

## JOURNAL OF THE HOUSE

## Sixty-eighth Legislative Assembly

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Bismarck, April 24, 2023

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

The prayer was offered by Pastor Randy Upgren, Inspire Family Fellowship, Bismarck.

The roll was called and all members were present except Representatives Christy, Mitskog, and Porter.

A quorum was declared by the Speaker.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on April 20, 2023, I have signed the following: HB 1001, HB 1061, HB 1102, HB 1120, HB 1135, HB 1153, HB 1170, HB 1267, HB 1324, and HB 1365.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1297, as engrossed:** Your conference committee (Sens. Lee, Cleary, Hogan and Reps. Fegley, Kiefert, Beltz) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1536, adopt amendments as follows, and place HB 1297 on the Seventh order:

That the Senate recede from its amendments as printed on page 1536 of the House Journal and page 1267 of the Senate Journal and that Engrossed House Bill No. 1297 be amended as follows:

Page 1, line 6, replace "**Gender identity**" with "**Sex**"

Page 1, line 9, after "**be**" insert "**amended or**"

Page 1, line 22, replace "**and**" with "**or**"

Renumber accordingly

Engrossed HB 1297 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1379, as engrossed:** Your conference committee (Sens. Bekkedahl, Hogue, Klein and Reps. Bosch, Lefor, Vigesaa) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1902-1907, adopt amendments as follows, and place HB 1379 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1902-1907 of the House Journal and pages 1591-1596 of the Senate Journal and that Engrossed House Bill No. 1379 be 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 6-09.4-10.1 and 21-10-13 of the North Dakota Century Code, relating to the legacy sinking and interest fund and the legacy earnings fund; to provide an effective date; and to declare an emergency.

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

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

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

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

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

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

1. There is created in the state treasury the legacy earnings fund. The fund consists of all moneys transferred to the fund under subsection 2 and all interest and earnings upon moneys in the fund.
2. Any legacy fund earnings transferred to the general fund at the end of each biennium in accordance with section 26 of article X of the Constitution of North Dakota must be immediately transferred by the state treasurer to the legacy earnings fund.
3. For each biennium subsequent to the biennium in which the legacy fund earnings are transferred under subsection 2, the amount available for appropriation from the legacy earnings fund is seven percent of the five-year average value of the legacy fund assets as reported by the state investment board. The average value of the legacy fund assets must be calculated using the value of the assets at the end of each fiscal year for the five-year period ending with the most recently completed even-numbered fiscal year.
4. On July first of each odd-numbered year, from the amount available for appropriation or transfer from the legacy earnings fund for the biennium, the state treasurer shall transfer funding in the following order:
  - a. The first one hundred fifty-two million six hundred twenty-four thousand dollars or an amount equal to the amount appropriated from the legacy sinking and interest fund for debt service payments for a biennium, whichever is less, to the legacy sinking and interest fund under section 6-09.4-10.1.
  - b. The next two hundred twenty-five million dollars to the general fund to provide support for tax relief initiatives approved by the legislative assembly.
  - c. The next sixty-one hundred million dollars to the legacy earnings highway tax distribution fund for allocations under section 54-27-1954-27-19.3.
  - e.d. Any remaining funds for other purposes as designated by the legislative assembly, including amounts under this subsection as follows:

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

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

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

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1379 - Summary of Senate Action**

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

Bill total				
Total all funds	\$0	\$120,000,000	(\$120,000,000)	\$0
Less estimated income	0	120,000,000	(120,000,000)	0
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

**House Bill No. 1379 - State Treasurer - Senate Action**

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

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

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

<sup>1</sup> Funding of \$100 million from the county and township bridge fund, which was included by the House for allocations to counties for county and township bridge repairs, is removed. The Senate also removed this funding.

