

## JOURNAL OF THE SENATE

## Sixty-eighth Legislative Assembly

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Bismarck, February 3, 2023

The Senate convened at 12:30 p.m., with President Miller presiding.

The prayer was offered by Stake President Tyson Williams, The Church of Jesus Christ of Latter-Day Saints, Minot.

The roll was called and all members were present except Senators Axtman, Davison, and Elkin.

A quorum was declared by the President.

**CORRECTION AND REVISION OF THE JOURNAL**

**MADAM PRESIDENT:** Your **Committee on Correction and Revision of the Journal (Sen. Beard, Chairman)** has carefully examined the Journal of the Twelfth and Nineteenth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 271, line 19, replace "**Appropriations**" with "**Judiciary**"

Page 346, line 31, replace "Kruen" with "Kreun"

**SEN. BEARD MOVED** that the report be adopted, which motion prevailed.

**REPORT OF DELAYED BILLS COMMITTEE**

**MADAM PRESIDENT:** Your **Delayed Bills Committee (Sen. Myrdal, Chairman)** has unanimously rejected the introduction of a bill for an Act to amend and reenact subsection 42 of section 20.1-01-02 of the North Dakota Century Code, relating to the definition of resident to include uniformed services members on active duty in this state.

**MOTION**

**SEN. KLEIN MOVED** that the report of the Delayed Bills Committee be adopted, which motion prevailed.

**REPORT OF DELAYED BILLS COMMITTEE**

**MADAM PRESIDENT:** Your **Delayed Bills Committee (Sen. Myrdal, Chairman)** has unanimously rejected the introduction of a bill 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.

**MOTION**

**SEN. KLEIN MOVED** that the report of the Delayed Bills Committee be adopted, which motion prevailed., which motion prevailed.

**MOTION**

**SEN. DWYER MOVED** that the Senate reconsider its action whereby SB 2343 passed, which motion prevailed on a verification vote.

**SECOND READING OF SENATE BILL**

**SB 2343:** A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to records of a public entity governing body; and to amend and reenact sections 15-10-17 and 44-04-17.1 of the North Dakota Century Code, relating to defining a public entity governing body and state board of higher education policy.

**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 29 YEAS, 15 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; Erbele; Hogan; Hogue; Kessel; Krebsbach; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Patten; Piepkorn; Roers, J.; Roers, K.; Rust; Sorvaag; Vedaa; Wanzek; Weber; Weston

**NAYS:** Barta; Beard; Bekkedahl; Estenson; Kannianen; Klein; Kreun; Larsen; Larson; Myrdal; Paulson; Rummel; Schaible; Sickler; Wobbema

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2343 passed.

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**MOTION**

**SEN. KLEIN MOVED** that SB 2107 be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, SB 2107 was rereferred.

**CONSIDERATION OF AMENDMENTS**

**SB 2327: SEN. K. ROERS (Human Services Committee) MOVED** that the amendments on SJ pages 381-382 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**MOTION**

**SEN. KLEIN MOVED** that after action taken on the Sixth order, SB 2327 be placed on the Eleventh order for immediate second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2327:** A BILL for an Act to provide for a legislative management study regarding parentage and adoption policies.

**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, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

Engrossed SB 2327 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2238: SEN. HOGAN (Human Services Committee) MOVED** that the amendments on SJ page 378 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

SB 2238 was rereferred to the **Appropriations Committee**.

**CONSIDERATION OF AMENDMENTS**

**SB 2283: SEN. LEE (Human Services Committee) MOVED** that the amendments on SJ pages 379-380 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

SB 2283 was rereferred to the **Appropriations Committee**.

**CONSIDERATION OF AMENDMENTS**

**SB 2139: SEN. CLEARY (Human Services Committee) MOVED** that the amendments on SJ pages 375-376 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

SB 2139 was rereferred to the **Appropriations Committee**.

**CONSIDERATION OF AMENDMENTS**

**SB 2323: SEN. HOGAN (Human Services Committee) MOVED** that the amendments on SJ pages 380-381 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

SB 2323 was rereferred to the **Appropriations Committee**.

**CONSIDERATION OF AMENDMENTS**

**SB 2277: SEN. BRAUNBERGER (Judiciary Committee) MOVED** that the amendments on SJ page 379 be adopted with **DO PASS**, which motion prevailed on a voice vote.

SB 2277 was rereferred to the **Appropriations Committee**.

**CONSIDERATION OF AMENDMENTS**

**SB 2142: SEN. LARSEN (Industry and Business Committee) MOVED** that the amendments on SJ pages 376-378 be adopted with **DO PASS**, which motion prevailed on a voice vote.

SB 2142 was rereferred to the **Appropriations Committee**.

