

## JOURNAL OF THE HOUSE

## Sixty-eighth Legislative Assembly

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Bismarck, April 26, 2023

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

The prayer was offered by Chaplain Jim Nelson, State of North Dakota AMVETS Chaplain, Bismarck.

The roll was called and all members were present except Representatives Bahl and Christy.

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-sixth and Sixty-seventh Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1961, line 29, replace "1265" with "1959"

Page 1962, line 5, replace "1132-1133" with "1958-1959"

Page 1962, line 11, replace "1132-1133" with "1958-1959"

Page 1962, line 34, replace "1405-1406" with "1957-1958"

Page 2034, line 19, replace "page 1563" with "pages 2027-2028"

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

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. D. ANDERSON MOVED** that the conference committee report on Reengrossed SB 2089 as printed on HJ pages 2354-2355 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2089:** A BILL for an Act to create and enact section 54-17.6-06.1 of the North Dakota Century Code, relating to clean natural gas capture and emissions reduction; and to designate funding from the oil and gas research fund.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frellich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; 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; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Davis

**ABSENT AND NOT VOTING:** Bahl; Christy

Reengrossed SB 2089, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. HAGERT MOVED** that the conference committee report on SB 2334 as printed on HJ pages 2357-2359 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2334:** A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a large facility development fund; to amend and reenact subsection 2 of section 57-39.2-04.15 and section 57-39.2-26 of the North Dakota Century Code, relating to a sales tax exemption for a fertilizer plant and allocation of sales tax revenue; to provide a continuing appropriation; to provide for a legislative management report; and to provide an expiration 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 79 YEAS, 13 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Bellew; Christensen; Hager; Heilman; Henderson; Koppelman; Marschall; Prichard; Rohr; Ruby, D.; Ruby, M.; Schatz; Toman

**ABSENT AND NOT VOTING:** Bahl; Christy

SB 2334, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. M. RUBY MOVED** that the conference committee report on Engrossed SB 2335 as printed on HJ page 2359 be adopted, which motion prevailed on a voice vote.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. BOSCH MOVED** that the conference committee report on SB 2330 as printed on HJ pages 2356-2357 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2330:** A BILL for an Act to amend and reenact subsection 3 of section 6-09-49 and sections 21-10-11 and 21-10-12 of the North Dakota Century Code, relating to the infrastructure revolving loan fund, 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, 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.; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; 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:** Bahl; Christy

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

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. BRANDENBURG MOVED** that the conference committee report on Engrossed SB 2016 as printed on HJ pages 2345-2351 be adopted, which motion prevailed on a voice vote.

#### 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 legislative management study; to provide for a transfer; 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 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frellich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Holle; Hoverson; 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.

**NAYS:** Bellew; Henderson

**ABSENT AND NOT VOTING:** Bahl; Christy

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

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. J. OLSON MOVED** that the conference committee report on SB 2196 as printed on HJ pages 2355-2356 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2196:** A BILL for an Act to create and enact two new sections to chapter 61-40 of the North Dakota Century Code, relating to the infrastructure revolving loan fund and accrued and unpaid interest in western area water supply authority loans; to amend and reenact subsection 13 of section 61-40-05, and sections 61-40-09, 61-40-10, and 61-40-11 of the North Dakota Century Code, relating to the oversight of the western area water supply authority and infrastructure revolving loan fund payments; and to provide an appropriation.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 84 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Beltz; Bosch; Boschee; Brandenburg;

Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; 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; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Bellew; Christensen; Heilman; Henderson; Hoverson; Longmuir; Prichard; Toman

**ABSENT AND NOT VOTING:** Bahl; Christy

SB 2196, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. HANSON MOVED** that the conference committee report on Engrossed SB 2018 as printed on HJ pages 2351-2354 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2018:** A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society; to amend and reenact sections 55-03-01 and 55-03-01.1 of the North Dakota Century Code, relating to permit fees; to provide an exemption; to provide a statement of legislative intent; 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, the roll was called and there were 70 YEAS, 22 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Beltz; Bosch; Boschee; Brandenburg; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Ista; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Tveit; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Bellew; Christensen; Dyk; Hauck; Heilman; Henderson; Holle; Hoverson; Kasper; Koppelman; Marschall; Olson, S.; Prichard; Rios; Ruby, D.; Schatz; Steiner; Thomas; Timmons; Toman; VanWinkle; Vetter

**ABSENT AND NOT VOTING:** Bahl; Christy

Engrossed SB 2018, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. BRANDENBURG MOVED** that the conference committee report on Engrossed HB 1012 as printed on HJ pages 2335-2341 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1012:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of transportation; to provide a continuing appropriation; to create and enact a new section to chapter 24-01 and sections 54-27-19.3 and 54-27-19.4 of the North Dakota Century Code, relating to designating state highway 13, the legacy earnings highway distribution fund, and legacy earnings township highway aid fund;

to amend and reenact section 24-02-37.3 of the North Dakota Century Code as created by section 1 of Senate Bill No. 2113, as approved by the sixty-eighth legislative assembly, section 57-40.3-10 of the North Dakota Century Code, and section 13 of chapter 15 and section 10 of chapter 80 of the 2021 Session Laws, relating to the flexible transportation fund, motor vehicle excise tax allocations, an appropriation for township roadway funding, and the appropriation of bond proceeds for transportation projects; to provide an exemption; to provide a report; 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, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; 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; Hoverson; 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.

**NAYS:** Bellew

**ABSENT AND NOT VOTING:** Bahl; Christy

Reengrossed HB 1012 passed and the emergency clause was declared carried.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. SANFORD MOVED** that the conference committee report on Engrossed HB 1003 as printed on HJ pages 2316-2335 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1003:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system; to provide an appropriation to the Bank of North Dakota; to create and enact a new section to chapter 6-09, four new sections to chapter 15-10, section 15-10-48.2, and section 15-18.2-06.1 of the North Dakota Century Code, relating to an economic diversification research fund, matching grants for agricultural research and extension, the Bismarck state college polytechnic center, a report on higher education trends, disclosure of financial condition, and a minimum amount payable; to amend and reenact sections 15-10-38.1, 15-10-38.2, 15-10-38.3, subdivision c of subsection 1 of section 15-10-48, subdivision c of subsection 1 of section 15-10-49, subsection 2 of section 15-10-49, sections 15-10-57 and 15-10-63, subdivision k of subsection 1 of section 15-18.2-02, subsection 1 of section 15-18.2-05, section 15-54.1-02, subsection 1 of section 15-62.4-03, subdivision c of subsection 2 of section 54-07-12, and section 54-44.1-11 of the North Dakota Century Code, relating to the skilled workforce student loan repayment program, the skilled workforce scholarship program, matching grants for the advancement of academics, the workforce development council, higher education capital projects, state aid for institutions of higher education, the university system capital building fund, student financial assistance grants, the digitization of documents relating to Theodore Roosevelt, and the cancellation of unexpended appropriations; to repeal sections 15-10-48.1 and 15-10-58 of the North Dakota Century Code, relating to matching grants for legal education and the workforce education advisory council; to provide for a transfer; to provide for a legislative management study; to provide loan authorization for the Mayville state university old main project; to provide for a report; to provide an exemption; to provide legislative intent; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 69 YEAS, 23 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Beltz; Boschee; Brandenburg; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVile; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Heinert; Henderson; Ista; Johnson, J.; Jonas; Karls; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Vetter; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Bellew; Bosch; Christensen; Dyk; Hauck; Headland; Heilman; Holle; Hoverson; Kasper; Kempenich; Koppelman; Marschall; Olson, S.; Prichard; Rios; Ruby, D.; Ruby, M.; Schatz; Timmons; Toman; Tveit; VanWinkle

**ABSENT AND NOT VOTING:** Bahl; Christy

Reengrossed HB 1003 passed and the emergency clause was declared carried.

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**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.

**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-eighth, Seventieth, and Seventy-first Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 2135, line 42, replace "1537-1561" with "1976-2001"

Page 2136, line 27, replace "1487-1488" with "2001-2002"

Page 2137, line 8, replace "page 1389" with "pages 1975-1976"

Page 2137, line 41, replace "1430-1431" with "2002-2005"

Page 2138, line 18, replace "page 1610" with "pages 1971-1974"

Page 2139, line 20, replace "pages 1355-1356" with "page 2028"

Page 2139, line 45, replace "1265-1266" with "2028-2029"

Page 2265, line 14, replace "1798" with "2005"

Page 2315, line 23, remove "HB"

Page 2315, line 24, remove "1313,"

Page 2316, remove lines 34-36

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

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on April 25, 2023, I have signed the following: HB 1205 and HB 1473.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on April 26, 2023, I have signed the following: HB 1052, HB 1438, and HB 1455.

**REPORT OF STANDING COMMITTEE**

**SB 2066, as reengrossed: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Reengrossed SB 2066 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact two new sections to chapter 57-02 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to a property tax credit for property used as a primary residence and calculation of individual income tax based on general fund revenues; to amend and reenact subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to the imposition of a flat income tax rate for individuals, estates, and trusts; to provide an effective date; and to provide an expiration date.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new section to chapter 57-02 of the North Dakota Century Code is created and enacted as follows:

**Primary residence credit - Qualification - Application.**

1. An individual is entitled to a credit of five hundred dollars against the property tax due on the individual's primary residence. The credit may not exceed the amount of property tax due. The credit must be applied to reduce the property tax owed on the individual's primary residence after other exemptions or credits under this chapter have been applied.
2. For purposes of this section, "primary residence" means a dwelling in this state owned and occupied by an individual as that individual's primary place of residence and includes residences taxed under chapter 57-55. An individual may not have more than one primary residence.
3. An individual who does not reside in the primary residence in this state is eligible for the credit under this section if the individual's absence is due to confinement in a nursing home, hospital, or other care facility, for as long as the portion of the primary residence previously occupied by the individual is not rented to another individual.
4. Only one credit under this section may be applied against the property taxes levied against any primary residence.
5. An individual whose primary residence is a farm structure exempt from taxation under subsection 15 of section 57-02-08 is not eligible for a credit under this section.
6. The credit may not reduce the liability for special assessments levied upon any property.
7. To claim a credit under this section, a claimant must sign and file with the county auditor, by April first, an application containing a verified statement of facts establishing the claimant's eligibility as of the date of the claim on a form and in the manner prescribed by the tax commissioner.
8. The tax commissioner shall prescribe, design, and make available all forms necessary to effectuate this section. The county auditors shall make these forms available upon request.