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

Engrossed House Bill No. 1379 - House Version	Engrossed House Bill No. 1379 - Senate Version	Engrossed House Bill No. 1379 With Proposed Amendments [23.0695.02008]
<b>Allocations from the legacy earnings fund based on the percent of market value using 7 percent of the 5-year average balance of the legacy fund</b> <ul style="list-style-type: none"> <li>First \$150 million to the legacy sinking and interest fund.</li> <li>Next \$60 million to the highway tax distribution fund.</li> <li>Next \$200 million for tax relief pursuant to appropriation or transfer.</li> <li>Next \$30 million to the clean sustainable energy fund.</li> <li>Next \$10 million to a newly created economic diversification research fund.</li> <li>Next \$10 million to the innovation loan fund to support technology advancement.</li> <li>Next \$10 million to a newly created workforce development and enrichment fund.</li> <li>Next \$16.6 million to a newly created legacy projects fund.</li> </ul>	<b>Allocations from the legacy earnings fund based on the percent of market value using 7 percent of the 5-year average balance of the legacy fund</b> <ul style="list-style-type: none"> <li>First \$102.6 million to the legacy sinking and interest fund.</li> <li>Next \$225 million to the general fund for tax relief.</li> <li>Next \$100 million to a newly created legacy earnings highway distribution fund.</li> <li>Any remaining amounts transferred 50 percent to the general fund and 50 percent to the strategic investment and improvements fund.</li> </ul>	<b>Allocations from the legacy earnings fund based on the percent of market value using 7 percent of the 5-year average balance of the legacy fund</b> <ul style="list-style-type: none"> <li>First \$102.6 million or the amount needed for the bond payments, whichever is less, to the legacy sinking and interest fund.</li> <li>Next \$225 million to the general fund for tax relief.</li> <li>Next \$100 million to a newly created legacy earnings highway distribution fund.</li> <li>Any remaining amounts transferred 50 percent to the general fund and 50 percent to the strategic investment and improvements fund.</li> </ul>
<b>Allocations from the legacy earnings fund exceeding the percent of market value</b> <ul style="list-style-type: none"> <li>First \$73.4 million to a newly created legacy projects fund.</li> </ul>	<b>Allocations from the legacy earnings fund exceeding the percent of market value</b> <ul style="list-style-type: none"> <li>Any excess and any other remaining amounts transferred</li> </ul>	<b>Allocations from the legacy earnings fund exceeding the percent of market value</b> <ul style="list-style-type: none"> <li>Any excess and any other remaining amounts transferred 50 percent to</li> </ul>

<ul style="list-style-type: none"> <li>• Next \$100 million to a newly created county and township bridge fund.</li> <li>• Next \$15 million to the agriculture diversification and development fund.</li> <li>• Next \$15 million to the bioscience innovation grant program.</li> <li>• An amount equal to 1 percent of the 5-year average balance of the legacy fund to the legacy fund to become part of the principal.</li> <li>• Any remaining amounts to the strategic investment and improvements fund.</li> </ul>	<p>50 percent to the general fund and 50 percent to the strategic investment and improvements fund.</p>	<p>the general fund and 50 percent to the strategic investment and improvements fund.</p>
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Other sections in bill, excluding appropriations	Other sections in bill, excluding appropriations	Other sections in bill, excluding appropriations
<ul style="list-style-type: none"> <li>• Creates an economic diversification fund to provide grants to institutions of higher education for research projects.</li> <li>• Amends the legacy sinking and interest fund to remove a transfer to the Public Employees Retirement System main system plan effective July 1, 2025.</li> <li>• Creates a workforce development and enrichment fund to provide grants to support workforce development through one-time projects and initiatives.</li> <li>• Provides a separate allocation of \$70 million from the legacy earnings fund to the Public Employees Retirement System main system plan effective July 1, 2025.</li> <li>• Creates a legacy projects fund and a legacy projects advisory board to recommend funding for projects and infrastructure with a statewide benefit.</li> <li>• Creates a county and township bridge fund to provide grants to counties for the repair or replacement of county and township bridges.</li> </ul>	<ul style="list-style-type: none"> <li>• Amends the legacy sinking and interest fund to remove a transfer to the Public Employees Retirement System main system plan.</li> <li>• Provides an effective date of July 1, 2023, and an emergency clause for the bill.</li> </ul>	<ul style="list-style-type: none"> <li>• Amends the legacy sinking and interest fund to remove a transfer to the Public Employees Retirement System main system plan.</li> <li>• Provides an effective date of July 1, 2023, and an emergency clause for the bill.</li> </ul>

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

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

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

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

<sup>1</sup> Funding of \$10 million from the economic diversification research fund, which was included by the House for grants to institutions of higher education for research, is removed. The Senate also removed this funding.