**CONSIDERATION OF AMENDMENTS**

**SB 2391: SEN. RUMMEL (Finance and Taxation Committee) MOVED** that the amendments on SJ page 383 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**SB 2377: SEN. PATTEN (Finance and Taxation Committee) MOVED** that the amendments on SJ pages 382-383 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**SB 2305: SEN. LARSEN (Industry and Business Committee) MOVED** that the amendments on SJ page 380 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2336:** A BILL for an Act to amend and reenact section 53-06.1-11.1 of the North Dakota Century Code, relating to eligible uses of net proceeds.

**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, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

Engrossed SB 2336 passed.

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**SECOND READING OF SENATE BILL**

**SB 2271:** A BILL for an Act to create and enact a new subsection to section 53-06.1-15.1 of the North Dakota Century Code, relating to the authority of the attorney general to impose fines for gaming violations.

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

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

**NAYS:** Magrum; Meyer

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2271 passed.

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**SECOND READING OF SENATE BILL**

**SB 2236:** A BILL for an Act to amend and reenact section 32-03.3-02 of the North Dakota Century Code, relating to the personal liability of charitable organization employees; and to provide for application.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 4 YEAS, 40 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Hogan; Klein; Mathern; Vedaa

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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2236 failed.

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**SECOND READING OF SENATE BILL**

**SB 2354:** A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to a pilot program to provide stipends for kindergarten through third grade teachers who teach students a foreign language.

**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 37 YEAS, 7 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Beard; Dwyer; Larsen; Magrum; Paulson; Schaible; Vedaa

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2354 passed.

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

**SB 2332:** A BILL for an Act to provide an appropriation to the department of health and human services for providing primary, palliative, and hospice home-based services.

#### **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, 39 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Barta; Braunberger; Magrum; Mathern; Piepkorn

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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2332 failed.

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

**SB 2161:** A BILL for an Act to amend and reenact sections 15-11-40 and 57-51.1-07.9 of the North Dakota Century Code, relating to the state energy research center and the center's funding.

#### **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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2161 passed.

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

**SB 2246:** A BILL for an Act to amend and reenact subsection 5 of section 4.1-20-18 of the North Dakota Century Code, relating to compensation for soil conservation district board members.

#### **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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2246 passed.

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

**SB 2151:** A BILL for an Act to create and enact a new chapter to title 6 of the North Dakota Century Code, relating to the creation of an office of immigration and the immigration workforce loan program; to provide a transfer; to provide an appropriation; and to provide for a report.

#### **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 4 YEAS, 40 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Braunberger; Hogan; Mathern; Piepkorn

**NAYS:** Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; 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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2151 failed.

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

**SB 2325:** A BILL for an Act to create and enact a new section to chapter 10-04 of the North Dakota Century Code, relating to the restitution assistance fund for victims of securities violations; to provide a continuing appropriation; 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 43 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

Engrossed SB 2325 passed.

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

**SB 2286:** A BILL for an Act to create and enact a new section to chapter 29-06 of the North Dakota Century Code, relating to peace officers acting outside their jurisdiction; and to amend and reenact sections 11-15-03, 25-03.1-25, and 40-20-05 of the North Dakota Century Code, relating to duties of the sheriff, powers and duties of the chief

of police and police officers, and detentions.

#### 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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2286 passed.

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#### SECOND READING OF SENATE BILL

**SB 2299:** A BILL for an Act to create and enact three new sections to chapter 51-35 of the North Dakota Century Code, relating to scrap metal dealer registration, catalytic converters, and catalytic converter theft; to amend and reenact sections 51-35-01, 51-35-02, 51-35-03, and 51-35-04 of the North Dakota Century Code, relating to purchases by scrap metal dealers; 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 PASS, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2299 passed.

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#### SECOND READING OF SENATE BILL

**SB 2218:** A BILL for an Act to amend and reenact subsection 1 of section 65-05-08 and section 65-05-09.3 of the North Dakota Century Code, relating to the workers' compensation disability benefits and retirement presumption; and to repeal sections 65-05-09.4 and 65-05-09.5 of the North Dakota Century Code, relating to workers' compensation additional benefits payable; and to provide for application.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 4 YEAS, 40 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Magrum; Mathern; Piepkorn; Vedaa

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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2218 failed.

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### SECOND READING OF SENATE BILL

**SB 2289:** A BILL for an Act to amend and reenact section 54-35-18 of the North Dakota Century Code, relating to the energy development and transmission committee.

### 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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2289 passed.

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### SECOND READING OF SENATE BILL

**SB 2368:** A BILL for an Act to provide for a legislative management study regarding a commission to supervise the game and fish department.

### 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 8 YEAS, 36 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Dever; Estenson; Kannianen; Kessel; Luick; Magrum; Myrdal; Vedaa

**NAYS:** Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Dwyer; Erbele; Hogan; Hogue; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Mathern; Meyer; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Wanzek; Weber; Weston; Wobbema

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2368 failed.

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### SECOND READING OF SENATE BILL

**SB 2261:** A BILL for an Act to amend and reenact section 17-04-07 of the North Dakota Century Code, relating to wind energy facility liens.

