁴ | Reduces Funding for National Security Initiative ⁵ | Removes Funding for Workforce Education ⁶ |
|-------------------------------|---|---|------------------------------------|---|---|--|
| University System Office | (\$385,125) | | | | | |
| Bismarck State College | | | \$528,954 | | | |
| Lake Region State College | | | 202,211 | | | |
| Williston State College | | | 180,837 | | | |
| University of North Dakota | | | 5,689,871 | | | |
| UND Medical Center | | | 1,325,144 | | | |
| North Dakota State University | | | 4,605,516 | | | |
| State College of Science | | | 401,616 | | | |
| Dickinson State University | | | 263,943 | | | |
| Mayville State University | | | 286,475 | | | |
| Minot State University | | | 684,091 | | | |
| Valley City State University | | | 247,731 | | | |
| Dakota College at Bottineau | | | 95,125 | | | |
| Forest Service | | | | | | |
| Bank of North Dakota | | | | | | |
| Total other funds | (\$385,125) | \$0 | \$14,511,514 | \$0 | \$0 | \$0 |

| | Adjusts Funding for Capital Projects ⁷ | Adjusts Forest Service Funding ⁸ | Adds Funding for Economic Diversification Research Grants ⁹ | Total Other Funds Changes |
|-------------------------------|---|---|--|---------------------------|
| University System Office | | | | (\$385,125) |
| Bismarck State College | (\$24,060,000) | | | (23,531,046) |
| Lake Region State College | 400,000 | | | 602,211 |
| Williston State College | | | | 180,837 |
| University of North Dakota | (67,500,000) | | | (61,810,129) |
| UND Medical Center | | | | 1,325,144 |
| North Dakota State University | | | | 4,605,516 |
| State College of Science | (19,975,000) | | | (19,573,384) |
| Dickinson State University | 1,000,000 | | | 1,263,943 |
| Mayville State University | | | | 286,475 |
| Minot State University | (5,600,000) | | | (4,915,909) |
| Valley City State University | (13,500,000) | | | (13,252,269) |
| Dakota College at Bottineau | 500,000 | | | 595,125 |
| Forest Service | | \$2,063 | | 2,063 |
| Bank of North Dakota | | | \$10,000,000 | 10,000,000 |
| Total other funds | (\$128,735,000) | \$2,063 | \$10,000,000 | (\$104,606,548) |

House Bill No. 1003 - All Funds Summary

| | Base Budget | House Version | Senate Changes | Senate Version |
|-------------------------------|------------------------|------------------------|------------------------|------------------------|
| University System Office | \$142,655,511 | \$236,706,896 | (\$47,319,183) | \$189,387,713 |
| Bismarck State College | 102,493,948 | 141,013,611 | (18,215,975) | 122,797,636 |
| Lake Region State College | 39,513,580 | 42,136,398 | 1,319,377 | 43,455,775 |
| Williston State College | 35,306,272 | 82,009,207 | 309,192 | 82,318,399 |
| University of North Dakota | 906,584,896 | 1,198,001,089 | (90,357,910) | 1,107,643,179 |
| UND Medical Center | 228,929,208 | 246,725,638 | 2,054,389 | 248,780,027 |
| North Dakota State University | 763,848,425 | 920,309,083 | 5,951,539 | 926,260,622 |
| State College of Science | 96,559,844 | 121,371,653 | (17,933,013) | 103,438,640 |
| Dickinson State University | 51,235,138 | 74,317,834 | 3,088,746 | 77,406,580 |
| Mayville State University | 50,962,268 | 105,818,246 | 491,417 | 106,309,663 |
| Minot State University | 105,254,397 | 126,949,121 | (2,865,605) | 124,083,516 |
| Valley City State University | 50,539,223 | 90,901,990 | (12,991,477) | 77,910,513 |
| Dakota College at Bottineau | 23,754,062 | 31,247,197 | 704,028 | 31,951,225 |
| Forest Service | 15,461,793 | 24,714,730 | 65,163 | 24,779,893 |
| Bank of North Dakota | | | 10,000,000 | 10,000,000 |
| Total all funds | \$2,613,098,565 | \$3,442,222,693 | (\$165,699,312) | \$3,276,523,381 |
| FTE | 6,533.99 | 6,605.91 | 1.00 | 6,606.91 |

Detail of Senate Changes to All Funds

| | Adjusts Funding for University System Office ¹ | Provides Funding Formula Adjustments ² | Adjusts Special Funds ³ | Adds Funding for Adjusted Minimum Amount Payable ⁴ | Reduces Funding for National Security Initiative ⁵ | Removes Funding for Workforce Education ⁶ |
|-------------------------------|---|---|------------------------------------|---|---|--|
| University System Office | (\$47,319,183) | | | | | |
| Bismarck State College | | \$355,071 | \$528,954 | | | |
| Lake Region State College | | 147,480 | 202,211 | \$569,686 | | |
| Williston State College | | 128,355 | 180,837 | | | |
| University of North Dakota | | 1,835,887 | 5,689,871 | 616,332 | (\$36,000,000) | |
| UND Medical Center | | 729,245 | 1,325,144 | | | |
| North Dakota State University | | 1,608,770 | 4,605,516 | 4,537,253 | | (\$4,800,000) |
| State College of Science | | 635,024 | 401,616 | 1,005,347 | | |
| Dickinson State University | | 224,803 | 263,943 | | | |
| Mayville State University | | 204,942 | 286,475 | | | |
| Minot State University | | 450,304 | 684,091 | | | |
| Valley City State University | | 260,792 | 247,731 | | | |
| Dakota College at Bottineau | | 108,903 | 95,125 | | | |
| Forest Service | | | | | | |
| Bank of North Dakota | | | | | | |
| Total all funds | (\$47,319,183) | \$6,689,576 | \$14,511,514 | \$6,728,618 | (\$36,000,000) | (\$4,800,000) |
| FTE | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

| | Adjusts Funding for Capital Projects ⁷ | Adjusts Forest Service Funding ⁸ | Adds Funding for Economic Diversification Research Grants ⁹ | Total All Funds Changes |
|-------------------------------|---|---|--|-------------------------|
| University System Office | | | | (\$47,319,183) |
| Bismarck State College | (\$19,100,000) | | | (18,215,975) |
| Lake Region State College | 400,000 | | | 1,319,377 |
| Williston State College | | | | 309,192 |
| University of North Dakota | (62,500,000) | | | (90,357,910) |
| UND Medical Center | | | | 2,054,389 |
| North Dakota State University | | | | 5,951,539 |
| State College of Science | (19,975,000) | | | (17,933,013) |
| Dickinson State University | 2,600,000 | | | 3,088,746 |
| Mayville State University | | | | 491,417 |
| Minot State University | (4,000,000) | | | (2,865,605) |
| Valley City State University | (13,500,000) | | | (12,991,477) |
| Dakota College at Bottineau | 500,000 | | | 704,028 |
| Forest Service | | \$65,163 | | 65,163 |
| Bank of North Dakota | | | \$10,000,000 | 10,000,000 |
| Total all funds | (\$115,575,000) | \$65,163 | \$10,000,000 | (\$165,699,312) |
| FTE | 0.00 | 0.00 | 0.00 | 1.00 |

¹ Funding for the University System office is adjusted as detailed in the schedules below.