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

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

**Department 601 - Department of Commerce - Detail of Senate Changes**

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

<sup>1</sup> Funding of \$10 million from the workforce enrichment and development fund, which was included by the House for grants to support workforce initiatives, is removed. The Senate also removed this funding.

Engrossed HB 1379 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1474, as engrossed:** Your conference committee (Sens. K. Roers, Cleary, Hogan and Reps. Rohr, Frelich, Davis) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1562-1563, adopt amendments as follows, and place HB 1474 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1562 and 1563 of the House Journal and pages 1294 and 1295 of the Senate Journal and that Engrossed House Bill No. 1474 be amended as follows:

Page 1, line 1, remove "create and enact a new section to chapter 23-02.1 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to vital statistic collection; and to"

Page 1, line 2, after "1-01-49" insert ", subsection 3 of section 12.1-36.1-01 of the North Dakota Century Code as created by section 1 of House Bill No. 1254, as approved by the sixty-eighth legislative assembly, subsection 2 of section 15-10.6-01 of the North Dakota Century Code as created by section 1 of House Bill No. 1489, as approved by the sixty-eighth legislative assembly, subsection 2 of section 15.1-41-01 of the North Dakota Century Code as created by section 1 of House Bill No. 1249, as approved by the sixty-eighth legislative assembly, subsection 20 of section 23-02.1-01 of the North Dakota Century Code as amended in section 1 of House Bill

No. 1139, as approved by the sixty-eighth legislative assembly, and subsection 7 of section 51-35-01"

Page 1, line 3, remove "father,"

Page 1, line 3, remove "mother, and"

Page 1, line 4, after "sex" insert ", and scrap metal dealer"

Page 1, line 12, remove "Father" means a parent of the male sex."

Page 1, line 13, remove "4."

Page 1, line 15, replace "5." with "4."

Page 1, line 16, replace "6." with "5."

Page 1, line 17, replace "fertilize the ova of a female" with "produce sperm"

Page 1, remove line 18

Page 1, line 19, replace "8." with "6."

Page 1, line 20, replace "9." with "7."

Page 1, line 23, replace "10." with "8."

Page 1, line 24, replace "11." with "9."

Page 2, line 1, replace "12." with "10."

Page 2, line 3, replace "13." with "11."

Page 2, line 5, replace "14." with "12."

Page 2, line 7, replace "15." with "13."

Page 2, line 17, replace "16." with "14."

Page 2, line 18, replace "17." with "15."

Page 2, line 19, replace "18." with "16."

Page 2, line 20, replace "19." with "17."

Page 2, line 21, replace "20." with "18."

Page 2, line 22, replace "and" with "or"

Page 2, line 23, replace "21." with "19."

Page 2, line 26, replace "22." with "20."

Page 2, line 28, replace "23." with "21."

Page 2, line 29, replace "24." with "22."

Page 2, line 30, replace "25." with "23."

Page 3, line 1, replace "26." with "24."

Page 3, replace lines 3 through 10 with:

**"SECTION 2. AMENDMENT.** Subsection 3 of section 12.1-36.1-01 of the North Dakota Century Code as created by section 1 of House Bill No. 1254, as approved by the sixty-eighth legislative assembly, is amended and reenacted as follows:

3. "Sex" means the biological state of being female or male, based on an individual's nonambiguous sex organs, chromosomes, ~~and~~or endogenous hormone profile at birth.

**SECTION 3. AMENDMENT.** Subsection 2 of section 15-10.6-01 of the North Dakota Century Code as created by section 1 of House Bill No. 1489, as approved by the sixty-eighth legislative assembly, is amended and reenacted as follows:

2. "Sex" means the biological state of being female or male, based on an individual's nonambiguous sex organs, chromosomes, ~~and~~or endogenous hormone profile at birth.

**SECTION 4. AMENDMENT.** Subsection 2 of section 15.1-41-01 of the North Dakota Century Code as created by section 1 of House Bill No. 1249, as approved by the sixty-eighth legislative assembly, is amended and reenacted as follows:

2. "Sex" means the biological state of being female or male, based on an individual's nonambiguous sex organs, chromosomes, ~~and~~or endogenous hormone profile at birth.