**SECTION 2.** A new section to chapter 57-02 of the North Dakota Century Code is created and enacted as follows:

**Primary residence credit - Certification - Distribution.**

1. By January first of each year, the county auditor shall certify to the tax commissioner the sum of the credits allowed under section 1 of this Act in the county for the preceding year and provide any other information required by the tax commissioner.
2. By June first of each year, the tax commissioner shall review a sample of the applications from each county and certify to the state treasurer for payment to each county the aggregate dollar amount of credits allowed under section 1 of this Act in each county for the preceding year.
3. By June fifteenth of each year, the state treasurer shall distribute moneys to counties in the amounts certified by the tax commissioner under subsection 2.
4. Within fourteen days of receiving the payment from the state treasurer under subsection 3, but no later than June thirtieth, the county treasurer shall apportion and distribute the payment to the county and to the taxing districts of the county on the same basis as property taxes for the preceding year were apportioned and distributed.
5. Supplemental certifications by the county auditor and the tax commissioner and supplemental payments by the state treasurer may be made after the dates prescribed in this section to make corrections necessary because of errors or approval of any application for abatement filed by an individual because the credit under section 1 of this Act was not allowed.
6. The tax commissioner shall prescribe, design, and make available all forms necessary to effectuate this section.

**SECTION 3. AMENDMENT.** Subsection 1 of section 57-38-30.3 of the North Dakota Century Code is amended and reenacted as follows:

1. A tax is hereby imposed for each taxable year upon income earned or received in that taxable year by every resident and nonresident individual, estate, and trust. A taxpayer computing the tax under this section is only eligible for those adjustments or credits that are specifically provided for in this section. Provided, that for purposes of this section, any person required to file a state income tax return under this chapter, but who has not computed a federal taxable income figure, shall compute a federal taxable income figure using a pro forma return in order to determine a federal taxable income figure to be used as a starting point in computing state income tax under this section. The tax for individuals is equal to North Dakota taxable income multiplied by the rates in the applicable rate schedule in subdivisions a through d corresponding to an individual's filing status used for federal income tax purposes. ~~For~~The tax for an estate or trust, the schedule is equal to North Dakota taxable income multiplied by the rate in subdivision e must be used for purposes of this subsection. The tax to be computed for:
  - a. Single, other than head of household or surviving spouse qualifying widow or widower is one and ninety-nine hundredths percent of North Dakota taxable income exceeding forty-four thousand seven hundred twenty-five dollars.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
\$0	\$37,450	1.10%	\$0
\$37,450	\$90,750	\$411.95 + 2.04%	\$37,450
\$90,750	\$189,300	\$1,499.27 + 2.27%	\$90,750
\$189,300	\$411,500	\$3,736.36 + 2.64%	\$189,300
\$411,500		\$9,602.44 + 2.90%	\$411,500



- b. Married filing jointly and surviving spouse qualifying widow or widower is one and ninety-nine hundredths percent of North Dakota taxable income exceeding seventy-four thousand seven hundred fifty dollars.

If North Dakota taxable income is:

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

- c. Married filing separately is one and ninety-nine hundredths percent of North Dakota taxable income exceeding thirty-seven thousand three hundred seventy-five dollars.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
\$0	\$31,300	1.10%	\$0
\$31,300	\$75,600	\$344.30 + 2.04%	\$31,300
\$75,600	\$115,225	\$1,248.02 + 2.27%	\$75,600
\$115,225	\$205,750	\$2,147.51 + 2.64%	\$115,225
\$205,750		\$4,537.37 + 2.90%	\$205,750

- d. Head of household is one and ninety-nine hundredths percent of North Dakota taxable income exceeding fifty-nine thousand nine hundred fifty dollars.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
\$0	\$50,200	1.10%	\$0
\$50,200	\$129,600	\$552.20 + 2.04%	\$50,200
\$129,600	\$209,850	\$2,171.96 + 2.27%	\$129,600
\$209,850	\$411,500	\$3,993.64 + 2.64%	\$209,850
\$411,500		\$9,317.20 + 2.90%	\$411,500

- e. Estates and trusts is one and ninety-nine hundredths percent of North Dakota taxable income exceeding three thousand dollars.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
\$0	\$2,500	1.10%	\$0
\$2,500	\$5,900	\$27.50 + 2.04%	\$2,500
\$5,900	\$9,050	\$96.86 + 2.27%	\$5,900
\$9,050	\$12,300	\$168.37 + 2.64%	\$9,050
\$12,300		\$254.17 + 2.90%	\$12,300

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

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

In the case of married individuals filing a joint return, if one spouse is a resident of this state for the entire year and the other spouse is a nonresident for part or all of the tax year, the tax on the joint return must be computed under this subdivision.

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

**SECTION 4.** A new subsection to section 57-38-30.3 of the North Dakota Century Code is created and enacted as follows:

If the actual general fund revenues exceed the estimated general fund revenues for the twelve-month period ending June thirtieth of an even-numbered year by at least ten percent as determined by the director of the office of management and budget, the rates under subsection 1 must be reduced by one-half percent for the subsequent tax year beginning after December thirty-first of an even-numbered year. The tax commissioner shall publish the reduced rates and notify taxpayers of the reduced rates by November first of an even-numbered year. The tax commissioner may determine the form and manner of publishing the reduced rates and notifying taxpayers, including any notification that taxpayers are not required to file returns or pay taxes. For purposes of this subsection:

- a. "Estimated general fund revenues" means the estimated general fund revenues, excluding the July first of an odd-numbered year general fund balance, as reflected in the cashflow forecast developed by the director of the office of management and budget based on the total estimated general fund revenues for the biennium approved by the most recently adjourned special or regular session of the legislative assembly.
- b. Any reductions to the rates under subsection 1 apply to tax years beginning after December 31, 2022.
- c. The rate reductions must be equally applied to all tax brackets.
- d. The reduced rates must be rounded to the nearest one-hundredth of a percent.
- e. This subsection does not limit or suspend any provision in chapter 57-38 which is not in conflict with this section, including provisions for assessment and refund under sections 57-38-34.4, 57-38-38, and 57-38-40.

**SECTION 5. EFFECTIVE DATE - EXPIRATION DATE.** Section 1 of this Act is effective for the first taxable year beginning after December 31, 2023, and after that date is ineffective.

**SECTION 6. EFFECTIVE DATE.** Section 3 of this Act is effective for taxable years beginning after December 31, 2022. Section 2 of this Act becomes effective on July 1, 2024.

**SECTION 7. EXPIRATION DATE.** Section 2 of this Act is effective through June 30, 2025, and after that date is ineffective."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2136, as reengrossed: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Reengrossed SB 2136 was placed on the Fourteenth order on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1158:** Your conference committee (Sens. Kannianen, Patten, Rummel and Reps. Headland, Hagert, Bosch) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1468-1485, adopt amendments as follows, and place HB 1158 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1468-1485 of the House Journal and pages 1076-1095 of the Senate Journal and that House Bill No. 1158 be amended as follows:

Page 1, line 1, after "Act" insert "to create and enact two new sections to chapter 57-02 of the North Dakota Century Code, relating to a property tax credit for property used as a primary residence;"

Page 1, line 1, after "reenact" insert "subsection 1 of section 57-02-08.1 and"

Page 1, line 2, replace "imposition of a flat" with "homestead tax credit and"

Page 1, line 2, replace "rate of one and one-half percent" with "rates"

Page 1, line 3, replace "and" with "to provide for a legislative management study; to provide for a legislative management report; to provide an appropriation;"

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

Page 1, after line 4, insert:

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

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

reduction of four thousand five hundred dollars of taxable valuation.

- (3) ~~If the person's income is in excess of twenty-six thousand dollars and not in excess of thirty thousand dollars, a reduction of sixty percent of the taxable valuation of the person's homestead up to a maximum reduction of three thousand three hundred seventy-five dollars of taxable valuation.~~
  - (4) ~~If the person's income is in excess of thirty thousand dollars and not in excess of thirty-four thousand dollars, a reduction of forty percent of the taxable valuation of the person's homestead up to a maximum reduction of two thousand two hundred fifty dollars of taxable valuation.~~
  - (5) ~~If the person's income is in excess of thirty-four thousand dollars and not in excess of thirty-eight thousand dollars, a reduction of twenty percent of the taxable valuation of the person's homestead up to a maximum reduction of one thousand one hundred twenty-five dollars of taxable valuation.~~
  - (6) ~~If the person's income is in excess of thirty-eight thousand dollars and not in excess of forty-two thousand dollars, a reduction of ten percent of the taxable valuation of the person's homestead up to a maximum reduction of five hundred sixty-three dollars of taxable valuation.~~
- d. Persons residing together, as spouses or when one or more is a dependent of another, are entitled to only one exemption between or among them under this subsection. Persons residing together, who are not spouses or dependents, who are co-owners of the property are each entitled to a percentage of a full exemption under this subsection equal to their ownership interests in the property.
  - e. This subsection does not reduce the liability of any person for special assessments levied upon any property.
  - f. Any person claiming the exemption under this subsection shall sign a verified statement of facts establishing the person's eligibility. Any income information contained in the statement of facts is a confidential record.
  - g. ~~A person is ineligible for the exemption under this subsection if the value of the assets of the person and any dependent residing with the person exceeds five hundred thousand dollars, including the value of any assets divested within the last three years.~~
  - h. The assessor shall attach the statement filed under subdivision f to the assessment sheet and shall show the reduction on the assessment sheet.
  - i-h. An exemption under this subsection terminates at the end of the taxable year of the death of the applicant.

**SECTION 2.** A new section to chapter 57-02 of the North Dakota Century Code is created and enacted as follows:

**Primary residence credit - Qualification - Application.**

1. An individual is entitled to a credit of five hundred dollars against the property tax due on the individual's primary residence. The credit may not exceed the amount of property tax due. The credit must be applied to reduce the property tax owed on the individual's primary residence after other exemptions or credits under this chapter have been applied.

2. For purposes of this section, "primary residence" means a dwelling in this state owned and occupied by an individual as that individual's primary place of residence and includes residences taxed under chapter 57-55. An individual may not have more than one primary residence.
3. An individual who does not reside in the primary residence in this state is eligible for the credit under this section if the individual's absence is due to confinement in a nursing home, hospital, or other care facility, for as long as the portion of the primary residence previously occupied by the individual is not rented to another individual.
4. Only one credit under this section may be applied against the property taxes levied against any primary residence.
5. An individual whose primary residence is a farm structure exempt from taxation under subsection 15 of section 57-02-08 is not eligible for a credit under this section.
6. The credit may not reduce the liability for special assessments levied upon any property.
7. To apply for a credit under this section, an applicant shall sign and file with the tax commissioner, by April first of each year, an application containing a verified statement of facts establishing the applicant's eligibility as of the date of the claim on a form and in the manner prescribed by the tax commissioner.
8. The tax commissioner, in consultation with the county auditors, shall prescribe, design, and make available all forms necessary to effectuate this section. The tax commissioner shall make these forms available upon request.