The following schedule details funding adjustments for system governance:

System Governance

| | FTE Positions | General Fund | Other Funds | Total Funds |
|---|--------------------------|-------------------------|------------------------|------------------------|
| Salary increase | 0 | \$145,345 | \$5,459 | \$150,804 |
| Health insurance increase | 0 | (2,532) | (118) | (2,650) |
| New vice chancellor position | 1.00 | 425,000 | 0 | 425,000 |
| Salaries funding source change | 0 | 561,327 | (561,327) | 0 |
| Financial aid staff | 0 | (125,000) | 0 | (125,000) |
| New financial aid system one-time costs | 0 | 115,000 | 0 | 115,000 |
| Total | 1.00 | \$1,119,140 | (\$555,986) | \$563,154 |

The following schedule details funding adjustments for core technology services:

Core Technology Services

| | General Fund | Other Funds | Total Funds |
|---|-------------------------|------------------------|------------------------|
| Salary increase | \$355,691 | \$176,319 | \$532,010 |
| Health insurance increase | (8,889) | (5,458) | (14,347) |
| Software and a security operations center | (1,500,000) | 0 | (1,500,000) |
| Total | (\$1,153,198) | \$170,861 | (\$982,337) |

The following schedule details general fund adjustments in other line items in the University System office budget:

| | House Version | Senate Version | Change |
|--|--------------------------|---------------------------|----------------|
| Student financial assistance grants | \$35,917,306 | \$29,917,306 | (\$6,000,000) |
| Tribally controlled community college grants | 2,000,000 | 1,400,000 | (600,000) |
| Challenge grants (one-time) | 36,000,000 | 20,000,000 | (16,000,000) |
| Severance agreement (one-time) | 0 | 300,000 | 300,000 |
| Passthrough grants (one-time) | 20,100,000 | 0 | (20,100,000) |
| Single parent support (one-time) | 4,500,000 | 0 | (4,500,000) |
| Total | \$98,517,306 | \$51,617,306 | (\$46,900,000) |

² The following adjustments are made to institution general fund appropriations through the higher education funding formula:

General Fund Adjustments

| | Formula Adjustment | Salary Increase | Health Insurance Decrease | Total Increase |
|---------------------------------------|-------------------------------|----------------------------|--------------------------------------|---------------------------|
| Bismarck State College | \$0 | \$369,687 | (\$14,616) | \$355,071 |
| Dakota College at Bottineau | 0 | 113,287 | (4,384) | 108,903 |
| Lake Region State College | 0 | 153,406 | (5,926) | 147,480 |
| North Dakota State College of Science | 231,285 | 419,719 | (15,980) | 635,024 |
| Williston State College | 0 | 132,726 | (4,371) | 128,355 |
| Dickinson State University | 0 | 233,352 | (8,549) | 224,803 |
| Mayville State University | 0 | 213,346 | (8,404) | 204,942 |
| Minot State University | 0 | 468,250 | (17,946) | 450,304 |
| Valley City State University | 0 | 273,761 | (12,969) | 260,792 |
| North Dakota State University | 0 | 1,663,524 | (54,754) | 1,608,770 |
| University of North Dakota | 0 | 1,880,889 | (45,002) | 1,835,887 |
| UND School of Medicine | 0 | 749,087 | (19,842) | 729,245 |
| Total | \$231,285 | \$6,671,034 | (\$212,743) | \$6,689,576 |

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

³ The following adjustments are made to institution other funds appropriations:

Other Funds Adjustments

| | Salary Increase | Health Insurance Adjustment | Total |
|---------------------------------------|----------------------------|--|--------------|
| Bismarck State College | \$550,866 | (\$21,912) | \$528,954 |
| Dakota College at Bottineau | 99,613 | (4,488) | 95,125 |
| Lake Region State College | 209,775 | (7,564) | 202,211 |
| North Dakota State College of Science | 419,623 | (18,007) | 401,616 |
| Williston State College | 187,102 | (6,265) | 180,837 |
| Dickinson State University | 274,835 | (10,892) | 263,943 |
| Mayville State University | 302,911 | (16,436) | 286,475 |
| Minot State University | 710,937 | (26,846) | 684,091 |
| Valley City State University | 259,853 | (12,122) | 247,731 |
| North Dakota State University | 4,773,896 | (168,380) | 4,605,516 |
| University of North Dakota | 5,888,793 | (198,922) | 5,689,871 |
| UND School of Medicine | 1,356,739 | (31,595) | 1,325,144 |
| Total | \$15,034,943 | (\$523,429) | \$14,511,514 |

⁴ Funding is added as follows for an adjusted minimum amount payable, to provide for a maximum reduction of \$1 million under the funding formula for the University of North

Dakota and North Dakota State University and for a 100 percent minimum amount payable for the remaining institutions:

| | General Fund |
|---------------------------------------|-------------------------|
| Lake Region State College | \$569,686 |
| University of North Dakota | 616,332 |
| North Dakota State University | 4,537,253 |
| North Dakota State College of Science | 1,005,347 |
| Total | \$6,728,618 |

⁵ One-time funding is reduced by \$36 million from the general fund to provide a total of \$9 million for the University of North Dakota national security initiative. The House provided \$45 million for the national security initiative.

⁶ One-time funding of \$4.8 million from the general fund added by the House for workforce education at North Dakota State University is removed by the Senate.

⁷ One-time funding is adjusted for the following capital building projects:

| | General Fund | Strategic Investment and Improvements Fund | Other Funds | Total Funds |
|--|-------------------------|---|------------------------|------------------------|
| Removes funding for BSC multipurpose academic and athletic center | 0 | (\$29,900,000) | (\$1,600,000) | (\$31,500,000) |
| Adds funding for BSC polytechnic building inflation | \$4,960,000 | | 7,440,000 | 12,400,000 |
| Increases funding for LRSC wind turbine gearbox and parking lot | 0 | 0 | 400,000 | 400,000 |
| Adjusts funding for WSC medical healthcare building | 0 | (8,787,947) | 8,787,947 | 0 |
| Removes funding for UND science, technology, engineering, and math building | 0 | (52,000,000) | (23,000,000) | (75,000,000) |
| Provides funding for UND Merrifield Hall and Twamley Hall inflation | 5,000,000 | 0 | 7,500,000 | 12,500,000 |
| Removes funding for NDSCS agriculture, automation, and autonomous systems building | 0 | (18,975,000) | (1,000,000) | (19,975,000) |
| Provides funding for DSU generator and other projects inflation | 1,600,000 | 0 | 1,000,000 | 2,600,000 |
| Adjusts funding for MaSU Old Main renovation | 0 | (7,770,100) | 7,770,100 | 0 |
| Removes funding for MiSU academic building | 0 | (7,600,000) | (400,000) | (8,000,000) |
| Provides funding for MiSU Hartnett Hall inflation | 1,600,000 | 0 | 2,400,000 | 4,000,000 |
| Removes funding for VCSU McCarthy Hall | 0 | (11,500,000) | (2,000,000) | (13,500,000) |
| Increases funding for DCB Old Main renovation | 0 | (1,000,000) | 1,500,000 | 500,000 |
| Total capital projects | \$13,160,000 | (\$137,533,047) | \$8,798,047 | (\$115,575,000) |

⁸ Salaries and wages funding for the Forest Service 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 | \$66,058 | \$2,181 | \$68,239 |
| Health insurance adjustment | (2,958) | (118) | (3,076) |
| Total | \$63,100 | \$2,063 | \$65,163 |

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

⁹ One-time funding of \$10 million from the economic diversification research fund is appropriated to the Bank of North Dakota for grants to institutions under the control of the state board of higher education. The funding is transferred to the economic diversification research fund from the strategic investment and improvements fund.