**SECTION 5. AMENDMENT.** Subsection 20 of section 23-02.1-01 of the North Dakota Century Code as amended in section 1 of House Bill No. 1139, as approved by the sixty-eighth legislative assembly, is amended and reenacted as follows:

20. "Sex" means the biological state of being female or male, based on an individual's nonambiguous sex organs, chromosomes, ~~and~~or endogenous hormone profile at birth.

**SECTION 6. AMENDMENT.** Subsection 7 of section 51-35-01 of the North Dakota Century Code is amended and reenacted as follows:

7. "Scrap metal dealer" means a person, as defined in ~~subsection 8 of~~ section 1-01-49, engaged in the business of purchasing, selling, trading, or bartering scrap metal, and includes all employees of the scrap metal dealer."

Renumber accordingly

Engrossed HB 1474 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1522, as reengrossed:** Your conference committee (Sens. Weston, Lee, Clemens and Reps. Rohr, K. Anderson, Dobervich) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1566, adopt amendments as follows, and place HB 1522 on the Seventh order:

That the Senate recede from its amendments as printed on page 1566 of the House Journal and pages 1308 and 1309 of the Senate Journal and that Reengrossed House Bill No. 1522 be 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 or prohibiting:
  - a. An employee's use of an individual's preferred pronoun when addressing or mentioning the individual in work-related communications; or
  - b. The designation of an 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 8, after "district" insert ", public school, or public school teacher"

Page 1, line 10, remove "in consultation"

Page 1, line 10, after "with" insert "the approval of"

Page 1, line 11, replace "policy" with "plan"

Page 1, line 13, after the second "a" insert "public"

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"

Page 1, remove lines 15 through 23

ReNUMBER accordingly

Reengrossed HB 1522 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2017, as engrossed:** Your conference committee (Sens. Meyer, Schaible, Rust and Reps. Kempenich, Brandenburg, Monson) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1569-1571, adopt amendments as follows, and place SB 2017 on the Seventh order:

That the House recede from its amendments as printed on pages 1569-1571 on the Senate Journal and pages 1773-1775 of the House Journal and that Engrossed Senate Bill No. 2017 be amended as follows:

Page 1, remove lines 13 through 24

Page 2, replace lines 1 through 3 with:

"Salaries and wages	\$33,741,592	\$2,746,155	\$36,487,747
Operating expenses	16,276,782	1,543,716	17,820,498
Capital assets	6,774,770	1,773,891	8,548,661
Grants - game and fish	8,923,343	1,166,633	10,089,976
Land habitat and deer depredation	17,995,597	9,212,172	27,207,769
Noxious weed control	725,000	0	725,000
Missouri River enforcement	296,999	16,342	313,341
Grants, gifts, and donations	670,133	6,853	676,986

Nongame wildlife conservation	100,000	0	100,000
Lonetree reservoir	1,818,409	334,235	2,152,644
Wildlife services	500,000	0	500,000
Shooting sports grant program	250,000	0	250,000
Aquatic nuisance species program	<u>1,509,009</u>	<u>1,229,835</u>	<u>2,738,844</u>
Total special funds	\$89,581,634	\$18,029,832	\$107,611,466
Full-time equivalent positions	164.00	6.00	170.00"

Page 2, replace lines 18 and 19 with:

"Uniforms and supplies for new FTE positions	0	89,090
Total special funds	\$2,786,500	\$3,424,090"

Page 3, line 2, replace "seven" with "four"

Page 3, line 4, replace "passage" with "enactment"

Page 3, line 4, after "Act" insert "and after corresponding federal funds have been made available to the state. The department shall regularly coordinate with and consider input from the federal environmental law impact review committee in the expenditure of funds for conservation or research under this section"

Page 3, after line 4 insert:

**"SECTION 5. MIDTERM CONSERVATION AGREEMENTS.** The game and fish department may spend up to \$2,777,778 from other funds in the land habitat and deer depredation line item in section 1 of this Act for national fish and wildlife foundation midterm conservation agreements with private landowners. The department shall limit the term of these agreements to a maximum of thirty years. The department shall provide buyback provisions after the fifteenth, twentieth, and twenty-fifth years of the agreement if the property owner desires to withdraw all or a portion of acreage from the lease."