### 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 43 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; 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; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

**NAYS:** Sickler

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin



SB 2261 passed.

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### SECOND READING OF SENATE BILL

**SB 2349:** A BILL for an Act to create and enact a new section to chapter 26.1-02 of the North Dakota Century Code, relating to exemption from insurance regulations for nonprofit agricultural membership organizations.

### 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 27 YEAS, 17 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Barta; Beard; Boehm; Burckhard; Clemens; Conley; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Paulson; Roers, J.; Rust; Wanzek; Weber; Weston; Wobbema

**NAYS:** Bekkedahl; Braunberger; Cleary; Dever; Dwyer; Erbele; Hogan; Lee; Mathern; Patten; Piepkorn; Roers, K.; Rummel; Schaible; Sickler; Sorvaag; Vedaa

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2349 passed.

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### SECOND READING OF SENATE BILL

**SB 2230:** A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to establishing an adoption assistance program for costs associated with the home study process; and to provide an appropriation.

### ROLL CALL

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

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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

SB 2230 passed.

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### SECOND READING OF HOUSE BILL

**HB 1279:** A BILL for an Act to create and enact section 65-01-15.2 of the North Dakota Century Code, relating to compensability for cardiac events for firefighters and law enforcement officers; to amend and reenact sections 65-01-15 and 65-01-15.1 of the North Dakota Century Code, relating to documentation required for firefighters and law enforcement officers and the presumption of compensability for firefighters and law enforcement officers; to provide for retroactive application; and to declare an emergency.

### ROLL CALL

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

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

**ABSENT AND NOT VOTING:** Axtman; Davison; Elkin

Engrossed HB 1279 passed and the emergency clause was declared carried.

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#### MOTION

**SEN. KLEIN MOVED** that HB 1279 be immediately messaged to the House., which motion prevailed.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2094, SB 2200, SB 2202, SB 2206, SB 2210, SB 2216, SB 2278, SB 2365.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1279.

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

**MADAM PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1107, HB 1137, HB 1140, HB 1268, HB 1329, HB 1342, HB 1344, HB 1348, HB 1381, HB 1412.

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

**MADAM PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1361.

#### MOTION

**SEN. KLEIN MOVED** that the absent members be excused, which motion prevailed.

#### MOTION

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, February 6, 2023, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**SB 2001: 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). SB 2001 was placed on the Sixth order on the calendar. This bill affects workforce development.

Page 1, line 1, after "to" insert "amend and reenact sections 54-07-04 and 54-08-03 of the North Dakota Century Code, relating to salaries of the governor and lieutenant governor; to"

Page 1, line 2, remove "and"

Page 1, line 2, after "report" insert "; and to provide an exemption"

Page 1, replace lines 9 through 19 with:

	<u>Base Level</u>	<u>"Adjustments or Enhancements"</u>	<u>Appropriation</u>
Salaries and wages	\$3,861,034	\$695,043	\$4,556,077
Operating expenses	421,635	217,696	639,331
Contingencies	10,000	0	10,000
Rough rider awards	10,800	0	10,800
Governor's salary	284,475	20,285	304,760
Transition in	0	15,000	15,000
Transition out	0	50,000	50,000

Total general fund	\$4,587,944	\$998,024	\$5,585,968
Full-time equivalent positions	17.00	1.00	18.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
Constituent software	\$0	\$130,000
Governor transition costs	0	65,000
Total general fund	\$0	\$195,000

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The governor shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 2, line 4, remove "The governor's office may not expend"

Page 2, remove lines 5 and 6

Page 2, after line 10, insert:

**"SECTION 4. GOVERNOR'S SALARY - EXEMPTION.** The governor's salary line item in section 1 of this Act includes the sum of \$304,760 for the salary of the governor for the biennium beginning July 1, 2023, and ending June 30, 2025. If the governor chooses not to accept the salary or any portion of the salary pursuant to section 54-07-04, section 54-07-04 does not apply to the portion of the salary not accepted. Notwithstanding section 54-16-04, the office of management and budget may transfer appropriation authority from the governor's salary line item to other line items in section 1 of this Act.

**SECTION 5. AMENDMENT.** Section 54-07-04 of the North Dakota Century Code is amended and reenacted as follows:

**54-07-04. Salary of governor.**

The annual salary of the governor is one hundred ~~forty thousand eight hundred twenty nine~~forty nine thousand three hundred ninety two dollars through June 30, ~~2022~~2024, and one hundred ~~forty three thousand six hundred forty six~~fifty five thousand three hundred sixty eight dollars thereafter.

**SECTION 6. AMENDMENT.** Section 54-08-03 of the North Dakota Century Code is amended and reenacted as follows:

**54-08-03. Salary of lieutenant governor.**

The annual salary of the lieutenant governor is one hundred ~~nine thousand five hundred thirty six~~sixteen thousand one hundred ninety six dollars through June 30, ~~2022~~2024, and one hundred ~~eleven thousand seven hundred twenty seven~~twenty thousand eight hundred forty four dollars thereafter.