House Bill No. 1003 - Other Changes - Senate Action

This amendment also:

- Removes a separate appropriation section for the Mayville State University Old Main project. The project appropriation is moved to Section 1 of the bill.
- Reduces funding for projects from the strategic investment and improvements fund (SIIF) by \$137,533,047 to provide a total of \$205,727,053 from SIIF for capital projects.
- Removes a section identifying \$4.8 million from the general fund for workforce

- education at North Dakota State University.
- Removes a section identifying \$4.5 million from the general fund for student support for single mothers.
 - Adjusts the source of funds for the reimbursement of a North Dakota State University severance agreement to provide \$300,000 from the general fund and the remainder from the University System office carryover funding.
 - Reduces transfers from Bank of North Dakota profits to the career builders program from \$15 million to \$6.8 million.
 - Adds sections to transfer \$10 million from SIIF to a newly created economic diversification research fund.
 - Adjusts the projects authorized to use funding from each institution's allocation in the University System capital building fund.
 - Removes certain limitations on future institution requests for capital project funding.
 - Removes a section allowing for a transfer of appropriation authority between the University of North Dakota and the School of Medicine and Health Sciences.
 - Adjusts a section to provide for the commissioner of the North Dakota University System to provide an annual report to the Legislative Management instead of the Budget Section.
 - Removes a section requiring future severance agreements to be paid from the University System office budget and for the agreements to be approved by the Emergency Commission and Budget Section.
 - Removes a section requiring the State Board of Higher Education to approve or deny a request for a new academic program within 30 days.
 - Adjusts the funding available to each institution under the challenge grant program and restores limitations on the use of state matching funds.
 - Adjusts the base funding rate under the higher education funding formula to provide for a 6 percent salary increase on July 1, 2023.
 - Reduces the increase in the maximum grant award under the student financial assistance grants program.
 - Exempts certain capital projects from matching requirements under the University System capital building fund program.
 - Clarifies that funding appropriated during the November 2021 special session for the University of North Dakota Merrifield Hall project also may be used for a renovation of Twamley Hall.
 - Provides for a Legislative Management study of dual-credit funding.
 - Provides for a Legislative Management study of artificial intelligence impacts.
 - Clarifies that the tuition increase limitation does not include a limitation on fees charged to students.
 - Clarifies that both dental hygiene and dental assistant credits should be placed under the career and technical education program classification within the higher education funding formula.
 - Provides an emergency declaration for capital projects.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1014

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

Page 1, line 3, remove "6-09, relating to a Bank of North Dakota retention incentive program;"

Page 1, line 4, after "6-09.7-05" insert ", 54-17-40,"

Page 1, line 5, remove "section 8 of chapter 42 of the 2021 Session"

Page 1, line 6, replace "Laws" with "subsection 36 of section 1 of chapter 550 of the 2021 Special Session Session Laws"

Page 1, line 6, after "funding" insert ", the housing incentive fund"

Page 1, line 7, remove "a transfer of"

Page 1, line 8, replace "Bank of North Dakota profits to the general fund" with "an appropriation from the state fiscal recovery fund"

Page 1, line 9, after "report" insert "; to provide an effective date"

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 6 with:

| | | | |
|--------------------------------|-------------------|--------------------|--------------------|
| "Salaries and wages | \$23,698,119 | (\$21,835,425) | \$1,862,694 |
| Operating expenses | 5,119,958 | (924,889) | 4,195,069 |
| Capital assets | 0 | 1,250,000 | 1,250,000 |
| Grants | 0 | 8,623,893 | 8,623,893 |
| Grants - bond payments | <u>22,040,721</u> | <u>97,839,192</u> | <u>119,879,913</u> |
| Total all funds | \$50,858,798 | \$84,952,771 | \$135,811,569 |
| Less estimated income | <u>24,369,185</u> | <u>107,017,528</u> | <u>131,386,713</u> |
| Total general fund | \$26,489,613 | (\$22,064,757) | \$4,424,856 |
| Full-time equivalent positions | 108.25 | (98.50) | 9.75" |

Page 2, replace lines 11 through 17 with:

| | | | |
|--------------------------------|----------|------------------|------------------|
| "Salaries and wages | \$0 | \$23,123,267 | \$23,123,267 |
| Operating expenses | 0 | 11,541,104 | 11,541,104 |
| Capital assets | <u>0</u> | <u>98,000</u> | <u>98,000</u> |
| Total all funds | \$0 | \$34,762,371 | \$34,762,371 |
| Less estimated income | <u>0</u> | <u>2,568,000</u> | <u>2,568,000</u> |
| Total general fund | \$0 | \$32,194,371 | \$32,194,371 |
| Full-time equivalent positions | 0.00 | 108.00 | 108.00" |

Page 2, replace lines 22 through 25 with:

| | | | |
|----------------------------------|------------------|-------------|------------------|
| "Bank of North Dakota operations | \$67,306,548 | \$2,760,519 | \$70,067,067 |
| Capital assets | <u>1,510,000</u> | <u>0</u> | <u>1,510,000</u> |
| Total special funds | \$68,816,548 | \$2,760,519 | \$71,577,067 |
| Full-time equivalent positions | 173.00 | 14.00 | 187.00" |

Page 2, remove lines 30 and 31

Page 3, replace lines 1 through 7 with:

| | | | |
|--------------------------------------|-------------------|------------------|-------------------|
| "Salaries and wages | \$9,556,272 | \$1,556,933 | \$11,113,205 |
| Operating expenses | 6,109,060 | 4,794,823 | 10,903,883 |
| Capital assets | 150,000 | (130,000) | 20,000 |
| Grants | 42,975,200 | 5,829,910 | 48,805,110 |
| Housing finance agency contingencies | <u>100,000</u> | <u>0</u> | <u>100,000</u> |
| Total all funds | \$58,890,532 | \$12,051,666 | \$70,942,198 |
| Less estimated income | <u>58,890,532</u> | <u>9,551,666</u> | <u>68,442,198</u> |
| Total general fund | \$0 | \$2,500,000 | \$2,500,000 |
| Full-time equivalent positions | 49.00 | 5.00 | 54.00" |

Page 3, replace lines 12 through 17 with:

| | | | |
|--------------------------------|----------------|-------------|----------------|
| "Salaries and wages | \$50,560,209 | \$3,290,171 | \$53,850,380 |
| Operating expenses | 36,817,000 | 5,574,653 | 42,391,653 |
| Contingencies | 500,000 | 0 | 500,000 |
| Agriculture promotion | <u>500,000</u> | <u>0</u> | <u>500,000</u> |
| Total special funds | \$88,377,209 | \$8,864,824 | \$97,242,033 |
| Full-time equivalent positions | 156.00 | 14.00 | 170.00" |

Page 3, replace lines 22 through 24 with:

| | | | |
|---------------------------|--------------------|--------------------|--------------------|
| "Grand total general fund | \$26,489,613 | \$12,629,614 | \$39,119,227 |
| Grand total special funds | <u>240,453,474</u> | <u>130,762,537</u> | <u>371,216,011</u> |
| Grand total all funds | \$266,943,087 | \$143,392,151 | \$410,335,238" |

Page 4, remove line 6

Page 4, after line 7, insert:

| | | |
|--|---|---------|
| "Administration - carbon capture education | 0 | 300,000 |
| Administration - records digitization | 0 | 75,000 |
| Administration - inflationary increases | 0 | 35,688" |

Page 4, replace line 11 with:

| | | |
|--|---|---------|
| "Mineral resources - inflationary expenses | 0 | 886,868 |
| Mineral resources - drones and computers | 0 | 83,648" |

Page 4, replace lines 23 through 25 with:

| | | |
|-----------------------|--------------------|------------------|
| "Total all funds | \$936,341,260 | \$20,919,820 |
| Less estimated income | <u>874,235,000</u> | <u>9,155,335</u> |
| Total general fund | \$62,106,260 | \$11,764,485" |

Page 6, line 10, replace "\$12,500,000" with "\$15,000,000"

Page 6, line 15, after "funds" insert "from the new and vacant FTE funding pool"

Page 6, line 18, replace "spend" with "request the office of management and budget transfer up to"

Page 6, line 18, after "\$82,068" insert "of other funds"