**SECTION 3.** A new section to chapter 57-02 of the North Dakota Century Code is created and enacted as follows:

**Primary residence credit - Certification - Distribution.**

1. By June first of each year, the tax commissioner shall:
  - a. Review the applications received under section 2 of this Act and determine which applicants qualify for the credit allowed under section 2 of this Act; and
  - b. Provide to each county auditor:
    - (1) A copy of each approved application under subdivision a which identifies a primary residence located in the county; and
    - (2) The sum of the credits allowed under section 2 of this Act in the county for the current taxable year.
2. The county auditor shall apply the credit under section 2 of this Act to each primary residence identified by the tax commissioner as a qualifying primary residence on the corresponding property tax statement.
3. By January first of each year, the county auditor shall certify to the tax commissioner the sum of the credits approved by the tax commissioner under subsection 1 which were applied toward property taxes owed on primary residences in the county for the preceding year.
4. By June first of each year after 2024, the tax commissioner shall review a sampling of information provided by the county auditor to verify the accuracy of the application of the credit and certify to the state treasurer for payment to each county the aggregate dollar amount of credits allowed under section 2 of this Act in each county for the preceding year.

5. Within fourteen days of receiving the payment from the state treasurer, but no later than June thirtieth of each year after 2024, the county treasurer shall apportion and distribute the payment to the county and to the taxing districts of the county on the same basis as property taxes for the preceding year were apportioned and distributed.
6. Supplemental certifications by the county auditor and the tax commissioner and supplemental payments by the state treasurer may be made after the dates prescribed in this section to make corrections necessary because of errors.
7. The county auditors shall provide information requested by the tax commissioner to effectuate this section.
8. The tax commissioner shall prescribe, design, and make available all forms necessary to effectuate this section."

Page 1, line 16, remove the overstrike over "rates in the applicable"

Page 1, line 16, remove the overstrike over "schedule"

Page 1, line 17, remove the overstrike over "For"

Page 1, line 17, remove "The tax for"

Page 1, line 18, remove the overstrike over "; the schedule"

Page 1, line 18, remove "is equal to North Dakota taxable income multiplied by the"

Page 1, line 19, remove "rate"

Page 1, line 19, remove the overstrike over "must be used for purposes of this subsection"

Page 1, line 19, remove "The tax to be"

Page 1, remove line 20

Page 1, line 21, remove the overstrike over "surviving spouse"

Page 1, line 21, remove "qualifying widow or"

Page 1, remove line 22

Page 1, line 23, remove "forty-four thousand seven hundred twenty-five dollars"

Page 1, remove the overstrike over line 24

Page 2, remove the overstrike over line 1

Page 2, after line 6, insert:

<u>\$0</u>	<u>\$44,725</u>	<u>\$0.00 + 0.00%</u>	<u>\$0</u>
<u>\$44,725</u>	<u>\$225,975</u>	<u>\$0.00 + 1.95%</u>	<u>\$44,725</u>
<u>\$225,975</u>		<u>\$3,534.38 + 2.50%</u>	<u>\$225,975</u>

Page 2, line 7, remove the overstrike over "surviving spouse"

Page 2, line 7, remove "qualifying widow or widower is one and"

Page 2, remove line 8

Page 2, line 9, remove "thousand seven hundred fifty dollars"

Page 2, remove the overstrike over lines 10 and 11

Page 2, after line 16, insert:

<u>\$0</u>	<u>\$74,750</u>	<u>\$0.00 + 0.00%</u>	<u>\$0</u>
<u>\$74,750</u>	<u>\$275,100</u>	<u>\$0.00 + 1.95%</u>	<u>\$74,750</u>
<u>\$275,100</u>		<u>\$3,906.83 + 2.50%</u>	<u>\$275,100</u>

Page 2, line 17, remove "is one and one-half percent of North Dakota taxable"

Page 2, line 18, remove "income exceeding thirty-seven thousand three hundred seventy-five dollars"

Page 2, remove the overstrike over lines 19 and 20

Page 2, after line 25, insert:

<u>\$0</u>	<u>\$37,375</u>	<u>\$0.00 + 0.00%</u>	<u>\$0</u>
<u>\$37,375</u>	<u>\$137,550</u>	<u>\$0.00 + 1.95%</u>	<u>\$37,375</u>
<u>\$137,550</u>		<u>\$1,953.41 + 2.50%</u>	<u>\$137,550</u>

Page 2, line 26, remove "is one and one-half percent of North Dakota taxable income"

Page 2, line 27, remove "exceeding fifty-nine thousand nine hundred fifty dollars"

Page 2, remove the overstrike over lines 28 and 29

Page 3, after line 3, insert:

<u>\$0</u>	<u>\$59,950</u>	<u>\$0.00 + 0.00%</u>	<u>\$0</u>
<u>\$59,950</u>	<u>\$250,550</u>	<u>\$0.00 + 1.95%</u>	<u>\$59,950</u>
<u>\$250,550</u>		<u>\$3,716.70 + 2.50%</u>	<u>\$250,550</u>

Page 3, line 4, remove "is one and one-half percent of North Dakota taxable income"

Page 3, line 5, remove "exceeding three thousand dollars"

Page 3, remove the overstrike over lines 6 and 7

Page 3, after line 12, insert:

<u>\$0</u>	<u>\$3,000</u>	<u>\$0.00 + 0.00%</u>	<u>\$0</u>
<u>\$3,000</u>	<u>\$10,750</u>	<u>\$0.00 + 1.95%</u>	<u>\$3,000</u>
<u>\$10,750</u>		<u>\$151.13 + 2.50%</u>	<u>\$10,750</u>

Page 3, line 25, remove the overstrike over "rate-schedules"

Page 3, line 25, remove "rates"

Page 3, line 26, remove the overstrike over "schedules"

Page 3, line 26, remove "rates"

Page 3, line 27, remove the overstrike over "schedules"

Page 3, line 27, remove "rates"

Page 3, line 27, remove the overstrike over "minimum-and"

Page 3, line 28, remove the overstrike over "maximum"

Page 3, line 28, remove "North Dakota taxable income threshold"

Page 3, line 28, remove the overstrike over "for each income"

Page 3, line 29, remove the overstrike over "bracket for which a tax is imposed"

Page 4, line 1, remove the overstrike over "to each income bracket"

Page 4, after line 8, insert:

**"SECTION 5. LEGISLATIVE TAX RELIEF ADVISORY COMMITTEE - TAX RELIEF STUDY - REPORT TO LEGISLATIVE MANAGEMENT.**

1. During the 2023-24 interim, the legislative management shall appoint a legislative tax relief advisory committee.
2. The committee must consist of three members of the finance and taxation standing committee of the house of representatives and three members of the finance and taxation standing committee of the senate, appointed by the respective majority leaders of the house of representatives and senate. The legislative management shall designate the chairman of the committee. The committee shall operate according to the statutes and procedures governing the operation of other legislative management interim committees.
3. The committee shall study tax relief, including income and property tax relief.
  - a. Based on information provided by the tax department, the study must include consideration of:
    - (1) Historical income and property tax relief provided by the legislative assembly, including the estimated and actual fiscal impact of the tax relief;
    - (2) An analysis of the tax relief provided by the sixty-eighth legislative assembly through individual income tax rate changes, a primary residence credit, and an expansion of the homestead credit, including the estimated fiscal impact for each method of tax relief and the effect of the income tax rate changes on passthrough income related to income reported on K-1 forms and royalty income reported on 1099-MISC forms;
    - (3) Options to implement a flat individual income tax rate, including the estimated fiscal impact of the options;
    - (4) Options to adjust the individual income tax structure, including the estimated fiscal impact of the options; and
    - (5) An update on the progress of implementing the primary residence credit, including the status of information technology changes and the amount spent on advertising the credit.
  - b. The committee may consider input from local taxing districts regarding the administration of the primary residence credit and the homestead credit.
  - c. The committee shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

**SECTION 6. APPROPRIATION - TAX COMMISSIONER - PROPERTY TAX RELIEF - ONE-TIME FUNDING.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$158,225,000, or so much of the sum as may be necessary, to the tax commissioner for property tax relief programs during the biennium beginning July 1, 2023, and ending June 30, 2025, as follows:

1. \$103,225,000 for paying the state reimbursement under the primary residence credit;
2. \$53,500,000 for paying the state reimbursement under the homestead credit; and



3. \$1,500,000, which is considered a one-time funding item, for operating expenses related to information technology and advertising costs for the primary residence credit.

**SECTION 7. EFFECTIVE DATE - EXPIRATION DATE.** Section 2 of this Act is effective for the first two taxable years beginning after December 31, 2023, and after that date is ineffective."

Page 4, line 9, replace "This" with "Sections 1 and 4 of this"

Page 4, line 9, replace "is" with "are"

Page 4, line 10, after the period insert "Section 3 of this Act becomes effective on April 1, 2024."

**SECTION 9. EXPIRATION DATE.** Section 3 of this Act is effective through June 30, 2026, and after that date is ineffective."

Renumber accordingly

HB 1158 was placed on the Seventh order of business on the calendar.

#### **REPORT OF CONFERENCE COMMITTEE**

**HB 1413, as engrossed:** Your conference committee (Sens. K. Roers, Weston, Cleary and Reps. D. Ruby, Louser, Ostlie) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1429-1430, adopt amendments as follows, and place HB 1413 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1429 and 1430 of the House Journal and page 1181 of the Senate Journal and that Engrossed House Bill No. 1413 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study relating to accumulator adjustment programs."

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - ACCUMULATOR ADJUSTMENT PROGRAM BANS.** During the 2023-24 interim, the legislative management shall consider studying the impact of third-party payments and accumulator adjustment programs on North Dakota patients' out-of-pocket costs, medications adherence, and health care systems costs and impacts. The study shall assess health benefit participants' usage and prevalence of third-party payments in North Dakota. The study shall also review data from states with accumulator adjustment program bans since 2019 and shall seek input from all relevant stakeholders in the health care industry. The legislative management shall report its findings and recommendations, together with any proposed legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

Engrossed HB 1413 was placed on the Seventh order of business on the calendar.

#### **REPORT OF CONFERENCE COMMITTEE**

**HB 1538, as engrossed:** Your conference committee (Sens. Kessel, Boehm, Patten and Reps. M. Ruby, J. Olson, Novak) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1620-1621, adopt amendments as follows, and place HB 1538 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1620 and 1621 of the House Journal and page 1370 of the Senate Journal and that Engrossed House Bill No. 1538 be amended as follows:

Page 1, line 1, after "to" insert "create and enact a new section to chapter 20.1-02 and a new section to chapter 20.1-03 of the North Dakota Century Code, relating to fishing contests, surcharge fees, and the fishing conservation fund; to"

Page 1, remove line 3

Page 1, line 4, replace "relating to fishing contests" with "to provide a continuing appropriation; and to provide an effective date"

Page 1, line 22, after "event" insert "with fewer than fifty participants or fewer than fifteen boats"

Page 1, line 24, remove "A fishing event with fewer than fifty participants and fewer than fifteen boats."