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2017 - Game and Fish Department - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$33,741,592	\$38,428,184	(\$1,940,437)	\$36,487,747	\$36,471,962	\$15,785
Operating expenses	16,276,782	17,820,498		17,820,498	17,713,364	107,134
Capital assets	6,774,770	8,548,661		8,548,661	8,530,661	18,000
Grants - Game and fish	8,923,343	10,089,976		10,089,976	10,089,976	
Land habitat and deer depredation	17,995,597	26,922,303	285,466	27,207,769	25,482,021	1,725,748
Noxious weed control	725,000	725,000		725,000	725,000	
Missouri River enforcement	296,999	317,587	(4,246)	313,341	313,341	
Grants - Gifts - Donations	670,133	684,957	(7,971)	676,986	676,986	
Nongame wildlife conservation	100,000	100,000		100,000	100,000	
Lonetree reservoir	1,818,409	2,185,614	(32,970)	2,152,644	2,152,644	
Wildlife services	500,000	500,000		500,000	500,000	
Shooting sports grant program	250,000	250,000		250,000	250,000	
Aquatic nuisance species program	1,509,009	2,959,664	(220,820)	2,738,844	2,738,844	
Contingent Funding		27,150,000		27,150,000	27,150,000	
Total all funds	\$89,581,634	\$136,682,444	(\$1,920,978)	\$134,761,466	\$132,894,799	\$1,866,667
Less estimated income	89,581,634	136,682,444	(1,920,978)	134,761,466	132,894,799	1,866,667
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	164.00	177.00	(3.00)	174.00	170.00	4.00

## Department 720 - Game and Fish Department - Detail of Conference Committee Changes

	Adds 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>	Adds Funding for PLOTS Program <sup>4</sup>	Total Conference Committee Changes
Salaries and wages	\$536,429		(\$2,476,866)		(\$1,940,437)
Operating expenses					
Capital assets					
Grants - Game and fish					
Land habitat and deer depredation	35,652	(\$98,823)	(651,363)	\$1,000,000	285,466
Noxious weed control					
Missouri River enforcement	1,682		(5,928)		(4,246)
Grants - Gifts - Donations	3,088		(11,059)		(7,971)
Nongame wildlife conservation					
Lonetree reservoir	12,800		(45,770)		(32,970)
Wildlife services					
Shooting sports grant program					
Aquatic nuisance species program	8,949		(229,769)		(220,820)
Contingent Funding					
Total all funds	\$598,600	(\$98,823)	(\$3,420,755)	\$1,000,000	(\$1,920,978)
Less estimated income	598,600	(98,823)	(3,420,755)	1,000,000	(1,920,978)
General fund	\$0	\$0	\$0	\$0	\$0
FTE	0.00	(3.00)	0.00	0.00	(3.00)

<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	\$619,050
Health insurance adjustment	(20,450)
Total	\$598,600

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

<sup>2</sup> Funding of \$98,823 from other funds is removed for a biologist I position for the 1<sup>st</sup> year of the biennium by the Conference Committee. The position may be hired for the 2<sup>nd</sup> year of the biennium.

The Conference Committee removed 3 of the 7 contingent FTE positions related to the Recovering America's Wildlife Act. The House removed 4 of the 7 contingent FTE positions.

<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	(\$1,179,021)
Vacant FTE positions	(2,241,734)
Total	(\$3,420,755)

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

<sup>4</sup> Funding of \$1 million from other funds is added to the \$4 million increase included in the Senate and House version for the private land open to sportsmen (PLOTS) program by the Conference Committee.

This amendment also:

- Changes provisions of the contingent appropriation section for the federal Recovering America's Wildlife Act funding to provide that the department coordinate with and consider input from the Federal Environmental Law Impact Review Committee for any expenditure of funds for conservation or research under this section, the same as the House version.
- Changes the section relating to funding for midterm conservation agreements and

limiting the agreements with private landowners to a maximum of 30 years with buyout options at 15, 20, and 25 years. The House had limited the agreements to a maximum of 15 years.