Page 6, line 18, after "the" insert "new and vacant FTE funding pool for"

Page 6, line 18, replace "line item" with "for the full-time equivalent position identified in this section,"

Page 6, line 18, after the second "and" insert "the agency"

Page 6, line 22, after "**FUND**" insert "- **ADMINISTRATION**"

Page 6, line 23, replace "\$1,899,877" with "\$1,818,114"

Page 7, line 6, after "**FUND**" insert "- **GRANT MANAGEMENT SOFTWARE**"

Page 7, after line 15, insert:

"SECTION 10. TRANSFER - FUNDS UNDER THE CONTROL OF THE INDUSTRIAL COMMISSION TO INDUSTRIAL COMMISSION FUND - CARBON CAPTURE EDUCATION. The sum of \$300,000, or so much of the sum as may be necessary, included in the appropriation in subdivision 1 of section 1 of this Act, may be transferred from funds under the control of the industrial commission to the industrial commission fund to contract for carbon capture and utilization education and marketing in consultation with the lignite research council, the oil and gas research council, and the renewable energy council. Of the \$300,000, the industrial commission may transfer:

1. Up to \$100,000 from the lignite research fund;
2. Up to \$100,000 from the oil and gas research fund; and
3. Up to \$100,000 from the renewable energy development fund."

Page 7, line 17, replace "\$70,000,000" with "\$140,000,000"

Page 7, line 31, replace "\$3,000,000 to the agricultural products utilization fund" with "\$1,500,000 to the university of North Dakota for the North Dakota small business development center for the purpose of matching federal grants"

Page 8, line 1, replace "**LEGACY EARNINGS**" with "**STRATEGIC INVESTMENT AND IMPROVEMENTS**"

Page 8, line 2, remove "**AND LOANS**"

Page 8, line 3, remove "and pursuant to the"

Page 8, remove line 4

Page 8, line 5, replace "section 21-10-13, the state treasurer" with "the office of management and budget"

Page 8, line 5, remove "legacy"

Page 8, line 6, replace "earnings" with "strategic investment and improvements"

Page 8, line 7, replace "\$5,000,000" with "\$3,000,000"

Page 8, line 8, after the semicolon insert "and"

Page 8, line 9, replace "\$50,000,000" with "\$30,000,000"

Page 8, line 9, remove "; and"

Page 8, remove line 10

Page 8, line 11, remove "provide funding for loans"

Page 8, line 15, replace "\$3,000,000" with "\$1,500,000"

Page 8, line 19, replace "\$3,000,000" with "\$1,500,000"

Page 9, line 2, after "**FUND**" insert "**- FEDERAL STATE FISCAL RECOVERY FUND**"

Page 9, line 4, replace "\$22,000,000" with "\$6,000,000"

Page 9, line 6, after "57-51.1-07.9" insert "and pursuant to subsection 36 of section 1 of chapter 550 of the 2021 Special Session Laws, as amended in section 24 of this Act and exempted in section 26 of this Act"

Page 9, line 7, replace "\$22,000,000" with "\$6,000,000"

Page 9, line 8, after "fund" insert "and up to \$5,300,000 of federal funds from the state fiscal recovery fund"

Page 9, remove lines 20 through 27

Page 10, after line 19, insert:

"SECTION 17. LIGNITE RESEARCH FUND - FUTURE LIGNITE ELECTRICAL GENERATION FACILITIES STUDY - REPORT TO LEGISLATIVE MANAGEMENT.

1. Pursuant to the continuing appropriation under section 57-61-01.6, up to \$500,000 from the lignite research fund may be used for the purpose of contracting with the energy and environmental research center for a nonmatching study of future lignite electrical generation facilities.
2. The study must include consideration of an energy demand forecast for dispatchable electricity generation and the regulatory environment for future lignite electrical generation facilities, an analysis of the economic impact of future lignite electrical generation facilities and the value-added products or services that may result from those facilities, and other factors related to the development and operation of future lignite electrical generation facilities.

3. During the 2023-24 interim, the energy and environmental research center shall provide at least one report to the legislative management regarding the status of the study."

Page 10, remove lines 20 through 31

Page 11, remove lines 1 and 2

Page 11, after line 20, insert:

"SECTION 19. AMENDMENT. Section 54-17-40 of the North Dakota Century Code is amended and reenacted as follows:

54-17-40. Housing incentive fund - Continuing appropriation - Report to budget section.

1. The housing incentive fund is created as a special revolving fund at the Bank of North Dakota. The housing finance agency may direct disbursements from the fund and a continuing appropriation from the fund is provided for that purpose.
2.
 - a. After a public hearing, the housing finance agency shall create an annual allocation plan for the distribution of the fund as authorized under subsection 3. ~~At least ten percent of the fund must be used to assist developing communities to address an unmet housing need or alleviate a housing shortage. At least ten percent of the fund must be made available to prevent homelessness as authorized by subdivision d of subsection 3.~~
 - b. The annual allocation plan must give priority to provide housing for individuals and families of low or moderate income. For purposes of this priority, eligible income limits are determined as a percentage of median family income as published in the most recent federal register notice. Under this priority, the annual allocation plan must give preference to projects that benefit households with the lowest income and to projects that have rent restrictions at or below department of housing and urban development published federal fair market rents or department of housing and urban development section 8 payment standards.
 - c. At least ten percent of the fund must be used to assist developing communities to address an unmet housing need or alleviate a housing shortage.
3. The housing finance agency shall adopt guidelines for the fund so as to address unmet housing needs in this state. Assistance from the fund may be used solely for:
 - a. New construction, rehabilitation, preservation, or acquisition of a multifamily housing project;
 - b. New construction, rehabilitation, preservation, or acquisition of a single family housing project in a developing community or a community land trust project;
 - c. Gap assistance, matching funds, and accessibility improvements;
 - e.d. Assistance that does not exceed the amount necessary to qualify for a loan using underwriting standards acceptable for secondary market financing or to make the project feasible; and
 - d.e. Rental assistance, emergency assistance, barrier mitigation, or targeted supportive services designated to prevent or end homelessness.

4. Eligible recipients include units of local, state, and tribal government; local and tribal housing authorities; community action agencies; regional planning councils; and nonprofit organizations and for-profit developers of ~~multifamily~~residential housing. Individuals may not receive direct assistance from the fund.
5. Except for subdivision d of subsection 3, assistance is subject to repayment or recapture under the guidelines adopted by the housing finance agency. Any assistance that is repaid or recaptured must be deposited in the fund and is appropriated on a continuing basis for the purposes of this section.
6. The agency may collect a reasonable administrative fee from the fund, project developers, applicants, or grant recipients. The origination fee assessed to grant recipients may not exceed five percent of the project award.
7. Upon request, the housing finance agency shall report to the industrial commission regarding the activities of the housing incentive fund.
8. At least once per biennium, the housing finance agency shall provide a report to the budget section of the legislative management regarding the activities of the housing incentive fund."

Page 12, line 26, replace "2025" with "2027"

Page 13, replace lines 16 through 30 with:

"SECTION 24. AMENDMENT. Subsection 36 of section 1 of chapter 550 of the 2021 Special Session Session Laws is amended and reenacted as follows:

36. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$20,000,000, or so much of the sum as may be necessary, to the industrial commission for the purpose of providing hydrogen development grants, as approved by the clean sustainable energy authority, and distributions to the state energy research center for an underground energy storage research project, for the period beginning with the effective date of this Act, and ending June 30, 2023. Of the \$20,000,000, up to \$5,300,000 is available for distributions to the state energy research center for an underground energy storage research project, and any remaining amounts are available for providing hydrogen development grants, as approved by the clean sustainable energy authority."

