

## JOURNAL OF THE SENATE

## Sixty-eighth Legislative Assembly

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Bismarck, April 3, 2023

The Senate convened at 1:00 p.m., with President Miller presiding.

The prayer was offered by Pastor Keith Ritchie, Cornerstone Community Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

**MOTION**

**SEN. BOEHM MOVED** that the Senate reconsider its action whereby Engrossed HB 1446, as amended, passed.

**REQUEST**

**SEN. BOEHM REQUESTED** a recorded roll call vote, which request was granted.

**ROLL CALL**

The question being on the motion to reconsider the action whereby Engrossed HB 1446, as amended, passed, the roll was called and there were 23 YEAS, 24 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Boehm; Clemens; Davison; Dwyer; Elkin; Estenson; Klein; Larsen; Lee; Lemm; Luick; Magrum; Myrdal; Patten; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Weber; Weston; Wobbema

**NAYS:** Barta; Beard; Bekkedahl; Braunberger; Burckhard; Cleary; Conley; Dever; Erbele; Hogan; Hogue; Kannianen; Kessel; Krebsbach; Kreun; Larson; Mathern; Meyer; Paulson; Piepkorn; Sickler; Sorvaag; Vedaa; Wanzek

The motion failed on a recorded roll call vote.

**REPORT OF STANDING COMMITTEE**

**HB 1254, as engrossed: Human Services Committee (Sen. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1254 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 11, after "2." insert "\"Mental health professional\" is defined pursuant to subsection 11 of section 25-03.1-02.

3."

Page 1, after line 12, insert:

4. "Pre-pubertal" means an individual who has not yet entered puberty.

5. "Puberty" means the period of a minor's development during which secondary sex characteristics start to developing."

Page 1, line 13, replace "3." with "6."

Page 2, line 1, remove "Prescribe, dispense, administer, or otherwise supply any drug that has the"

Page 2, remove lines 2 through 6

Page 2, line 7, remove "d."

Page 2, after line 8, insert:

d. Prescribe supraphysiologic doses of testosterone to females; or

e. Prescribe supraphysiologic doses of estrogen to males."

Page 2, line 9, after "2." insert "Except as provided in section 12.1-36.1-03, a health care provider may not prescribe puberty-blocking medication to any minor unless:

a. The minor has received mental health care for at least twelve consecutive months prior, as documented by a mental health professional; and

b. The minor has begun to experience puberty, as documented by a medical provider.

3. Except as provided in section 12.1-36.1-03, a health care provider may not, for the purpose of changing the sex of a pre-pubertal, engage in prescribing, dispensing, administering, or otherwise supplying any drug for the purpose of aligning the pre-pubertal's sex with the pre-pubertal's perception of the pre-pubertal's sex when the perception is inconsistent with the pre-pubertal's sex, including puberty-blocking medication to stop normal puberty.

4."

Page 2, line 10, replace "d" with "c"

Page 2, line 11, replace "Subdivision c" with "Subdivisions d or e"

Page 2, line 11, after "1" insert ", subsection 2, or subsection 3"

Page 2, line 11, replace "a class A misdemeanor" with "an infraction"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1333, as engrossed: Judiciary Committee (Sen. Larson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1333 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

In lieu of the amendments adopted by the Senate as printed on pages 1267 and 1268 of the Senate Journal, Engrossed House Bill No. 1333 is amended as follows:

Page 1, line 9, replace the underscored comma with ";

a."

Page 1, line 9, replace "adult cabaret" with "Adult-oriented"

Page 1, line 9, remove "in a"

Page 1, remove lines 10 and 11

Page 1, line 12, replace "a prurient interest" with "that"

Page 1, line 12, after "consideration" insert ", is intended to appeal to a prurient interest and features:

(1) The purposeful exposure, whether complete or partial, of:

(a) A human genital, the pubic region, the human buttocks, or a female breast, if the breast is exposed below a point immediately above the top of the areola; or

(b) Prosthetic genitalia, breasts, or buttocks; or

(2) Sexual conduct.

b. "Public property" means real property in which a state agency or a political subdivision has an ownership interest"

Page 1, line 14, replace "engages in" with "organizes"

Page 1, line 14, replace "adult cabaret" with "adult-oriented"

Page 1, line 17, remove "In a location where the adult cabaret performance is in the presence of an"

Page 1, line 18, replace "individual under the age of eighteen" with "At a business establishment frequented by minors, or where minors are or may be invited as a part of the general public"

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1522, as reengrossed: Human Services Committee (Sen. Lee, Chairman)** recommends **DO PASS** (3 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed HB 1522 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

#### MOTION

**SEN. KLEIN MOVED** that the Senate be on the Fourteenth Order beginning with SB 1489, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1489:** A BILL for an Act to create and enact chapter 15-10.6 of the North Dakota Century Code, relating to requiring institutions of higher education designating athletic teams and sports for male, female, or coed participation.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 40 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

**NAYS:** Braunberger; Hogan; Krebsbach; Lee; Mathern; Piepkorn; Rummel

Reengrossed HB 1489 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1249:** A BILL for an Act to create and enact chapter 15.1-41 of the North Dakota Century Code, relating to requiring schools to designate their athletic teams and sports for male, female, or coed participation and limitations on use of governmental property for athletic events.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 38 YEAS, 9 NAYS, 0

EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

**NAYS:** Axtman; Braunberger; Davison; Hogan; Krebsbach; Lee; Mathern; Piepkorn; Rummel

Engrossed HB 1249 passed.

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### SECOND READING OF HOUSE BILL

**HB 1139:** A BILL for an Act to amend and reenact sections 23-02.1-01, 23-02.1-13, and 23-02.1-15 of the North Dakota Century Code, relating to required elements of birth records.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 42 YEAS, 5 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

**NAYS:** Braunberger; Hogan; Lee; Mathern; Piepkorn

Engrossed HB 1139 passed.

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### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3010:** A concurrent resolution urging public schools and public entities, including agencies or departments that collect vital statistics, to protect women's rights by distinguishing between the sexes according to biological sex at birth for the purpose of providing equal opportunities and ensuring the privacy and safety of women and girls.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed HCR 3010 was declared adopted on a voice vote.

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### MOTION

**SEN. KLEIN MOVED** that the Senate be on the Sixth Order, which motion prevailed.

### CONSIDERATION OF AMENDMENTS

**HB 1297, as engrossed: SEN. CLEARY (Human Services Committee) MOVED** that the amendments on SJ page 1267 be adopted and then be placed on the Fourteenth order **WITHOUT RECOMMENDATION**, which motion prevailed on a voice vote.

### SECOND READING OF HOUSE BILL

**HB 1297:** A BILL for an Act to create and enact a new section to chapter 23-02.1 of the North Dakota Century Code, relating to correction or amendment of birth records.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and

there were 41 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

**NAYS:** Braunberger; Hogan; Krebsbach; Lee; Mathern; Piepkorn

Engrossed HB 1297, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1474, as engrossed: SEN. CLEARY (Human Services Committee) MOVED** that the amendments on SJ pages 1294-1295 be adopted and then be placed on the Fourteenth order **WITHOUT RECOMMENDATION**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1474:** A BILL for an Act to amend and reenact section 1-01-49 and subsection 7 of section 51-35-01 of the North Dakota Century Code, relating to the definition of female, male, sex, and scrap metal dealer.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 35 YEAS, 12 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rust; Sickler; Sorvaag; Vedaa; Wanzek; Weston; Wobbema

**NAYS:** Axtman; Braunberger; Davison; Hogan; Krebsbach; Lee; Mathern; Piepkorn; Roers, K.; Rummel; Schaible; Weber

Engrossed HB 1474, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1473, as engrossed: SEN. CLEARY (Human Services Committee) MOVED** that the amendments on SJ pages 1293-1294 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1473:** A BILL for an Act to create and enact a new section to chapter 12-44.1, a new section to chapter 12-46, a new section to chapter 12-47, and a new section to chapter 15-10 of the North Dakota Century Code, relating to the use of restrooms, locker rooms, and shower rooms in a dormitory or living facility controlled by the state board of higher education, a correctional facility, the North Dakota youth correctional center, and the penitentiary exclusively for males and females.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 42 YEAS, 5 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

**NAYS:** Braunberger; Hogan; Lee; Mathern; Piepkorn

Engrossed HB 1473, as amended, passed.

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#### MOTION

**SEN. KLEIN MOVED** that Engrossed HB 1333, which is on the Sixth order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, Engrossed HB 1333 was rereferred.

#### CONSIDERATION OF AMENDMENTS

**HB 1522, as reengrossed: SEN. CLEMENS (Human Services Committee) MOVED** that the amendments on SJ pages 1295-1296 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1522:** A BILL for an Act to create and enact a new section to chapter 14-02.4 and a new section to chapter 15.1-06 of the North Dakota Century Code, relating to preferred pronouns and providing accommodations to a transgender student; to provide a penalty; and to declare an emergency.

#### MOTION

**SEN. LUICK MOVED** that Reengrossed HB 1522, as amended, be amended as follows.

In addition to the amendments adopted by the Senate as printed on pages 1295 and 1296 of the Senate Journal, Reengrossed House Bill No. 1522 is further amended as follows:

Page 1, line 1, after "chapter" insert "14-02.4 and a new section to chapter"

Page 1, line 2, after the first "to" insert "preferred pronouns and"

Page 1, line 2, after the semicolon insert "to provide a penalty;"

Page 1, after line 4, insert:

**"SECTION 1.** A new section to chapter 14-02.4 of the North Dakota Century Code is created and enacted as follows:

#### **Preferred pronoun - Government entity.**

1. Unless otherwise required by law, a government entity may not adopt a policy requiring an employee to:
  - a. Use an individual's preferred pronoun when addressing or mentioning the individual in work-related communications; or
  - b. Designate the employee's preferred pronoun in work-related communications.
2. An individual may assert a violation of this section as a claim or defense in a judicial proceeding and is entitled to recover appropriate relief, including reasonable attorney fees and court costs."

Page 1, line 14, after "sex" insert ".

4. Unless otherwise required by law, a school district, public school, or public school teacher may not:
  - a. Adopt a policy concerning a particular student's transgender status without approval from the student's parent or legal guardian; or
  - b. Withhold or conceal information about a student's transgender status from the student's parent or legal guardian"

Renumber accordingly

#### REQUEST

**SEN. MYRDAL REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to Reengrossed HB 1522, as amended, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the proposed amendments to Reengrossed HB 1522, as amended, the roll was called and there were 31 YEAS, 16 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Beard; Boehm; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Meyer; Myrdal; Paulson; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weston; Wobbema

**NAYS:** Axtman; Barta; Bekkedahl; Braunberger; Burckhard; Cleary; Davison; Hogan; Krebsbach; Mathern; Patten; Piepkorn; Roers, J.; Roers, K.; Rummel; Weber

The proposed amendments to Reengrossed HB 1522, as amended, were adopted on a recorded roll call vote.

**HB 1522:** A BILL for an Act to create and enact a new section to chapter 15.1-06 of the North Dakota Century Code, relating to providing accommodations to a transgender student; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 37 YEAS, 10 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

**NAYS:** Axtman; Braunberger; Davison; Hogan; Krebsbach; Lee; Mathern; Piepkorn; Roers, K.; Rummel

Reengrossed HB 1522, as amended, passed and the emergency clause was declared carried.

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#### CONSIDERATION OF AMENDMENTS

**HB 1254, as engrossed: SEN. K. ROERS (Human Services Committee) MOVED** that the amendments on SJ pages 1303-1304 be adopted and then be placed on the Fourteenth order **WITHOUT RECOMMENDATION**.

#### REQUEST

**SEN. K. ROERS REQUESTED** a verification vote, which request was granted.

#### REQUEST

**SEN. MYRDAL REQUESTED** a recorded roll call vote, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the amendments to Engrossed HB 1254, the roll was called and there were 11 YEAS, 36 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Bekkedahl; Braunberger; Davison; Hogan; Kreun; Lee; Mathern; Roers, K.; Rummel

**NAYS:** Beard; Boehm; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Larsen; Larson; Lemm;

Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

The proposed amendments to Engrossed HB 1254 failed on a recorded roll call vote.

#### SECOND READING OF HOUSE BILL

**HB 1254:** A BILL for an Act to create and enact chapter 12.1-36.1 of the North Dakota Century Code, relating to the prohibition of certain practices against a minor; to provide a penalty; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 37 YEAS, 10 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Davison; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

**NAYS:** Barta; Braunberger; Dever; Hogan; Krebsbach; Kreun; Lee; Mathern; Piepkorn; Rummel

Engrossed HB 1254 passed and the emergency clause was declared carried.

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#### MOTION

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

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

#### CONSIDERATION OF AMENDMENTS

**HB 1333, as engrossed: SEN. SICKLER (Judiciary Committee) MOVED** that the amendments on SJ pages 1267-1268 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

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

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

**NAYS:** Hogan; Lee; Piepkorn

Engrossed HB 1333, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1334, as engrossed: SEN. LUICK (Judiciary Committee) MOVED** that the amendments on SJ page 1268 be adopted and then be placed on the Fourteenth order with



**DO PASS**, which motion prevailed on a voice vote.

#### **SECOND READING OF HOUSE BILL**

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

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

Engrossed HB 1334, as amended, passed and the emergency clause was declared carried.

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#### **CONSIDERATION OF AMENDMENTS**

**HB 1416, as engrossed: SEN. LEE (Human Services Committee) MOVED** that the amendments on SJ page 1293 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### **SECOND READING OF HOUSE BILL**

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

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 27 YEAS, 20 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Beard; Boehm; Braunberger; Burckhard; Cleary; Conley; Davison; Elkin; Erbele; Hogan; Hogue; Kessel; Klein; Kreun; Lee; Lemm; Magrum; Meyer; Myrdal; Paulson; Schaible; Sickler; Vedaa; Weber; Weston

**NAYS:** Bekkedahl; Clemens; Dever; Dwyer; Estenson; Kannianen; Krebsbach; Larsen; Larson; Luick; Mathern; Patten; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Sorvaag; Wanzek; Wobbema

Engrossed HB 1416, as amended, passed.

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#### **CONSIDERATION OF AMENDMENTS**

**HB 1515, as engrossed: SEN. LEMM (Agriculture and Veterans Affairs Committee) MOVED** that the amendments on SJ page 1295 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### **SECOND READING OF HOUSE BILL**

**HB 1515:** A BILL for an Act to create and enact a new section to chapter 4.1-25 of the North Dakota Century Code, relating to the sale of raw milk directly to a consumer.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 38 YEAS, 9 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens;

Conley; Dever; Dwyer; Elkin; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Larsen; Larson; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Weber; Weston; Wobbema

**NAYS:** Axtman; Davison; Erbele; Hogan; Kreun; Lee; Piepkorn; Roers, K.; Wanzek

Engrossed HB 1515, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1371, as engrossed: SEN. LUICK (Agriculture and Veterans Affairs Committee) MOVED** that the amendments on SJ pages 1268-1293 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1371:** A BILL for an Act to create and enact four new sections to chapter 10-06.1 of the North Dakota Century Code, relating to authorized livestock farm corporation and authorized livestock farm limited liability company requirements, and initial and annual reporting requirements for authorized livestock farm corporations, and authorized livestock farm limited liability companies; to amend and reenact sections 10-06.1-01, 10-06.1-02, 10-06.1-03, 10-06.1-04, 10-06.1-05, 10-06.1-06, 10-06.1-07, and 10-06.1-08, subsection 1 of section 10-06.1-09, and sections 10-06.1-10, 10-06.1-11, 10-06.1-12, 10-06.1-13, 10-06.1-14, 10-06.1-15, 10-06.1-16, 10-06.1-17, 10-06.1-18, 10-06.1-19, 10-06.1-20, 10-06.1-21, 10-06.1-22, 10-06.1-23, 10-06.1-24, 10-06.1-25, 10-06.1-26, and 10-06.1-27 of the North Dakota Century Code, relating to agricultural definitions, ownership exceptions for beekeeping, agriculture support services, livestock backgrounding and feedlot operations, raising or producing of livestock by persons that have limited landholdings, and required reporting for corporate farming; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 41 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Beard; Bekkedahl; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Meyer; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rummel; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

**NAYS:** Boehm; Hogan; Magrum; Mathern; Piepkorn; Rust

Engrossed HB 1371, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1120, as engrossed: SEN. CLEARY (State and Local Government Committee) MOVED** that the amendments on SJ page 1266 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1120:** A BILL for an Act to amend and reenact sections 11-11-05, 15.1-09-30, 40-06-02, 49-01-07, 54-16-01, and 54-17-02 of the North Dakota Century Code, relating to the recitation of the pledge of allegiance.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 4 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley;

Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

**NAYS:** Braunberger; Hogan; Mathern; Piepkorn

Engrossed HB 1120, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1030, as engrossed: SEN. WOBBEMA (Workforce Development Committee) MOVED** that the amendments on SJ pages 1265-1266 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

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

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

**NAYS:** Magrum

Engrossed HB 1030, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1166, as engrossed: SEN. LUICK (Agriculture and Veterans Affairs Committee) MOVED** that the amendments on SJ pages 1266-1267 be adopted and then be placed on the Fourteenth order **WITHOUT RECOMMENDATION**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1166:** A BILL for an Act to create and enact a new section to chapter 61-04.1 of the North Dakota Century Code, relating to requirements to cease cloud seeding; to amend and reenact subsection 10 of section 61-04.1-03, section 61-04.1-23, subsection 3 of section 61-04.1-24, and sections 61-04.1-26, 61-04.1-27, and 61-04.1-30 of the North Dakota Century Code, relating to state funding requirements for county weather modification operations; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 14 YEAS, 33 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Burckhard; Clemens; Dever; Estenson; Hogue; Larsen; Lemm; Luick; Magrum; Myrdal; Paulson; Schaible; Vedaa; Weston

**NAYS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Cleary; Conley; Davison; Dwyer; Elkin; Erbele; Hogan; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larson; Lee; Mathern; Meyer; Patten; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Sickler; Sorvaag; Wanzek; Weber; Wobbema

Engrossed HB 1166, as amended, failed.

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#### CONSIDERATION OF AMENDMENTS

**HCR 3023: SEN. SICKLER (Workforce Development Committee) MOVED** that the amendments on SJ pages 1296-1297 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

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

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of **DO PASS**.

HCR 3023, as amended, was declared adopted on a voice vote.

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#### MOTION

**SEN. KLEIN MOVED** that HB 1040, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1260:** A BILL for an Act to amend and reenact subsection 17 of section 20.1-02-05 and subsection 7 of section 20.1-03-11 of the North Dakota Century Code, relating to habitat development on private land and public access agreements and special antlerless elk depredation management licenses.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of **DO PASS**, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

Engrossed HB 1260 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1512:** A BILL for an Act to provide for a legislative management study relating to statutory provisions governing certification of site compatibility for electric energy conversion facilities.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of **DO PASS**, the roll was called and there were 45 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue;

Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

**NAYS:** Meyer; Piepkorn

Engrossed HB 1512 passed.