Engrossed SB 2017 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2023, as engrossed:** Your conference committee (Sens. Dever, Davison, Mathern and Reps. Meier, Pyle, Mock) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1529-1531, adopt amendments as follows, and place SB 2023 on the Seventh order:

That the House recede from its amendments as printed on pages 1529-1531 of the Senate Journal and pages 1739-1741 of the House Journal and that Engrossed Senate Bill No. 2023 be amended as follows:

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 11 through 16 with:

"Salaries and wages	\$7,209,060	\$529,419	\$7,738,479
Operating expenses	2,396,236	146,476	2,542,712
Contingencies	250,000	0	250,000
Defined benefit plan closure	<u>0</u>	<u>372,027</u>	<u>372,027</u>
Total special funds	\$9,855,296	\$1,047,922	\$10,903,218
Full-time equivalent positions	35.50	5.00	40.50"

Page 2, replace lines 2 and 3 with:

"Staff operating expenses	<u>0</u>	<u>5,000</u>
Total special funds	\$362,100	\$455,000

The 2023-25 biennium one-time funding amounts are not part of the entity's base budget for the 2025-27 biennium. The public employees retirement system 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 5, remove "- **ONE-TIME FUNDING**"

Page 2, line 6, replace "\$1,006,839" with "\$372,027"

Page 2, line 6, replace "\$681,839" with "\$47,027"

Page 2, line 7, after the first "for" insert "a portion of"

Page 2, line 7, replace "three" with "two"

Page 2, line 11, replace "\$328,000" with "\$327,000"

Page 2, line 11, replace "considered" with "identified as"

Page 2, line 11, after the second "item" insert "in section 2 of this Act. In addition, the public employees retirement system may request the office of management and budget to transfer up to \$479,660 of additional funding from the new and vacant FTE funding pool to this line item for salaries and wages of the full-time equivalent positions identified in this section"

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2023 - Public Employees Retirement System - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$7,209,060	\$8,471,928	(\$733,449)	\$7,738,479	\$7,718,847	\$19,632
Operating expenses	2,396,236	2,543,712	(1,000)	2,542,712	2,540,987	1,725
Contingencies	250,000	250,000		250,000	250,000	
Defined benefit plan closure		1,006,839	(634,812)	372,027	372,027	
Total all funds	\$9,855,296	\$12,272,479	(\$1,369,261)	\$10,903,218	\$10,881,861	\$21,357
Less estimated income	9,855,296	12,272,479	(1,369,261)	10,903,218	10,881,861	21,357
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	35.50	41.50	(1.00)	40.50	39.50	1.00

**Department 192 - Public Employees Retirement System - Detail of Conference Committee Changes**

	Adjusts Funding for Salary and Benefit Increases <sup>1</sup>	Reduces Funding for Salary Equity Increases <sup>2</sup>	Removes Contingent FTE Position <sup>3</sup>	Removes Salary Funding for Funding Pool <sup>4</sup>	Reduces Funding for Temporary Salaries <sup>5</sup>	Removes One-Time Funding for New Position Operating Expenses <sup>6</sup>
Salaries and wages	\$116,138	(\$78,000)		(\$721,587)	(\$50,000)	
Operating expenses						(\$1,000)
Contingencies						
Defined benefit plan closure	8,165		(\$162,317)	(479,660)		(1,000)
Total all funds	\$124,303	(\$78,000)	(\$162,317)	(\$1,201,247)	(\$50,000)	(\$2,000)
Less estimated income	124,303	(78,000)	(162,317)	(1,201,247)	(50,000)	(2,000)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	(1.00)	0.00	0.00	0.00

	Total Conference Committee Changes
Salaries and wages	(\$733,449)
Operating expenses	(1,000)
Contingencies	
Defined benefit plan closure	(634,812)
Total all funds	(\$1,369,261)
Less estimated income	(1,369,261)
General fund	\$0
FTE	(1.00)

<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:

	Special Funds
Salary increase	\$129,155
Health insurance adjustment	(4,852)
Total	\$124,303

The funding adjusted by the conference committee is the same as adjusted by House. The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

<sup>2</sup> Funding for salary equity increases is reduced by \$78,000 to provide a total of \$180,000 from special funds. The Senate provided \$258,000. The House did not provide funding for salary equity increases.

<sup>3</sup> One contingent FTE member services representative position and funding of \$162,317 from special funds, of which \$161,592 is for salaries and wages and \$725 is for operating expenses, is removed. The House also removed this position. The Senate added 3 contingent FTE positions, including the FTE member services representative position, an FTE benefit manager position, and an FTE counselor position. The contingent FTE positions are available to the Public Employees Retirement System only if the 2023 Legislative

Assembly closes the main system defined benefit retirement plan to new hires.