Page 14, line 12, replace "\$14,500,000" with "\$17,500,000"

Page 14, line 22, after "grants" insert "and an underground energy storage research project"

Page 14, line 23, after "Laws" insert "as amended in section 24 of this Act"

Page 14, line 25, after "fund" insert "to the department of mineral resources for a survey review"

Page 14, after line 28, insert:

"SECTION 27. EFFECTIVE DATE. Section 18 of this Act is effective July 1, 2025."

Page 15, line 12, replace "Section 5" with "Sections 5 and 24"

Page 15, line 13, replace "Section 23 of this Act" with "Senate Bill No. 2165, as approved by the sixty-eighth legislative assembly"

Renumber accordingly

¹ Salaries and wages funding is adjusted 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 | \$0 | \$35,332 | \$35,332 |
| Health insurance adjustment | 0 | (946) | (946) |
| Total | \$0 | \$34,386 | \$34,386 |

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

² Funding from other funds for an administrative assistant position is decreased by \$118,622 from \$300,943 to \$182,321. The \$118,622 decrease reflects a decrease of \$121,985 to salaries and wages and an increase of \$3,363 to operating expenses. This provides the same level of funding as a grant administration position. The House provided \$300,943 for the administrative assistant position.

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 |
|----------------------|-------------------------|------------------------|--------------|
| New FTE positions | \$0 | (\$490,562) | (\$490,562) |
| Vacant FTE positions | 0 | (30,381) | (30,381) |
| Total | \$0 | (\$520,943) | (\$520,943) |

The House did not remove funding for a new and vacant FTE funding pool.

⁴ Funding of \$74,000 from other funds is added for software related to a meeting management license and an accounting subscription.

⁵ One-time funding, which was not included by the House, is added as follows:

- \$75,000 from other funds for a records digitization project.
- \$35,688 from other funds for inflationary increases related to rent.
- \$300,000 from other funds for carbon capture and utilization education and marketing, including \$100,000 from the lignite research fund, \$100,000 from the oil and gas research fund, and \$100,000 from the renewable energy development fund.

One-time funding, which was added by the House, is removed as follows:

- \$25 million from the strategic investment and improvements fund for a transmission line grant.

This amendment also includes the following changes related to the Industrial Commission:

- Adjusts the transfer for administrative services to provide \$1,818,114. The House provided for a transfer of \$1,899,877.
- Adds a transfer of up to \$100,000 from three energy programs to provide a total of \$300,000 for carbon capture and utilization education and marketing. The House did not include this funding.
- Adjusts the funding for a pipeline leak detection and prevention program to provide \$3 million from the strategic investment and improvements fund. The House provided \$5 million from legacy fund earnings.
- Adjusts the funding for the clean sustainable energy fund to provide \$30 million from the strategic investment and improvements fund for grants. The House provided \$300 million from legacy fund earnings, including \$50 million for grants and \$250 million to repay a line of credit and for additional loans.
- Decreases funding from the strategic investment and improvements fund for a critical minerals study to provide \$1.5 million. The House provided \$3 million for the study.
- Adjusts the funding for an underground energy storage research project to provide \$6 million from the strategic investment and improvements fund and \$5.3 million

from the federal State Fiscal Recovery Fund. An appropriation of \$20 million from the federal State Fiscal Recovery Fund from the November 2021 special legislative session is amended to provide up to \$5.3 million for the research project with the remaining amount available for hydrogen development grants. The House provided \$22 million from the strategic investment and improvements fund for the research project.

- Designates \$500,000 from the lignite research fund for a study of future lignite electrical generation facilities. The House did not designate funding for this study.
- Provides an effective date of July 1, 2025, for a guarantee from the strategic investment and improvements fund for a line of credit related to the purchase of capacity positions on a pipeline. The House added the guarantee and line of credit, but did not include an effective date.
- Provides an emergency clause related to Senate Bill No. 2165. The House did not include an emergency clause for that bill.

House Bill No. 1014 - Department of Mineral Resources - Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|-------------------------------------|-------------|---------------|----------------|----------------|
| Salaries and wages | | \$25,401,022 | (\$2,277,755) | \$23,123,267 |
| Operating expenses | | 11,410,044 | 131,060 | 11,541,104 |
| Capital assets | | 80,000 | 18,000 | 98,000 |
| Transfer to fossil restoration fund | | 250,000 | | 250,000 |
| Total all funds | \$0 | \$37,141,066 | (\$2,128,695) | \$35,012,371 |
| Less estimated income | 0 | 2,568,000 | 0 | 2,568,000 |
| General fund | \$0 | \$34,573,066 | (\$2,128,695) | \$32,444,371 |
| FTE | 0.00 | 108.00 | 0.00 | 108.00 |

Department 470 - Department of Mineral Resources - Detail of Senate Changes

| | Adjusts Funding for Salary and Benefit Increases ¹ | Removes Salary Funding for a Funding Pool ² | Adds One-Time Funding Items ³ | Total Senate Changes |
|-------------------------------------|---|--|--|----------------------|
| Salaries and wages | \$396,394 | (\$2,674,149) | | (\$2,277,755) |
| Operating expenses | | | \$131,060 | 131,060 |
| Capital assets | | | 18,000 | 18,000 |
| Transfer to fossil restoration fund | | | | |
| Total all funds | \$396,394 | (\$2,674,149) | \$149,060 | (\$2,128,695) |
| Less estimated income | 0 | 0 | 0 | 0 |
| General fund | \$396,394 | (\$2,674,149) | \$149,060 | (\$2,128,695) |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |

¹ Salaries and wages funding is adjusted 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 | \$409,369 | \$0 | \$409,369 |
| Health insurance adjustment | (12,975) | 0 | (12,975) |
| Total | \$396,394 | \$0 | \$396,394 |

The House provided salary adjustments of 4 percent on July 1, 2023, and 4 percent on 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 | (\$1,284,293) | \$0 | (\$1,284,293) |
| Vacant FTE positions | (1,389,856) | 0 | (1,389,856) |
| Total | (\$2,674,149) | \$0 | (\$2,674,149) |

The House did not remove funding for a new and vacant FTE funding pool.

³ One-time funding from the general fund, which was not included by the House, is added as follows:

- \$65,412 for additional inflationary increases related to state fleet mileage.
- \$83,648 for drones and computer equipment.

The Senate amended a section related to the Department of Mineral Resources to increase the oil and gas tax revenue allocations to the oil and gas research fund to \$17.5 million, an increase of \$3 million from the House version, which provided \$14.5 million, the same as the 2021-23 biennium.

House Bill No. 1014 - Bank of North Dakota - Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|---------------------------------|-------------------|-------------------|----------------|-------------------|
| Capital assets | \$1,510,000 | \$1,510,000 | | \$1,510,000 |
| Bank of North Dakota operations | <u>67,306,548</u> | <u>74,727,686</u> | (\$4,660,619) | <u>70,067,067</u> |
| Total all funds | \$68,816,548 | \$76,237,686 | (\$4,660,619) | \$71,577,067 |
| Less estimated income | <u>68,816,548</u> | <u>76,237,686</u> | (4,660,619) | <u>71,577,067</u> |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 173.00 | 187.00 | 0.00 | 187.00 |

Department 471 - Bank of North Dakota - Detail of Senate Changes

| | Adjusts Funding for Salary and Benefit Increases ¹ | Removes Salary Funding for a Funding Pool ² | Total Senate Changes |
|---------------------------------|---|--|----------------------|
| Capital assets | | | |
| Bank of North Dakota operations | <u>\$769,366</u> | <u>(\$5,429,985)</u> | <u>(\$4,660,619)</u> |
| Total all funds | \$769,366 | (\$5,429,985) | (\$4,660,619) |
| Less estimated income | <u>769,366</u> | <u>(5,429,985)</u> | <u>(4,660,619)</u> |
| General fund | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 |

¹ Salaries and wages funding is adjusted 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 | \$0 | \$789,224 | \$789,224 |
| Health insurance adjustment | 0 | (19,858) | (19,858) |
| Total | \$0 | \$769,366 | \$769,366 |

The House provided salary adjustments of 4 percent on July 1, 2023, and 4 percent on 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 | (\$3,106,682) | (\$3,106,682) |
| Vacant FTE positions | 0 | (2,323,303) | (2,323,303) |
| Total | \$0 | (\$5,429,985) | (\$5,429,985) |

The House did not remove funding for a new and vacant FTE funding pool.