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### SECOND READING OF HOUSE BILL

**HB 1510:** A BILL for an Act to amend and reenact section 38-11.1-09 of the North Dakota Century Code, relating to legal fees and costs a surface owner may be awarded in cases relating to the development of minerals.

### 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 2 YEAS, 45 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Hogan; Luick

**NAYS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

Engrossed HB 1510 failed.

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### SECOND READING OF HOUSE BILL

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

### MOTION

**SEN. MAGRUM MOVED** that Engrossed HB 1529, as amended, be amended as follows, which motion failed on a voice vote.

In lieu of the amendments adopted by the Senate as printed on page 1135 of the Senate Journal, Engrossed Senate Bill No. 1529 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 16.1-08.1-02.3 of the North Dakota Century Code, relating to campaign disclosure statement requirements for candidate, candidate committees, multicandidate committees, and nonstatewide political parties.

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

**SECTION 1. AMENDMENT.** Section 16.1-08.1-02.3 of the North Dakota Century Code is amended and reenacted as follows:

#### **16.1-08.1-02.3. Pre-election, supplemental, and year-end campaign disclosure statement requirements for candidates, candidate committees, multicandidate committees, and nonstatewide political parties.**

1. ~~Prior to~~Before the thirty-first day before a primary, general, or special election, a candidate or candidate committee formed on behalf of the candidate, a multicandidate political committee, or a political party other than a statewide political party soliciting or accepting contributions shall file a campaign disclosure statement that includes all contributions received from January first through the fortieth day before the election. The statement also must include each aggregated expenditure over two hundred dollars made in support of or in opposition to a candidate.

political committee, or ballot measure from January first through the fortieth day before the election. A candidate whose name is not on the ballot and who is not seeking election through write-in votes, the candidate's candidate committee, and a political party that has not endorsed or nominated any candidate in the election is not required to file a statement under this subsection. The statement may be submitted for filing beginning on the thirty-ninth day before the election. The statement must include:

- a. For each aggregated contribution from a contributor which totals ~~in excess of~~ more than two hundred dollars received during the reporting period:
    - (1) The name and mailing address of the contributor;
    - (2) The total amount of the contribution; and
    - (3) The date the last contributed amount was received;
  - b. The total of all aggregated contributions from contributors which total ~~in excess of~~ more than two hundred dollars during the reporting period;
  - c. The total of all contributions received from contributors that contributed two hundred dollars or less each during the reporting period; ~~and~~
  - d. For a statewide candidate, a candidate committee formed on behalf of a statewide candidate, and a statewide multicandidate committee, the balance of the campaign fund on the fortieth day before the election and the balance of the campaign fund on January first; and
  - e. For each aggregated expenditure in support of or in opposition to a candidate, political committee, or ballot measure which totals more than two hundred dollars expended during the reporting period:
    - (1) The name of each candidate, political committee, or ballot measure the expenditure was intended to support or oppose;
    - (2) The total amount of the expenditure;
    - (3) The date the last expenditure was made; and
    - (4) Whether the expenditure was made in support of or opposition to the candidate, political committee, or ballot measure.
2. Beginning on the thirty-ninth day before the election through the day before the election, a person that files a statement under subsection 1 must file a supplemental statement within forty-eight hours of the start of the day following the receipt of a contribution or aggregate contribution from a contributor which is ~~in excess of~~ more than five hundred dollars or the making of an expenditure or aggregate expenditure in support of or in opposition to a candidate, political committee, or ballot measure which is more than five hundred dollars. The statement must include:
- a. ~~The~~ For a contribution, the name and mailing address of the contributor or for an expenditure, the name of the candidate, political committee, or ballot measure the expenditure was intended to support or oppose;
  - b. The total amount of the contribution received or expenditure made during the reporting period; ~~and~~

- ~~c.~~ For the contribution, the date the last contributed amount was received, or for an expenditure, the date the last expenditure was made; and
    - d. For an expenditure, whether the expenditure was made in support of or in opposition to the candidate, political committee, or ballot measure.
  3. ~~Prior to~~Before February first, a candidate or candidate committee, a multicandidate political committee, or a nonstatewide political party soliciting or accepting contributions shall file a campaign disclosure statement that includes all contributions received and expenditures, ~~by expenditure category,~~ made from January first through December thirty-first of the previous year. The statement may be submitted for filing beginning on January first. The statement must include:
    - a. For a statewide candidate, a candidate committee formed on behalf of a statewide candidate, and a statewide multicandidate committee, the balance of the campaign fund on January first and on December thirty-first;
    - b. For each aggregated contribution from a contributor which totals ~~in excess of~~more than two hundred dollars received during the reporting period:
      - (1) The name and mailing address of the contributor;
      - (2) The total amount of the contribution; and
      - (3) The date the last contributed amount was received;
    - c. The total of all aggregated contributions from contributors which total ~~in excess of~~more than two hundred dollars during the reporting period;
    - d. The total of all contributions received from contributors that contributed two hundred dollars or less each during the reporting period; ~~and~~
    - e. The total of all other expenditures made during the previous year, separated into expenditure categories; and
    - f. For each aggregated expenditure in support of or in opposition to a candidate, political committee, or ballot measure which totals more than two hundred dollars expended during the reporting period:
      - (1) The name of the candidate, political committee, or ballot measure the expenditure was intended to support or oppose;
      - (2) The total amount of the expenditure;
      - (3) The date the last expenditure was made; and
      - (4) Whether the expenditure was made in support of or in opposition to the candidate, political committee, or ballot measure.
4. A person required to file a statement under this section, other than a candidate for judicial office, county office, or city office, or a candidate committee for a candidate exempted under this subsection, shall report each aggregated contribution from a contributor which totals five thousand dollars or more during the reporting period. For these contributions from individuals, the statement must include the contributor's occupation, employer, and the employer's principal place of business.

5. A candidate for city office in a city with a population under five thousand and a candidate committee for the candidate are exempt from this section.
6. A candidate for county office and a candidate committee for a candidate for county office shall file statements under this chapter with the county auditor. A candidate for city office who is required to file a statement under this chapter and a candidate committee for such a candidate shall file statements with the city auditor. Any other person required to file a statement under this section shall file the statement with the secretary of state.
7. The filing officer shall assess and collect fees for any reports filed after the filing deadline.
8. To ensure accurate reporting and avoid commingling of campaign and personal funds, candidates shall use dedicated campaign accounts that are separate from any personal accounts."

Renumber accordingly

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

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Wanzek; Weber; Weston; Wobbema

**NAYS:** Meyer; Vedaa

Engrossed HB 1529, as amended, passed.

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#### SECOND READING OF HOUSE BILL

**HB 1441:** A BILL for an Act to create and enact a new section to chapter 16.1-08.1 of the North Dakota Century Code, relating to reports of expenditures made in support of or opposition to legislative candidates; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 5 YEAS, 42 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Beard; Larsen; Magrum; Sickler; Weston

**NAYS:** Axtman; Barta; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larson; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Weber; Wobbema

Engrossed HB 1441 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1200:** A BILL for an Act to amend and reenact section 23-12-20 of the North Dakota



Century Code, relating to COVID-19 vaccination and infection information.

### MOTION

**SEN. ESTENSON MOVED** that Engrossed HB 1200 be amended as follows.

In lieu of the amendments adopted by the Senate as printed on pages 1095 and 1096 of the Senate Journal, Engrossed House Bill No. 1200 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 14-02.4-01, 14-02.4-02, 14-02.4-03, 14-02.4-04, 14-02.4-05, 14-02.4-06, 14-02.4-08, and 14-02.4-09, subsection 1 of section 14-02.4-14, subsection 1 of section 14-02.4-15, and sections 14-02.4-16 and 14-02.4-17 of the North Dakota Century Code, relating to creating a new status related to human rights and antidiscrimination policies.

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

**SECTION 1. AMENDMENT.** Section 14-02.4-01 of the North Dakota Century Code is amended and reenacted as follows:

#### 14-02.4-01. State policy against discrimination.

It is the policy of this state to prohibit discrimination on the basis of race, color, religion, sex, national origin, age, the presence of any mental or physical disability, health status, status with regard to marriage or public assistance, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer; to prevent and eliminate discrimination in employment relations, public accommodations, housing, state and local government services, and credit transactions; and to deter those who aid, abet, or induce discrimination or coerce others to discriminate.

**SECTION 2. AMENDMENT.** Section 14-02.4-02 of the North Dakota Century Code is amended and reenacted as follows:

#### 14-02.4-02. Definitions.

In this chapter, unless the context or subject matter otherwise requires:

1. "Age" insofar as it refers to any prohibited unfair employment or other practice means at least forty years of age.
2. "Aggrieved person" includes any person who claims to have been injured by a discriminatory practice.
3. "Court" means the district court in the judicial district in which the alleged discriminatory practice occurred.
4. "Department" means the division of human rights within the department of labor and human rights.
5. "Disability" means a physical or mental impairment that substantially limits one or more major life activities, a record of this impairment, or being regarded as having this impairment.
6. "Discriminatory practice" means an act or attempted act which because of race, color, religion, sex, national origin, age, physical or mental disability, status with regard to marriage or public assistance, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer results in the unequal treatment or separation or segregation of any persons, or denies, prevents, limits, or otherwise adversely affects, or if accomplished would deny, prevent, limit, or otherwise adversely affect, the benefit of enjoyment by any person of employment, labor union membership, public

accommodations, public services, or credit transactions. The term "discriminate" includes segregate or separate and for purposes of discrimination based on sex, it includes sexual harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

- a. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment, public accommodations or public services, or education;
  - b. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, public accommodations or public services, education, or housing; or
  - c. That conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations, public services, or educational environment; and in the case of employment, the employer is responsible for its acts and those of its supervisory employees if it knows or should know of the existence of the harassment and fails to take timely and appropriate action.
7. "Employee" means a person who performs services for an employer, who employs one or more individuals, for compensation, whether in the form of wages, salaries, commission, or otherwise. "Employee" does not include a person elected to public office in the state or political subdivision by the qualified voters thereof, or a person chosen by the officer to be on the officer's political staff, or an appointee on the policymaking level or an immediate adviser with respect to the exercise of the constitutional or legal powers of the office. Provided, "employee" does include a person subject to the civil service or merit system or civil service laws of the state government, governmental agency, or a political subdivision.
  8. "Employer" means a person within the state who employs one or more employees for more than one quarter of the year and a person wherever situated who employs one or more employees whose services are to be partially or wholly performed in the state.
  9. "Employment agency" means a person regularly undertaking, with or without compensation, to procure employees for an employer or to procure for employees opportunity to work for an employer and includes any agent of the person.
  10. "Health status" means an individual's medical records or preferences relating to the right to refuse a medical procedure, treatment, injection, device, vaccine, or prophylactic.
  11. "Labor organization" means a person, employee representation committee, plan in which employees participate, or other organization which exists solely or in part for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment.
  - ~~11-12.~~ "National origin" means the place of birth of an individual or any of the individual's lineal ancestors.
  - ~~12-13.~~ "Otherwise qualified person" means a person who is capable of performing the essential functions of the particular employment in question.
  - ~~13-14.~~ "Person" means an individual, partnership, association, corporation, limited liability company, unincorporated organization, mutual company,

- joint stock company, trust, agent, legal representative, trustee, trustee in bankruptcy, receiver, labor organization, public body, public corporation, and the state and a political subdivision and agency thereof.
- ~~14-15.~~ "Public accommodation" means every place, establishment, or facility of whatever kind, nature, or class that caters or offers services, facilities, or goods to the general public for a fee, charge, or gratuity. "Public accommodation" does not include a bona fide private club or other place, establishment, or facility which is by its nature distinctly private; provided, however, the distinctly private place, establishment, or facility is a "public accommodation" during the period it caters or offers services, facilities, or goods to the general public for a fee, charge, or gratuity.
- ~~15-16.~~ "Public service" means a public facility, department, agency, board, or commission owned, operated, or managed by or on behalf of this state, a political subdivision thereof, or a public corporation.
- ~~16-17.~~ "Readily achievable" means easily accomplishable and able to be carried out without much difficulty or expense by a person engaged in the provision of public accommodations.
- ~~17-18.~~ "Reasonable accommodations" means accommodations by an employer that do not:
- a. Unduly disrupt or interfere with the employer's normal operations;
  - b. Threaten the health or safety of the individual with a disability or others;
  - c. Contradict a business necessity of the employer; or
  - d. Impose undue hardship on the employer, based on the size of the employer's business, the type of business, the financial resources of the employer, and the estimated cost and extent of the accommodation.
- ~~18-19.~~ "Sex" includes pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
- ~~19-20.~~ "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

**SECTION 3. AMENDMENT.** Section 14-02.4-03 of the North Dakota Century Code is amended and reenacted as follows:

**14-02.4-03. Employer's discriminatory practices.**

1. It is a discriminatory practice for an employer to fail or refuse to hire an individual; to discharge an employee; or to accord adverse or unequal treatment to an individual or employee with respect to application, hiring, training, apprenticeship, tenure, promotion, upgrading, compensation, layoff, or a term, privilege, or condition of employment, because of race, color, religion, sex, national origin, age, physical or mental disability, health status, status with respect to marriage or public assistance, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer.
2. It is a discriminatory practice for an employer to fail or refuse to make reasonable accommodations for an otherwise qualified individual with a physical or mental disability, because that individual is pregnant, ~~or~~ because of that individual's religion, or because of that individual's health status. An employer is not required to provide an accommodation that

would disrupt or interfere with the employer's normal business operations; threaten an individual's health or safety; contradict a business necessity of the employer; or impose an undue hardship on the employer, taking into consideration the size of the employer's business, the type of business, the financial resources of the employer, and the estimated cost and extent of the accommodation.

3. This chapter does not prohibit compulsory retirement of any employee who has attained sixty-five years of age, but not seventy years of age, and who, for the two-year period immediately before retirement, is employed in a bona fide executive or high policymaking position, if the employee is entitled to an immediate nonforfeiture annual retirement benefit from a pension, profit-sharing, savings, or deferred compensation plan, or any combination of those plans, of the employer of the employee, which equal, in the aggregate, at least forty-four thousand dollars.

**SECTION 4. AMENDMENT.** Section 14-02.4-04 of the North Dakota Century Code is amended and reenacted as follows:

**14-02.4-04. Employment agency's discriminatory practices.**

It is a discriminatory practice for an employment agency to accord adverse or unequal treatment to a person in connection with an application for employment, referral, or request for assistance in procurement of employees because of race, color, religion, sex, national origin, age, physical or mental disability, health status, or status with respect to marriage or public assistance, or to accept a listing of employment on that basis.

**SECTION 5. AMENDMENT.** Section 14-02.4-05 of the North Dakota Century Code is amended and reenacted as follows:

**14-02.4-05. Labor organization's discriminatory practices.**

It is a discriminatory practice for a labor organization to deny full and equal membership rights to an applicant for membership or to a member; to expel, suspend, or otherwise discipline a member; or to accord adverse, unlawful, or unequal treatment to a person with respect to the person's hiring, apprenticeship, training, tenure, compensation, upgrading, layoff, or a term or condition of employment because of race, color, religion, sex, national origin, age, physical or mental disability, health status, or status with respect to marriage or public assistance.

**SECTION 6. AMENDMENT.** Section 14-02.4-06 of the North Dakota Century Code is amended and reenacted as follows:

**14-02.4-06. Certain employment advertising deemed discriminatory.**

It is a discriminatory practice for an employer, employment agency, or labor organization, or the employees, agents, or members thereof directly or indirectly to advertise or in any other manner indicate or publicize that individuals of a particular race, color, religion, sex, national origin, age, physical or mental disability, health status, or status with respect to marriage or public assistance, or who participate in lawful activity off the employer's premises during nonworking hours which activity is not in direct conflict with the essential business-related interests of the employer, are unwelcome, objectionable, not acceptable, or not solicited.

**SECTION 7. AMENDMENT.** Section 14-02.4-08 of the North Dakota Century Code is amended and reenacted as follows:

**14-02.4-08. Qualification based on religion, sex, national origin, physical or mental disability, health status, or marital status.**

Notwithstanding sections 14-02.4-03 through 14-02.4-06, it is not a discriminatory practice for an employer to fail or refuse to hire and employ an

individual for a position, to discharge an individual from a position, or for an employment agency to fail or refuse to refer an individual for employment in a position, or for a labor organization to fail or refuse to refer an individual for employment, on the basis of religion, sex, national origin, physical or mental disability, health status, or marital status in those circumstances where religion, sex, national origin, physical or mental disability, health status, or marital status is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise; nor is it a discriminatory practice for an employer to fail or refuse to hire and employ an individual for a position, or to discharge an individual from a position on the basis of that individual's participation in a lawful activity that is off the employer's premises and that takes place during nonworking hours and which is not in direct conflict with the essential business-related interests of the employer, if that participation is contrary to a bona fide occupational qualification that reasonably and rationally relates to employment activities and the responsibilities of a particular employee or group of employees, rather than to all employees of that employer.

**SECTION 8. AMENDMENT.** Section 14-02.4-09 of the North Dakota Century Code is amended and reenacted as follows:

**14-02.4-09. Seniority, merit, or other measuring systems and ability tests not discriminatory.**

Notwithstanding sections 14-02.4-03 through 14-02.4-06, it is not a discriminatory practice for an employer to apply different standards of compensation, or different terms, conditions, or privileges of employment pursuant to a bona fide seniority or merit system, or a system which measures earnings by quantity or quality of production or to employees who work in different locations provided that the differences are not the result of an intention to discriminate because of race, color, religion, sex, national origin, age, health status, physical or mental disability, status with respect to marriage or public assistance, or participation in lawful activity off the employer's premises during nonworking hours; or for an employer to give and to act upon the results of any professionally developed ability test; provided, that the test, its administration, or action upon the results is not designed, intended, or used to discriminate because of race, color, religion, sex, national origin, age, health status, physical or mental disability, status with respect to marriage or public assistance, or participation in a lawful activity off the employer's premises during nonworking hours.

**SECTION 9. AMENDMENT.** Subsection 1 of section 14-02.4-14 of the North Dakota Century Code is amended and reenacted as follows:

1. It is a discriminatory practice for a person engaged in the provision of public accommodations to fail to provide to a person access to the use of any benefit from the services and facilities of the public accommodations; or to give adverse, unlawful, or unequal treatment to a person with respect to the availability to the services and facilities, the price or other consideration therefor, the scope and equality thereof, or the terms and conditions under which the same are made available because of the person's race, color, religion, sex, national origin, age, health status, physical or mental disability, or status with respect to marriage or public assistance.

**SECTION 10. AMENDMENT.** Subsection 1 of section 14-02.4-15 of the North Dakota Century Code is amended and reenacted as follows:

1. It is a discriminatory practice for a person engaged in the provision of public services to fail to provide to an individual access to the use of and benefit thereof, or to give adverse or unequal treatment to an individual in connection therewith because of the individual's race, color, religion, sex, national origin, age, health status, physical or mental disability, or status with respect to marriage or public assistance.