**SECTION 7. EXEMPTION - LINE ITEM TRANSFERS.** Notwithstanding section 54-16-04, the office of management and budget may transfer up to \$100,000 of appropriation authority between line items in section 1 of this Act.

**SECTION 8. EXEMPTION.** The funding appropriated in the rough rider awards line item in section 1 of chapter 1 of the 2021 Session Laws 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:

## Senate Bill No. 2001 - Governor's Office - Senate Action

	Ba s e Budg e t	S Ch anges	S V r
Salaries and wages	\$3,861,034	\$695,043	\$4,556,077
Operating expenses	421,635	217,696	639,331
Capital assets	10,000		10,000
Rough Rider Awards	10,800		10,800
Governor's salary	284,475	20,285	304,760
Transition in		15,000	15,000
Transition out		50,000	50,000
Total all funds	\$4,587,944	\$998,024	\$5,585,968
Less estimated income	0	0	0
General fund	\$4,587,944	\$998,024	\$5,585,968
FTE	17.00	1.00	18.00

## Department 101 - Governor's Office - Detail of Senate Changes

	Adju a Ch anges <sup>1</sup>	Add s Increa es <sup>2</sup>	Add Po si t <sup>3</sup>	Add s F und en t <sup>4</sup>	Add So f tw are <sup>5</sup>	Add Co sts <sup>6</sup>
Salaries and wages	\$123,968	\$320,171	\$250,904			
Operating expenses	(72,158)			\$159,854	\$130,000	
Capital assets						
Rough Rider Awards						
Governor's salary	2,817	17,468				
Transition in						\$15,000
Transition out						50,000
Total all funds	\$54,627	\$337,639	\$250,904	\$159,854	\$130,000	\$65,000
Less estimated income	0	0	0	0	0	0
General fund	\$54,627	\$337,639	\$250,904	\$159,854	\$130,000	\$65,000
FTE	0.00	0.00	1.00	0.00	0.00	0.00

	T Ch anges
Salaries and wages	\$695,043
Operating expenses	217,696
Capital assets	
Rough Rider Awards	
Governor's salary	20,285
Transition in	15,000
Transition out	50,000
Total all funds	\$998,024
Less estimated income	0
General fund	\$998,024
FTE	1.00

<sup>1</sup> Funding is adjusted for base payroll and budget changes.

<sup>2</sup> The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from \$1,429 to \$1,648 per month:

	General Fund
Salary increase	\$251,277
Health insurance increase	86,362
Total	\$337,639

<sup>3</sup> Funding is provided for the Governor to add either a new communications or policy advisor FTE position.

<sup>4</sup> Funding is added for a new Capitol space rent model program.

<sup>5</sup> One-time funding from the general fund is added for constituent management software.

<sup>6</sup> One-time funding from the general fund is added for governor transition costs.

This amendment also:

- Amends the North Dakota Century Code sections necessary to provide the Governor and Lieutenant Governor salary increases of 4 percent each year of the 2023-25 biennium.
- Allows the Governor to decline a salary during the 2023-25 biennium and authorizes funds in the Governor's salary line item to be transferred to other line items.
- Authorizes up to \$100,000 of line item transfers for the 2023-25 biennium.
- Allows 2021-23 biennium funding for Rough Rider Awards to be continued into the 2023-25 biennium.
- Allows the Governor to accept and expend other funds including funds of more than \$150,000 received from a single source.

#### REPORT OF STANDING COMMITTEE

**SB 2005: 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). SB 2005 was placed on the Sixth order on the calendar. This bill affects workforce development.

Page 1, line 1, after "treasurer" insert "; and to amend and reenact section 54-11-13 of the North Dakota Century Code, relating to the salary of the state treasurer"

Page 1, replace lines 8 through 14 with:

	<u>Base Level</u>	<u>"Adjustments or Enhancements"</u>	<u>Appropriation</u>
Salaries and wages	\$1,430,495	\$121,511	\$1,552,006
Operating expenses	157,423	128,923	286,346
Coal severance payments	<u>118,000</u>	<u>0</u>	<u>118,000</u>
Total general fund	\$1,705,918	\$250,434	\$1,956,352
Full-time equivalent positions	7.00	0.00	7.00"

Page 1, line 15, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-NINTH LEGISLATIVE ASSEMBLY**"

Page 1, line 16, after "biennium" insert "and the 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace lines 18 through 21 with:

"Township allocations	\$20,000,000	\$0
Distributions to political subdivisions	50,160,000	0
Supplemental distributions to political subdivisions	3,014,975	0
Information technology costs	<u>0</u>	<u>21,000</u>
Total estimated income	\$73,174,975	\$21,000