Page 2, line 1, remove "c."

Page 2, line 3, replace "d." with "c."

Page 2, line 5, replace "e." with "d."

Page 2, line 6, replace ". A" with "if the fishing contest is held by a"

Page 2, line 8, replace the second "and" with "or"

Page 2, line 9, remove ", may retain one hundred"

Page 2, line 10, remove "percent of the proceeds of a fishing contest"

Page 2, line 13, remove "A permit application fee may"

Page 2, remove lines 14 and 15

Page 2, line 16, replace "organization listed in subsection 2 or a youth event held on a single body of water" with "The application must list the recipient of the conservation fee and include a seventy-five dollar application fee. A conservation fee must be negotiated between the organization desiring to hold the fishing contest and a representative of the fishing league or fishing tournament"

Page 2, line 26, remove "the gross and net proceeds for the"

Page 2, remove line 27

Page 2, line 28, replace "prizes" with "and the total amount and recipient of the conservation fee"

Page 2, after line 30, insert:

**"SECTION 3.** A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

**Nonresident license surcharge - Fishing conservation fund - Continuing appropriation.**

1. Notwithstanding any other provision of law, the director shall establish a surcharge of five dollars on each nonresident fishing license issued under section 20.1-03-12. The collected surcharge fees must be deposited with the state treasurer and credited to the fishing conservation fund.
2. There is created in the state treasury a special fund known as the fishing conservation fund. The fund consists of all money deposited in the fund pursuant to this section. All money deposited in the fund is appropriated as a continuing appropriation to the game and fish department for the purpose of fishery conservation, public access projects, and grant programs relating to fish and wildlife conservation. The game and fish department may adopt rules in accordance with chapter 28-32 for the purpose of administering the fishing conservation fund.

**SECTION 4. EFFECTIVE DATE.** This Act becomes effective on April 1, 2024."

Renumber accordingly

Engrossed HB 1538 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2010, as engrossed:** Your conference committee (Sens. Vedaa, J. Roers, Wanzek and Reps. Meier, Pyle, Mock) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1524-1527, adopt amendments as follows, and place SB 2010 on the Seventh order:

That the House recede from is amendments as printed on pages 1524-1527 of the Senate Journal and pages 1732-1734 of the House Journal and that Engrossed Senate Bill No. 2010 be amended as follows:

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

Page 1, line 2, after "26.1-01-09" insert ", 26.1-23.1-02, and 26.1-23.1-06"

Page 1, line 3, replace "; and to provide a transfer" with "and government self-insurance pools"

Page 1, replace lines 12 through 17 with:

"Salaries and wages	\$8,076,281	\$2,591,891	\$10,668,172
Operating expenses	1,507,359	1,130,308	2,637,667
Capital assets	0	147,540	147,540
Grants	0	<u>2,400,000</u>	<u>2,400,000</u>
Total special funds	\$9,583,640	\$6,269,739	\$15,853,379
Full-time equivalent positions	38.00	9.00	47.00"

Page 1, after line 23, insert:

"State fire marshal equipment	0	72,540"
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Page 2, replace line 4 with:

"Total special funds	\$1,162,000	\$245,840"
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Page 2, replace lines 20 through 25 with:

**"SECTION 5. AMENDMENT.** Section 26.1-23.1-02 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-23.1-02. Government self-insurance pools not insurers.**

Any government self-insurance pool organized under chapter 32-12.1 is not an insurance company or insurer. The coverages provided by ~~such~~the pools and the administration of ~~such~~the pools do not constitute the transaction of insurance business. Participation in a government self-insurance pool under this chapter does not constitute a waiver of any existing immunities otherwise provided by the constitution or laws of this state. In all respects not specifically provided for under this chapter, a government self-insurance pool is subject to chapters 26.1-01, 26.1-02, 26.1-04, 26.1-25, and 26.1-26 with the exception of sections 26.1-26-06, 26.1-26-07, and 26.1-26-13.1 relating to insurance companies generally.

**SECTION 6. AMENDMENT.** Section 26.1-23.1-06 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-23.1-06. Pool reserve records confidential - Open records.**

1. Information regarding that portion of the funds or liability reserves of a government self-insured government pool established for purposes of satisfying a specific claim or cause of action is confidential. A person is not entitled to discover that portion of the funds or liability reserves established for purposes of satisfying a claim or cause of action, except that the reserve is discoverable in any supplementary or ancillary proceeding to enforce a judgment against the pool or a governmental entity participating in the pool.
2. Unless otherwise provided by law, a government self-insurance pool record, as defined under section 44-04-17.1, is subject to chapter 44-04."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2010 - Insurance Department - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$8,076,281	\$11,452,759	(\$784,587)	\$10,668,172	\$10,654,916	\$13,256
Operating expenses	1,507,359	2,903,986	(266,319)	2,637,667	2,445,637	192,030
Capital assets		75,000	72,540	147,540	147,540	
Grants		2,400,000		2,400,000	2,400,000	
Insurance tax payments	20,728,540					
Total all funds	\$30,312,180	\$16,831,745	(\$978,366)	\$15,853,379	\$15,648,093	\$205,286
Less estimated income	30,312,180	16,831,745	(978,366)	15,853,379	15,648,093	205,286
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	38.00	49.00	(2.00)	47.00	46.00	1.00

**Department 401 - Insurance Department - Detail of Conference Committee Changes**

	Adds Funding for Salary and Benefit Increases <sup>1</sup>	Adjusts Salary Equity Funding for Elected Officials <sup>2</sup>	Removes FTE Positions for Fire Marshal <sup>3</sup>	Add Funding for Retirement Changes for Peace Officers <sup>4</sup>	Removes Salary Funding for Funding Pool <sup>5</sup>	Removes Funding for Travel Expenses <sup>6</sup>
Salaries and wages	\$284,102	(\$5,600)	(\$431,599)	\$13,256	(\$644,746)	
Operating expenses			(184,061)			(\$82,258)
Capital assets						
Grants						
Insurance tax payments						
Total all funds	\$284,102	(\$5,600)	(\$615,660)	\$13,256	(\$644,746)	(\$82,258)
Less estimated income	284,102	(5,600)	(615,660)	13,256	(644,746)	(82,258)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	(2.00)	0.00	0.00	0.00

	Adds One-Time Funding for State Fire Marshal Equipment <sup>7</sup>	Total Conference Committee Changes
Salaries and wages		(\$784,587)
Operating expenses		(266,319)
Capital assets	\$72,540	72,540
Grants		
Insurance tax payments		
Total all funds	\$72,540	(\$978,366)
Less estimated income	72,540	(978,366)
General fund	\$0	\$0
FTE	0.00	(2.00)

<sup>1</sup> Salaries and wages funding is adjusted to provide for the 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 same as the House, as follows:

	<u>Other Funds</u>
Salary increase	\$246,975
Health insurance adjustment	<u>37,127</u>
Total	\$284,102

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

<sup>2</sup> Funding is adjusted from special funds for a salary equity increase for the Insurance Commissioner. The salary equity increase is adjusted from \$26,748 to \$21,148, the same as the House version due to salary adjustments of 6 percent on July 1, 2023, and 4 percent on July 1, 2024. The Senate had approved salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024.

<sup>3</sup> Funding of \$615,660 from other funds is removed for 2 FTE deputy fire marshal positions, of which \$431,599 is salaries and wages and \$184,061 is related operating expenses. The House had removed 3 FTE positions for a total of \$911,380. The Senate had added 4 FTE positions for the State Fire Marshal.

<sup>4</sup> Funding is added from other funds for an employer retirement contribution increase due to approval of House Bill No. 1183. The Senate and House did not include this funding.

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

	<u>Other Funds</u>
New FTE positions	(\$407,380)
Vacant FTE positions	<u>(237,366)</u>
Total	(\$644,746)

The House also removed funding for the new and vacant FTE pool.

<sup>6</sup> Funding for travel is reduced by \$82,258 from other funds to provide a total of \$500,000. The House had removed \$182,258.

<sup>7</sup> One-time funding of \$72,540 is added from other funds for State Fire Marshal equipment, the same as the House version.

This amendment also:

- Removes sections transferring any remaining balance from the unsatisfied judgment fund to the insurance regulatory trust fund and providing a contingent effective date for the transfer, the same as the House version. Senate Bill No. 2295 has a section relating to the transfer of the balance in the unsatisfied judgment fund.
- The House added sections amending Sections 26.1-23.1-02 and 26.1-23.1-06 relating to government self-insurance pools. The Conference Committee included the sections but included exceptions to Sections 26.1-26-06, 26.1-26-07, and 26.1-26-13.1 from the amendment to Section 26.1-23.1-02.

Engrossed SB 2010 was placed on the Seventh order of business on the calendar.

#### **REPORT OF CONFERENCE COMMITTEE**

**SB 2238, as engrossed:** Your conference committee (Sens. Lee, Hogan, Weston and Reps. Kreidt, Strinden, B. Anderson) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1071, adopt amendments as follows, and place SB 2238 on the Seventh order:

That the House recede from its amendments as printed on page 1071 of the Senate Journal and page 1230 of the House Journal and that Engrossed Senate Bill No. 2238 be amended as follows:

Page 1, line 1, remove "amend and reenact section 50-11.1-06.2 of the North Dakota Century Code,"

Page 1, line 2, remove "relating to criminal history record checks for early childhood services providers; and to"

Page 1, line 3, after "study" insert "relating to criminal history record checks; and to provide an appropriation"

Page 1, remove lines 5 through 24

Page 2, remove lines 1 through 28

Page 3, after line 6, insert:

**"SECTION 2. APPROPRIATION - DEPARTMENT OF HEALTH AND HUMAN SERVICES - CRIMINAL HISTORY RECORD CHECKS.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$300,000, or so much of the sum as may be necessary, to the department of health and human services for the purpose of salary and wages for personnel to process fingerprints and complete required criminal history record checks and for the purchase of two fingerprint scanners, for the biennium beginning July 1, 2023, and ending June 30, 2025. The department is authorized two full-time equivalent positions to process fingerprints for criminal history record checks."