**SECTION 11. AMENDMENT.** Section 14-02.4-16 of the North Dakota Century Code is amended and reenacted as follows:

**14-02.4-16. Advertising public accommodations or services - Discriminatory practices - Exceptions.**

It is a discriminatory practice for a person to advertise or in any other manner indicate or publicize that the patronage of persons of a particular race, color, religion, sex, national origin, age, health status, physical or mental disability, or status with respect to marriage or public assistance is unwelcome, objectionable, not acceptable, or not solicited. This section does not prohibit a notice or advertisement banning minors from places where alcoholic beverages are being served.

**SECTION 12. AMENDMENT.** Section 14-02.4-17 of the North Dakota Century Code is amended and reenacted as follows:

**14-02.4-17. Credit transactions - Discriminatory practices.**

It is a discriminatory practice, except as permitted or required by the Equal Credit Opportunity Act [15 U.S.C. 1691], for a person, whether acting as an individual or for another, to deny credit, increase the charges or fees for or collateral required to secure credit, restrict the amount or use of credit extended, impose different terms or conditions with respect to the credit extended to a person, or item or service related thereto because of race, color, religion, sex, national origin, age, health status, physical or mental disability, or status with respect to marriage or public assistance. This section does not prohibit a party to a credit transaction from considering the credit history of a person or from taking reasonable action thereon."

Renumber accordingly

**REQUEST**

**SEN. MAGRUM REQUESTED** a verification vote on the motion to adopt the proposed amendments to Engrossed HB 1200, which request was granted.

**REQUEST**

**SEN. LEE REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed HB 1200, which request was granted.

**ROLL CALL**

The question being on the motion to adopt the proposed amendments to Engrossed HB 1200, the roll was called and there were 12 YEAS, 35 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Barta; Boehm; Estenson; Klein; Larsen; Lemm; Magrum; Myrdal; Paulson; Vedaa; Wanzek; Weston

**NAYS:** Axtman; Beard; Bekkedahl; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Hogan; Hogue; Kannianen; Kessel; Krebsbach; Kreun; Larson; Lee; Luick; Mathern; Meyer; Patten; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Weber; Wobbema

The proposed amendments to Engrossed HB 1200 failed on a recorded roll call vote.

**HB 1200:** A BILL for an Act to amend and reenact section 23-12-20 of the North Dakota Century Code, relating to COVID-19 vaccination and infection information.

**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 6 YEAS, 41 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Clemens; Dwyer; Estenson; Klein; Magrum; Vedaa

**NAYS:** Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Conley; Davison; Dever; Elkin; Erbele; Hogan; Hogue; Kannianen; Kessel; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Wanzek; Weber; Weston; Wobbema

Engrossed HB 1200, as amended, failed.

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**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, unchanged: HB 1139, HB 1249, HB 1260, HB 1489, HB 1512.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, unchanged: HB 1155, HB 1167, HB 1173, HB 1360, HB 1375, HB 1502.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, unchanged: HCR 3010.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1254.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1316.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1006, HB 1016, HB 1257, HB 1267.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1120, HB 1297, HB 1333, HB 1371, HB 1416, HB 1473, HB 1474, HB 1515, HB 1529.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HCR 3023.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1160, HB 1277.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1334, HB 1522.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause failed: HB 1030.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1166, HB 1200.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1446.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1116, HB 1119, HB 1296, HB 1331, HB 1484, HB 1493.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1441, HB 1510.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has passed, unchanged: SB 2135, SB 2172, SB 2325.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has amended and subsequently passed: SB 2036, SB

2089, SB 2126, SB 2243, SB 2276.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2036**

Page 1, line 1, replace "thirteen" with "twelve"

Page 1, line 2, after "sections" insert "21-06-07,"

Page 1, line 3, remove "61-01-23,"

Page 1, after line 11, insert:

**"SECTION 1. AMENDMENT.** Section 21-06-07 of the North Dakota Century Code is amended and reenacted as follows:

**21-06-07. Political subdivisions may invest funds.**

1. Counties, cities, school districts, park districts, water resource boards, and townships in this state may invest moneys in their general fund, or balances in any special or temporary fund, in:
  - a. Bonds, treasury bills and notes, or other securities that are a direct obligation of, or an obligation insured or guaranteed by, the treasury of the United States, or its agencies, instrumentalities, or organizations created by an act of Congress.
  - b. Securities sold under agreements to repurchase written by a financial institution in which the underlying securities for the agreement to repurchase are of a type listed above.
  - c. Certificates of deposit fully insured by the federal deposit insurance corporation or by the state.
  - d. Certificates of deposit, savings deposits, or other deposits fully insured or guaranteed by the federal deposit insurance corporation and placed for the benefit of the public depositor by a public depository through an appropriate deposit placement service as determined by the commissioner of financial institutions.
  - e. State and local securities:
    - (1) Any security that is a general obligation of any state or local government with taxing powers and is rated in the highest three categories by a nationally recognized rating agency.
    - (2) An obligation of the state housing finance agency that is rated in the highest two categories by a nationally recognized rating agency.
    - (3) Any security that is a general obligation of a school district and is rated in the highest two categories by a nationally recognized rating agency.
    - (4) Obligations of this state and general obligations of its political subdivisions.
  - f. Commercial paper issued by a United States corporation rated in the highest quality category by at least two nationally recognized rating agencies and matures in two hundred seventy days or less.
2. Bonds, treasury bills and notes, or other securities so purchased must be taken into consideration in making levies for the ensuing year, and when funds are needed for current expenses, the governing board and authorities of such municipalities may convert those obligations into cash."



Page 2, remove lines 1 through 23

Page 3, line 17, after "3." insert "Benefited property" means property that has accrued a benefit from a project.

4. "Benefits" means the degree to which a society or an economy subject to a project is improved through lower costs, fewer damages, or enhancements.

5."

Page 3, line 20, replace "4." with "6."

Page 3, line 21, replace "5." with "7."

Page 3, line 23, replace "6." with "8."

Page 3, line 31, replace "7." with "9."

Page 4, line 1, replace "8." with "10."

Page 4, line 6, replace "9." with "11."

Page 4, line 8, replace "10." with "12."

Page 4, line 11, replace "11." with "13."

Page 4, line 13, replace "12." with "14."

Page 4, line 18, replace "13." with "15."

Page 20, after line 26, insert:

"3. Before filing an appeal under this section, a landowner or political subdivision that meets the threshold for filing an appeal under this section may request assistance from the North Dakota mediation service to resolve grievances arising from the final assessment list. If the North Dakota mediation service agrees to assist the aggrieved person, the water resource board shall participate in good faith in the mediation. Requesting assistance or engaging in mediation under this section is not a prerequisite or a bar to appealing to the department under this section. Deadlines to initiate appeals are not tolled by a person requesting assistance from the North Dakota mediation service under this section."

Page 24, line 20, remove "water resource board, and the"

Page 24, line 21, replace "necessary expense must be deemed a part of the cost of maintenance" with "county or township and all necessary maintenance expenses must be borne forty percent by the county and sixty percent by the water resource board"

Page 24, line 22, after the third "the" insert "highway authority and the"

Page 24, line 23, remove "denies a request for maintenance submitted by the county or"

Page 24, line 24, replace "township, the county or township" with "cannot agree on the necessity or proper methodology for maintaining the bridge or culvert, the requesting party"

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

Page 26, line 3, remove "an artificial"

Page 26, line 4, after the first "the" insert "result of a natural occurrence, such as sedimentation or vegetation, or by the"

Page 26, line 30, after the second "a" insert "natural or artificial"

Page 26, line 30, remove the overstrike over "a"

Page 26, line 31, remove the overstrike over "~~watercourse, as defined by section 61-01-06, or~~"

Page 26, line 31, remove the overstrike over "~~including if the~~"

Page 27, line 1, remove the overstrike over "~~watercourse or~~"

Page 27, line 1, remove "whether or not the artificial"

Page 27, line 2, remove the overstrike over "~~watercourse or~~"

Page 27, remove lines 22 through 30

Page 28, remove lines 1 and 2

Re-number accordingly

#### **HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2089**

In lieu of the amendments adopted by the House as printed on page 1266 of the House Journal, Reengrossed Senate Bill No. 2089 is amended as follows:

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

Page 1, line 1, remove "and 54-17.6-06.2"

Page 1, line 2, remove "; to provide"

Page 1, line 3, remove "for a transfer; and to provide a continuing appropriation"

Page 1, line 22, replace "chapter" with "section"

Page 2, line 4, replace "chapter" with "section"

Page 2, line 6, remove "natural gas capture and"

Page 2, line 7, replace "utilization incentive" with "oil and gas research"

Page 2, line 9, replace "chapter" with "section"

Page 2, remove lines 12 through 24

Re-number accordingly

#### **STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment removes a transfer from the strategic investment and improvements fund to the oil and gas research fund for the clean natural gas capture and emissions reduction program.

#### **HOUSE AMENDMENTS TO SENATE BILL NO. 2126**

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subdivision to subsection 3 of section 53-06.1-03 of the North Dakota Century Code, relating to the sale of raffle boards; and to amend and reenact subsection 3 of section 53-06.1-14 of the North Dakota Century Code, relating to affixing a North Dakota gaming stamp.

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

**SECTION 1.** A new subdivision to subsection 3 of section 53-06.1-03 of the North Dakota Century Code is created and enacted as follows:

For a raffle board, an organization permitted to conduct raffles shall sell the numbered squares on the board for the same price and may sell squares at a site thirty days before the drawing.

**SECTION 2. AMENDMENT.** Subsection 3 of section 53-06.1-14 of the North Dakota Century Code is amended and reenacted as follows:

3. A licensed distributor shall affix a North Dakota gaming stamp to each deal of pull tabs, raffle board, punchboard, sports pool board, calcutta board, and series of paddlewheel ticket cards sold or otherwise provided to a licensed organization or organization that has a permit and shall purchase the stamps from the attorney general for thirty-five cents each. Ten cents of each stamp sold by the attorney general, up to thirty-six thousand dollars per biennium, must be credited to the attorney general's operating fund to defray the costs of issuing and administering the gaming stamps. If an organization hosts an event with a raffle board and only sells numbered squares on the event, the organization is exempt from the requirements under this subsection."

Renumber accordingly

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2243

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

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

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

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

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

Page 2, remove lines 1 and 2

Page 2, after line 9, insert:

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

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

1. All judges of the district courts may exercise the jurisdiction conferred by this chapter, and while sitting in the exercise of that jurisdiction must be known and referred to as the "small claims court". The jurisdiction of this court is confined to cases for recovery of money, a tenant's claim for civil damages under subsection 9 of section 47-10-28, or the cancellation of any agreement involving material fraud, deception, misrepresentation, or false promise, when the value of the agreement or the amount claimed by the plaintiff or the defendant does not exceed fifteen thousand dollars.

2. The proceedings in this court must be commenced:
  - a. If the defendant is a corporation, limited liability company, or a partnership, in any county in which the defendant has a place of business or in any county in which the subject matter of the claim occurred.
  - b. If the claim is for collection of a check written without sufficient funds or without an account, in the county where the check was passed, or in the county of the defendant's residence or place of business.
  - c. If the defendant is an individual and the claim is for collection of an open account on which credit has been extended:
    - (1) In the county of the defendant's residence or place of business; or
    - (2) If the amount of the claim is less than one thousand dollars and is not from a telephone or mail order transaction, in the county where the transaction occurred or in the county of the defendant's residence or place of business.
  - d. If the defendant is an individual and the claim is not made under subdivision b or c, in the county of the defendant's residence.
  - e. If the defendant is an individual and the claim arose as the result of the defendant's lease of real property or as the result of a dispute over disposition of earnest money or other money deposit arising from a contract to purchase real property, in the county where the real property is located unless the plaintiff and the defendant consent in writing to a proceeding in a different county.
  - f. If the plaintiff is a political subdivision and the claim is for a public utility debt, in the county in which the political subdivision is located.
  - g. If the claim is for civil damages under subsection 9 of section 47-10-28, in the county in which the mobile home park is located.
3. Except for an action under subdivision c, e, ~~or f,~~ or g of subsection 2, the defendant may elect to remove the action to a small claims court in the defendant's county of residence. A claim may not be filed by an assignee of that claim. A garnishment or attachment may not issue from this court until after judgment is entered."

Page 4, line 30, overstrike "exceeding"

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

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

Page 4, line 30, remove "greater"

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

Page 4, after the period insert:

"10."

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

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

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

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

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

"11. In"

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

Renumber accordingly

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2276**

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

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

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

##### **Cross-disability advisory council - Appointment - Duties.**

1. The cross-disability advisory council shall participate with and provide feedback to the department regarding the implementation, planning, and design of the cross-disability children's waiver, level of care reform for the comprehensive developmental disabilities Medicaid home and community-based waiver, and a service option that will allow payment to a legally responsible individual who provides extraordinary care to an eligible individual through the Medicaid 1915(c) waivers. This subsection does not apply to the Medicaid 1915(c) waiver for home and community-based services, aged and disabled.
2. The department shall contract with a qualified, independent third party to facilitate and provide support services to the council. The contracted facilitator shall appoint the cross-disability advisory council members in accordance with subsection 3 and establish the length of member terms and the structure of the cross-disability advisory council. A representative from the contracted facilitator shall serve as the presiding officer of the advisory council.

3. The cross-disability advisory council consists of up to fifteen voting members. A majority of the members of the council must be family members of individuals with a disability, or must be individuals with a disability, who receive Medicaid home and community-based services. The remaining members of the council must be appointed based on their professional subject matter expertise in or knowledge of the needs and interests of individuals with disabilities. The council's membership must represent different regions of the state and a broad range of disabilities that pertain to the Medicaid home and community-based services. Upon request of the department, state agency representatives shall participate with the cross-disability advisory council in a nonvoting role.
4. The cross-disability advisory council shall meet at least quarterly and may appoint subcommittees to address specific topics or disabilities, which may include autism, traumatic brain injury, and fetal alcohol spectrum disorder. A majority of the voting members of the council constitutes a quorum.
5. The cross-disability advisory council shall:
  - a. Discuss strategies to address gaps or needs regarding individuals with disabilities and Medicaid home and community-based services, including eligibility of legally responsible individuals;
  - b. Provide for the active participation of stakeholders, including consumers and providers; and
  - c. Receive information from the department and its consultants.
6. The cross-disability advisory council members, excluding the contracted facilitator, are entitled to reimbursement from the department for travel and lodging at the same rate as provided for state officers and employees.

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

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has amended and subsequently passed: SB 2161, SB 2205, SB 2343, SB 2380.

#### **HOUSE AMENDMENTS TO SENATE BILL NO. 2161**

In addition to the amendments adopted by the House as printed on page 1267 of the House Journal, Senate Bill No. 2161 is further amended as follows:

Page 2, line 17, replace "ten" with "seven"

Page 2, line 17, after "million" insert "five hundred thousand"

Renumber accordingly

#### **STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment provides for up to \$7.5 million from oil revenue to be deposited in the state energy research center fund each biennium, an increase of \$2.5 million from the 2021-23 biennium level of \$5 million. The Senate approved up to \$10 million be deposited in the fund.

#### **HOUSE AMENDMENTS TO SENATE BILL NO. 2205**

Page 1, line 1, after "enact" insert "a new section to chapter 43-32 and"

Page 1, line 2, after "to" insert "predoctoral internships and"

Page 1, after line 3, insert:

**"SECTION 1.** A new section to chapter 43-32 of the North Dakota Century Code is created and enacted as follows:

**Predoctoral supervised psychological internship.**

The board may adopt rules and standards to establish a predoctoral supervised psychological internship program."

Renumber accordingly

**HOUSE AMENDMENTS TO SENATE BILL NO. 2343**

Page 1, line 1, replace "44-04" with "15-10"

Page 1, line 2, replace "records of a public entity governing body" with "the state board of higher education and the required report by the state commissioner of higher education"

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

Page 1, line 3, remove "and 44-04-17.1"

Page 1, line 3, remove "defining a"

Page 1, line 4, remove "public entity governing body and"

Page 6, remove lines 9 through 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 30

Page 9, replace lines 1 through 23 with:

**"SECTION 2.** A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

**State commissioner of higher education - Board member information access - Report to interim higher education committee.**

The state commissioner of higher education shall provide a report to the interim higher education committee on state board of higher education policies regarding communications between board members and board member access to current and historic board information."

Renumber accordingly

**HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2380**

Page 3, line 29, replace "\$100,000" with "\$125,000"

Page 3, line 30, after the comma insert "and out of any moneys from federal funds derived from the elementary and secondary school emergency relief fund, not otherwise appropriated, the sum of \$125,000, or so much of the sum as may be necessary,"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2380 - Department of Public Instruction - House Action**

|                             | Base Budget | Senate Version | House Changes | House Version |
|-----------------------------|-------------|----------------|---------------|---------------|
| Administrative cost-sharing |             | \$100,000      | \$150,000     | \$250,000     |

|                       |      |           |           |           |
|-----------------------|------|-----------|-----------|-----------|
| Total all funds       | \$0  | \$100,000 | \$150,000 | \$250,000 |
| Less estimated income | 0    | 0         | 125,000   | 125,000   |
| General fund          | \$0  | \$100,000 | \$25,000  | \$125,000 |
| FTE                   | 0.00 | 0.00      | 0.00      | 0.00      |

### Department 201 - Department of Public Instruction - Detail of House Changes

|                             |   |                            |
|-----------------------------|---|----------------------------|
|                             | <b>Adds Funding for Administrative Cost-Sharing<sup>1</sup></b> | <b>Total House Changes</b> |
| Administrative cost-sharing | \$150,000   | \$150,000                  |
| Total all funds             | \$150,000   | \$150,000                  |
| Less estimated income       | 125,000   | 125,000                    |
| General fund                | \$25,000  | \$25,000                   |
| FTE                         | 0.00  | 0.00                       |

<sup>1</sup> This amendment adds \$25,000 from the general fund and \$125,000 from the federal Elementary and Secondary School Emergency Relief (ESSER) Fund, for the Department of Public Instruction to provide administrative cost-sharing reimbursements to cooperative districts and special education units. The Senate provided \$100,000 from the general fund. With the additional funding provided by the House, a total of \$250,000, of which \$125,000 is from the general fund and \$125,000 is from federal ESSER funds is appropriated for these reimbursements.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2029.

### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2029

Page 2, line 27, after "fifty" insert "forty"

Page 2, line 27, remove the overstrike over "~~million dollars~~"

Page 2, line 27, remove "an amount equal"

Page 2, remove line 28

Page 2, line 29, remove "most recently adjourned special or regular session of the legislative assembly"

Page 2, line 30, after "fifty" insert "forty"

Page 2, line 31, remove the overstrike over "~~million dollars~~"

Page 2, line 31, remove "an amount equal to two percent of the current biennial state"

Page 3, line 1, remove "general fund budget"

Page 3, line 3, after "governor" insert ". The director of the office of management and budget shall notify the members of the legislative assembly of any requests submitted which, if approved, would exceed the limit under this subsection"

Page 3, line 5, after "fifty" insert "forty"

Page 3, line 5, remove the overstrike over "~~million dollars~~"

Page 3, line 5, remove "an"

Page 3, remove lines 6 and 7

Page 3, line 8, remove "assembly"

Page 4, line 13, after "five" insert "ten"



Page 4, line 13, remove the overstrike over "~~million dollars~~"

Page 4, line 13, remove "an"

Page 4, remove lines 14 and 15

Page 4, line 16, remove "assembly"

Page 4, line 17, after "five" insert "ten"

Page 4, line 17, remove the overstrike over "~~million dollars~~"

Page 4, line 17, remove "an amount equal to one percent of the current biennial"

Page 4, line 18, remove "state general fund budget"

Page 4, line 20, after "governor" insert ". The director of the office of management and budget shall notify the members of the legislative assembly of any requests submitted which, if approved, would exceed the limit under this subsection"

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2254.