<sup>4</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.

	<b>Special Funds</b>
New FTE positions	(\$980,870)
Vacant FTE positions	(220,377)
Total	(\$1,201,247)

<sup>5</sup> Funding from special funds for temporary salaries is reduced from the Senate version by \$50,000 to provide a total of \$100,000. The Senate reduced the base level of \$260,368 by \$110,368 to provide a total of \$150,000. The House restored the \$110,368 to the base level of \$260,368.

<sup>6</sup> One-time funding of \$2,000 from special funds for chairs for new FTE positions is removed to provide a total of \$5,000. The Senate added \$7,000 from special funds for this purpose. The House removed \$3,000 to provide a total of \$4,000 from special funds.

The Conference Committee version:

- Restores 1 FTE member services representative position and funding of \$162,317 from special funds, of which \$161,592 is for salaries and wages and \$725 is for operating expenses, which was added by the Senate but removed by the House. The Senate, House, and Conference Committee also added an FTE retirement processing lead position and an FTE receptionist position.
- Amends a section identifying the amount of funding that is appropriated in Section 1 that is available to the Public Employees Retirement System only if the 2023 Legislative Assembly closes the main system defined benefit retirement plan to new hires, the same as amended by the House.

Engrossed SB 2023 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2024, as engrossed:** Your conference committee (Sens. Davison, Dever, Mathern and Reps. Pyle, Meier, Mock) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1575-1576, adopt amendments as follows, and place SB 2024 on the Seventh order:

That the House recede from its amendments as printed on pages 1575 and 1576 of the Senate Journal and pages 1777 and 1778 of the House Journal and that Engrossed Senate Bill No. 2024 be amended as follows:

Page 1, line 2, after "commission" insert "; to provide for a legislative management study; to provide for a legislative management report; and to declare an emergency"

Page 1, replace lines 11 through 13 with:

"Ethics commission	<u>\$623,984</u>	<u>\$514,258</u>	<u>\$1,138,242</u>
Total general fund	\$623,984	\$514,258	\$1,138,242
Full-time equivalent positions	1.00	2.00	3.00"

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
Attorney fees	\$0	\$72,000
Office relocation	0	25,000
New FTE position one-time costs	<u>0</u>	<u>1,825</u>
Total general fund	\$0	\$98,825

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The ethics commission 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. LEGISLATIVE MANAGEMENT STUDY - FEE STRUCTURE.**

During the 2023-24 interim, the legislative management shall consider studying the feasibility and desirability of establishing a rate structure to offset the operating expenses of the ethics commission. The study must include a comparison of the funding method for ethics commissions used by other states within the region. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

**SECTION 4. REPORT - ETHICS COMMISSION ACTIVITIES.** During the 2023-24 interim, the ethics commission shall provide reports to the legislative management regarding the activities and operations of the commission. The reports must include information regarding the number of complaints received by the commission, education and outreach efforts, and the status of the commission's budget.

**SECTION 5. EMERGENCY.** The sum of \$97,000 for attorney fees and office relocation costs included in the ethics commission line item in section 1 of this Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2024 - Ethics Commission - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Ethics commission	\$623,984	\$1,051,976	\$86,266	\$1,138,242	\$1,016,099	\$122,143
Total all funds	\$623,984	\$1,051,976	\$86,266	\$1,138,242	\$1,016,099	\$122,143
Less estimated income	0	0	0	0	0	0
General fund	\$623,984	\$1,051,976	\$86,266	\$1,138,242	\$1,016,099	\$122,143
FTE	1.00	2.00	1.00	3.00	2.00	1.00

**Department 195 - Ethics Commission - Detail of Conference Committee Changes**

	Adjusts Funding for Salary and Benefit Increases <sup>1</sup>	Removes Salary Funding for Funding Pool <sup>2</sup>	Reduces Temporary Salaries Funding Increase <sup>3</sup>	Adds Education and Outreach Position <sup>4</sup>	Reduces Funding for Professional Fees <sup>5</sup>	Adds Contingency Funding <sup>6</sup>
Ethics commission	\$9,030	(\$71,907)	(\$50,000)	\$268,143	(\$216,000)	\$50,000
Total all funds	\$9,030	(\$71,907)	(\$50,000)	\$268,143	(\$216,000)	\$50,000
Less estimated income	0	0	0	0	0	0
General fund	\$9,030	(\$71,907)	(\$50,000)	\$268,143	(\$216,000)	\$50,000
FTE	0.00	0.00	0.00	1.00	0.00	0.00