Renumber accordingly

Engrossed SB 2238 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2371, as engrossed:** Your conference committee (Sens. Sickler, Paulson, Estenson and Reps. Thomas, S. Olson, Schreiber-Beck) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1702-1705, adopt amendments as follows, and place SB 2371 on the Seventh order:

That the House recede from its amendments as printed on pages 1702-1705 of the Senate Journal and pages 1943-1945 of the House Journal and that Engrossed Senate Bill No. 2371 be amended as follows:

Page 1, line 5, replace "and to declare an emergency" with "to provide for a legislative management study; and to provide an expiration date"

Page 1, line 13, after the underscored closing parenthesis insert "or a person identified on the office of foreign assets control sanctions list"

Page 1, line 19, replace "for" with "on"

Page 1, line 19, remove "direct"

Page 2, line 5, after the underscored closing parenthesis insert "or a person identified on the office of foreign assets control sanctions list"

Page 2, line 11, replace "for" with "on"

Page 2, line 11, remove "direct"

Page 2, line 22, remove ", hold,"

Page 2, line 22, after "state" insert "after the effective date of this Act"

Page 2, line 23, remove "government listed as a foreign"

Page 2, line 24, remove "that is:"

Page 2, line 25, replace "(1) Headquartered" with "with a principal executive office located"

Page 2, line 25, after "is" insert "identified as"

Page 2, line 25, remove the underscored semicolon

Page 2, remove lines 26 through 29

Page 2, line 30, remove "which is held or controlled by, a company or entity described in paragraph 3"

Page 2, after line 30, insert:

- "c. A foreign business entity in which a foreign adversary owns:
- (1) More than fifty percent of the total controlling interests or total ownership interests, as defined under section 10-19.1-01, in the foreign business entity, unless the foreign business entity was operating lawfully in the United States on the effective date of this Act; or
  - (2) Fifty percent or less of the total controlling interests or total ownership interests, as defined under section 10-19.1-01, in the foreign business entity, if the foreign adversary directs the business operations and affairs of the foreign business entity without the requirement of consent of any nonforeign adversary, unless the foreign business entity was operating lawfully in the United States on the effective date of this Act."

Page 3, line 1, after "3." insert "When requested by a city council or commission, county commission, or title agent or company, the attorney general shall complete a civil review, to the extent allowable by law, relating to the qualifications of any foreign adversary business entity acquiring real property under subdivision c of subsection 2.

4."

Page 3, line 6, replace "for" with "on"

Page 3, line 6, remove "direct"

Page 3, line 9, replace "4." with:

- "5. A foreign government or foreign business entity subject to and in violation of this section shall divest itself of all real property in this state within thirty-six months after the effective date of this Act.
6. If a foreign government or foreign business entity subject to this section fails to divest itself of all real property in this state within the period specified under subsection 4, the the state's attorney of the county in which the majority of the real property is situated may issue subpoenas to compel witnesses to appear to provide testimony or produce records.
7. Upon receiving testimony and records, if the state's attorney concludes a foreign government or foreign business entity, in violation of this section, has failed to divest ownership of real property as required under this section, the state's attorney shall commence an action in the district court of the county in which the majority of the real property is situated. Once the action is commenced, the state's attorney shall file a notice pursuant to section 28-05-07 with the recorder of each county where the real property subject to the action is situated. If the court finds divestment of real property under this section is proper, the district court shall enter an order consistent with its findings. As part of the order, the court shall cancel the notice pursuant to section 28-05-08.
8. Pursuant to an order for divestment, a foreign government or foreign business entity subject to an order shall divest all real property within six months from the date of the final entry of judgment. A foreign government or foreign business entity that fails to comply with the court's

order is subject to a civil penalty not to exceed twenty-five thousand dollars.

9. Any real property not divested within the period prescribed by law may be sold at a public sale in the manner provided under chapter 32-19 through an action brought by the state's attorney. A title to real property or encumbrance on the real property may not be deemed invalid by an order of divestiture under this section.

10. A person that is not subject to this section may not be required to:

a. Determine whether another person is subject to this section; or

b. Inquire if another person is subject to this section.

11."

Page 3, line 9, replace "subsection" with "section"

Page 3, line 10, after the underscored closing parenthesis insert "or a person identified on the office of foreign assets control sanctions list"

Page 3, replace line 11 with:

**"SECTION 4. LEGISLATIVE MANAGEMENT STUDY - REAL PROPERTY AND COMMERCIAL ASSET OWNERSHIP AND OPERATION OF BUSINESS AND CHARITABLE ENTITIES BY FOREIGN ADVERSARIES.**

1. During the 2023-24 interim, the legislative management shall study the number of persons that own or control any real estate or commercial assets or operate a business within this state which is owned by, controlled by, or subject to the jurisdiction or direction of foreign adversaries or individuals acting on behalf of or in conjunction with foreign adversaries or persons listed on the office of foreign assets control sanctions list.
2. The study must attempt to craft a definition of foreign adversary and ascertain the number of such persons residing in this state which operate a business or a charitable enterprise or have obtained a beneficial interest in real estate, commercial assets, or a business or charitable organization in this state.
3. The study must consider which federal foreign adversary list would be best suited for use for the security of this state and the impact of implementing and using a federally created list.
4. The study must determine how to define, create, and implement a security review verification system that monitors and reviews the actions of foreign adversaries that operate a business or a charitable enterprise or have obtained a beneficial interest in real estate, commercial assets, or a business or charitable organization in this state.
5. The study must:
  - a. Identify optimal methods for state officials to work and collaborate with national intelligence agents at the state and federal level regarding background checks, national security, and state security;
  - b. Outline what constitutes a national security threat and which person or agency has the authority to declare a national security threat and security threat to this state;
  - c. Identify which state agencies are best equipped to create, implement, and operate a security review verification system that monitors and reviews foreign adversaries operating a business or a



charitable enterprise or that have obtained a beneficial interest in real estate, commercial assets, or a business or charitable organization in this state;

- d. Identify the proper structure and function of a security review verification system;
  - e. Identify the individuals and persons eligible to operate a business or a charitable enterprise or that have obtained a beneficial interest in real estate, commercial assets, or a business or charitable organization in this state, under the security review verification system; and
  - f. Identify other necessary changes to current industry practices relating to ownership of real property or commercial assets and the operation of business or charitable entities by a foreign adversary.
6. The study must include under which circumstances, if any, foreign adversaries are prohibited from owning real property in this state, and under which circumstances, if any, foreign adversaries are permitted to own real property in this state.
  7. 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 5. EXPIRATION DATE.** This Act is effective through July 31, 2025, and after that date is ineffective."

Renumber accordingly

Engrossed SB 2371 was placed on the Seventh order of business on the calendar.

#### SIXTH ORDER OF BUSINESS

**SPEAKER D. JOHNSON DEEMED** approval of the amendments to Engrossed SB 2066.

Engrossed SB 2066, as amended, was placed on the Fourteenth order of business on the calendar.

#### MOTION

**REP. ROHR MOVED** that the House reconsider its action whereby Reengrossed HB 1362 failed to pass.

#### REQUEST

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

#### ROLL CALL

The question being on the motion to reconsider the action whereby Reengrossed HB 1362 failed to pass, the roll was called and there were 57 YEAS, 34 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, K.; Bellew; Bosch; Christensen; Cory; Dockter; Dyk; Fisher; Frelich; Hatlestad; Hauck; Headland; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Louser; Marschall; McLeod; Meier; Mock; Motschenbacher; Murphy; Novak; Olson, S.; Porter; Prichard; Pyle; Rios; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Schobinger; Steiner; Stemen; Strinden; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Weisz

**NAYS:** Anderson, B.; Anderson, D.; Beltz; Boschee; Brandenburg; Conmy; Dakane; Davis; Dobervich; Fegley; Finley-DeVilleville; Grueneich; Hager; Hagert; Hanson; Heinert; Ista; Jonas; Longmuir; Martinson; Mitskog; Nathe; Nelson; O'Brien; Olson, J.; Ostlie; Richter; Roers Jones; Sanford; Schneider; Schreiber-Beck; Swiontek; Warrey; Speaker Johnson, D.

**ABSENT AND NOT VOTING:** Bahl; Christy; Monson

The motion prevailed on a recorded roll call vote.

### SECOND READING OF HOUSE BILL

**HB 1362:** A BILL for an Act to create and enact a new section to chapter 14-09 of the North Dakota Century Code, relating to recognizing a parent's interest in their child's upbringing.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 65 YEAS, 26 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bellew; Bosch; Christensen; Cory; Dakane; Dockter; Dyk; Fisher; Frelich; Hatlestad; Hauck; Headland; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Louser; Marschall; Martinson; McLeod; Meier; Mock; Motschenbacher; Nathe; Novak; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Schobinger; Steiner; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigasaa; Wagner; Warrey; Weisz

**NAYS:** Beltz; Boschee; Brandenburg; Conmy; Davis; Dobervich; Fegley; Finley-DeVile; Grueneich; Hager; Hagert; Hanson; Heinert; Ista; Jonas; Longmuir; Mitskog; Murphy; Nelson; O'Brien; Richter; Sanford; Schneider; Schreiber-Beck; Stemen; Speaker Johnson, D.

**ABSENT AND NOT VOTING:** Bahl; Christy; Monson

Reengrossed HB 1362 passed.

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### MOTION

**REP. BOSCH MOVED** that HB 1015, which is on the Seventh order, be laid over one legislative day, which motion prevailed.

### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. THOMAS MOVED** that the conference committee report on Engrossed SB 2371 as printed on HJ pages 2388-2391 be adopted, which motion prevailed on a voice vote.

### SECOND READING OF SENATE BILL

**SB 2371:** A BILL for an Act to create and enact a new section to chapter 11-11 and a new section to chapter 40-05 of the North Dakota Century Code, relating to the power of counties and municipalities to prohibit local development by a foreign adversary; to amend and reenact section 47-01-09 of the North Dakota Century Code, relating to the prohibition on ownership of real property by a foreign adversary; to provide for a legislative management study; and to provide an expiration 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 83 YEAS, 8 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Conmy; Davis; Finley-DeVille; Hager; Hanson; Mitskog; O'Brien; Schreiber-Beck

**ABSENT AND NOT VOTING:** Bahl; Christy; Monson

Engrossed SB 2371, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. KREIDT MOVED** that the conference committee report on Engrossed SB 2238 as printed on HJ pages 2387-2388 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2238:** A BILL for an Act to provide for a legislative management study relating to criminal history record checks; and to provide an appropriation.

**ROLL CALL**

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; 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:** Bellew

**ABSENT AND NOT VOTING:** Bahl; Christy; Monson

Engrossed SB 2238, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. MEIER MOVED** that the conference committee report on Engrossed SB 2010 as printed on HJ pages 2385-2387 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2010:** A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; to amend and reenact sections 26.1-01-09, 26.1-23.1-02, and 26.1-23.1-06 of the North Dakota Century Code, relating to the salary of the insurance commissioner and government self-insurance pools.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 82 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Beltz; Bosch; Boschee; Brandenburg; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; 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; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Bellew; Christensen; Dyk; Heilman; Henderson; Hoverson; Prichard; Schatz; VanWinkle

**ABSENT AND NOT VOTING:** Bahl; Christy; Monson

Engrossed SB 2010, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. M. RUBY MOVED** that the conference committee report on Engrossed HB 1538 as printed on HJ pages 2383-2385 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1538:** A BILL for an Act to create and enact a new section to chapter 20.1-02 and a new section to chapter 20.1-03 of the North Dakota Century Code, relating to fishing contests, surcharge fees, and the fishing conservation fund; to amend and reenact subsection 20 of section 20.1-02-05 of the North Dakota Century Code, relating to the powers of the director of the game and fish department; to provide a continuing appropriation; 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 85 YEAS, 6 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bellew; Beltz; Bosch; Brandenburg; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Mitskog; Mock; 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; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Boschee; Christensen; Hanson; Meier; Schneider; Tveit

**ABSENT AND NOT VOTING:** Bahl; Christy; Monson

Reengrossed HB 1538 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. D. RUBY MOVED** that the conference committee report on Engrossed HB 1413 as printed on HJ page 2383 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1413:** A BILL for an Act to provide for a legislative management study relating to accumulator adjustment programs.