This amendment also includes the following changes related to the Bank of North Dakota:

- Adds a transfer of \$1.5 million from the Bank's profits to a small business development center. The House did not include this transfer.
- Removes a transfer of \$3 million from the Bank's profits to the agricultural products utilization fund, which was included by the the House; however, Senate Bill No. 2009

includes a transfer of \$3 million from the Bank's profits to the agricultural products utilization fund.

- Increases the transfer from the Bank's profits to the general fund to provide \$140 million for the 2023-25 biennium, an increase of \$70 million compared to the House version of \$70 million. This results in an increase to general fund revenues for the 2023-25 biennium.
- Removes a section added by the House to limit the transfer from the Bank's profits to the general fund to provide \$70 million for the 2021-23 biennium. The House version resulted in a reduction to the July 1, 2023, general fund beginning balance. As approved by the Senate, the transfer for the 2021-23 biennium is \$140 million, the same as the transfer approved during the 2021 legislative session.

House Bill No. 1014 - Housing Finance Agency - Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|------------------------|--------------|---------------|----------------|----------------|
| Salaries and wages | \$9,556,272 | \$12,169,742 | (\$1,056,537) | \$11,113,205 |
| Operating expenses | 6,109,060 | 10,738,241 | 165,642 | 10,903,883 |
| Capital assets | 150,000 | 20,000 | | 20,000 |
| Grants | 42,975,200 | 48,805,110 | | 48,805,110 |
| HFA contingencies | 100,000 | 100,000 | | 100,000 |
| Housing incentive fund | | 12,500,000 | 2,500,000 | 15,000,000 |
| Total all funds | \$58,890,532 | \$84,333,093 | \$1,609,105 | \$85,942,198 |
| Less estimated income | 58,890,532 | 69,333,093 | (890,895) | 68,442,198 |
| General fund | \$0 | \$15,000,000 | \$2,500,000 | \$17,500,000 |
| FTE | 49.00 | 53.00 | 1.00 | 54.00 |

Department 473 - Housing Finance Agency - Detail of Senate Changes

| | Adjusts Funding for Salary and Benefit Increases ¹ | Adds FTE Position ² | Removes Salary Funding for a Funding Pool ³ | Adds Funding for Operating Expenses ⁴ | Adds Funding for Housing Incentive Fund ⁵ | Total Senate Changes |
|------------------------|---|--------------------------------|--|--|--|----------------------|
| Salaries and wages | \$176,196 | \$218,908 | (\$1,451,641) | | | (\$1,056,537) |
| Operating expenses | | | | \$165,642 | | 165,642 |
| Capital assets | | | | | | |
| Grants | | | | | | |
| HFA contingencies | | | | | | |
| Housing incentive fund | | | | | \$2,500,000 | 2,500,000 |
| Total all funds | \$176,196 | \$218,908 | (\$1,451,641) | \$165,642 | \$2,500,000 | \$1,609,105 |
| Less estimated income | 176,196 | 218,908 | (1,451,641) | 165,642 | 0 | (890,895) |
| General fund | \$0 | \$0 | \$0 | \$0 | \$2,500,000 | \$2,500,000 |
| FTE | 0.00 | 1.00 | 0.00 | 0.00 | 0.00 | 1.00 |

¹ Salaries and wages funding is adjusted 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 | \$0 | \$182,349 | \$182,349 |
| Health insurance adjustment | 0 | (6,153) | (6,153) |
| Total | \$0 | \$176,196 | \$176,196 |

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

² Funding of \$218,908 from other funds is added for 1 FTE compliance officer position to provide a total of \$437,816 for 2 FTE compliance officer positions. The House provided \$218,908 for 1 FTE compliance officer position.

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 |
|----------------------|-----------------|----------------|---------------|
| New FTE positions | \$0 | (\$986,476) | (\$986,476) |
| Vacant FTE positions | 0 | (465,165) | (465,165) |
| Total | \$0 | (\$1,451,641) | (\$1,451,641) |

The House did not remove funding for a new and vacant FTE funding pool.

⁴ Funding of \$165,642 from other funds is added for inflationary increases. The House did not include funding for inflationary increases.

⁵ One-time funding for a transfer from the general fund to the housing incentive fund is increased by \$2.5 million to provide total funding of \$15 million for the housing incentive fund pursuant to a section in the bill. The House provided for a transfer of \$12.5 million.

This amendment adds a section related to the Housing Finance Agency to amend the housing incentive fund to remove the 10 percent designation for funding to prevent homelessness and to allow funding to be used for single family housing projects. The House did not amend the housing incentive fund.

House Bill No. 1014 - Mill and Elevator - Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|-----------------------|----------------|------------------|-------------------|-------------------|
| Salaries and wages | \$50,560,209 | \$57,582,794 | (\$3,732,414) | \$53,850,380 |
| Operating expenses | 36,817,000 | 42,391,653 | | 42,391,653 |
| Contingencies | 500,000 | 500,000 | | 500,000 |
| Agriculture promotion | 500,000 | 500,000 | | 500,000 |
| Total all funds | \$88,377,209 | \$100,974,447 | (\$3,732,414) | \$97,242,033 |
| Less estimated income | 88,377,209 | 100,974,447 | (3,732,414) | 97,242,033 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 156.00 | 170.00 | 0.00 | 170.00 |

Department 475 - Mill and Elevator - Detail of Senate Changes

| | Adjusts Funding for Health Insurance ¹ | Adds Funding for Salary Increases ² | Removes Salary Funding for a Funding Pool ³ | Total Senate Changes |
|-----------------------|--|---|--|-------------------------|
| Salaries and wages | (\$17,750) | \$409,231 | (\$4,123,895) | (\$3,732,414) |
| Operating expenses | | | | |
| Contingencies | | | | |
| Agriculture promotion | | | | |
| Total all funds | (\$17,750) | \$409,231 | (\$4,123,895) | (\$3,732,414) |
| Less estimated income | (17,750) | 409,231 | (4,123,895) | (3,732,414) |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |

¹ Funding of \$17,750 from other funds is removed related to an adjustment to health insurance premiums.

² Funding of \$409,231 from other funds is added for salary increases, which are subject to union negotiations, to provide total salary increase funding of \$2,723,414. The House provided \$2,314,183 for salary increases, the same as requested by the agency in the Executive Budget.

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 Fund | Total |
|----------------------|-----------------|---------------|---------------|
| New FTE positions | \$0 | (\$2,367,332) | (\$2,367,332) |
| Vacant FTE positions | 0 | (1,756,563) | (1,756,563) |
| Total | \$0 | (\$4,123,895) | (\$4,123,895) |

The House did not remove funding for a new and vacant FTE funding pool.

This amendment also removes a section added by the House related to the Mill and Elevator Association, which limited the transfer of Mill profits to the general fund to 10 percent. As a result, the transfer of Mill profits to the general fund is 50 percent, the same as current law, which increases general fund revenues by \$11.3 million for the 2023-25 biennium.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1379

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 6-09.4-10.1 and 21-10-13 of the North Dakota Century Code, relating to the legacy sinking and interest fund and the legacy earnings fund; to provide an effective date; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 6-09.4-10.1 of the North Dakota Century Code is amended and reenacted as follows:

6-09.4-10.1. Legacy sinking and interest fund - Debt service requirements - Public finance authority.