The 2023-25 biennium one-time funding amounts are not a part of the entities base budget for the 2025-27 biennium. The state treasurer shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 3. AMENDMENT.** Section 54-11-13 of the North Dakota Century Code is amended and reenacted as follows:

**54-11-13. Salary of state treasurer.**

The annual salary of the state treasurer is one hundred ~~twelve~~nineteen thousand ~~two hundred forty-one~~sixty-five dollars through June 30, ~~2022~~2024, and one hundred ~~fourteen~~twenty-three thousand ~~four~~eight hundred ~~eighty-six~~twenty-eight dollars thereafter."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2005 - State Treasurer - Senate Action**

	Ba s e e t Budg	S Ch a nges	S V e r
Salaries and wages	\$1,430,495	\$121,511	\$1,552,006
Operating expenses	157,423	128,923	286,346
Coal severance payments	118,000		118,000
Total all funds	\$1,705,918	\$250,434	\$1,956,352
Less estimated income	0	0	0
General fund	\$1,705,918	\$250,434	\$1,956,352
FTE	7.00	0.00	7.00

**Department 120 - State Treasurer - Detail of Senate Changes**

	Add s F u n d i ng f Sa l a ries <sup>1</sup>	Add Increa s es <sup>2</sup>	T e r a t i ng <sup>3</sup>	Add s F u n d i ng Exp n es <sup>4</sup>	Add s O n e-Tim e Co sts <sup>5</sup>	T a Ch anges
Salaries and wages	\$11,768	\$109,768	(\$25)			\$121,511
Operating expenses			25	\$107,898	\$21,000	128,923
Coal severance payments						
Total all funds	\$11,768	\$109,768	\$0	\$107,898	\$21,000	\$250,434
Less estimated income	0	0	0	0	0	0
General fund	\$11,768	\$109,768	\$0	\$107,898	\$21,000	\$250,434
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is added from the general fund for cost to continue salary increases.

<sup>2</sup> The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from \$1,429 to \$1,648 per month:

	General Fund	Other Funds	Total
Salary increase	\$72,932	\$0	\$72,932
Health insurance increase	36,836	0	36,836
Total	\$109,768	\$0	\$109,768

<sup>3</sup> Funding of \$25 is transferred from the salaries and wages line item to the operating expenses line item related to increased operating expenses.

<sup>4</sup> Funding of \$107,898 is added from the general fund for the following operating expenses:

- \$10,802 for Information Technology Department rate increases;
- \$12,000 for travel to professional development events;

- \$82,936 for a new Capitol space rent model; and
- \$2,160 for an electronic form subscription related to political subdivision reports submitted to the agency.

<sup>5</sup> One-time funding of \$21,000 from the general fund is added for information technology programming costs.

A section is added increasing the State Treasurer's salary by 4 percent on July 1, 2023, and 4 percent on July 1, 2024.

#### REPORT OF STANDING COMMITTEE

**SB 2011: 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). SB 2011 was placed on the Sixth order on the calendar. This bill affects workforce development.

Page 1, replace lines 8 through 13 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$2,213,881	\$167,055	\$2,380,936
Operating expenses	595,103	311,327	906,430
Total special funds	\$2,808,984	\$478,382	\$3,287,366
Full-time equivalent positions	10.00	0.00	10.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the 2023-25 biennium one-time funding items included in the appropriation of this Act:

<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
Technology enhancements	\$0	\$150,000
Total special funds	\$0	\$150,000

The 2023-25 biennium one-time funding amounts are not part of the entity's base budget for the 2025-27 biennium. The securities department shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Senate Bill No. 2011 - Securities Department - Senate Action

	<u>Ba</u> <u>s e</u> <u>Budg</u> <u>e t</u>	<u>S</u> <u>a</u> <u>Ch</u> <u>nges</u>	<u>S</u> <u>e</u> <u>v</u> <u>r</u>
Salaries and wages	\$2,213,881	\$167,055	\$2,380,936
Operating expenses	595,103	311,327	906,430
Total all funds	\$2,808,984	\$478,382	\$3,287,366
Less estimated income	2,808,984	478,382	3,287,366
General fund	\$0	\$0	\$0
FTE	10.00	0.00	10.00

## Department 414 - Securities Department - Detail of Senate Changes

	Add a Ch anges <sup>1</sup>	Add s Increa ses <sup>2</sup>	Add s Co sts <sup>3</sup>	Add s F und ing for a re <sup>4</sup>	Add s F und ing for a re <sup>5</sup>	Add s F und ing for a re <sup>6</sup>
Salaries and wages	\$15,805	\$151,250				
Operating expenses	<u>1</u>		<u>\$1,326</u>	<u>\$150,000</u>	<u>\$10,000</u>	<u>\$150,000</u>
Total all funds	\$15,806	\$151,250	\$1,326	\$150,000	\$10,000	\$150,000
Less estimated income	<u>15,806</u>	<u>151,250</u>	<u>1,326</u>	<u>150,000</u>	<u>10,000</u>	<u>150,000</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	T Ch anges
Salaries and wages	\$167,055
Operating expenses	<u>311,327</u>
Total all funds	\$478,382
Less estimated income	<u>478,382</u>
General fund	\$0
FTE	0.00

<sup>1</sup> Funding is adjusted for base payroll and budget changes.