#### 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, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Jonas; Karls; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; 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:** Johnson, J.; Kasper

**ABSENT AND NOT VOTING:** Bahl; Christy; Monson

Reengrossed HB 1413 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. HEADLAND MOVED** that the conference committee report on HB 1158 as printed on HJ page 2377-2383 be adopted.

#### REQUEST

**REP. STEINER REQUESTED** a verification vote, which request was granted.

The question being on the motion to adopt the conference committee report on HB 1158, the conference committee report on HB 1158 was adopted on a verification vote.

#### SECOND READING OF HOUSE BILL

**HB 1158:** A BILL for an Act to create and enact two new sections to chapter 57-02 of the North Dakota Century Code, relating to a property tax credit for property used as a primary residence; to amend and reenact subsection 1 of section 57-02-08.1 and subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to the homestead tax credit and income tax rates for individuals, estates, and trusts; to provide for a legislative management study; to provide for a legislative management report; to provide an appropriation; to provide an effective date; and to provide an expiration 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 84 YEAS, 6 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**NAYS:** Dakane; Davis; Kasper; Ruby, D.; Schatz; Swiontek

**ABSENT AND NOT VOTING:** Bahl; Christy; Martinson; Monson

Engrossed HB 1158 passed.

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#### ANNOUNCEMENT

**SPEAKER D. JOHNSON ANNOUNCED** that the House will stand in recess until 5:00 p.m.

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

#### REPORT OF CONFERENCE COMMITTEE

**HB 1519, as engrossed:** Your conference committee (Sens. Conley, Kreun, Davison and Reps. O'Brien, Nathe, Mitskog) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1682-1685, adopt amendments as follows, and place HB 1519 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1682-1685 of the House Journal and pages 1435-1437 of the Senate Journal and that Engrossed House Bill No. 1519 be amended as follows:

Page 1, line 1, remove "department of transportation, department of"

Page 1, line 2, remove "health and human services,"

Page 1, line 2, replace ", department of" with "and"

Page 1, line 3, replace ", and industrial commission" with "commissioner"

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

Page 1, remove lines 6 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 8

Page 3, line 9, after the second boldfaced dash insert **"STRATEGIC INVESTMENT AND IMPROVEMENTS FUND -"**

Page 3, line 13, replace "\$250,000" with "\$475,000"

Page 3, line 18, replace "section" with "subsection"

Page 3, line 19, after "2." insert "There is appropriated from the strategic investment and improvements fund, not otherwise appropriated, the sum of \$12,500, or so much of the sum as may be necessary, to the department of career and technical education for the purpose of administering the grant program in subsection 1 of section 1 of this Act, for the biennium beginning July 1, 2023, and ending June 30, 2025. The funding provided in this subsection is considered a one-time funding item.

3."

Page 3, line 28, replace "3." with "4."

Page 3, line 28, remove "to purchase or lease uncrewed"

Page 3, remove lines 29 and 30

Page 3, line 31, remove "autonomous technologies;"

Page 4, line 6, replace "4." with "5."

Page 4, line 10, after the second boldfaced dash insert **"STRATEGIC INVESTMENT AND IMPROVEMENTS FUND -"**

Page 4, line 11, remove **"DEPARTMENT OF"**

Page 4, line 11, after **"AGRICULTURE"** insert **"COMMISSIONER"**

Page 4, line 14, replace "\$250,000" with "\$275,000"

Page 4, line 15, remove "department of"

Page 4, line 15, after "agriculture" insert "commissioner"

Page 4, line 18, replace "section" with "subsection"

Page 4, line 20, after "2." insert "There is appropriated from the strategic investment and improvements fund, not otherwise appropriated, the sum of \$12,500, or so much of the sum as may be necessary, to the agriculture



DHHS - Other						
Total all funds	\$0	\$250,000	(\$250,000)	\$0	\$0	\$0
Less estimated income	0	250,000	(250,000)	0	0	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Industrial Commission						
Total all funds	\$0	\$250,000	(\$250,000)	\$0	\$0	\$0
Less estimated income	0	250,000	(250,000)	0	0	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Emergency Services						
Total all funds	\$0	\$0	\$0	\$0	\$0	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Agriculture						
Total all funds	\$0	\$250,000	\$37,500	\$287,500	\$0	\$287,500
Less estimated income	0	250,000	37,500	287,500	0	287,500
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Department of Transportation						
Total all funds	\$0	\$250,000	(\$250,000)	\$0	\$0	\$0
Less estimated income	0	250,000	(250,000)	0	0	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Bill total						
Total all funds	\$0	\$1,250,000	(\$475,000)	\$775,000	\$750,000	\$25,000
Less estimated income	0	1,250,000	(475,000)	775,000	750,000	25,000
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**House Bill No. 1519 - Dept. of Career and Technical Education - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Unmanned aircraft system grants		\$250,000	\$237,500	\$487,500	\$750,000	(\$262,500)
Total all funds	\$0	\$250,000	\$237,500	\$487,500	\$750,000	(\$262,500)
Less estimated income	0	250,000	237,500	487,500	750,000	(262,500)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department 270 - Dept. of Career and Technical Education - Detail of Conference Committee Changes**

	Adjusts Funding for UAS Grants <sup>1</sup>	Total Conference Committee Changes
Unmanned aircraft system grants	\$237,500	\$237,500
Total all funds	\$237,500	\$237,500
Less estimated income	237,500	237,500
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> Funding of \$237,500, of which \$225,000 is from federal funds derived from the State Fiscal Recovery Fund and \$12,500 is from the strategic investment and improvements fund (SIIF), is added to the Department of Career and Technical Education for autonomous technology grants to provide total funding of \$487,500, of which \$475,000 is from the State Fiscal Recovery Fund and \$12,500 is from SIIF for administration of the grant program. The House provided \$250,000, and the Senate provided \$750,000 from the State Fiscal Recovery Fund.





**Department 602 - Department of Agriculture - Detail of Conference Committee Changes**

	Adjusts Funding for UAS Grants <sup>1</sup>	Total Conference Committee Changes
Unmanned aircraft system grants	\$37,500	\$37,500
Total all funds	\$37,500	\$37,500
Less estimated income	37,500	37,500
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> Funding of \$37,500, of which \$25,000 is from federal funds derived from the State Fiscal Recovery Fund and \$12,500 is from SIIF, is added to the Agriculture Commissioner for autonomous technology grants to provide total funding of \$287,500, of which \$275,000 is from the State Fiscal Recovery Fund and \$12,500 is from SIIF for administration of the grant program. The House provided \$250,000 from the State Fiscal Recovery Fund, and the Senate removed the funding.

**House Bill No. 1519 - Department of Transportation - Conference Committee Action**

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

**Department 801 - Department of Transportation - Detail of Conference Committee Changes**

	Removes Funding for UAS Grants <sup>1</sup>	Total Conference Committee Changes
Unmanned aircraft system grants	(\$250,000)	(\$250,000)
Total all funds	(\$250,000)	(\$250,000)
Less estimated income	(250,000)	(250,000)
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> Funding of \$250,000 from federal funds derived from the State Fiscal Recovery Fund to the Department of Transportation for autonomous technology grants is removed. The House provided \$250,000, and the Senate removed the funding.

Engrossed HB 1519 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2248, as reengrossed:** Your conference committee (Sens. Sickler, Larson, Myrdal and Reps. Klemin, Cory, Stemen) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1536, adopt amendments as follows, and place SB 2248 on the Seventh order:

That the House recede from its amendments as printed on page 1536 of the Senate Journal and page 1749 of the House Journal and that Reengrossed Senate Bill No. 2248 be amended as follows:

Page 1, line 1, after the comma insert "and"

Page 1, line 2, remove "and a new section to chapter 50-06,"

Page 1, line 3, replace the first comma with "and"

Page 1, line 3, remove ", and an opioid"

Page 1, line 4, remove "settlement fund"

Page 1, line 4, after the first semicolon insert "to provide a statement of legislative intent regarding fentanyl awareness expansion; and"

Page 1, line 4, remove "; and to provide an appropriation"

Page 2, line 22, after "**management**" insert "**- Fentanyl awareness campaign**"

Page 2, line 23, remove "As used in this section:"

Page 2, remove lines 24 through 30

Page 3, remove lines 1 through 12

Page 3, line 13, remove "d."

Page 3, line 13, replace "attorney general" with "department of health and human services"

Page 3, line 16, after "year" insert ", including the county in which the deaths occurred and the age and gender of the deceased individuals"

Page 3, line 16, remove "The attorney general shall"

Page 3, line 17, replace "make the report available on the attorney general's website" with:

- "2. The department of health and human services shall make the data reported under subsection 1 available to the public by:
  - a. Making the information easily accessible on the department's government website;
  - b. Publishing easily comprehensible printed materials on fentanyl awareness, information, and resources;
  - c. Placing visible billboards in high-traffic areas to inform the public of the dangers of fentanyl; and
  - d. Developing a media and social media campaign to expand statewide awareness of fentanyl drug deaths and the fentanyl overdose epidemic occurring within the state"

Page 3, remove lines 18 through 28

Page 3, line 29, remove "**APPROPRIATION -**"

Page 3, line 30, remove "There is appropriated out of any moneys from the"

Page 3, remove line 31

Page 4, remove lines 1 and 2

Page 4, line 3, replace "the biennium beginning July 1, 2023, and ending June 30, 2025" with "Best practices relating to fentanyl drug overdose by the department of health and human services as provided in section 3 of House Bill No. 1447, as approved by the sixty-eighth legislative assembly, includes providing and expanding statewide awareness of fentanyl drug deaths and the fentanyl overdose epidemic, communication strategies and campaigns, access to naloxone, and other strategies as provided under section 2 of this Act, for the biennium beginning July 1, 2023, and ending June 30, 2025"

ReNUMBER accordingly

Reengrossed SB 2248 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2304, as engrossed:** Your conference committee (Sens. Luick, Paulson, Sickler and Reps. Koppelman, Thomas, Warrey) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1733-1738, adopt amendments as follows, and place SB 2304 on the Seventh order:

That the House recede from its amendments as printed on pages 1733-1738 of the Senate Journal and pages 2017-2023 of the House Journal and that Engrossed Senate Bill No. 2304 be amended as follows:

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

Page 1, line 1, after "53-06.1-01" insert "and 53-06.1-03, subsection 3 of section 53-06.1-10.1, subsection 5 of section 53-06.1-11, and subsection 10 of section 53-06.1-15.1"

Page 1, line 2, after "to" insert "the definitions of alcoholic beverage establishment and manufacturer, approval for a gaming site authorization and licensure, the maximum number of gaming sites allowed, the maximum number of pull tab devices allowed at a site,"

Page 1, line 2, after "establishments" insert ", electronic fifty-fifty raffles, rent limits for electronic pull tab devices, and the imposition of monetary fines for violations by third-party businesses; to provide for a legislative management study; to provide an effective date; and to declare an emergency"

Page 1, line 11, after the second "establishment" insert "licensed under chapter 5-02"

Page 1, line 12, replace ". This" with "by guests on the premises. The term"

Page 1, line 12, replace "an off-sale" with "a"

Page 1, line 13, remove "An alcoholic beverage"

Page 1, removes lines 14 through 16

Page 3, line 2, after the second comma insert "electronic pull tab device operating system."