There is created in the state treasury the legacy sinking and interest fund. The fund consists of all moneys deposited in the fund under section 21-10-13. Moneys in the fund may be spent by the public finance authority pursuant to legislative appropriations to meet the debt service requirements for evidences of indebtedness issued by the authority for transfer to the Bank of North Dakota for allocations to infrastructure projects and programs. ~~Any moneys in the fund in excess of the amounts appropriated from the fund to meet the debt service requirements for a biennium must be transferred by the state treasurer to the public employees retirement system main system plan under chapter 54-52, but only if the public employees retirement system main system plan's actuarial funded ratio as reported for the most recently completed even-numbered fiscal year is less than ninety percent. If the public employees retirement system main system plan's actuarial funded ratio is ninety percent or more and then subsequently decreases below ninety percent, the state treasurer may not resume the transfers under this subdivision unless the main system plan's actuarial funded ratio is less than seventy percent.~~

SECTION 2. AMENDMENT. Section 21-10-13 of the North Dakota Century Code is amended and reenacted as follows:

21-10-13. Legacy earnings fund - State treasurer - Transfers.

1. There is created in the state treasury the legacy earnings fund. The fund consists of all moneys transferred to the fund under subsection 2 and all interest and earnings upon moneys in the fund.
2. Any legacy fund earnings transferred to the general fund at the end of each biennium in accordance with section 26 of article X of the Constitution of North Dakota must be immediately transferred by the state treasurer to the legacy earnings fund.
3. For each biennium subsequent to the biennium in which the legacy fund earnings are transferred under subsection 2, the amount available for appropriation from the legacy earnings fund is seven percent of the five-year average value of the legacy fund assets as reported by the state investment board. The average value of the legacy fund assets must be calculated using the value of the assets at the end of each fiscal year for the five-year period ending with the most recently completed even-numbered fiscal year.
4. On July first of each odd-numbered year, from the amount available for appropriation or transfer from the legacy earnings fund for the biennium, the state treasurer shall transfer funding in the following order:

- a. The first one hundred fiftytwo million six hundred twenty thousand four hundred sixty-one dollars to the legacy sinking and interest fund under section 6-09.4-10.1.
 - b. The next two hundred twenty-five million dollars to the general fund to provide support for tax relief initiatives approved by the legislative assembly.
 - c. The next sixtyone hundred million dollars to the legacy earnings highway tax distribution fund for allocations under section 54-27-1954-27-19.3.
 - e.d. Any remaining funds for other purposes as designated by the legislative assembly, including amounts under this subsection as follows:
 - (1) Up to fifty million dollars for tax relief pursuant to appropriations or transfers authorized by the legislative assembly; Fifty percent to the general fund.
 - (2) Up to thirty million dollars to the clean sustainable energy fund pursuant to appropriations or transfers authorized by the legislative assembly; and
 - (3) Up to thirty million dollars for university research programs, the innovation loan fund to support technology advancement, and workforce enrichment initiatives pursuant to appropriations or transfers authorized by the legislative assembly. The remaining fifty percent to the strategic investment and improvements fund to be used in accordance with the provisions of section 15-08.1-08.
5. If the amounts transferred under subsection 2 exceed the amount available for appropriation under subsection 3, an amount equal to any appropriations from the legacy sinking and interest fund for bond payments under section 6-09.4-10.1 must be retained in the legacy earnings fund through June 30, 2025, after which an amount equal to twice any appropriations from the legacy sinking and interest fund under section 6-09.4-10.1 for bond payments, but not more than one hundred fifty million dollars, must be retained in the legacy earnings fund. After deducting any amounts to be retained in the legacy earnings fund, the state treasurer shall transfer, within thirty days, any remaining amounts under this subsection in the following order: the state treasurer shall transfer the excess and any remaining amounts after the transfers and appropriations under subsection 4, as follows:
- a. The first one hundred million dollars to the legacy fund to become part of the principal; Fifty percent to the general fund.
 - b. Any remaining amount to the strategic investment and improvements fund to be used in accordance with the provisions of section 15-08.1-08.

SECTION 3. EFFECTIVE DATE. This Act becomes effective July 1, 2023.

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

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1379 - Summary of Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|-------------------------------|-------------|---------------|-----------------|----------------|
| State Treasurer | | | | |
| Total all funds | \$0 | \$100,000,000 | (\$100,000,000) | \$0 |
| Less estimated income | 0 | 100,000,000 | (100,000,000) | 0 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |
| Bank of North Dakota | | | | |
| Total all funds | \$0 | \$10,000,000 | (\$10,000,000) | \$0 |
| Less estimated income | 0 | 10,000,000 | (10,000,000) | 0 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |
| Department of Commerce | | | | |
| Total all funds | \$0 | \$10,000,000 | (\$10,000,000) | \$0 |
| Less estimated income | 0 | 10,000,000 | (10,000,000) | 0 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |
| Bill total | | | | |
| Total all funds | \$0 | \$120,000,000 | (\$120,000,000) | \$0 |
| Less estimated income | 0 | 120,000,000 | (120,000,000) | 0 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |

House Bill No. 1379 - State Treasurer - Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|------------------------------------|-------------|---------------|-----------------|----------------|
| County and township bridge repairs | | \$100,000,000 | (\$100,000,000) | |
| Total all funds | \$0 | \$100,000,000 | (\$100,000,000) | \$0 |
| Less estimated income | 0 | 100,000,000 | (100,000,000) | 0 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |

Department 120 - State Treasurer - Detail of Senate Changes

| | Removes Funding for Bridge Allocations ¹ | Total Senate Changes |
|------------------------------------|---|----------------------|
| County and township bridge repairs | (\$100,000,000) | (\$100,000,000) |
| Total all funds | (\$100,000,000) | (\$100,000,000) |
| Less estimated income | (100,000,000) | (100,000,000) |
| General fund | \$0 | \$0 |
| FTE | 0.00 | 0.00 |

¹ Funding of \$100 million from the county and township bridge fund, which was included by the House for allocations to counties for county and township bridge repairs, is removed.

The schedule below provides information on the 2023-25 biennium allocations from the legacy earnings fund under current law, the House version, and this amendment.