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2254

Page 1, line 3, remove "and"

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

Page 2, line 6, remove "School or school district annexation, consolidation, or closure."

Page 2, line 7, remove "c."

Page 2, line 9, replace "d." with "c."

Page 2, line 11, after "3." insert "A memorandum of understanding must be entered between the department of public instruction and a chronically low-performing school or school district."

4. A chronically low-performing school or school district shall complete a school board leadership program as required by the department of public instruction.

5."

Page 2, after line 15, insert:

**"SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has amended, subsequently passed, and the emergency clause failed: SB 2249.

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2249

Page 1, line 3, remove "and"

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

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

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

Page 2, after line 10, insert:

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

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has amended and subsequently failed to pass: SB 2184.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has failed to pass, unchanged: SB 2253, SB 2285, SB 2374.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has failed to pass, unchanged: SB 2348.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2094:** Reps. Jonas; Heilman; Conmy  
**SB 2196:** Reps. Bosch; Dockter; J. Olson  
**SB 2241:** Reps. Kasper; Marschall; Ista  
**SB 2334:** Reps. Hagert; Dockter; Motschenbacher

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House does not concur in the Senate amendments to HB 1052, HB 1057, HB 1061, HB 1086, HB 1088, HB 1102, HB 1170, HB 1176, HB 1210, HB 1288, HB 1324, HB 1383, HB 1438, HB 1439, and HB 1465, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1052:** Reps. Koppelman; Christy; Dakane  
**HB 1057:** Reps. J. Olson; Motschenbacher; Toman  
**HB 1061:** Reps. Murphy; Koppelman; Grueneich  
**HB 1086:** Reps. Louser; J. Johnson; Karls  
**HB 1088:** Reps. Bahl; Cory; Satrom  
**HB 1102:** Reps. Frelich; Weisz; Dyk  
**HB 1170:** Reps. Hagert; Motschenbacher; Finley-DeVillie  
**HB 1176:** Reps. Steiner; Fisher; D. Anderson  
**HB 1210:** Reps. Fisher; Motschenbacher; Hatlestad  
**HB 1288:** Reps. Louser; Satrom; Steiner  
**HB 1324:** Reps. Vetter; Hoverson; McLeod  
**HB 1383:** Reps. Steiner; J. Olson; Ista  
**HB 1438:** Reps. Bosch; Dockter; D. Anderson  
**HB 1439:** Reps. Dockter; Grueneich; D. Anderson  
**HB 1465:** Reps. D. Ruby; Christy; Dakane

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House does not concur in the Senate amendments to HB 1158, HB 1207, HB 1341, HB 1418, and HB 1455, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1158:** Reps. Headland; Hagert; Bosch  
**HB 1207:** Reps. Prichard; K. Anderson; Kiefert  
**HB 1341:** Reps. Heinert; M. Ruby; Ista  
**HB 1418:** Reps. Fegley; Frelich; Dobervich  
**HB 1455:** Reps. Hagert; J. Olson; Steiner

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** Your signature is respectfully requested on: SB 2207, SB 2362, SB 2389.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** Your signature is respectfully requested on: HB 1235, HB 1273, HB 1346, HB 1363, HB 1392, HB 1424, HB 1463, HB 1485.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The Speaker has signed: SB 2207, SB 2362, SB 2389.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2207, SB 2362, SB 2389.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HB 1235, HB 1273, HB 1346, HB 1363, HB 1392, HB 1424, HB 1463, HB 1485.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The Speaker has signed: HB 1235, HB 1273, HB 1346, HB 1363, HB 1392, HB 1424, HB 1463, HB 1485.

#### DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 3, 2023: SB 2207, SB 2362, SB 2389.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has sustained the Governor's veto on SB 2231. The vote was 56 YEAS, 36 NAYS, 2 ABSENT AND NOT VOTING.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has sustained the Governor's veto on HB 1475. The vote was 58 YEAS, 34 NAYS, 2 ABSENT AND NOT VOTING.

#### MOTION

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Tuesday, April 4, 2023, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**HB 1001, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1001 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 3, remove "to provide for a legislative"

Page 1, line 4, remove "management study;"

Page 1, line 4, after the second semicolon insert "to provide an exemption;"

Page 1, replace lines 17 through 21 with:

|   |                |               |                |
|---|----------------|---------------|----------------|
| "Salaries and wages                       | \$11,430,094   | \$1,520,473   | \$12,950,567   |
| Operating expenses                        | 6,218,753      | (668,594)     | 5,550,159      |
| Capital assets                            | 6,000          | 4,926,600     | 4,932,600      |
| National conference of state legislatures | <u>271,333</u> | <u>11,737</u> | <u>283,070</u> |
| Total general fund                        | \$17,926,180   | \$5,790,216   | \$23,716,396"  |

Page 2, replace lines 3 through 8 with:

|                                 |              |                |                |
|---------------------------------|--------------|----------------|----------------|
| "Salaries and wages             | \$12,690,980 | \$1,952,397    | \$14,643,377   |
| New and vacant FTE funding pool | 0            | 479,137        | 479,137        |
| Operating expenses              | 3,045,430    | 890,982        | 3,936,412      |
| Capital assets                  | <u>6,000</u> | <u>120,000</u> | <u>126,000</u> |

|                       |               |               |               |
|-----------------------|---------------|---------------|---------------|
| Total all funds       | \$15,742,410  | \$3,442,516   | \$19,184,926  |
| Less estimated income | <u>70,000</u> | <u>18,000</u> | <u>88,000</u> |
| Total general fund    | \$15,672,410  | \$3,424,516   | \$19,096,926" |

Page 2, replace lines 14 through 16 with:

|                           |               |               |               |
|---------------------------|---------------|---------------|---------------|
| "Grand total general fund | \$33,598,590  | \$9,214,732   | \$42,813,322  |
| Grand total special funds | <u>70,000</u> | <u>18,000</u> | <u>88,000</u> |
| Grand total all funds     | \$33,668,590  | \$9,232,732   | \$42,901,322" |

Page 4, after line 9, insert:

**"SECTION 6. NEW AND VACANT FTE FUNDING POOL - BUDGET  
SECTION REPORT.**

1. The legislative council may not spend funds from the new and vacant FTE funding pool line item in section 1 of this Act, but may transfer funds from this line item to the salaries and wages line item as necessary to provide funding for:
  - a. Filling a new or vacant FTE position from the date of hire through the end of the biennium, or
  - b. Salaries and wages if actual salaries and wages savings from vacant positions are less than the estimate used by the sixty-eighth legislative assembly in the development of the appropriation.
2. The legislative council shall report to the budget section regarding the use of funding in the pool including information on:
  - a. New FTE positions, including the date hired;
  - b. Vacant FTE positions, including the dates the positions are vacated and filled; and
  - c. Additional salaries and wages funding needed due to savings from vacant positions being less than anticipated.
3. If funding in the funding pool line item is insufficient to provide the necessary salaries and wages funding for the biennium, the legislative council may request a deficiency appropriation from the sixty-ninth legislative assembly."

Page 4, line 15, replace "one" with "five"

Page 4, line 16, replace "nine" with "thirteen"

Page 6, line 12, replace "fifty-eight" with "sixty-nine"

Page 6, line 13, replace "eighty" with "ninety-two"

Page 6, line 22, after "hundred" insert "eight"

Page 6, line 23, replace "sixteen" with "twenty-four"

Page 7, line 10, replace "one" with "five"

Page 7, line 11, replace "nine" with "thirteen"

Page 7, remove lines 20 through 28

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1001 - Summary of Senate Action**

|                       | Base Budget  | House Version | Senate Changes | Senate Version |
|-----------------------|--------------|---------------|----------------|----------------|
| Legislative Assembly  |              |               |                |                |
| Total all funds       | \$17,926,180 | \$23,595,428  | \$120,968      | \$23,716,396   |
| Less estimated income | 0            | 0             | 0              | 0              |
| General fund          | \$17,926,180 | \$23,595,428  | \$120,968      | \$23,716,396   |
| FTE                   | 0.00         | 0.00          | 0.00           | 0.00           |
| Legislative Council   |              |               |                |                |
| Total all funds       | \$15,742,410 | \$18,693,857  | \$491,069      | \$19,184,926   |
| Less estimated income | 70,000       | 88,000        | 0              | 88,000         |
| General fund          | \$15,672,410 | \$18,605,857  | \$491,069      | \$19,096,926   |
| FTE                   | 44.00        | 45.00         | 0.00           | 45.00          |
| Bill total            |              |               |                |                |
| Total all funds       | \$33,668,590 | \$42,289,285  | \$612,037      | \$42,901,322   |
| Less estimated income | 70,000       | 88,000        | 0              | 88,000         |
| General fund          | \$33,598,590 | \$42,201,285  | \$612,037      | \$42,813,322   |
| FTE                   | 44.00        | 45.00         | 0.00           | 45.00          |

**House Bill No. 1001 - Legislative Assembly - Senate Action**

|                                      | Base Budget  | House Version | Senate Changes | Senate Version |
|--------------------------------------|--------------|---------------|----------------|----------------|
| Salaries and wages                   | \$11,430,094 | \$12,829,599  | \$120,968      | \$12,950,567   |
| Operating expenses                   | 6,218,753    | 5,550,159     |                | 5,550,159      |
| Capital assets                       | 6,000        | 4,932,600     |                | 4,932,600      |
| National Conf. of State Legislatures | 271,333      | 283,070       |                | 283,070        |
| Total all funds                      | \$17,926,180 | \$23,595,428  | \$120,968      | \$23,716,396   |
| Less estimated income                | 0            | 0             | 0              | 0              |
| General fund                         | \$17,926,180 | \$23,595,428  | \$120,968      | \$23,716,396   |
| FTE                                  | 0.00         | 0.00          | 0.00           | 0.00           |

**Department 150 - Legislative Assembly - Detail of Senate Changes**

|                                      | Adjusts Funding for Salary and Benefit Increases <sup>1</sup> | Total Senate Changes |
|--------------------------------------|---|----------------------|
| Salaries and wages                   | \$120,968   | \$120,968            |
| Operating expenses                   |   |                      |
| Capital assets                       |   |                      |
| National Conf. of State Legislatures |   |                      |
| Total all funds                      | \$120,968   | \$120,968            |
| Less estimated income                | 0   | 0                    |
| General fund                         | \$120,968   | \$120,968            |
| FTE                                  | 0.00  | 0.00                 |

<sup>1</sup> Funding is reduced for monthly health insurance premiums by \$15,960. Funding is added for 2023-25 biennium compensation adjustments to provide increases of 6 percent in the 1<sup>st</sup> year and 4 percent in the 2<sup>nd</sup> year of the biennium for temporary salaries (\$22,358), legislators' daily pay for regular and organizational sessions, legislators' monthly compensation, and additional monthly compensation for legislative leaders (\$114,570). The House provided compensation adjustments of 4 percent each year of the 2023-25 biennium.

The major compensation adjustments are as follows:

|  | Current Compensation Rate | Rate Effective July 1, 2023 | Rate Effective July 1, 2024 |
|--|---------------------------|-----------------------------|-----------------------------|
| Daily session pay                        | \$193                     | \$205                       | \$213                       |
| Monthly compensation                     | \$537                     | \$569                       | \$592                       |
| Leaders' additional monthly compensation | \$385                     | \$408                       | \$424                       |

This amendment also amends a section of the bill related to legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation for legislative leaders to provide increases of 6 percent in the 1<sup>st</sup> year and 4 percent in the 2<sup>nd</sup>

year of the 2023-25 biennium. The House adjusted legislative compensation by 4 percent each year of the 2023-25 biennium.

**House Bill No. 1001 - Legislative Council - Senate Action**

|                                 | Base Budget         | House Version       | Senate Changes   | Senate Version      |
|---------------------------------|---------------------|---------------------|------------------|---------------------|
| Salaries and wages              | \$12,690,980        | \$14,631,445        | \$11,932         | \$14,643,377        |
| Operating expenses              | 3,045,430           | 3,936,412           |                  | 3,936,412           |
| Capital assets                  | 6,000               | 126,000             |                  | 126,000             |
| New and vacant FTE funding pool |                     |                     | 479,137          | 479,137             |
| <b>Total all funds</b>          | <b>\$15,742,410</b> | <b>\$18,693,857</b> | <b>\$491,069</b> | <b>\$19,184,926</b> |
| Less estimated income           | 70,000              | 88,000              | 0                | 88,000              |
| General fund                    | \$15,672,410        | \$18,605,857        | \$491,069        | \$19,096,926        |
| FTE                             | 44.00               | 45.00               | 0.00             | 45.00               |

**Department 160 - Legislative Council - Detail of Senate Changes**

|                                 | Adjusts Funding for Salary and Benefit Increases <sup>1</sup> | Adjusts Funding for Legislator Per Diem <sup>2</sup> | Increases Funding for Salary Equity <sup>3</sup> | Removes Salary Funding for Funding Pool <sup>4</sup> | Adds Funding for New and Vacant FTE Funding Pool <sup>5</sup> | Total Senate Changes |
|---------------------------------|---|--|--|--|---|----------------------|
| Salaries and wages              | \$197,357   | \$21,914   | \$400,000  | (\$607,339)  |   | \$11,932             |
| Operating expenses              |   |  |  |  |   |                      |
| Capital assets                  |   |  |  |  |   |                      |
| New and vacant FTE funding pool |   |  |  |  | \$479,137   | 479,137              |
| <b>Total all funds</b>          | <b>\$197,357</b>  | <b>\$21,914</b>                                      | <b>\$400,000</b>                                 | <b>(\$607,339)</b>                                   | <b>\$479,137</b>  | <b>\$491,069</b>     |
| Less estimated income           | 0   | 0  | 0  | 0  | 0   | 0                    |
| General fund                    | \$197,357   | \$21,914   | \$400,000  | (\$607,339)  | \$479,137   | \$491,069            |
| FTE                             | 0.00  | 0.00   | 0.00   | 0.00   | 0.00  | 0.00                 |

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

|                             | General Fund | Other Funds | Total     |
|-----------------------------|--------------|-------------|-----------|
| Salary increase             | \$202,445    | \$0         | \$202,445 |
| Health insurance adjustment | (5,088)      | (0)         | (5,088)   |
| Total                       | \$197,357    | \$0         | \$197,357 |

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

<sup>2</sup> Funding is added for 2023-25 biennium compensation adjustments to provide increases of 6 percent in the 1<sup>st</sup> year and 4 percent in the 2<sup>nd</sup> year of the biennium for legislators' attendance at interim meetings. The House provided compensation adjustments of 4 percent each year of the 2023-25 biennium.

The compensation adjustments are as follows:

|                     | Current Compensation Rate | Rate Effective July 1, 2023 | Rate Effective July 1, 2024 |
|---------------------|---------------------------|-----------------------------|-----------------------------|
| Interim meeting pay | \$193                     | \$205                       | \$213                       |

<sup>3</sup> Funding for salary equity is increased to provide a total of \$800,000 from the general fund. The House provided \$400,000 from the general fund for salary equity.

<sup>4</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. If needed, these amounts are available to the Legislative Council in a new and vacant FTE funding pool line item. Funding may be transferred for new FTE positions approved by the Legislative Assembly and to fund vacant FTE positions when vacant positions are filled.

|                      | General Fund | Other Funds | Total       |
|----------------------|--------------|-------------|-------------|
| New FTE positions    | (\$270,000)  | \$0         | (\$270,000) |
| Vacant FTE positions | (337,339)    | 0           | (337,339)   |
| Total                | (\$607,339)  | 0           | (\$607,339) |

<sup>5</sup> Funding is added for a new and vacant FTE funding pool.

This amendment also:

- Adds a section related to the transfer of funding from the new and vacant FTE funding pool, including a report to the Budget Section.
- Amends a section of the bill related to legislators' interim meeting pay to provide increases of 6 percent in the 1<sup>st</sup> year and 4 percent in the 2<sup>nd</sup> year of the 2023-25 biennium. The House adjusted legislative compensation by 4 percent each year of the 2023-25 biennium.
- Removes a section, included by the House, that provided for a Legislative Management study of the impact of term limits. Senate Bill No. 2192, relating to a Legislative Management study of the impact of term limits on the Legislative Assembly, has passed both chambers.

#### REPORT OF STANDING COMMITTEE

**HB 1002, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1002 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 4, after the second semicolon insert "to provide for a report;"

Page 1, remove lines 11 through 23

Page 2, replace lines 1 through 26 with:

"Subdivision 1.

#### SUPREME COURT

|                                 | <u>Base Level</u> | <u>Adjustments or<br/>Enhancements</u> | <u>Appropriation</u> |
|---------------------------------|-------------------|--|----------------------|
| Salaries and wages              | \$11,202,906      | \$931,799                              | \$12,134,705         |
| Operating expenses              | 2,350,094         | 846,665                                | 3,196,759            |
| Capital assets                  | 0                 | 28,500                                 | 28,500               |
| New and vacant FTE funding pool | 0                 | 8,740,214                              | 8,740,214            |
| Guardianship monitoring program | <u>286,097</u>    | <u>(286,097)</u>                       | <u>0</u>             |
| Total all funds                 | \$13,839,097      | \$10,261,081                           | \$24,100,178         |
| Less estimated income           | <u>0</u>          | <u>485,793</u>                         | <u>485,793</u>       |
| Total general fund              | \$13,839,097      | \$9,775,288                            | \$23,614,385         |

Subdivision 2.

#### DISTRICT COURTS

|                       | <u>Base Level</u> | <u>Adjustments or<br/>Enhancements</u> | <u>Appropriation</u> |
|-----------------------|-------------------|--|----------------------|
| Salaries and wages    | \$76,196,548      | \$3,082,696                            | \$79,279,244         |
| Operating expenses    | 20,081,881        | 4,442,738                              | 24,524,619           |
| Capital assets        | 0                 | 1,125,220                              | 1,125,220            |
| Judges' retirement    | <u>137,246</u>    | <u>40,094</u>                          | <u>177,340</u>       |
| Total all funds       | \$96,415,675      | \$8,690,748                            | \$105,106,423        |
| Less estimated income | <u>756,963</u>    | <u>71,427</u>                          | <u>828,390</u>       |
| Total general fund    | \$95,658,712      | \$8,619,321                            | \$104,278,033        |

Subdivision 3.

#### JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

|                                 | <u>Base Level</u>  | <u>Adjustments or<br/>Enhancements</u> | <u>Appropriation</u> |
|---------------------------------|--------------------|--|----------------------|
| Judicial conduct commission and | <u>\$1,317,481</u> | <u>\$77,532</u>                        | <u>\$1,395,013</u>   |

|                       |                |              |                |
|-----------------------|----------------|--------------|----------------|
| disciplinary board    |                |              |                |
| Total all funds       | \$1,317,481    | \$77,532     | \$1,395,013    |
| Less estimated income | <u>502,500</u> | <u>7,472</u> | <u>509,972</u> |
| Total general fund    | \$814,981      | \$70,060     | \$885,041      |

Subdivision 4.

BILL TOTAL

|                                | <u>Base Level</u> | <u>Adjustments or<br/>Enhancements</u> | <u>Appropriation</u> |
|--------------------------------|-------------------|--|----------------------|
| Grand total general fund       | \$110,312,790     | \$18,464,669                           | \$128,777,459        |
| Grand total special funds      | <u>1,259,463</u>  | <u>564,692</u>                         | <u>1,824,155</u>     |
| Grand total all funds          | \$111,572,253     | \$19,029,361                           | \$130,601,614        |
| Full-time equivalent positions | 362.00            | 21.00                                  | 383.00"              |

Page 3, line 19, after "items" insert "and subdivisions"

Page 3, after line 22, insert:

**"SECTION 5. NEW AND VACANT FTE FUNDING POOL - BUDGET  
SECTION REPORT.**

1. The supreme court may not spend funding from the new and vacant FTE funding pool line item in subdivision 1 of section 1 of this Act, but may transfer funds from this line item to the salaries and wages line items within subdivisions 1 and 2 of this Act, and to the judicial conduction commission and disciplinary board line item within subdivision 3 of this Act, as necessary to provide funding for:
  - a. Filling a new or vacant FTE position from the date of hire through the end of the biennium; or
  - b. Salaries and wages if actual salaries and wages savings from vacant positions are less than the estimate used by the sixty-eighth legislative assembly in the development of the appropriation.
2. The supreme court shall report to the budget section regarding the use of funding in the pool, including information on:
  - a. New FTE positions, including the date hired;
  - b. Vacant FTE positions, including the dates the positions are vacated and filled; and
  - c. Additional salaries and wages funding needed due to savings from vacant positions being less than anticipated.
3. If funding in the new and vacant FTE funding pool line item is insufficient to provide the necessary salaries and wages funding for the biennium, the supreme court may request a deficiency appropriation from the sixty-ninth legislative assembly."

Page 3, line 28, remove "one hundred eighty-two thousand six hundred ninety-five dollars through"

Page 3, line 29, replace "June 30, 2024, and one hundred ninety thousand three" with "one hundred seventy-nine thousand three hundred twelve dollars through June 30, 2024, and one hundred eighty-six thousand four hundred eighty-four"

Page 3, line 31, remove "five thousand"

Page 4, remove line 1



Page 4, line 2, replace "hundred seventy-four" with "five thousand seventy-one dollars per annum through June 30, 2024, and five thousand two hundred seventy-four"

Page 4, line 8, remove "one hundred sixty-seven thousand six hundred thirty-seven dollars through June 30."

Page 4, line 9, replace "2024, and one hundred seventy-four thousand three hundred forty-two" with "one hundred sixty-four thousand five hundred thirty-two dollars through June 30, 2024, and one hundred seventy-one thousand one hundred thirteen"

Page 4, line 14, remove "four thousand"

Page 4, remove line 15

Page 4, line 16, replace "hundred fifty-four" with "four thousand six hundred seventy-five dollars per annum through June 30, 2024, and four thousand eight hundred sixty-two"

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1002 - Summary of Senate Action**

|                             | Base Budget   | House Version | Senate Changes | Senate Version |
|-----------------------------|---------------|---------------|----------------|----------------|
| Supreme Court               |               |               |                |                |
| Total all funds             | \$13,839,097  | \$16,497,236  | \$7,602,942    | \$24,100,178   |
| Less estimated income       | 0             | 388,000       | 97,793         | 485,793        |
| General fund                | \$13,839,097  | \$16,109,236  | \$7,505,149    | \$23,614,385   |
| FTE                         | 43.50         | 44.50         | 0.00           | 44.50          |
| District Courts             |               |               |                |                |
| Total all funds             | \$96,415,675  | \$114,489,519 | (\$9,383,096)  | \$105,106,423  |
| Less estimated income       | 756,963       | 912,831       | (84,441)       | 828,390        |
| General fund                | \$95,658,712  | \$113,576,688 | (\$9,298,655)  | \$104,278,033  |
| FTE                         | 314.00        | 334.00        | 0.00           | 334.00         |
| Judicial Conduct Commission |               |               |                |                |
| Total all funds             | \$1,317,481   | \$1,457,077   | (\$62,064)     | \$1,395,013    |
| Less estimated income       | 502,500       | 533,616       | (23,644)       | 509,972        |
| General fund                | \$814,981     | \$923,461     | (\$38,420)     | \$885,041      |
| FTE                         | 4.50          | 4.50          | 0.00           | 4.50           |
| Bill total                  |               |               |                |                |
| Total all funds             | \$111,572,253 | \$132,443,832 | (\$1,842,218)  | \$130,601,614  |
| Less estimated income       | 1,259,463     | 1,834,447     | (10,292)       | 1,824,155      |
| General fund                | \$110,312,790 | \$130,609,385 | (\$1,831,926)  | \$128,777,459  |
| FTE                         | 362.00        | 383.00        | 0.00           | 383.00         |

**House Bill No. 1002 - Supreme Court - Senate Action**

|                                 | Base Budget  | House Version | Senate Changes | Senate Version |
|---------------------------------|--------------|---------------|----------------|----------------|
| Salaries and wages              | \$11,202,906 | \$13,271,977  | (\$1,137,272)  | \$12,134,705   |
| Operating expenses              | 2,350,094    | 3,196,759     |                | 3,196,759      |
| Capital assets                  |              | 28,500        |                | 28,500         |
| Guardianship monitoring program | 286,097      |               |                |                |
| New and vacant FTE funding pool |              |               | 8,740,214      | 8,740,214      |
| Total all funds                 | \$13,839,097 | \$16,497,236  | \$7,602,942    | \$24,100,178   |
| Less estimated income           | 0            | 388,000       | 97,793         | 485,793        |
| General fund                    | \$13,839,097 | \$16,109,236  | \$7,505,149    | \$23,614,385   |
| FTE                             | 43.50        | 44.50         | 0.00           | 44.50          |

**Department 181 - Supreme Court - Detail of Senate Changes**

|                                 | Adjusts Funding for Salary and Benefit Increases <sup>1</sup> | Removes Salary Funding for Funding Pool <sup>2</sup> | Adds Funding for a Salary Funding Pool <sup>3</sup> | Total Senate Changes |
|---------------------------------|---|--|---|----------------------|
| Salaries and wages              | \$120,453   | (\$1,257,725)  |   | (\$1,137,272)        |
| Operating expenses              |   |  |   |                      |
| Capital assets                  |   |  |   |                      |
| Guardianship monitoring program |   |  |   |                      |
| New and vacant FTE funding pool |   |  | \$8,740,214   | 8,740,214            |
| Total all funds                 | \$120,453   | (\$1,257,725)  | \$8,740,214   | \$7,602,942          |
| Less estimated income           | 0   | 0  | 97,793  | 97,793               |
| General fund                    | \$120,453   | (\$1,257,725)  | \$8,642,421   | \$7,505,149          |
| FTE                             | 0.00  | 0.00   | 0.00  | 0.00                 |

<sup>1</sup> Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, for all judicial branch employees, including Supreme Court justices and district court judges, and for adjustments to health insurance premium rates as follows:

|                             | General Fund |
|-----------------------------|--------------|
| Salary increase             | \$125,896    |
| Health insurance adjustment | (5,443)      |
| Total                       | \$120,453    |

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024. The House also provided salary adjustments of 8 percent on July 1, 2023, and 4 percent on July 1, 2024, for Supreme Court justices and district court judges.

<sup>2</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Chief Justice of the Supreme Court for a transfer from the new and vacant FTE funding pool.

|                      | General Fund  |
|----------------------|---------------|
| New FTE positions    | (\$369,734)   |
| Vacant FTE positions | (887,991)     |
| Total                | (\$1,257,725) |

<sup>3</sup> Funding is added for a salary funding pool for filling new and vacant FTE positions.

**House Bill No. 1002 - District Courts - Senate Action**

|                       | Base Budget  | House Version | Senate Changes | Senate Version |
|-----------------------|--------------|---------------|----------------|----------------|
| Salaries and wages    | \$76,196,548 | \$88,662,340  | (\$9,383,096)  | \$79,279,244   |
| Operating expenses    | 20,081,881   | 24,524,619    |                | 24,524,619     |
| Capital assets        |              | 1,125,220     |                | 1,125,220      |
| Judges' retirement    | 137,246      | 177,340       |                | 177,340        |
| Total all funds       | \$96,415,675 | \$114,489,519 | (\$9,383,096)  | \$105,106,423  |
| Less estimated income | 756,963      | 912,831       | (84,441)       | 828,390        |
| General fund          | \$95,658,712 | \$113,576,688 | (\$9,298,655)  | \$104,278,033  |
| FTE                   | 314.00       | 334.00        | 0.00           | 334.00         |

**Department 182 - District Courts - Detail of Senate Changes**

|                       | Adjusts Funding for Salary and Benefit Increases <sup>1</sup> | Removes Salary Funding for Funding Pool <sup>2</sup> | Total Senate Changes |
|-----------------------|---|--|----------------------|
| Salaries and wages    | \$498,767   | (\$9,881,863)  | (\$9,383,096)        |
| Operating expenses    |   |  |                      |
| Capital assets        |   |  |                      |
| Judges' retirement    |   |  |                      |
| Total all funds       | \$498,767   | (\$9,881,863)  | (\$9,383,096)        |
| Less estimated income | 6,583   | (91,024)   | (84,441)             |
| General fund          | \$492,184   | (\$9,790,839)  | (\$9,298,655)        |
| FTE                   | 0.00  | 0.00   | 0.00                 |

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

|                             | General Fund | Other Funds | Total     |
|-----------------------------|--------------|-------------|-----------|
| Salary increase             | \$532,208    | \$6,820     | \$539,028 |
| Health insurance adjustment | (40,024)     | (237)       | (40,261)  |
| Total                       | \$492,184    | \$6,583     | \$498,767 |

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024. The House also provided salary adjustments of 8 percent on July 1, 2023, and 4 percent on July 1, 2024, for Supreme Court justices and district court judges.

<sup>2</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Chief Justice of the Supreme Court for a transfer from the new and vacant FTE funding pool.

|                      | General Fund  | Other Funds | Total         |
|----------------------|---------------|-------------|---------------|
| New FTE positions    | (\$3,999,004) | (\$63,662)  | (\$4,062,666) |
| Vacant FTE positions | (5,791,835)   | (27,362)    | (5,819,197)   |
| Total                | (\$9,790,839) | (\$91,024)  | (\$9,881,863) |

**House Bill No. 1002 - Judicial Conduct Commission - Senate Action**

|                             | Base Budget | House Version | Senate Changes | Senate Version |
|-----------------------------|-------------|---------------|----------------|----------------|
| Judicial Conduct Commission | \$1,317,481 | \$1,457,077   | (\$62,064)     | \$1,395,013    |
| Total all funds             | \$1,317,481 | \$1,457,077   | (\$62,064)     | \$1,395,013    |
| Less estimated income       | 502,500     | 533,616       | (23,644)       | 509,972        |
| General fund                | \$814,981   | \$923,461     | (\$38,420)     | \$885,041      |
| FTE                         | 4.50        | 4.50          | 0.00           | 4.50           |

**Department 183 - Judicial Conduct Commission - Detail of Senate Changes**

|                             | Adjusts Funding for Salary and Benefit Increases <sup>1</sup> | Removes Salary Funding for Funding Pool <sup>2</sup> | Total Senate Changes |
|-----------------------------|---|--|----------------------|
| Judicial Conduct Commission | \$17,966  | (\$80,030)   | (\$62,064)           |
| Total all funds             | \$17,966  | (\$80,030)   | (\$62,064)           |
| Less estimated income       | 6,848   | (30,492)   | (23,644)             |
| General fund                | \$11,118  | (\$49,538)   | (\$38,420)           |
| FTE                         | 0.00  | 0.00   | 0.00                 |

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

|                             | General Fund | Other Funds | Total    |
|-----------------------------|--------------|-------------|----------|
| Salary increase             | \$11,484     | \$7,073     | \$18,557 |
| Health insurance adjustment | (366)        | (225)       | (591)    |
| Total                       | \$11,118     | \$6,848     | \$17,966 |

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

<sup>2</sup> Funding for estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Chief Justice of the Supreme Court for a transfer from the new and vacant FTE funding pool.

|                      | General Fund | Other Funds | Total      |
|----------------------|--------------|-------------|------------|
| Vacant FTE positions | (\$49,538)   | (\$30,492)  | (\$80,030) |

**House Bill No. 1002 - Other Changes - Senate Action**

This amendment also:

- Provides the statutory changes to increase district court judges' and Supreme Court justices' salaries by 6 percent on July 1, 2023, and by 4 percent on July 1, 2024.
- Provides requirements for a new and vacant FTE funding pool, including a reporting requirement.

**REPORT OF STANDING COMMITTEE**

**HB 1004, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1004 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, remove lines 15 through 24

Page 2, replace lines 1 and 2 with:

|  |                    |                    |                    |
|--|--------------------|--------------------|--------------------|
| "Salaries and wages                        | \$41,362,968       | \$3,830,044        | \$45,193,012       |
| Operating expenses                         | 31,242,543         | 6,478,670          | 37,721,213         |
| Capital assets                             | 1,796,393          | (326,613)          | 1,469,780          |
| Grants                                     | 55,812,575         | 15,857,570         | 71,670,145         |
| Tobacco prevention                         | 13,410,022         | 814,235            | 14,224,257         |
| Women, infants, and children food payments | 19,900,000         | 0                  | 19,900,000         |
| COVID-19                                   | 4,459,766          | 93,280,500         | 97,740,266         |
| Public health laboratory capital project   | 0                  | 55,120,000         | 55,120,000         |
| Total all funds                            | \$167,984,267      | \$175,054,406      | \$343,038,673      |
| Less estimated income                      | <u>129,409,112</u> | <u>168,895,106</u> | <u>298,304,218</u> |
| Total general fund                         | \$38,575,155       | \$6,159,300        | \$44,734,455"      |

Page 2, line 4, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-NINTH LEGISLATIVE ASSEMBLY"

Page 4, after line 9, insert:

**"SECTION 8. ESTIMATED INCOME - FEDERAL STATE FISCAL RECOVERY FUND.** The estimated income line item in section 1 of this Act includes the sum of \$55,120,000 from federal funds derived from the state fiscal recovery fund for a public health laboratory capital project."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1004 - DHHS - Health Services - Senate Action**

|                       | Base Budget        | House Version      | Senate Changes     | Senate Version     |
|-----------------------|--------------------|--------------------|--------------------|--------------------|
| Salaries and wages    | \$41,362,968       | \$46,874,742       | (\$1,681,730)      | \$45,193,012       |
| Operating expenses    | 31,242,543         | 37,721,213         |                    | 37,721,213         |
| Capital assets        | 1,796,393          | 1,469,780          |                    | 1,469,780          |
| Grants                | 55,812,575         | 71,670,145         |                    | 71,670,145         |
| Tobacco prevention    | 13,410,022         | 14,260,481         | (36,224)           | 14,224,257         |
| WIC food payments     | 19,900,000         | 19,900,000         |                    | 19,900,000         |
| COVID-19 response     | 4,459,766          | 97,812,857         | (72,591)           | 97,740,266         |
| State laboratory      |                    | 55,120,000         |                    | 55,120,000         |
| Total all funds       | \$167,984,267      | \$344,829,218      | (\$1,790,545)      | \$343,038,673      |
| Less estimated income | <u>129,409,112</u> | <u>299,622,394</u> | <u>(1,318,176)</u> | <u>298,304,218</u> |
| General fund          | \$38,575,155       | \$45,206,824       | (\$472,369)        | \$44,734,455       |
| FTE                   | 210.50             | 215.50             | 0.00               | 215.50             |

**Department 350 - DHHS - Health Services - Detail of Senate Changes**

|                        | Adds Funding for Salary and Benefit Increases <sup>1</sup> | Removes Salary Funding for Funding Pool <sup>2</sup> | Total Senate Changes |
|------------------------|--|--|----------------------|
| Salaries and wages     | \$607,000  | (\$2,288,730)  | (\$1,681,730)        |
| Operating expenses     |  |  |                      |
| Capital assets         |  |  |                      |
| Grants                 |  |  |                      |
| Tobacco prevention     | 13,814   | (50,038)   | (36,224)             |
| WIC food payments      |  |  |                      |
| COVID-19 response      | 27,668   | (100,259)  | (72,591)             |
| State laboratory       |  |  |                      |
| <b>Total all funds</b> | <b>\$648,482</b>   | <b>(\$2,439,027)</b>                                 | <b>(\$1,790,545)</b> |
| Less estimated income  | 486,697  | (1,804,873)  | (1,318,176)          |
| General fund           | \$161,785  | (\$634,154)  | (\$472,369)          |
| FTE                    | 0.00   | 0.00   | 0.00                 |

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

|                           | General Fund | Other Funds | Total     |
|---------------------------|--------------|-------------|-----------|
| Salary increase           | \$167,776    | \$506,174   | \$673,950 |
| Health insurance increase | (5,991)      | (19,477)    | (25,468)  |
| Total                     | \$161,785    | \$486,697   | \$648,482 |

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

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

|                      | General Fund | Other Funds   | Total         |
|----------------------|--------------|---------------|---------------|
| New FTE positions    | (\$65,094)   | (\$50,008)    | (\$115,102)   |
| Vacant FTE positions | (569,060)    | (1,754,865)   | (2,323,925)   |
| Total                | (\$634,154)  | (\$1,804,873) | (\$2,439,027) |

This amendment also adds a section identifying funding provided from the federal State Fiscal Recovery Fund for a public health laboratory capital project.