Page 3, line 3, overstrike "a fifty-fifty" and insert immediately thereafter "electronic"

Page 3, line 5, after "device" insert "or system"

Page 4, after line 11, insert:

**"SECTION 2. AMENDMENT.** Section 53-06.1-03 of the North Dakota Century Code is amended and reenacted as follows:

**53-06.1-03. Permits, site authorization, and licenses - Organization requirements - Site inspection.**

1. Except as authorized by the attorney general, an organization that has its license suspended or revoked, or has relinquished or not renewed its license and not disbursed its net proceeds, is ineligible for a license or permit. Only one of two or more closely related organizations may have a license or permit at one time. A college or university fraternity, sorority, or club is not closely related to an educational organization. An organization shall apply for a permit as follows:
  - a. An organization recognized as a public-spirited organization by the governing body of a city or county may apply for permits. A local permit may allow the organization to conduct only raffles, bingo, or sports pools. A restricted event permit may allow the organization to conduct only raffles, bingo, sports pools, paddlewheels, twenty-one, and poker. The organization or closely related organizations as a whole may only award a primary prize that does not exceed eight

thousand dollars and total prizes of all games do not exceed forty thousand dollars per year. These maximum prize amounts do not apply to raffles conducted under chapter 20.1-08. The determination of what is a "public-spirited organization" is within the sole discretion of the governing body. An organization shall disclose on the application its intended use of the net income from the gaming activity. A governing body may issue a permit for games to be held at designated times and places.

- b. An organization shall apply to the governing body of the city or county in which the proposed site is located. Application must be made on a form prescribed by the attorney general. Approval may be granted at the discretion of the governing body. A governing body may establish a fee not to exceed twenty-five dollars for each permit. A permit must be on a fiscal year basis from July first to June thirtieth or on a calendar-year basis.
  - c. An organization that has a local permit or a restricted event permit may use the net income from the gaming activity for any purpose that does not violate this chapter or gaming rules, unless the organization is a state political party or legislative district party committee, the organization may use the net income from a raffle for a political purpose. For purposes of this subdivision, a public-spirited use includes a political purpose.
  - d. An organization that has a restricted event permit is restricted to one event per year and:
    - (1) May not pay remuneration to employees for personal services;
    - (2) Shall use chips as wagers;
    - (3) Shall redeem a player's chips for merchandise prizes or cash;
    - (4) Shall disburse net income to eligible uses referenced in subdivision c, if applicable, and in section 53-06.1-11.1; and
    - (5) Shall file a report prescribed by the attorney general with the governing body and attorney general.
2. An eligible organization shall apply for a license to conduct only bingo, electronic quick shot bingo, raffles, calcuttas, pull tabs, punchboards, twenty-one, paddlewheels, poker, or sports pools by:
- a. First securing approval for a site authorization from the governing body of the city or county in which the proposed site is located. Approval, which may be granted at the discretion of the governing body, must be recorded on a site authorization form that is to accompany the license application to the attorney general for final approval. An eligible organization may request a specific site location on the site authorization form.
    - (1) A governing body ~~may~~:
      - (a) May not require an eligible organization to donate net proceeds to the city, county, or related political subdivision or for community programs or services within the city or county as a condition for receiving a site authorization from the city or county. ~~A governing body may~~;
      - (b) May not deny a site authorization solely because the eligible organization has not conducted gaming at the site;

- (c) May not require that an eligible organization be located at a specific site as a condition of site authorization;
  - (d) May limit the type of games and the number of electronic pull tab devices or tables for the game of twenty-one per site, and the number of sites upon which a licensed organization may conduct games within the city or county-  
A governing body may; and
  - (e) May charge a one hundred dollar fee for a site authorization; and.
- (2) This subsection may not be construed to prohibit a governing body from:
- (a) Creating and enforcing rules that are more stringent than state law regarding charitable gaming as otherwise permitted in code; or
  - (b) Denying a site authorization for just cause, including, after consultation with the attorney general, a violation of state law or local rules.
- b. Annually applying for a license from the attorney general before July first on a form prescribed by the attorney general and remitting a one hundred fifty dollar license fee for each city or county that approves a site authorization. However, the attorney general may allow an organization that only conducts a raffle or calcutta in two or more cities or counties to annually apply for a consolidated license and remit a one hundred fifty dollar license fee for each city or county in which a site is located. An organization shall document that it qualifies as an eligible organization. If an organization amends its primary purpose as stated in its articles of incorporation or materially changes its basic character, the organization shall reapply for licensure. The attorney general may deny issuance of a license or deny renewal of a license to an eligible organization that has obtained approval of site authorization under subdivision a, if the organization or site are not in compliance with applicable laws and rules.
3. A licensed organization or organization that has a permit shall conduct games as follows:
- a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:
    - (1) When the area for the raffle is physically separated from the area where games are conducted by the regular organization.
    - (2) Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the attorney general.
  - b. Except for a temporary site authorized for fourteen or fewer consecutive days for not more than two events per quarter or a licensed organization authorized on or before January 1, 2023, to conduct gaming at more than fifteen sites, a licensed organization, including a closely related organization, may not have more than ~~twenty-five~~fifteen sites ~~unless granted a waiver by the attorney general. If the attorney general finds that there is no other licensed organization interested in conducting gaming at a site for which a~~

~~waiver is being sought, the attorney general may approve the waiver for no more than five sites.~~

- c. Games of electronic quick shot bingo, electronic pull tabs, pull tabs, punchboards, twenty-one, paddlewheels, poker, and sports pools may be conducted only during the hours when alcoholic beverages may be dispensed according to applicable regulations of the state, county, or city. Electronic pull tabs must be conducted in a designated area where patrons must be twenty-one years of age or older to enter.
  - d. An organization may not permit a person under twenty-one years of age to directly or indirectly play pull tabs, punchboards, twenty-one, calcuttas, sports pools, paddlewheels, or poker. An organization may not permit an individual under eighteen years of age to directly or indirectly play electronic quick shot bingo. An organization may not permit an individual under eighteen years of age to directly or indirectly play bingo unless the individual is accompanied by an adult, bingo is conducted by an organization that has a permit, or the game's prize structure does not exceed that allowed for a permit.
  - e. An organization may not install more than ten electronic pull tab devices at a site.
  - f. An organization with more than fifteen licensed sites under subdivision b may not increase its number of sites beyond the number of sites licensed as of January 1, 2023.
  - g. An organization conducting gaming at an authorized site on January 1, 2023, may continue to operate gaming, including as provided under subsection 1 of section 53-06.1-06, at the authorized site regardless of whether the authorized site is an alcoholic beverage establishment as defined under section 53-06.1-01.
4. A permit, or site authorization and license, must be displayed at a site.
  5. The attorney general may issue a conditional license to an eligible organization whose regularly issued license has expired or been suspended, revoked, or relinquished. The attorney general shall designate the time period for which the conditional license is valid and may impose any conditions.
  6. A governing body or local law enforcement official may inspect a site's gaming equipment and examine or cause to be examined any gaming-related books and records of a licensed organization or organization that has a permit.

**SECTION 3. AMENDMENT.** Subsection 3 of section 53-06.1-10.1 of the North Dakota Century Code is amended and reenacted as follows:

3. An organization permitted to conduct raffles in this state may conduct ~~aan electronic~~ fifty-fifty raffle either by manual drawing or by using a random number generator. ~~Fifty-fifty~~Electronic fifty-fifty raffle tickets must be sold and drawings held onsite at the location of and on the date of the event. ~~Fifty-fifty~~Electronic fifty-fifty raffles may not be conducted online over the internet.

**SECTION 4. AMENDMENT.** Subsection 5 of section 53-06.1-11 of the North Dakota Century Code is amended and reenacted as follows:

5. For a site where bingo is not the primary game:
  - a. If twenty-one or paddlewheels is conducted, the monthly rent may not exceed two hundred dollars multiplied by the necessary number of tables based on criteria prescribed by gaming rule. For each

twenty-one table with a wager greater than five dollars, an additional amount up to one hundred dollars may be added to the monthly rent. If pull tabs is also conducted involving only a jar bar, the monthly rent for pull tabs may not exceed an additional one hundred seventy-five dollars. If pull tabs is conducted involving only a dispensing device or a jar bar and dispensing device, the monthly rent for pull tabs may not exceed an additional three hundred twenty-five dollars.

- b. If twenty-one and paddlewheels are not conducted but pull tabs is conducted involving either a jar bar or dispensing device, the monthly rent may not exceed four hundred dollars.
- c. If pull tabs is conducted using one or more electronic pull tab devices, the monthly rent may not exceed ~~an additional~~ one hundred ~~seventy-five~~ dollars per machine for the first five machines in the same venue. For each additional machine in the same venue beyond five, the monthly rent may not exceed ~~an additional~~ ~~fifty~~ ~~seventy-five~~ dollars per machine up to a maximum of one thousand ~~one~~ ~~two~~ hundred ~~twenty-five~~ ~~fifty~~ dollars per month for all electronic pull tab devices in a single venue.

**SECTION 5. AMENDMENT.** Subsection 10 of section 53-06.1-15.1 of the North Dakota Century Code is amended and reenacted as follows:

10. Impose a monetary fine on a licensed organization, organization that has a permit, distributor, ~~or manufacturer, or third-party business operating gaming and working as an agent of the charity~~ for failure to comply with this chapter or any gaming rule. The monetary fine for each violation by an organization is a minimum of twenty-five dollars and may not exceed two percent of the organization's average quarterly gross proceeds, or five thousand dollars, whichever is greater. The monetary fine for each violation by a distributor is a minimum of one hundred dollars and may not exceed five thousand dollars. The monetary fine for each violation by a manufacturer is a minimum of five hundred dollars and may not exceed two hundred fifty thousand dollars. This fine may be in addition to or in place of a license suspension or revocation.