| Current Law | Engrossed House Bill No. 1379 - House Version | Engrossed House Bill No. 1379 With Proposed Amendments [23.0695.02007] |
|--|---|--|
| <p>Allocations from the legacy earnings fund based on the percent of market value using 7 percent of the 5-year average balance of the legacy fund</p> <ul style="list-style-type: none"> • First \$150 million to the legacy sinking and interest fund. • Next \$60 million to the highway tax distribution fund. • Any remaining amounts for other legislative purposes including: <ul style="list-style-type: none"> • Up to \$50 million for tax relief pursuant to appropriations or transfers. • Up to \$30 million to the clean sustainable energy fund pursuant to appropriations or transfers. • Up to \$30 million for university research programs, the innovation loan fund to support technology advancement, and workforce enrichment initiatives pursuant to appropriations or transfers. | <p>Allocations from the legacy earnings fund based on the percent of market value using 7 percent of the 5-year average balance of the legacy fund</p> <ul style="list-style-type: none"> • First \$150 million to the legacy sinking and interest fund. • Next \$60 million to the highway tax distribution fund. • Next \$200 million for tax relief pursuant to appropriation or transfer. • Next \$30 million to the clean sustainable energy fund. • Next \$10 million to a newly created economic diversification research fund. • Next \$10 million to the innovation loan fund to support technology advancement. • Next \$10 million to a newly created workforce development and enrichment fund. • Next \$16.6 million to a newly created legacy projects fund. | <p>Allocations from the legacy earnings fund based on the percent of market value using 7 percent of the 5-year average balance of the legacy fund</p> <ul style="list-style-type: none"> • First \$102.6 million to the legacy sinking and interest fund. • Next \$225 million to the general fund for tax relief. • Next \$100 million to a newly created legacy earnings highway distribution fund. • Any remaining amounts transferred 50 percent to the general fund and 50 percent to the strategic investment and improvements fund. |
| <p>Allocations from the legacy earnings fund exceeding the percent of market value</p> <ul style="list-style-type: none"> • An amount equal to any appropriations from the legacy sinking and interest fund for bond payments to be retained in the legacy earnings fund. • First \$100 million to the legacy fund to become part of the principal. • Any remaining amounts to the strategic investment and improvements fund. | <p>Allocations from the legacy earnings fund exceeding the percent of market value</p> <ul style="list-style-type: none"> • First \$73.4 million to a newly created legacy projects fund. • Next \$100 million to a newly created county and township bridge fund. • Next \$15 million to the agriculture diversification and development fund. • Next \$15 million to the bioscience innovation grant program. • An amount equal to 1 percent of the 5-year average balance of the legacy fund to the legacy fund to become part of the principal. • Any remaining amounts to the strategic investment and improvements fund. | <p>Allocations from the legacy earnings fund exceeding the percent of market value</p> <ul style="list-style-type: none"> • Any excess and any other remaining amounts transferred 50 percent to the general fund and 50 percent to the strategic investment and improvements fund. |
| | <p>Other sections in bill, excluding appropriations</p> <ul style="list-style-type: none"> • Creates an economic diversification fund to provide grants to institutions of higher education for research projects. • Amends the legacy sinking and interest fund to remove a transfer to the Public Employees Retirement System main system | <p>Other sections in bill, excluding appropriations</p> <ul style="list-style-type: none"> • Amends the legacy sinking and interest fund to remove a transfer to the Public Employees Retirement System main system plan. • Provides an effective date of July 1, 2023, and an emergency clause for the bill. |

| | | |
|--|--|--|
| | plan effective July 1, 2025. <ul style="list-style-type: none"> • Creates a workforce development and enrichment fund to provide grants to support workforce development through one-time projects and initiatives. • Provides a separate allocation of \$70 million from the legacy earnings fund to the Public Employees Retirement System main system plan effective July 1, 2025. • Creates a legacy projects fund and a legacy projects advisory board to recommend funding for projects and infrastructure with a statewide benefit. • Creates a county and township bridge fund to provide grants to counties for the repair or replacement of county and township bridges. | |
|--|--|--|

House Bill No. 1379 - Bank of North Dakota - Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|-----------------------------------|-------------|---------------|----------------|----------------|
| Economic diversification research | \$0 | \$10,000,000 | (\$10,000,000) | \$0 |
| Total all funds | \$0 | \$10,000,000 | (\$10,000,000) | \$0 |
| Less estimated income | 0 | 10,000,000 | (10,000,000) | 0 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |

Department 471 - Bank of North Dakota - Detail of Senate Changes

| | Removes Funding for Economic Research ¹ | Total Senate Changes |
|-----------------------------------|--|----------------------|
| Economic diversification research | (\$10,000,000) | (\$10,000,000) |
| Total all funds | (\$10,000,000) | (\$10,000,000) |
| Less estimated income | (10,000,000) | (10,000,000) |
| General fund | \$0 | \$0 |
| FTE | 0.00 | 0.00 |

¹ Funding of \$10 million from the economic diversification research fund, which was included by the House for grants to institutions of higher education for research, is removed.

House Bill No. 1379 - Department of Commerce - Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|---------------------------------|-------------|---------------|----------------|----------------|
| Strategic workforce initiatives | \$0 | \$10,000,000 | (\$10,000,000) | \$0 |
| Total all funds | \$0 | \$10,000,000 | (\$10,000,000) | \$0 |
| Less estimated income | 0 | 10,000,000 | (10,000,000) | 0 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |

Department 601 - Department of Commerce - Detail of Senate Changes

| | Removes Funding for Workforce Enrichment ¹ | Total Senate Changes |
|---------------------------------|--|----------------------|
| Strategic workforce initiatives | (\$10,000,000) | (\$10,000,000) |
| Total all funds | (\$10,000,000) | (\$10,000,000) |
| Less estimated income | (10,000,000) | (10,000,000) |
| General fund | \$0 | \$0 |
| FTE | 0.00 | 0.00 |

¹ Funding of \$10 million from the workforce enrichment and development fund, which was included by the House for grants to support workforce initiatives, is removed.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2011.

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

MR. SPEAKER: The President has appointed Sen. Sorvaag to replace Sen. Meyer on the Conference Committee on HB 1011.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2048, SB 2242, SB 2273.

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

MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2254.

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

MADAM PRESIDENT: Your signature is respectfully requested on: HB 1001, HB 1004, HB 1005, HB 1017, HB 1022, HB 1023, HB 1120, HB 1135, HB 1157, HB 1230, HB 1269, HB 1307, HB 1365, HB 1437.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2007, SB 2014, SB 2054, SB 2274, SB 2295, SB 2311.

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

MADAM PRESIDENT: The Speaker has signed: SB 2032, SB 2140, SB 2194, SB 2211, SB 2243, SB 2299, SB 2349, SB 2367.

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

MADAM PRESIDENT: The Speaker has signed: SCR 4013.

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

MR. SPEAKER: The President has signed: SB 2032, SB 2140, SB 2194, SB 2211, SB 2243, SB 2299, SB 2349, SB 2367.

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

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

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on April 12, 2023: HB 1254.

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 8:00 a.m., Thursday, April 13, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2198: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2198 was placed on the Sixth order on the calendar.

Page 1, line 22, replace "health condition" with "injury or illness under the definition of serious injury or illness for a military service member or veteran as adopted by the United States department of labor"

Page 2, line 11, after "to" insert "a combined"

Page 2, line 13, after the underscored period insert "An employee using leave under this subsection only may use paid leave for up to twelve workweeks. The remaining balance from the combined twenty-six workweeks under this subsection must be unpaid."

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE

SB 2048, as engrossed: Your conference committee (Sens. K. Roers, Barta, Braunberger and Reps. Louser, Steiner, Karls) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 1127-1128, adopt further amendments as follows, and place SB 2048 on the Seventh order:

That the Senate accede to the House amendments as printed on page 1127 and 1128 of the Senate Journal and page 1305 and 1306 of the House Journal and that Senate Bill No. 2048 be further amended as follows:

Page 1, line 15, remove "or regulation"

Renumber accordingly

Engrossed SB 2048 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2242, as engrossed: Your conference committee (Sens. Kessel, Kannianen, Boehm and Reps. Hagert, Brandenburg, Conmy) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1110 and place SB 2242 on the Seventh order.

Engrossed SB 2242 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2254, as engrossed: Your conference committee (Sens. Elkin, Beard, Conley and Reps. Hauck, Hager, Timmons) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1335 and place SB 2254 on the Seventh order.

Engrossed SB 2254 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2273: Your conference committee (Sens. Myrdal, Weston, Hogan and Reps. Beltz, S. Olson, Monson) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1071-1072, adopt amendments as follows, and place SB 2273 on the Seventh order:

That the House recede from its amendments as printed on pages 1071 and 1072 of the Senate Journal and page 1268 of the House Journal and that Senate Bill No. 2273 be amended as follows:

Page 1, line 7, replace "\$2,000,000" with "\$1,000,000"

Renumber accordingly

SB 2273 was placed on the Seventh order of business on the calendar.

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

Buell J. Reich, Chief Clerk