**REPORT OF STANDING COMMITTEE**

**HB 1005, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1005 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, replace lines 9 through 14 with:

|                                | Base Level  | Adjustments or Enhancements | Appropriation |
|--------------------------------|-------------|-----------------------------|---------------|
| Salaries and wages             | \$910,106   | \$23,143                    | \$933,249     |
| Operating expenses             | 185,609     | 82,109                      | 267,718       |
| Total general fund             | \$1,095,715 | \$105,252                   | \$1,200,967   |
| Full-time equivalent positions | 4.00        | 0.00                        | 4.00"         |

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1005 - Indian Affairs Commission - Senate Action**

|                    | Base Budget | House Version | Senate Changes | Senate Version |
|--------------------|-------------|---------------|----------------|----------------|
| Salaries and wages | \$910,106   | \$931,722     | \$1,527        | \$933,249      |

|                       |             |             |         |             |
|-----------------------|-------------|-------------|---------|-------------|
| Operating expenses    | 185,609     | 267,718     |         | 267,718     |
| Total all funds       | \$1,095,715 | \$1,199,440 | \$1,527 | \$1,200,967 |
| Less estimated income | 0           | 0           | 0       | 0           |
| General fund          | \$1,095,715 | \$1,199,440 | \$1,527 | \$1,200,967 |
| FTE                   | 4.00        | 4.00        | 0.00    | 4.00        |

**Department 316 - Indian Affairs Commission - Detail of Senate Changes**

|                       | Adjusts Funding for<br>Salary and Benefit<br>Increases <sup>1</sup> | Removes Salary Funding<br>for Funding Pool <sup>2</sup> | Total Senate Changes |
|-----------------------|---|---|----------------------|
| Salaries and wages    | \$14,046  | (\$12,519)  | \$1,527              |
| Operating expenses    |   |   |                      |
| Total all funds       | \$14,046  | (\$12,519)  | \$1,527              |
| Less estimated income | 0   | 0   | 0                    |
| General fund          | \$14,046  | (\$12,519)  | \$1,527              |
| FTE                   | 0.00  | 0.00  | 0.00                 |

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

|                             | General<br>Fund | Other<br>Funds | Total    |
|-----------------------------|-----------------|----------------|----------|
| Salary increase             | \$14,519        | \$0            | \$14,519 |
| Health insurance adjustment | (473)           | 0              | (473)    |
| Total                       | \$14,046        | \$0            | \$14,046 |

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

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

|                      | General<br>Fund | Other<br>Funds | Total      |
|----------------------|-----------------|----------------|------------|
| New FTE positions    | \$0             | \$0            | \$0        |
| Vacant FTE positions | (12,519)        | 0              | (12,519)   |
| Total                | (\$12,519)      | \$0            | (\$12,519) |

**REPORT OF STANDING COMMITTEE**

**HB 1008, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1008 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, remove "and"

Page 1, line 2, after "exemption" insert "; and to provide for a legislative management study"

Page 1, replace lines 11 through 15 with:

|                                |             |           |             |
|--------------------------------|-------------|-----------|-------------|
| "Salaries and wages            | \$7,415,098 | \$312,742 | \$7,727,840 |
| Operating expenses             | 1,671,409   | 481,453   | 2,152,862   |
| Contingency                    | 20,000      | 0         | 20,000      |
| Total special funds            | \$9,106,507 | \$794,195 | \$9,900,702 |
| Full-time equivalent positions | 31.00       | 4.00      | 35.00"      |

Page 1, after line 20, insert:

**"SECTION 3. LEGISLATIVE MANAGEMENT STUDY - APPROPRIATION AND MANAGEMENT PROCEDURES.** During the 2023-24 interim, the legislative management shall consider studying the appropriation procedures for the department of financial institutions. The study must include an analysis of the feasibility and desirability of alternative appropriation methods, management

structures employed, oversight and reporting to the executive and legislative branches of government, staff classification structures tied to federal or market compensation indexes, and staffing structures which allow for adjustments to market conditions. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1008 - Department of Financial Institutions - Senate Action

|                       | Base Budget | House Version | Senate Changes | Senate Version |
|-----------------------|-------------|---------------|----------------|----------------|
| Salaries and wages    | \$7,415,098 | \$8,457,556   | (\$729,716)    | \$7,727,840    |
| Operating expenses    | 1,671,409   | 2,083,917     | 68,945         | 2,152,862      |
| Contingency           | 20,000      | 20,000        |                | 20,000         |
| Total all funds       | \$9,106,507 | \$10,561,473  | (\$660,771)    | \$9,900,702    |
| Less estimated income | 9,106,507   | 10,561,473    | (660,771)      | 9,900,702      |
| General fund          | \$0         | \$0           | \$0            | \$0            |
| FTE                   | 31.00       | 33.00         | 2.00           | 35.00          |

#### Department 413 - Department of Financial Institutions - Detail of Senate Changes

|                       | Adjusts Funding for Salary and Benefit Increases <sup>1</sup> | Adjusts Funding for FTE Positions <sup>2</sup> | Removes Salary Funding for Funding Pool <sup>3</sup> | Total Senate Changes |
|-----------------------|---|--|--|----------------------|
| Salaries and wages    | \$137,227   | \$399,820                                      | (\$1,266,763)  | (\$729,716)          |
| Operating expenses    |   | 68,945   |  | 68,945               |
| Contingency           |   |  |  |                      |
| Total all funds       | \$137,227   | \$468,765                                      | (\$1,266,763)  | (\$660,771)          |
| Less estimated income | 137,227   | 468,765  | (1,266,763)  | (660,771)            |
| General fund          | \$0   | \$0  | \$0  | \$0                  |
| FTE                   | 0.00  | 2.00   | 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 as follows:

|                             | Other Funds |
|-----------------------------|-------------|
| Salary increase             | \$140,519   |
| Health insurance adjustment | (3,292)     |
| Total                       | \$137,227   |

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

<sup>2</sup> Funding of \$468,765 from other funds is adjusted to the salaries and wages and operating expenses line items as follows:

|   | FTE    | Salaries and Wages | Operating Expenses | Total     |
|---|--------|--------------------|--------------------|-----------|
| Adds 1 FTE licensing examiner position                      | 1.00   | \$199,820          | \$30,945           | \$230,765 |
| Adds 1 FTE non-depository examiner position                 | 1.00   | 199,820            | 30,945             | 230,765   |
| Adds 1 FTE mortgage servicer examiner position              | 1.00   | 200,000            | 38,000             | 238,000   |
| Removes 1 FTE licensing or non-depository examiner position | (1.00) | (199,820)          | (30,945)           | (230,765) |
| Total   | 2.00   | \$399,820          | \$68,945           | \$468,765 |

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

|                      | Other Funds   |
|----------------------|---------------|
| New FTE positions    | (\$1,026,562) |
| Vacant FTE positions | (240,201)     |
| Total                | (\$1,266,763) |

This amendment adds a section to provide for a Legislative Management study of the appropriation and management procedures for the Department of Financial Institutions.

**REPORT OF STANDING COMMITTEE**

**HB 1010, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1010 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, replace "and" with "to provide for a report;"

Page 1, line 2, after "exemption" insert "; and to declare an emergency"

Page 1, replace lines 11 through 17 with:

|                                |                  |                |                  |
|--------------------------------|------------------|----------------|------------------|
| "Salaries and wages            | \$1,082,619      | \$212,465      | \$1,295,084      |
| Operating expenses             | 286,545          | 544,048        | 830,593          |
| Grants                         | <u>2,082,524</u> | <u>342,818</u> | <u>2,425,342</u> |
| Total all funds                | \$3,451,688      | \$1,099,331    | \$4,551,019      |
| Less estimated income          | <u>1,788,922</u> | <u>161,078</u> | <u>1,950,000</u> |
| Total general fund             | \$1,662,766      | \$938,253      | \$2,601,019      |
| Full-time equivalent positions | 5.00             | 1.00           | 6.00"            |

Page 2, replace lines 2 through 4 with:

|                                     |     |               |
|-------------------------------------|-----|---------------|
| "Arts across the prairie initiative | 0   | 170,000       |
| Information technology equipment    | 0   | <u>10,000</u> |
| Total all funds                     | \$0 | \$328,930     |
| Total other funds                   | 0   | <u>70,000</u> |
| Total general fund                  | \$0 | \$258,930"    |

Page 2, line 13, remove the second "and"

Page 2, line 14, remove "deposited with the state treasurer pursuant to section 55-01-04"

Page 2, after line 23, insert:

**"SECTION 6. EMERGENCY.** The amount of \$106,430 from the general fund appropriated in the salaries and wages line item for accrued leave payouts in section 1 of this Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1010 - Council on the Arts - Senate Action**

|                       | Base Budget      | House Version    | Senate Changes | Senate Version   |
|-----------------------|------------------|------------------|----------------|------------------|
| Salaries and wages    | \$1,082,619      | \$1,299,802      | (\$4,718)      | \$1,295,084      |
| Operating expenses    | 286,545          | 830,593          |                | 830,593          |
| Grants                | <u>2,082,524</u> | <u>2,355,342</u> | 70,000         | <u>2,425,342</u> |
| Total all funds       | \$3,451,688      | \$4,485,737      | \$65,282       | \$4,551,019      |
| Less estimated income | <u>1,788,922</u> | <u>1,880,000</u> | 70,000         | <u>1,950,000</u> |
| General fund          | \$1,662,766      | \$2,605,737      | (\$4,718)      | \$2,601,019      |
| FTE                   | 5.00             | 6.00             | 0.00           | 6.00             |



## Department 709 - Council on the Arts - Detail of Senate Changes

|                       | Adjusts Funding<br>for Salary and<br>Benefit<br>Increases <sup>1</sup> | Adds Funding<br>for New FTE<br>Position <sup>2</sup> | Removes Salary<br>Funding for<br>Funding Pool <sup>3</sup> | Increases<br>Funding for the<br>Arts Across the<br>Prairie Initiative <sup>4</sup> | Total Senate<br>Changes |
|-----------------------|--|--|--|--|-------------------------|
| Salaries and wages    | \$17,712   | \$132,954  | (\$155,384)  |  | (\$4,718)               |
| Operating expenses    |  |  |  |  |                         |
| Grants                |  |  |  | \$70,000   | 70,000                  |
| Total all funds       | \$17,712   | \$132,954  | (\$155,384)  | \$70,000   | \$65,282                |
| Less estimated income | 0  | 0  | 0  | 70,000   | 70,000                  |
| General fund          | \$17,712   | \$132,954  | (\$155,384)  | \$0  | (\$4,718)               |
| FTE                   | 0.00   | 0.00   | 0.00   | 0.00   | 0.00                    |

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

|                             | General<br>Fund |
|-----------------------------|-----------------|
| Salary increase             | \$18,422        |
| Health insurance adjustment | (710)           |
| Total                       | \$17,712        |

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

<sup>2</sup> Funding of \$132,954 from the general fund is added to provide a total of \$150,000 from the general fund for 1 new FTE administrative assistant position and associated operating costs. The House added \$17,046 from the general fund to convert a temporary position to an FTE position, including associated operating costs.

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

|                      | General<br>Fund |
|----------------------|-----------------|
| New FTE positions    | (\$139,500)     |
| Vacant FTE positions | (15,884)        |
| Total                | (\$155,384)     |

<sup>4</sup> One-time funding of \$70,000 from a momentum fund grant from the Department of Commerce is added for the arts across the prairie initiative.

This amendment also:

- Adds a section to declare the one-time appropriation of \$106,430 from the general fund for accrued leave payouts to retiring staff to be an emergency measure.
- Clarifies language that provides for the appropriation of all additional gifts, grants, devises, bequests, donations, and assignments received by the Council on the Arts without Emergency Commission or Budget Section approval.

#### REPORT OF STANDING COMMITTEE

**HB 1011, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1011 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, after "patrol" insert "; to create and enact section 39-03-18.1 of the North Dakota Century Code, relating to a federal assets forfeiture fund; to provide an exemption; to provide a continuing appropriation"

Page 1, replace lines 11 through 15 with:

|                                |                   |                    |                   |
|--------------------------------|-------------------|--------------------|-------------------|
| "Highway patrol                | \$62,113,414      | \$8,633,574        | \$70,746,988      |
| Total all funds                | \$62,113,414      | \$8,633,574        | \$70,746,988      |
| Less estimated income          | <u>25,785,652</u> | <u>(4,512,750)</u> | <u>21,272,902</u> |
| Total general fund             | \$36,327,762      | \$13,146,324       | \$49,474,086      |
| Full-time equivalent positions | 193.00            | 12.00              | 205.00"           |

Page 1, replace line 21 with:

|                                  |           |            |
|----------------------------------|-----------|------------|
| "Commercial motor carrier system | \$275,000 | \$150,000" |
|----------------------------------|-----------|------------|

Page 2, replace line 2 with:

|                            |   |          |
|----------------------------|---|----------|
| "New trooper startup costs | 0 | 636,000" |
|----------------------------|---|----------|

Page 2, replace lines 7 through 11 with:

|                          |                  |                  |
|--------------------------|------------------|------------------|
| "Technology enhancements | 0                | 170,000          |
| Total all funds          | \$7,310,000      | \$4,109,000      |
| Less estimated income    | <u>7,310,000</u> | <u>1,130,216</u> |
| Total general fund       | \$0              | \$2,978,784"     |

Page 2, line 17, replace "\$11,575,949" with "\$11,238,321"

Page 2, line 24, replace "\$1,648,955" with "\$1,374,248"

Page 2, line 29, replace "\$2,000,000" with "\$3,000,000"

Page 3, after line 10, insert:

**"SECTION 7.** Section 39-03-18.1 of the North Dakota Century Code is created and enacted as follows:

**39-03-18.1. Highway patrol - Federal assets forfeiture fund - Continuing appropriation.**

There is created in the state treasury the highway patrol federal assets forfeiture fund. The fund consists of moneys received through federal asset forfeiture sharing programs. Funds received through federal sharing programs may not be deposited in the same account as assets forfeited pursuant to section 39-03-18. Up to three hundred thousand dollars are appropriated from the fund on a continuing basis each biennium to the highway patrol. Funding may be used only for eligible purchases identified by the federal department of justice and federal department of treasury. The superintendent, with the concurrence of the director of the office of management and budget, shall establish the necessary accounting procedures in accordance with the federal asset sharing program for the use of the fund. All expenditures of moneys in the fund must be approved by the superintendent.

**SECTION 8. EXEMPTION.** The sum of \$225,000 of federal funds appropriated in section 1 of chapter 39 of the 2021 Session Laws for the commercial vehicle information exchange window system is not subject to the provisions of section 54-44.1-11 and may be continued into the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1011 - Highway Patrol - Senate Action**

|                       | Base Budget       | House Version     | Senate Changes   | Senate Version    |
|-----------------------|-------------------|-------------------|------------------|-------------------|
| Highway patrol        | \$62,113,414      | \$73,828,550      | (\$3,081,562)    | \$70,746,988      |
| Total all funds       | \$62,113,414      | \$73,828,550      | (\$3,081,562)    | \$70,746,988      |
| Less estimated income | <u>25,785,652</u> | <u>22,117,633</u> | <u>(844,731)</u> | <u>21,272,902</u> |
| General fund          | \$36,327,762      | \$51,710,917      | (\$2,236,831)    | \$49,474,086      |

|     |        |        |      |        |
|-----|--------|--------|------|--------|
| FTE | 193.00 | 202.00 | 3.00 | 205.00 |
|-----|--------|--------|------|--------|

**Department 504 - Highway Patrol - Detail of Senate Changes**

|                       | Adjusts Funding for Salary and Benefit Increases <sup>1</sup> | Removes Salary Funding for Funding Pool <sup>2</sup> | Adds Trooper FTE Positions <sup>3</sup> | Adds Per Diem Funding for New Trooper Positions <sup>4</sup> | Adds Funding for On-Call and Overtime Pay <sup>5</sup> | Removes Shooting Range Upgrade Funding <sup>6</sup> |
|-----------------------|---|--|---|--|--|---|
| Highway patrol        | \$754,249   | (\$5,319,935)  | \$1,064,377                             | \$52,800   | \$416,947  | (\$200,000)   |
| Total all funds       | \$754,249   | (\$5,319,935)  | \$1,064,377                             | \$52,800   | \$416,947  | (\$200,000)   |
| Less estimated income | 200,830   | (1,595,167)  | 421,909                                 | 7,392  | 170,305  | (200,000)   |
| General fund          | \$553,419   | (\$3,724,768)  | \$642,468                               | \$45,408   | \$246,642  | \$0   |
| FTE                   | 0.00  | 0.00   | 3.00                                    | 0.00   | 0.00   | 0.00  |

|                       | Adds Funding for CVIEW System <sup>7</sup> | Total Senate Changes |
|-----------------------|--|----------------------|
| Highway patrol        | \$150,000                                  | (\$3,081,562)        |
| Total all funds       | \$150,000                                  | (\$3,081,562)        |
| Less estimated income | 150,000                                    | (844,731)            |
| General fund          | \$0  | (\$2,236,831)        |
| FTE                   | 0.00                                       | 3.00                 |

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

|                             | General Fund | Other Funds | Total     |
|-----------------------------|--------------|-------------|-----------|
| Salary increase             | \$583,105    | \$209,014   | \$792,119 |
| Health insurance adjustment | (29,686)     | (8,184)     | (37,870)  |
| Total                       | \$553,419    | \$200,830   | \$754,249 |

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

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

|                      | General Fund  | Other Funds   | Total         |
|----------------------|---------------|---------------|---------------|
| New FTE positions    | (\$1,705,561) | (\$886,351)   | (\$2,591,912) |
| Vacant FTE positions | (2,019,207)   | (708,816)     | (2,728,023)   |
| Total                | (\$3,724,768) | (\$1,595,167) | (\$5,319,935) |

<sup>3</sup> The following FTE positions are added:

|                               | FTE  | General Fund | Other Funds | Total     |
|-------------------------------|------|--------------|-------------|-----------|
| Criminal interdiction trooper | 1.00 | \$244,341    | \$39,772    | \$284,113 |
| Capitol security trooper      | 1.00 | 244,533      | 39,552      | 284,085   |
| Motor carrier trooper         | 1.00 | 16,854       | 320,325     | 337,179   |
| Total                         | 3.00 | \$505,728    | \$399,649   | \$905,377 |

One-time funding of \$159,000 is also added for equipment costs for the positions. These 3 new FTE positions are in addition to the 9 FTE trooper positions added by the House including 7 FTE criminal interdiction troopers, 1 FTE drug recognition trooper, and 1 FTE motor carrier trooper.

<sup>4</sup> Funding is added for \$200 per month per diem payments for new trooper positions consistent with per diem payments for existing trooper positions.

<sup>5</sup> Funding is added for on-call and overtime pay to account for employee salary increases and equity adjustments.

<sup>6</sup> One-time funding from the motor carrier electronic permit fund added by the House for shooting range upgrades is removed.

<sup>7</sup> One-time federal funding is added for the motor carrier Commercial Vehicle Information Exchange Window system.

This amendment also:

- Increases the transfer from the motor carrier electronic permit fund to the Highway Patrolmen's Retirement Fund by \$1 million, from \$2 million as provided by the House to \$3 million.
- Adds a section to create a federal assets forfeiture fund with a continuing appropriation of up to \$300,000 per biennium to the Highway Patrol for eligible purchases.
- Adds a section to provide an exemption allowing unexpended 2021-23 biennium federal funding to continue into the 2023-25 biennium for the Commercial Vehicle Information Exchange Window system.