**SECTION 6. LEGISLATIVE MANAGEMENT STUDY - CHARITABLE GAMING.**

1. During the 2023-24 interim, the legislative management shall study statewide charitable gaming comprehensively. The study must include input from the attorney general, stakeholders from large and small charitable organizations, local political subdivisions that authorize sites, gaming equipment manufacturers and distributors, gambling addiction counselors, and other industry leaders. The study must also include:
  - a. An evaluation of the economic impact of charitable gaming on the state in urban and rural areas;
  - b. An evaluation of gambling addiction and treatment services currently available;
  - c. An evaluation of the civic benefit of charitable gaming to the communities most closely related to the gaming sites;
  - d. An evaluation of how site authorization is approved and renewed, including whether charities have equitable access to sites;
  - e. An evaluation of the gaming tax structure;
  - f. An evaluation of public support for charitable gaming;
  - g. An evaluation of statewide local restrictions placed on charitable gaming;



- h. An evaluation of gaming expansion;
  - i. An evaluation of site locations where gaming is taking place;
  - j. An evaluation of charitable gaming proceeds and the eligible uses of gaming proceeds, including the percentage of proceeds that may be used for administration;
  - k. An evaluation of the categories of organizations that are allowed to conduct charitable gaming, including the missions of such organizations;
  - l. An evaluation of the placement of gaming activity within a gaming site, including electronic pull tab device placement;
  - m. An evaluation of the rental rate paid by organizations to alcoholic beverage establishments; and
  - n. An evaluation of the authority of the attorney general to regulate alcoholic beverage establishments.
2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

**SECTION 7. EFFECTIVE DATE.** This Act becomes effective on June 30, 2023.

**SECTION 8. EMERGENCY.** This Act is declared to be an emergency measure."

ReNUMBER accordingly

Engrossed SB 2304 was placed on the Seventh order of business on the calendar.

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. KOPPELMAN MOVED** that the conference committee report on Engrossed SB 2304 as printed on HJ pages 2402-2407 be adopted, which motion prevailed on a voice vote.

#### **SECOND READING OF SENATE BILL**

**SB 2304:** A BILL for an Act to amend and reenact sections 53-06.1-01 and 53-06.1-03, subsection 3 of section 53-06.1-10.1, subsection 5 of section 53-06.1-11, and subsection 10 of section 53-06.1-15.1 of the North Dakota Century Code, relating to the definitions of alcoholic beverage establishment and manufacturer, approval for a gaming site authorization and licensure, the maximum number of gaming sites allowed, the maximum number of pull tab devices allowed at a site, gaming licenses for alcoholic beverage establishments, electronic fifty-fifty raffles, rent limits for electronic pull tab devices, and the imposition of monetary fines for violations by third-party businesses; 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, the roll was called and there were 81 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Anderson, K.; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; 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; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Vetter; Vigasaa; Wagner; Warrey;

Weisz; Speaker Johnson, D.

**NAYS:** Anderson, B.; Bahl; Bellew; Davis; Finley-DeVilleville; Hager; Hoverson; Longmuir; Ruby, D.; Tveit; VanWinkle

**ABSENT AND NOT VOTING:** Christy; Roers Jones

Engrossed SB 2304, as amended, passed and the emergency clause was declared carried.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. KLEMIN MOVED** that the conference committee report on Reengrossed SB 2248 as printed on HJ pages 2400-2401 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2248:** A BILL for an Act to create and enact a new section to chapter 19-03.1, and section 19-03.1-23.6 of the North Dakota Century Code, relating to a special penalty for death or injury through distribution of illegal drugs and fentanyl reporting; to provide a statement of legislative intent regarding fentanyl awareness expansion; 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 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-DeVilleville; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**ABSENT AND NOT VOTING:** Christy; Roers Jones

Reengrossed SB 2248, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. O'BRIEN MOVED** that the conference committee report on Engrossed HB 1519 as printed on HJ pages 2395-2400 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1519:** A BILL for an Act to provide appropriations to the department of career and technical education and agriculture commissioner for uncrewed aircraft system, autonomous vehicle, or other autonomous technology grants; to provide for a legislative management study; and to provide a 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 82 YEAS, 10 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; Fegley; Finley-DeVilleville; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson;

Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Bellew; Christensen; Dyk; Heilman; Henderson; Hoverson; Prichard; Schatz; Timmons; VanWinkle

**ABSENT AND NOT VOTING:** Christy; Roers Jones

Reengrossed HB 1519 passed.

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### SECOND READING OF SENATE BILL

**SB 2136:** A BILL for an Act to amend and reenact subsection 1 of section 57-02-08.1 of the North Dakota Century Code, relating to the homestead tax credit; to provide an appropriation; and to provide an effective date.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 23 YEAS, 69 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Boschee; Dakane; Davis; Dobervich; Finley-DeVile; Hager; Hanson; Henderson; Ista; Kasper; McLeod; Mitskog; Mock; Monson; Nathe; Prichard; Rios; Rohr; Ruby, D.; Schatz; Schneider; Swiontek

**NAYS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Brandenburg; Christensen; Conmy; Cory; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Holle; Hoverson; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Motschenbacher; Murphy; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Ruby, M.; Sanford; Satrom; Schauer; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**ABSENT AND NOT VOTING:** Christy; Roers Jones

Reengrossed SB 2136 failed.

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### SECOND READING OF SENATE BILL

**SB 2066:** A BILL for an Act to create and enact two new sections to chapter 57-02 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to a property tax credit for property used as a primary residence and calculation of individual income tax based on general fund revenues; to amend and reenact subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to the imposition of a flat income tax rate for individuals, estates, and trusts; to provide an effective date; and to provide an expiration date.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 20 YEAS, 72 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Dakane; Grueneich; Headland; Henderson; Holle; Kasper; Kempenich; Mitskog; Mock; Motschenbacher; Nathe; Prichard; Steiner; Stemen; Swiontek; Toman; Tveit; VanWinkle; Warrey

**NAYS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVile; Fisher; Frelich; Hager; Hagert; Hanson; Hatlestad; Hauck; Heilman;

Heinert; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Monson; Murphy; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Strinden; Thomas; Timmons; Vetter; Vigesaa; Wagner; Weisz; Speaker Johnson, D.

**ABSENT AND NOT VOTING:** Christy; Roers Jones

Reengrossed SB 2066, as amended, failed.

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**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has amended and subsequently failed to pass: SB 2066.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has failed to pass, unchanged: SB 2136.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1540.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1540**

Page 3, line 14, after "**WORKPLACE**" insert "**- ONE-TIME FUNDING**"

Page 3, line 22, after "\$3,000,000" insert ", which is considered a one-time funding item,"

Page 3, line 29, after "\$5,000,000" insert ", which is considered a one-time funding item,"

Page 3, line 30, after "\$7,000,000" insert ", which is considered a one-time funding item,"

Page 4, line 4, after "\$3,000,000" insert ", which is considered a one-time funding item,"

Page 4, line 5, after "\$1,000,000" insert ", which is considered a one-time funding item,"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1540 - Summary of Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Office of Management and Budget				
Total all funds	\$0	\$3,000,000	\$0	\$3,000,000
Less estimated income	0	0	0	0
General fund	\$0	\$3,000,000	\$0	\$3,000,000
FTE	0.00	0.00	0.00	0.00
DHHS - Other				
Total all funds	\$0	\$62,600,000	\$0	\$62,600,000
Less estimated income	0	0	0	0
General fund	\$0	\$62,600,000	\$0	\$62,600,000
FTE	0.00	0.00	0.00	0.00
Bill total				
Total all funds	\$0	\$65,600,000	\$0	\$65,600,000
Less estimated income	0	0	0	0
General fund	\$0	\$65,600,000	\$0	\$65,600,000
FTE	0.00	0.00	0.00	0.00

## Department 325 - DHHS - Other - Detail of Senate Changes

	Identifies One-Time Funding Items <sup>1</sup>	Total Senate Changes
Child care assistance		
Total all funds	\$0	\$0
Less estimated income	0	0
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> The following items are adjusted from ongoing to one-time funding items:

	General Fund
Quality tiers in child care assistance program	\$3,000,000
Employer-led child care cost-share program	5,000,000
Grants and shared services	7,000,000
Quality infrastructure for providers	3,000,000
Background check automation	1,000,000
Total	\$19,000,000

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1325.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1118.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2107, and the President has appointed as a new conference committee to act with a like committee from the House on:

**SB 2107:** Sens. Larson; Myrdal; Paulson

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has appointed Sen. Meyer to replace Sen. Rust on the Conference Committee on SB 2013.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has appointed Sen. Meyer to replace Sen. Rust on the Conference Committee on SB 2019.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report on: HB 1313.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report on: SB 2335.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1158, HB 1362, HB 1413, HB 1538.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1519.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2018, SB 2089, SB 2196, SB 2334.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2010, SB 2238, SB 2371.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2248.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1003, HB 1012.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2016, SB 2330.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2304.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report on: HB 1007, HB 1480.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report on: HCR 3033.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2010, SB 2238, SB 2371.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2248.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1013, HB 1024, HB 1225, HB 1231, HB 1341, HB 1508, HB 1536.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1008, HB 1168, HB 1297, HB 1415, HB 1539.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1158.

**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 2304.

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

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1003, HB 1010, HB 1012.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1313.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** Your signature is respectfully requested on: HB 1391, HB 1487, HB 1501.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** Your signature is respectfully requested on: HB 1040.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** Your signature is respectfully requested on: SB 2024, SB 2129, SB 2170, SB 2181.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HB 1040.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HB 1391, HB 1487, HB 1501.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The Speaker has signed: HB 1040.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The Speaker has signed: HB 1391, HB 1487, HB 1501.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The Speaker has signed: SB 2024, SB 2129, SB 2170, SB 2181.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2024, SB 2129, SB 2170, SB 2181, SB 2198, SB 2265, SB 2328, SB 2345.

#### **DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 26, 2023: HB 1002, HB 1239, HB 1310, HB 1371, HB 1477.

#### **DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bill was delivered to the Governor for approval on April 26, 2023: HB 1040.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has overridden the Governor's veto on SB 2360. The vote was 33 YEAS, 14 NAYS, 0 ABSENT AND NOT VOTING, and your favorable consideration is requested.

#### **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 27, 2023, which motion prevailed.

#### **REPORT OF CONFERENCE COMMITTEE**

**HB 1497, as engrossed:** Your conference committee (Sens. Paulson, Sickler, Luick and Reps. Klemin, Satrom, Schneider) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1489-1492 and place HB 1497 on the Seventh order.

Engrossed HB 1497 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**