<sup>2</sup> The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from \$1,429 to \$1,648 per month:

	Other Funds
Salary increase	\$114,414
Health insurance increase	<u>36,836</u>
Total	\$151,250

<sup>3</sup> Funding is added for information technology rate increases.

<sup>4</sup> Funding is added for blockchain analytics software licenses.

<sup>5</sup> Funding is added for agency audit expenses.

<sup>6</sup> One-time funding is added for enhancements to the case management system and securities filing portal.

## REPORT OF STANDING COMMITTEE

**SB 2073: State and Local Government Committee (Sen. K. Roers, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2073 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 8, line 3, remove "Notwithstanding chapter 54-40.2, may provide the same information technology"

Page 8, remove lines 4 and 5

Page 8, line 6, replace "education, counties, cities, and school districts in this state" with "May provide information technology and cybersecurity services to any administrative, elementary education, secondary education, and higher education institution under the control of a tribal government of this state. The services



provided and the cost of services must be equal to those provided to state agencies. An agreement for services entered under this section is not subject to the provisions of chapter 54-40.2"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2108: State and Local Government Committee (Sen. K. Roers, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2108 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, remove "subsection 7 of"

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

Page 1, line 1, after "3" insert "and 4"

Page 1, line 3, after "fees" insert "; and to repeal section 55-08-14.1 of the North Dakota Century Code, relating to leadership and facility grants"

Page 1, replace lines 5 through 12 with:

**"SECTION 1. AMENDMENT.** Section 55-08-05 of the North Dakota Century Code is amended and reenacted as follows:

#### **55-08-05. Charges for services.**

The director may provide special services within state parks, state campgrounds, state recreation areas, and reserves; provide special technical assistance services; and make rules for the use of those services. The director shall establish and cause to be collected charges, fees, and rentals for the use of all special services; and shall revise the same, when necessary, in the manner that the revenue derived will be sufficient to pay the cost of providing each service and to pay the principal of and interest on all bonds issued for projects furnishing the facilities for the services, and to maintain a reserve for the security of the bonds. The director may waive the collection of charges, fees, and rentals for the use of special services by health care-related charitable organizations conducting group camp activities without charge to participants. However, the director shall waive the collection of charges, fees, and rentals for the use of all special services by any care-related charitable organization sponsoring or conducting summer group camp activities without charge for fourteen days for children from age eight through age fourteen who have diabetes. Nothing in this section requires the director to provide camp services if the camp facilities are otherwise closed due to adverse administrative or fiscal impacts upon the department. Specifically, the director may:

1. Provide special parking space for automobiles or other motor-driven vehicles in any state park or state recreation area.
2. Provide special parking spurs and campgrounds for automobiles and sites for tent camping and special auto trailer coach parking spaces for the use of the individual charged for the space according to the daily rate which must be determined and fixed by the director consistent with the type of facility provided for the accommodation of visitors in any particular park and with similar facilities offered for tourist camping in the area.
3. Charge a fee for entrance to any pageant grounds created in any state park, state recreation area, or reserve for the purpose of having historical or other pageants conducted by the agent of any authorized agency.
4. Provide water, sewer, and electric service to trailer or tent campsites and buildings and structures included in projects authorized by the legislative assembly.

- 5-4. Provide facilities and allow for the sale to the public of food, nonintoxicating beverages, beer and wine as provided in subsection 6, and other merchandise and personal services of a suitable nature, and make buildings, structures, and other recreational facilities available for use and occupancy by the public, or contract for the use of food vendors or the lease of the buildings, structures, and facilities to a concessionaire to be operated on the terms and compensation basis as the director determines to be in the best interest of the state. The duration of a concession agreement may not exceed twenty years. A bond must be required of each concessionaire in the amount the director determines, conditioned upon the faithful performance of all duties under the lease and proper accounting for all funds.
- 6-5. Allow the sale of beer and wine by operating concessionaires on property under the management of the director, if the concessionaire holds the appropriate local and state retail licenses or an event permit required or authorized by chapter 5-02.
- 7-6. Charge and collect motor vehicle permit fees in the amounts prescribed by the legislative assembly, which fees are and must be imposed for the sole purposes of paying capital costs of projects required to provide the special services herein described and referred to, and of meeting the principal and interest and reserve requirements of bonds issued to finance such projects as established under section 55-08-06.
- 8. Charge a fee for providing special technical assistance to groups requesting information from the natural heritage inventory database.
- 9-7. Allow the sale of advertising in parks and recreation publications. The director may make rules regarding advertisement contracts and charges, space availability, and content."