**REPORT OF STANDING COMMITTEE**

**HB 1013, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1013 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, replace lines 11 through 16 with:

|                                |                |             |                |
|--------------------------------|----------------|-------------|----------------|
| "Salaries and wages            | \$6,473,127    | \$1,050,694 | \$7,523,821    |
| Operating expenses             | 2,229,872      | (460,778)   | 1,769,094      |
| Capital assets                 | 0              | 2,549,500   | 2,549,500      |
| Contingencies                  | <u>100,000</u> | <u>0</u>    | <u>100,000</u> |
| Total special funds            | \$8,802,999    | \$3,139,416 | \$11,942,415   |
| Full-time equivalent positions | 30.00          | 3.00        | 33.00"         |

Page 1, remove lines 22 and 23

Page 2, replace lines 1 and 2 with:

|                                  |             |               |
|----------------------------------|-------------|---------------|
| "Information technology project  | \$1,600,000 | \$2,500,000   |
| Information technology equipment | 0           | 5,400         |
| Utility vehicle and trailer      | <u>0</u>    | <u>49,500</u> |
| Total special funds              | \$1,600,000 | \$2,554,900"  |

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1013 - Department of Trust Lands - Senate Action**

|                       | Base Budget      | House Version     | Senate Changes     | Senate Version    |
|-----------------------|------------------|-------------------|--------------------|-------------------|
| Salaries and wages    | \$6,473,127      | \$8,026,528       | (\$502,707)        | \$7,523,821       |
| Operating expenses    | 2,229,872        | 1,758,194         | 10,900             | 1,769,094         |
| Capital assets        |                  | 4,949,500         | (2,400,000)        | 2,549,500         |
| Contingencies         | <u>100,000</u>   | <u>100,000</u>    |                    | <u>100,000</u>    |
| Total all funds       | \$8,802,999      | \$14,834,222      | (\$2,891,807)      | \$11,942,415      |
| Less estimated income | <u>8,802,999</u> | <u>14,834,222</u> | <u>(2,891,807)</u> | <u>11,942,415</u> |
| General fund          | \$0              | \$0               | \$0                | \$0               |
| FTE                   | 30.00            | 32.00             | 1.00               | 33.00             |

**Department 226 - Department of Trust Lands - Detail of Senate Changes**

|                        | Adjusts Funding for Salary and Benefit Increases <sup>1</sup> | Adds FTE Position <sup>2</sup> | Removes Salary Funding for a Funding Pool <sup>3</sup> | Adjusts One-Time Funding Items <sup>4</sup> | Total Senate Changes |
|------------------------|---|--------------------------------|--|---|----------------------|
| Salaries and wages     | \$132,408   | \$334,842                      | (\$969,957)  |   | (\$502,707)          |
| Operating expenses     |   | 9,100                          |  | \$1,800                                     | 10,900               |
| Capital assets         |   |                                |  | (2,400,000)                                 | (2,400,000)          |
| Contingencies          |   |                                |  |   |                      |
| <b>Total all funds</b> | <b>\$132,408</b>  | <b>\$343,942</b>               | <b>(\$969,957)</b>                                     | <b>(\$2,398,200)</b>                        | <b>(\$2,891,807)</b> |
| Less estimated income  | 132,408   | 343,942                        | (969,957)  | (2,398,200)                                 | (2,891,807)          |
| General fund           | \$0   | \$0                            | \$0  | \$0   | \$0                  |
| FTE                    | 0.00  | 1.00                           | 0.00   | 0.00  | 1.00                 |

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

|                             | General Fund | Other Funds | Total     |
|-----------------------------|--------------|-------------|-----------|
| Salary increase             | \$0          | \$136,076   | \$136,076 |
| Health insurance adjustment | 0            | (3,668)     | (3,668)   |
| Total                       | \$0          | \$132,408   | \$132,408 |

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

<sup>2</sup> Funding of \$343,942 from the state lands maintenance fund is added for 1 FTE investment analyst position, including \$334,842 for salaries and wages and \$9,100 for operating expenses. The House did not add this position.

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

|                      | General Fund | Other Funds | Total     |
|----------------------|--------------|-------------|-----------|
| New FTE positions    | \$0          | \$739,732   | \$739,732 |
| Vacant FTE positions | 0            | 230,225     | 230,225   |
| Total                | \$0          | \$969,957   | \$969,957 |

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

<sup>4</sup> One-time funding of \$2,398,200 from the state lands maintenance fund is adjusted as follows:

- \$1,800 for operating expenses is added related to information technology equipment for a new FTE position added by the Senate.
- \$2.4 million for capital assets is removed related to the continued development of an information technology project, which provides \$2.5 million of new funding for total project funding of \$7.7 million, including \$5.2 million appropriated in prior bienniums. The House provided \$4.9 million of new funding for total project funding of \$10.1 million, including \$5.2 million appropriated in prior bienniums.

The Senate did not change a section included by the House to provide for the permanent fund income distributions to state institutions.

**REPORT OF STANDING COMMITTEE**

**HB 1017, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1017 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, replace lines 8 through 13 with:

|                                |                   |                     |                      |
|--------------------------------|-------------------|---------------------|----------------------|
| "                              |                   | Adjustments or      |                      |
|                                | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| Salaries and wages             | \$1,298,644       | \$119,373           | \$1,418,017          |
| Operating expenses             | 1,582,885         | (493)               | 1,582,392            |
| Total special funds            | \$2,881,529       | \$118,880           | \$3,000,409          |
| Full-time equivalent positions | 5.00              | 0.00                | 5.00"                |

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1017 - Office of Administrative Hearings - Senate Action**

|                       | Base Budget | House Version | Senate Changes | Senate Version |
|-----------------------|-------------|---------------|----------------|----------------|
| Salaries and wages    | \$1,298,644 | \$1,415,388   | \$2,629        | \$1,418,017    |
| Operating expenses    | 1,582,885   | 1,582,392     |                | 1,582,392      |
| Total all funds       | \$2,881,529 | \$2,997,780   | \$2,629        | \$3,000,409    |
| Less estimated income | 2,881,529   | 2,997,780     | 2,629          | 3,000,409      |
| General fund          | \$0         | \$0           | \$0            | \$0            |
| FTE                   | 5.00        | 5.00          | 0.00           | 5.00           |

**Department 140 - Office of Administrative Hearings - Detail of Senate Changes**

|                       | Adjusts Funding for Salary and Benefit Increases <sup>1</sup> | Removes Salary Funding for Funding Pool <sup>2</sup> | Total Senate Changes |
|-----------------------|---|--|----------------------|
| Salaries and wages    | \$22,687  | (\$20,058)   | \$2,629              |
| Operating expenses    |   |  |                      |
| Total all funds       | \$22,687  | (\$20,058)   | \$2,629              |
| Less estimated income | 22,687  | (20,058)   | 2,629                |
| General fund          | \$0   | \$0  | \$0                  |
| FTE                   | 0.00  | 0.00   | 0.00                 |

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

|                             | General Fund | Other Funds | Total    |
|-----------------------------|--------------|-------------|----------|
| Salary increase             | \$0          | \$23,279    | \$23,279 |
| Health insurance adjustment | 0            | (592)       | (592)    |
| Total                       | \$0          | \$22,687    | \$22,687 |

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

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

|                      | General Fund | Other Funds | Total      |
|----------------------|--------------|-------------|------------|
| New FTE positions    | \$0          | \$0         | \$0        |
| Vacant FTE positions | 0            | (20,058)    | (20,058)   |
| Total                | \$0          | (\$20,058)  | (\$20,058) |

**REPORT OF STANDING COMMITTEE**

**HB 1022, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1022 was placed on the Sixth order on the calendar. This bill does not affect workforce development.**

Page 1, replace lines 10 through 18 with:

|   |                   |                                    |                      |
|---|-------------------|------------------------------------|----------------------|
| "   | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
| Commission on legal counsel for indigents | \$20,964,213      | \$1,655,907                        | \$22,620,120         |
| Legal counsel for juveniles               | <u>325,000</u>    | <u>(325,000)</u>                   | <u>0</u>             |
| Total all funds                           | \$21,289,213      | \$1,330,907                        | \$22,620,120         |
| Less estimated income                     | <u>1,994,850</u>  | <u>16,372</u>                      | <u>2,011,222</u>     |
| Total general fund                        | \$19,294,363      | \$1,314,535                        | \$20,608,898         |
| Full-time equivalent positions            | 40.00             | 1.00                               | 41.00"               |

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1022 - Comm. on Legal Counsel for Indigents - Senate Action**

|                                      | Base Budget      | House Version               | Senate Changes              | Senate Version              |
|--------------------------------------|------------------|-----------------------------|-----------------------------|-----------------------------|
| Comm. on Legal Counsel for Indigents | \$20,964,213     | \$22,891,417                | (\$271,297)                 | \$22,620,120                |
| Legal counsel for juveniles          | <u>325,000</u>   | <u>                    </u> | <u>                    </u> | <u>                    </u> |
| Total all funds                      | \$21,289,213     | \$22,891,417                | (\$271,297)                 | \$22,620,120                |
| Less estimated income                | <u>1,994,850</u> | <u>2,014,337</u>            | <u>(3,115)</u>              | <u>2,011,222</u>            |
| General fund                         | \$19,294,363     | \$20,877,080                | (\$268,182)                 | \$20,608,898                |
| FTE                                  | 40.00            | 41.00                       | 0.00                        | 41.00                       |

**Department 188 - Comm. on Legal Counsel for Indigents - Detail of Senate Changes**

|                                      | Adjusts Funding for Salary and Benefit Plans <sup>1</sup> | Removes Salary Funding for Funding Pool <sup>2</sup> | Total Senate Changes        |
|--------------------------------------|---|--|-----------------------------|
| Comm. on Legal Counsel for Indigents | \$127,212   | (\$398,509)  | (\$271,297)                 |
| Legal counsel for juveniles          | <u>                    </u>                               | <u>                    </u>                          | <u>                    </u> |
| Total all funds                      | \$127,212   | (\$398,509)  | (\$271,297)                 |
| Less estimated income                | <u>4,019</u>  | <u>(7,134)</u>                                       | <u>(3,115)</u>              |
| General fund                         | \$123,193   | (\$391,375)  | (\$268,182)                 |
| FTE                                  | 0.00  | 0.00   | 0.00                        |

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

|                           | General Fund     | Other Funds    | Total            |
|---------------------------|------------------|----------------|------------------|
| Salary increase           | \$127,028        | \$4,137        | \$131,165        |
| Health insurance increase | <u>(\$3,835)</u> | <u>(\$118)</u> | <u>(\$3,953)</u> |
| Total                     | \$123,193        | \$4,019        | \$127,212        |

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

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

|                      | General Fund     | Other Funds    | Total            |
|----------------------|------------------|----------------|------------------|
| New FTE positions    | (\$137,781)      | \$0            | (\$137,781)      |
| Vacant FTE positions | <u>(253,594)</u> | <u>(7,134)</u> | <u>(260,728)</u> |
| Total                | (\$391,375)      | (\$7,134)      | (\$398,509)      |

**REPORT OF STANDING COMMITTEE**

**HB 1023, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1023 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, replace lines 12 through 15 with:

|                       |                  |                 |                  |
|-----------------------|------------------|-----------------|------------------|
| "Racing commission    | <u>\$554,495</u> | <u>\$92,609</u> | <u>\$647,104</u> |
| Total all funds       | \$554,495        | \$92,609        | \$647,104        |
| Less estimated income | <u>166,601</u>   | <u>5,497</u>    | <u>172,098</u>   |
| Total general fund    | \$387,894        | \$87,112        | \$475,006"       |

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1023 - Racing Commission - Senate Action**

|                       | Base<br>Budget   | House<br>Version | Senate<br>Changes | Senate<br>Version |
|-----------------------|------------------|------------------|-------------------|-------------------|
| Racing Commission     | <u>\$554,495</u> | <u>\$646,391</u> | \$713             | <u>\$647,104</u>  |
| Total all funds       | \$554,495        | \$646,391        | \$713             | \$647,104         |
| Less estimated income | <u>166,601</u>   | <u>172,062</u>   | 36                | <u>172,098</u>    |
| General fund          | <u>\$387,894</u> | <u>\$474,329</u> | \$677             | <u>\$475,006</u>  |
| FTE                   | 2.00             | 2.00             | 0.00              | 2.00              |

**Department 670 - Racing Commission - Detail of Senate Changes**

|                       | Adjusts Funding for<br>Salary and Benefit<br>Increases <sup>1</sup> | Removes Salary Funding<br>for Funding Pool <sup>2</sup> | Total Senate Changes |
|-----------------------|---|---|----------------------|
| Racing Commission     | <u>\$6,656</u>  | <u>(\$5,943)</u>  | \$713                |
| Total all funds       | \$6,656   | (\$5,943)   | \$713                |
| Less estimated income | <u>334</u>  | <u>(298)</u>  | <u>36</u>            |
| General fund          | <u>\$6,322</u>  | <u>(\$5,645)</u>  | <u>\$677</u>         |
| FTE                   | 0.00  | 0.00  | 0.00                 |

<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 as follows:

|                             | General<br>Fund | Other<br>Funds | Total   |
|-----------------------------|-----------------|----------------|---------|
| Salary increase             | \$6,547         | \$346          | \$6,893 |
| Health insurance adjustment | (225)           | (12)           | (237)   |
| Total                       | \$6,322         | \$334          | \$6,656 |

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

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

|                      | General<br>Fund | Other<br>Funds | Total   |
|----------------------|-----------------|----------------|---------|
| New FTE positions    | \$0             | \$0            | \$0     |
| Vacant FTE positions | (5,645)         | (298)          | (5,943) |
| Total                | (5,645)         | (298)          | (5,943) |

**REPORT OF STANDING COMMITTEE**

**HB 1025, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1025 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, after the first semicolon insert "and"

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



Page 1, replace lines 12 through 21 with:

|                                 |                  |                |                  |
|---------------------------------|------------------|----------------|------------------|
| "Veterans' affairs              | \$1,501,950      | \$287,506      | \$1,789,456      |
| State approving agency          | 292,024          | 21,002         | 313,026          |
| Grants - transportation program | 1,220,000        | (93,915)       | 1,126,085        |
| Transport vans                  | 18,800           | 0              | 18,800           |
| Service dogs                    | 50,000           | (50,000)       | 0                |
| Veterans' home cemetery         | <u>0</u>         | <u>291,500</u> | <u>291,500</u>   |
| Total all funds                 | \$3,082,774      | \$456,093      | \$3,538,867      |
| Less estimated income           | <u>1,512,150</u> | <u>319,297</u> | <u>1,831,447</u> |
| Total general fund              | \$1,570,624      | \$136,796      | \$1,707,420      |
| Full-time equivalent positions  | 8.00             | 1.00           | 9.00"            |

Page 2, replace line 4 with:

|                            |     |            |
|----------------------------|-----|------------|
| "Document scanning project | \$0 | \$100,836" |
|----------------------------|-----|------------|

Page 2, remove line 6

Page 2, replace lines 10 through 12 with:

|                       |                |                |
|-----------------------|----------------|----------------|
| "Total all funds      | \$938,500      | \$411,402      |
| Less estimated income | <u>938,500</u> | <u>392,336</u> |
| Total general fund    | \$0            | \$19,066"      |

Page 2, after line 16, insert:

**"SECTION 3. ESTIMATED INCOME - FEDERAL STATE FISCAL RECOVERY FUND - DOCUMENT SCANNING PROJECT.** The estimated income line item in section 1 of this Act includes the sum of \$100,836 from federal funds derived from the state fiscal recovery fund for the purpose of a document scanning project."

Page 2, line 30, after the period insert "Of the \$147,000 for veterans' medical transportation, \$18,800 may be used for the purchase of a nonhighly rural transport van during the 2023-25 biennium."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1025 - Department of Veterans' Affairs - Senate Action**

|                                 | Base<br>Budget     | House<br>Version   | Senate<br>Changes | Senate<br>Version |
|---------------------------------|--------------------|--------------------|-------------------|-------------------|
| Veterans' affairs               | \$1,501,950        | \$1,864,005        | (\$74,549)        | \$1,789,456       |
| State approving agency          | 292,024            | 312,678            | 348               | 313,026           |
| Grants - Transportation program | 1,220,000          | 1,126,085          |                   | 1,126,085         |
| Transport vans                  | 18,800             | 37,600             | (18,800)          | 18,800            |
| Service dogs                    | 50,000             |                    |                   |                   |
| Veterans' Home cemetery         |                    | <u>291,500</u>     |                   | <u>291,500</u>    |
| Total all funds                 | \$3,082,774        | \$3,631,868        | (\$93,001)        | \$3,538,867       |
| Less estimated income           | <u>1,512,150</u>   | <u>1,730,263</u>   | 101,184           | 1,831,447         |
| General fund                    | <u>\$1,570,624</u> | <u>\$1,901,605</u> | (\$194,185)       | \$1,707,420       |
| FTE                             | 8.00               | 9.00               | 0.00              | 9.00              |

Department 321 - Department of Veterans' Affairs - Detail of Senate Changes

|                                 | Adjusts Funding for Salary and Benefit Increases <sup>1</sup> | Removes Salary Funding for Funding Pool <sup>2</sup> | Adjusts One-Time Funding for a Document Scanning Project <sup>3</sup> | Removes One-Time Funding for a Transport Van <sup>4</sup> | Total Senate Changes |
|---------------------------------|---|--|---|---|----------------------|
| Veterans' affairs               | \$22,998  | (\$120,383)  | \$22,836  |   | (\$74,549)           |
| State approving agency          | 3,372   | (3,024)  |   |   | 348                  |
| Grants - Transportation program |   |  |   |   |                      |
| Transport vans                  |   |  |   | (\$18,800)  | (18,800)             |
| Service dogs                    |   |  |   |   |                      |
| Veterans' Home cemetery         |   |  |   |   |                      |
| <b>Total all funds</b>          | <b>\$26,370</b>   | <b>(\$123,407)</b>                                   | <b>\$22,836</b>   | <b>(\$18,800)</b>   | <b>(\$93,001)</b>    |
| Less estimated income           | 3,372   | (3,024)  | 100,836   | 0   | 101,184              |
| General fund                    | \$22,998  | (\$120,383)  | (\$78,000)  | (\$18,800)  | (\$194,185)          |
| FTE                             | 0.00  | 0.00   | 0.00  | 0.00  | 0.00                 |

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

|                           | General Fund | Other Funds | Total    |
|---------------------------|--------------|-------------|----------|
| Salary increase           | \$23,688     | \$3,510     | \$27,198 |
| Health insurance increase | (690)        | (138)       | (828)    |
| Total                     | \$22,998     | \$3,372     | \$26,370 |

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

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

|                      | General Fund | Other Funds | Total       |
|----------------------|--------------|-------------|-------------|
| New FTE positions    | (\$99,966)   | \$0         | (\$99,966)  |
| Vacant FTE positions | (20,417)     | (3,024)     | (23,441)    |
| Total                | (\$120,383)  | (\$3,024)   | (\$123,407) |

<sup>3</sup> One-time funding for a document scanning project is adjusted by removing \$78,000 from the general fund approved by the House and adding \$100,836 from the federal State Fiscal Recovery Fund.