Page 1, line 22, replace "an" with "and"

Page 2, after line 10, insert:

**"SECTION 3. AMENDMENT.** Subsection 4 of section 55-08-06 of the North Dakota Century Code is amended and reenacted as follows:

- 4. The fees collected must be deposited in the state park operating fund in the state treasury, unless authorized by the director as follows:
  - a. The director may allow other agencies or organizations that have leased state parks, state recreational areas, reserves, or facilities to retain entrance and special permit fees collected by the lessee.
  - b. The director may exempt all or any part of any state park, state recreational area, or reserve from the requirement of the motor vehicle permit and fee, for any activity or period, when in the director's judgment it is desirable to do so; ~~provided, however, that no further exceptions may be made after state park revenue bonds are issued and while the bonds are outstanding.~~

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2114: Workforce Development Committee (Sen. Wobbema, Chairman)** recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2114 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

#### REPORT OF STANDING COMMITTEE

**SB 2131: State and Local Government Committee (Sen. K. Roers, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0

NAYS, 0 ABSENT AND NOT VOTING). SB 2131 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 provide an appropriation to the attorney general for the crime laboratory.

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

**SECTION 1. APPROPRIATION - CRIME LABORATORY.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$388,000, or so much of the sum as may be necessary, to the attorney general for the purpose of providing one full-time equivalent position and operating expenses for the crime laboratory, for the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2171: State and Local Government Committee (Sen. K. Roers, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2171 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE**

**SB 2183: 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). SB 2183 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

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

Page 1, line 4, remove "**EARLY**"

Page 1, line 5, remove "**SEASON**"

Page 1, line 5, remove "**AND REIMBURSEMENTS - TRANSFER**"

Page 1, line 8, replace "\$30,000,000" with "\$25,000,000"

Page 1, line 9, remove "early season"

Page 1, remove line 11

Page 1, line 12, remove "transportation"

Page 1, line 13, after the period insert "Of the \$25,000,000, up to \$20,000,000 is available for early season emergency snow removal grants under subsection 2, and any remaining amounts are available for full season emergency snow removal grants under subsection 3."

Page 1, line 15, after "an" insert "early season"

Page 1, line 18, replace "two" with "one"

Page 1, line 18, after "hundred" insert "fifty"

Page 1, line 19, remove "The"

Page 1, remove lines 20 and 23

Page 2, remove lines 1 and 2

Page 2, line 3, after "3." insert "A tribal government, county, township, or city may apply to the department of emergency services for a full season emergency snow removal grant for reimbursement of up to sixty percent of the snow

removal costs incurred by the tribal government, county, city, or township for the period of October 1, 2022, through April 30, 2023, which exceeded one hundred fifty percent of the average snow removal cost for the seven-month period of October to April for those years during the period beginning October 1, 2017, through April 30, 2022.

4."

Page 2, line 5, remove "If the department of transportation requests"

Page 2, replace lines 6 through 8 with "An award under subsection 3 must be reduced by any amount awarded under subsection 2. A tribal government, county, city, or township may not be required to return any funds awarded under subsection 2 due to the calculation completed under subsection 3."

Page 2, line 9, replace "4." with "5."

Page 2, line 9, remove "and provide"

Page 2, line 10, remove "reimbursements"

Page 2, remove lines 12 through 31

Page 3, remove lines 1 through 16

Renumber accordingly

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

This amendment:

- Decreases the funding available for snow removal grants from \$35 million to \$25 million;
- Combines the funding available for early season and full season emergency snow removal grants and reimbursements and designates up to \$20 million for early season grants and reimbursements;
- Decreases the threshold for local political subdivisions to qualify for a snow removal grant or reimbursement from 200 to 150 percent; and
- Removes the Department of Transportation from being eligible for emergency snow removal reimbursements.

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

**SB 2194: Energy and Natural Resources Committee (Sen. Patten, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2194 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, replace "15-02" with "4.1-01, and a new subsection to section 54-44.4-05"

Page 1, line 2, after "program" insert ", and to procurement exemptions"

Page 1, replace lines 5 and 6 with:

**"SECTION 1.** A new section to chapter 4.1-01 of the North Dakota Century Code is created and enacted as follows:"

Page 1, line 8, remove "of university and school lands, in cooperation with the industrial"

Page 1, line 9, remove "commission."

Page 1, line 10, replace "landowners" with "mineral owners, lease owners."

Page 1, line 16, replace "landowners" with "mineral owners, lease owners,"

Page 1, line 19, replace "landowners" with "mineral owners, lease owners,"

Page 1, after line 23, insert:

**"SECTION 2.** A new subsection to section 54-44.4-05 of the North Dakota Century Code is created and enacted as follows:

Contracts for ombudsmen by the agriculture commissioner, related to post-production royalty technical assistance under chapter 15-02."

Page 2, line 1, replace "**INDUSTRIAL COMMISSION**" with "**DEPARTMENT OF AGRICULTURE**"

Page 2, line 4, replace "industrial commission" with "ombudsman program fund"

Page 2, line 5, remove "administered through the department of trust lands"

Renumber accordingly

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

**SB 2290: Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2290 was rereferred to the **Appropriations Committee**. This bill does not affect workforce development.

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

**SB 2301: Workforce Development Committee (Sen. Wobbema, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2301 was placed on the Sixth order on the calendar. This bill affects workforce development.

Page 1, line 9, replace "allowed to receive" with "receiving"

Renumber accordingly

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

**SB 2311: 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). SB 2311 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 18, remove "Notwithstanding any provision in this title, pursuant to a contract with the owner of any"

Page 1, remove lines 19 through 22

Page 1, line 23, replace "construction on the property" with "Notwithstanding any provision in this section, a lien created under this section does not apply to or constitute a lien against the owner of the surface estate where the oil and gas well or pipeline is located, or against a mineral owner's royalty interest subject to an oil and gas lease"

Page 2, line 21, remove "Notwithstanding any provision in this title, pursuant to a contract with the owner of any"

Page 2, remove lines 22 through 25

Page 2, line 26, replace "property" with "Notwithstanding any provision in this section, a lien created under this section does not apply to or constitute a lien against the owner of the surface estate where the oil and gas well or pipeline is located, or against a mineral owner's royalty interest subject to an oil and gas lease"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2333: State and Local Government Committee (Sen. K. Roers, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2333 was rereferred to the **Appropriations Committee**. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE**

**SB 2340: Education Committee (Sen. Elkin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2340 was placed on the Sixth order on the calendar. This bill affects workforce development.

Page 1, line 17, remove the overstrike over "; a-career"

Page 1, line 17, remove the underscored colon

Page 1, line 18, remove "a. "Career"

Page 1, line 22, remove "and"

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 3

Page 2, line 4, remove "family therapist, licensed psychologist, or licensed addiction counselor"

Page 2, after line 4, insert:

"5. A school district shall attempt to meet the 300:1 ratio requirements under subsections 1 and 2 with an individual who meets the requirements of an approved program of graduate study in school guidance and counseling from a college or university approved by the education standards and practices board. If a school district is unable to meet the ratio requirements under subsections 1 and 2, for the purposes of qualifying for the 300:1 ratio, positions may be filled by a school psychologist recognized by the education standards and practices board, licensed social worker, licensed professional counselor, licensed marriage and family therapist, licensed psychologist, licensed vocational rehabilitation counselor, or licensed addiction counselor."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2345: Human Services Committee (Sen. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2345 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 11, after "program" insert ", the vulnerable adult protective services program."

Page 1, line 17, replace "the" with "a"

Page 2, line 4, after "Procedures" insert "to be followed by an investigator"

Page 2, line 5, remove "managed by a guardianship investigator"

Page 2, line 9, after "court" insert "and other appropriate agencies"

Page 2, line 14, replace "administering the guardianship monitoring program" with "assisting the task force in its duties"

Page 2, line 16, replace "to administer the guardianship monitoring program" with "to staff the task force"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2362: Transportation Committee (Sen. Clemens, Chairman)** recommends **DO PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2362 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE**

**SB 2373: Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2373 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE**

**SB 2382: Transportation Committee (Sen. Clemens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2382 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 20.1-13-06 of the North Dakota Century Code, relating to motorboat numbering exemptions.

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

**SECTION 1. AMENDMENT.** Section 20.1-13-06 of the North Dakota Century Code is amended and reenacted as follows:

**20.1-13-06. Exemption from numbering provisions of this chapter.**

A motorboat may not be required to be numbered under this chapter if it is:

1. Already covered by a number, in full force and effect, awarded it pursuant to federal law or a federally approved numbering system of another state, provided such motorboat has not been within this state for more than ninety consecutive days.
2. A motorboat from a foreign country temporarily using the waters of this state.
3. A motorboat owned by the United States, a state, or a subdivision thereof.
4. A ship's lifeboat.
5. ~~A motorboat belonging to a class of boats exempted from numbering by the department after said agency has found that the numbering of motorboats of such class will not materially aid in their identification; and, if an agency of the federal government has a numbering system applicable to the class of motorboats to which the motorboat in question belongs, after the department has further found that the motorboat would also be exempt from numbering if it were subject to the federal law."~~

Renumber accordingly

**FIRST READING OF HOUSE BILL**

**HB 1090:** A BILL for an Act to amend and reenact section 23.1-08-04 and subsection 2 of section 23.1-08-08 of the North Dakota Century Code, relating to coal combustion residuals and disposal of wind turbine blades; and to declare an emergency. Was read the first time and referred to the **Energy and Natural Resources Committee**.

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

**Shanda Morgan, Secretary**