<sup>4</sup> One-time funding of \$18,800 from the general fund for the purchase of a nonhighly rural transport van is removed to provide a total of \$18,800 of ongoing funding from the general fund. The House provided \$37,600 from the general fund, of which \$18,800 was ongoing funding and \$18,800 was one-time funding, for the purchase of two transport vans. The Senate amendments provide the department may use funding appropriated from the federal State Fiscal Recovery Fund for veterans' medical transportation during the November 2021 special legislative session to purchase an additional transport van.

This amendment also:

- Adds a section to identify \$100,836 in the estimated income line item in Section 1 from the federal State Fiscal Recovery Fund for a document scanning project.
- Amends a section that provides an exemption to continue \$147,000 appropriated from the federal State Fiscal Recovery Fund for veterans' medical transportation during the November 2021 special legislative session to also be used for the purchase of a nonhighly rural transport van.

**REPORT OF STANDING COMMITTEE**

**HB 1036, as amended: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends DO NOT PASS (14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING).** HB 1036, as amended, was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE**

**HB 1068, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1068 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE**

**HB 1114, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1114 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 3, after the semicolon insert "to provide an effective date;"

Page 1, line 8, after the boldfaced period insert "**(Effective through June 30, 2023)**"

Page 2, after line 12, insert:

**"SECTION 2. AMENDMENT.** Section 53-06.1-11.2 of the North Dakota Century Code is amended and reenacted as follows:

**53-06.1-11.2. Charitable gaming operating fund - Attorney general - State treasurer - Allocations - Transfer to the general fund.**

1. There is created in the state treasury the charitable gaming operating fund. The fund consists of all gaming taxes, monetary fines, and interest and penalties collected under this chapter.
2. Excluding moneys in the charitable gaming operating fund appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming, the attorney general shall allocate remaining moneys in the charitable gaming operating fund on a quarterly basis as follows:
  - a. ~~Ten~~Two hundred sixty thousand dollars to the gambling disorder prevention and treatment fund. Moneys in the charitable gaming operating fund are appropriated on a continuing basis to the attorney general for the purpose provided in this subdivision.
  - b. Subject to legislative appropriations, five percent of the total moneys deposited in the charitable gaming operating fund to cities and counties in proportion to the taxes collected under section 53-06.1-12 from licensed organizations conducting games within each city, for sites within city limits, or within each county, for sites outside city limits. If a city or county allocation is less than two hundred dollars, that city or county is not entitled to receive a payment for the quarter and the undistributed amount must be included in the total amount to be distributed to other cities and counties for the quarter.
3. ~~On or before June thirtieth of each odd-numbered year, the attorney general shall certify to the state treasurer the amount of accumulated funds in the charitable gaming operating fund which exceed the amount appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming for the subsequent biennium. The state treasurer shall transfer the certified amount from the charitable gaming operating fund to the general fund prior to the end of each biennium. The balance of the net proceeds in the charitable gaming operating fund, less holdback of any amount appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming for the subsequent biennium must be transferred to the general fund on a biennial basis.~~

Page 2, line 13, replace "This" with "Section 1 of this"

Page 2, after line 14, insert:

**"SECTION 4. EFFECTIVE DATE.** Section 2 of this Act is effective July 1, 2023."

Page 2, line 15, replace "This" with "Section 1 of this"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment increases the quarterly transfer of charitable gaming tax revenues from the charitable gaming operating fund to the gambling disorder prevention and treatment fund from \$10,000 per quarter to \$260,000 per quarter, resulting in an additional \$2 million being transferred to the gambling disorder prevention and treatment fund rather than the general fund each biennium.

**REPORT OF STANDING COMMITTEE**

**HB 1118, as engrossed: Finance and Taxation Committee (Sen. Kannianen, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1118 was placed on the Fourteenth order on the calendar. This bill affects workforce development.

**REPORT OF STANDING COMMITTEE**

**HB 1135, as engrossed: Energy and Natural Resources Committee (Sen. Patten, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1135 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 4, line 6, replace "following" with "acquisition of agricultural land or an interest in agricultural land by a state-controlled enterprise if the agricultural land"

Page 4, line 7, replace "Agricultural land that is" with "Is"

Page 4, line 7, after "for" insert "agricultural"

Page 4, line 7, after "research" insert "and development."

Page 4, line 8, remove "seeds or plants for sale or resale to farmers as"

Page 4, replace line 9 with "crop production inputs, including seed, fertilizer, pesticides, soil amendments, plants, or biologicals; and"

Page 4, line 10, remove "The acquisition of agricultural land or an interest in agricultural land that is"

Page 4, remove line 11

Page 4, line 12, replace "hundred twenty acres [129.5 hectares]" with "Does not exceed one hundred sixty acres [64.75 hectares]"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1138, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1138 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE**

**HB 1151, as engrossed: Energy and Natural Resources Committee (Sen. Patten,**

**Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1151 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 8, remove "A person may not provide"

Page 1, remove lines 9 through 13

Page 1, line 14, remove "which"

Page 1, line 15, remove "may be provided from August twenty-fifth through January seventh"

Page 1, line 17, replace "one hundred fifty feet [45.72 meters]" with "ten feet [3.05 meters]"

Page 1, remove lines 19 through 23

Page 2, remove lines 1 through 4

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**HB 1153, as engrossed: Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1153 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 4.1-04-08 and 4.1-04-09 of the North Dakota Century Code, relating to the duties and powers of the corn council; and to declare an emergency.

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

**SECTION 1. AMENDMENT.** Section 4.1-04-08 of the North Dakota Century Code is amended and reenacted as follows:

##### **4.1-04-08. Council - Powers.**

The council may:

1. Expend moneys collected pursuant to this chapter for its administration;
2. Employ, bond, and compensate necessary personnel;
3. Accept gifts, grants, and donations of money, property, and services to carry out this chapter;
4. Contract with any person for any purpose related to this chapter, including research, education, publicity, promotion, and transportation;
5. Establish a grant program and guidelines to provide funding to corn-related programs and organizations that benefit North Dakota corn producers, consistent with this chapter;
6. Sue and be sued; and
- ~~6-7.~~ Do all things necessary and proper to enforce and administer this chapter.

**SECTION 2. AMENDMENT.** Section 4.1-04-09 of the North Dakota Century Code is amended and reenacted as follows:

**4.1-04-09. Council - Duties.**

1. The council shall determine the uses for which any moneys raised under this chapter may be expended. The uses may include the funding of research, education programs, and market development efforts, as well as participation in programs under the auspices of other state, regional, national, and international promotion groups.
2. The council shall develop and disseminate information regarding the purpose of the corn assessment and ways in which the assessment benefits corn producers.
3. The council shall hold two public input meetings per year with organizations dedicated to serving North Dakota corn producers to discuss recommendations for the use of moneys received under this chapter.

**SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1157: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1157 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 5, remove "in the general fund in"

Page 1, line 6, replace "the state treasury" with "from federal funds derived from the state fiscal recovery fund"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1157 - Department of Veterans' Affairs - Senate Action**

|                       | Base Budget | House Version | Senate Changes | Senate Version |
|-----------------------|-------------|---------------|----------------|----------------|
| Fisher house          |             | \$500,000     |                | \$500,000      |
| Total all funds       | \$0         | \$500,000     | \$0            | \$500,000      |
| Less estimated income | 0           | 0             | 500,000        | 500,000        |
| General fund          | \$0         | \$500,000     | (\$500,000)    | \$0            |
| FTE                   | 0.00        | 0.00          | 0.00           | 0.00           |

**Department 321 - Department of Veterans' Affairs - Detail of Senate Changes**

|                       | Adjusts Funding for the Fisher House <sup>1</sup> | Total Senate Changes |
|-----------------------|---|----------------------|
| Fisher house          |   |                      |
| Total all funds       | \$0   | \$0                  |
| Less estimated income | 500,000   | 500,000              |
| General fund          | (\$500,000)                                       | (\$500,000)          |
| FTE                   | 0.00  | 0.00                 |

<sup>1</sup> One-time funding of \$500,000 for a grant to assist in the construction of the Fisher House at the Fargo Veterans' Affairs Medical Center is adjusted by removing funding from the general fund and adding funding from the federal State Fiscal Recovery Fund.

**REPORT OF STANDING COMMITTEE**

**HB 1172, as engrossed: State and Local Government Committee (Sen. K. Roers, Chairman)** recommends **DO NOT PASS** (3 YEAS, 2 NAYS, 1 ABSENT AND NOT

VOTING). Engrossed HB 1172 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE**

**HB 1182, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1182 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE**

**HB 1211, as engrossed: Finance and Taxation Committee (Sen. Kannianen, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1211 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE**

**HB 1239, as engrossed: Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1239 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 9, replace "A" with "Except as provided under subsection 7, a"

Page 2, line 19, after "system" insert "comprising less than fifteen acres [6.07 hectares] of land area, or a subsurface water management system"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1289: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1289 was placed on the Fourteenth order on the calendar. This bill affects workforce development.

**REPORT OF STANDING COMMITTEE**

**HB 1307, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1307 was placed on the Sixth order on the calendar. This bill affects workforce development.

Page 1, line 7, replace "\$5,000,000" with "\$3,500,000"

Page 1, line 14, after the period insert "Of the funding available under this program, a sum of at least \$750,000 must be granted to local law enforcement agencies employing ten or fewer employees working in a law enforcement capacity."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1307 - Attorney General - Senate Action**

|                       | Base Budget | House Version | Senate Changes | Senate Version |
|-----------------------|-------------|---------------|----------------|----------------|
| Back the blue grants  |             | \$5,000,000   | (\$1,500,000)  | \$3,500,000    |
| Total all funds       | \$0         | \$5,000,000   | (\$1,500,000)  | \$3,500,000    |
| Less estimated income | 0           | 0             | 0              | 0              |
| General fund          | \$0         | \$5,000,000   | (\$1,500,000)  | \$3,500,000    |
| FTE                   | 0.00        | 0.00          | 0.00           | 0.00           |

### Department 125 - Attorney General - Detail of Senate Changes

|                       | Reduces Funding for Back the<br>Blue Grants <sup>1</sup> | Total Senate Changes |
|-----------------------|--|----------------------|
| Back the blue grants  | (\$1,500,000)  | (\$1,500,000)        |
| Total all funds       | (\$1,500,000)  | (\$1,500,000)        |
| Less estimated income | 0  | 0                    |
| General fund          | (\$1,500,000)  | (\$1,500,000)        |
| FTE                   | 0.00   | 0.00                 |

<sup>1</sup> One-time funding is reduced by \$1.5 million from the general fund to provide a total of \$3.5 million for back the blue grants. Of the \$3.5 million, \$750,000 must be granted to local law enforcement agencies with 10 or fewer law enforcement employees. The House provided \$5 million from the general fund for back the blue grants.

#### REPORT OF STANDING COMMITTEE

**HB 1309, as amended: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1309, as amended, was placed on the Sixth order on the calendar. This bill affects workforce development.

In lieu of the amendments adopted by the Senate as printed on pages 1024 and 1025 of the Senate Journal, House Bill No. 1309 is amended as follows:

Page 1, line 1, replace "subdivision" with "section 54-52-06.4, subdivisions"

Page 1, line 1, after "e" insert "and g"

Page 1, line 1, after "54-52-17" insert a comma

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Section 54-52-06.4 of the North Dakota Century Code is amended and reenacted as follows:

**54-52-06.4. Contribution by peace officers employed by the bureau of criminal investigation or security officers employed by the national guard - Employer contribution.**

1.
  - a. Each peace officer employed by the bureau of criminal investigation who is a member of the public employees retirement system is assessed and shall pay monthly four percent of the employee's monthly salary. Peace officer contributions increase by one percent of the member's monthly salary beginning with the monthly reporting period of January 2012, ~~and~~ with an additional increase of one percent, beginning with the reporting period of January 2013; with an additional increase of one percent, beginning with the reporting period of January 2024; and with an additional increase of one percent, beginning with the reporting period of January 2025.
  - b. Effective August 1, 2015, each national guard security officer who is a member of the public employee's retirement system is assessed and monthly shall pay six percent of the employee's monthly salary. National guard security officer contributions decrease by one-half of one percent of the member's monthly salary beginning with the monthly reporting period of January 2016.
  - c. The assessment under this subsection must be deducted and retained out of the employee's salary in equal monthly installments.
2. The employer of a peace officer/officer employed by the bureau of criminal investigation or national guard security officer's employer/officer shall contribute an amount determined by the board to be actuarially



required to support the level of benefits specified in section 54-52-17. The employer's contribution must be paid from funds appropriated for salary or from any other funds available for such purposes. If the peace officer's or security officer's assessment is paid by the employer under subsection 3 of section 54-52-05, the employer shall contribute, in addition, an amount equal to the required peace officer's or security officer's assessment."

Page 1, after line 20, insert:

**"SECTION 3. AMENDMENT.** Subdivision g of subsection 3 of section 54-52-17 of the North Dakota Century Code is amended and reenacted as follows:

- g. (1) ~~Early retirement date, except for a national guard security officer or firefighter, a firefighter employed by a political subdivision, or a peace officer, or correctional officer employed by the bureau of criminal investigation or by a political subdivision, or a peace officer employed by the bureau of criminal investigation,~~ is the first day of the month next following the month in which the member attains the age of fifty-five years and has completed three years of eligible employment.
- (2) For a national guard security officer or firefighter, early retirement date is the first day of the month next following the month in which the national guard security officer or firefighter attains the age of fifty years and has completed at least three years of eligible employment.
- (3) ~~For a firefighter employed by a political subdivision or a peace officer, or correctional officer employed by the bureau of criminal investigation or by a political subdivision,~~ early retirement date is the first day of the month next following the month in which the peace officer, firefighter, or correctional officer attains the age of fifty years and has completed at least three years of eligible employment.
- (4) For a peace officer employed by the bureau of criminal investigation:
- (a) Before August 1, 2023, early retirement date is the first day of the month next following the month in which the peace officer attains the age of fifty years and has completed at least three years of eligible employment.
- (b) After July 31, 2023, early retirement date is the first day of the month next following the month in which the peace officer attains the age of fifty years and has completed at least ten years of eligible employment."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1315, as engrossed: Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1315 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 49-22-09 of the North Dakota Century Code, relating to factors to be considered when evaluating applications and designation for sites, corridors, and routes.

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

**SECTION 1. AMENDMENT.** Section 49-22-09 of the North Dakota Century Code is amended and reenacted as follows:

**49-22-09. Factors to be considered in evaluating applications and designation of sites, corridors, and routes.**

1. The commission shall be guided by, but is not limited to, the following considerations, where applicable, to aid the evaluation and designation of sites, corridors, and routes:
  - a. Available research and investigations relating to the effects of the location, construction, and operation of the proposed facility on public health and welfare, natural resources, and the environment.
  - b. The effects of new electric energy conversion and electric transmission technologies and systems designed to minimize adverse environmental effects.
  - c. The potential for beneficial uses of waste energy from a proposed electric energy conversion facility.
  - d. Adverse direct and indirect environmental effects that cannot be avoided should the proposed site or route be designated.
  - e. Alternatives to the proposed site, corridor, or route which are developed during the hearing process and which minimize adverse effects.
  - f. Irreversible and irretrievable commitments of natural resources should the proposed site, corridor, or route be designated.
  - g. The direct and indirect economic impacts of the proposed facility.
  - h. Existing plans of the state, local government, and private entities for other developments at or in the vicinity of the proposed site, corridor, or route.
  - i. The effect of the proposed site or route on existing scenic areas, historic sites and structures, and paleontological or archaeological sites.
  - j. The effect of the proposed site or route on areas unique because of biological wealth or because the areas are habitats for rare and endangered species.
  - k. Problems raised by federal agencies, other state agencies, and local entities.
2. The commission may not condition the issuance of a certificate or permit on the applicant providing a mitigation payment assessed or requested by another state agency or entity to offset a negative impact on wildlife habitat.
3. If a project will interconnect into a regional transmission authority, the commission may condition the issuance of a certificate or permit for a new electric energy conversion facility on having a power purchase agreement with an entity that directly, or through its members, provides retail electric service.

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1365, as engrossed: State and Local Government Committee (Sen. K. Roers, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).**

Engrossed HB 1365 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 3, after "without" insert "a"

Page 1, line 4, replace the first comma with "and"

Page 1, line 4, after the second comma insert "subsection 8 of section 11-28.3-08, sections"

Page 1, line 5, after the first comma insert "23-12-08,"

Page 1, line 6, after the first comma insert "organization, board of director powers,"

Page 1, line 6, after "dissolution" insert "and withdrawal"

Page 1, line 7, after the first comma insert "authorization and"

Page 1, line 8, replace "levy" with "levies"

Page 1, line 14, replace "8" with "10"

Page 2, after line 22, insert:

**"SECTION 3. AMENDMENT.** Subsection 8 of section 11-28.3-08 of the North Dakota Century Code is amended and reenacted as follows:

8. Organizelf emergency medical services are not provided by a licensed ambulance service under chapter 23-27, a district may organize, establish, equip, maintain, and supervise an emergency medical service company to serve the district."

Page 4, line 14, replace "6" with "7"

Page 5, line 9, replace "6" with "7"

Page 5, line 25, replace "6" with "7"

Page 7, after line 23, insert:

**"SECTION 8. AMENDMENT.** Section 23-12-08 of the North Dakota Century Code is amended and reenacted as follows:

**23-12-08. Emergency medical service authorized.**

Anylf emergency medical services are not provided by a licensed ambulance service under chapter 23-27, any county or municipality of the state of North Dakota, by itself, or in combination with any other county or municipality of the state of North Dakota, may, acting through its governing body, establish, maintain, contract for, or otherwise provide emergency medical service for such county or municipality; and for this purpose, out of any funds of such county or municipality not otherwise committed, may buy, rent, lease, or otherwise contract for all such vehicles, equipment, or other facilities or services which may be necessary to effectuate such purpose."

Page 8, line 18, replace "8" with "10"

Page 8, line 18, replace "20" with "30"

Page 9, line 24, replace "8" with "10"

Page 10, line 18, after the second underscored comma insert "if a political subdivision having ownership of the licensed ambulance service or a political subdivision responsible for the emergency medical service program for the service area exists."

Page 10, line 19, remove "having ownership of the licensed"

Page 10, remove line 20

Page 10, line 21, remove "program for the service area"

Page 10, line 22, replace "1" with "4"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1370, as engrossed and amended: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **DO NOT PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1370, as amended, was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE**

**HB 1382: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1382 was placed on the Fourteenth order on the calendar. This bill affects workforce development.

**REPORT OF STANDING COMMITTEE**

**HB 1425, as engrossed: Finance and Taxation Committee (Sen. Kannianen, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1425 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE**

**HB 1480, as engrossed and amended: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **DO PASS** (12 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1480, as amended, was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE**

**HB 1538, as engrossed: Energy and Natural Resources Committee (Sen. Patten, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed HB 1538 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 2, line 6, replace ". A" with "if it 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 "A conservation fee of ten percent of gross proceeds from entry and participation fees, not to exceed two thousand five hundred dollars, must be paid to the North Dakota game and fish department for an event"

Renumber accordingly

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

**Shanda Morgan, Secretary**