	Adds One-Time Funding <sup>7</sup>	Total Conference Committee Changes
Ethics commission	\$97,000	\$86,266
Total all funds	\$97,000	\$86,266
Less estimated income	0	0
General fund	\$97,000	\$86,266
FTE	0.00	1.00

<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:

	<b>General Fund</b>	
Salary increase		\$9,148
Health insurance adjustment		(118)
Total		\$9,030

The Senate 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.

	<b>General Fund</b>	
New FTE positions		(\$60,798)
Vacant FTE positions		(11,109)
Total		(\$71,907)

The House also removed this funding.

<sup>3</sup> Funding of \$100,000 added by the Senate to increase temporary salaries funding is reduced to \$50,000. The House reduced funding for temporary salaries to \$30,000.

<sup>4</sup> Funding is added for an attorney position that includes education and outreach responsibilities. The position was not added by the Senate or House.

<sup>5</sup> Funding added by the Senate and House for an increase in professional fees is removed.

<sup>6</sup> Contingency funding is added for professional fees. This funding was not added by the Senate or House.

<sup>7</sup> One-time funding is added for the following items:

	<b>General Fund</b>	
Attorney fees		\$72,000
Office relocation costs		25,000
Total		\$97,000

A section is also added to declare the one-time funding to be an emergency measure. The House also added this funding.

This amendment also:

- Adds a Legislative Management study of establishing a rate structure to offset the operating expenses of the Ethics Commission.
- Provides for the Ethics Commission to provide updates to the Legislative Management regarding the activities of the commission.

Engrossed SB 2024 was placed on the Seventh order of business on the calendar.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**REP. BOSCH MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Reengrossed SB 2004, which motion prevailed.

**THE SPEAKER APPOINTED** as a Conference Committee on:

**Reengrossed SB 2004:** Reps. Monson, Pyle, Mock

#### **MOTION**

**REP. BOSCH MOVED** that SB 2260, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

#### **MOTION**

**REP. BOSCH MOVED** that SB 2239, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

**MOTION**

**REP. BOSCH MOVED** that the House reconsider its action whereby the House adopted the Conference Committee report for Engrossed HB 2017 due to an incorrect committee recommendation, which motion prevailed on a verification vote.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1371, as engrossed:** Your conference committee (Sens. Luick, Myrdal, Lemm and Reps. Thomas, Beltz, Prichard) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1537-1561, adopt amendments as follows, and place HB 1371 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1537-1561 of the House Journal and pages 1268-1293 of the Senate Journal and that Engrossed House Bill No. 1371 be amended as follows:

Page 1, line 2, after "corporation" insert "and authorized livestock farm limited liability company"

Page 1, line 2, after the second comma, insert "and"

Page 1, line 3, remove the comma

Page 1, line 4, replace the second "and" with "10-06.1-03,"

Page 1, line 5, replace "subsection 2 of section" with "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, and 10-06.1-11,"

Page 1, line 5, remove "and sections"

Page 1, line 5, after the fourth comma insert "10-06.1-15, 10-06.1-16,"

Page 1, line 6, after the first comma insert "10-06.1-18, 10-06.1-19, 10-06.1-20,"

Page 1, line 6, after the third comma insert "10-06.1-23, 10-06.1-24, 10-06.1-25,"

Page 1, line 8, replace "cattle" with "livestock"

Page 1, line 9, remove the second "and"

Page 1, line 10, after "penalty" insert "; and to declare an emergency"

Page 1, line 18, after the third underscored comma insert "or"

Page 1, line 18, after "or" insert "the business of"

Page 1, line 20, remove "agriculture"

Page 1, line 22, after the second "corporation" insert ", joint-stock company or association"

Page 1, line 22, replace "cattle" with "livestock"

Page 1, line 23, replace "cattle" with "livestock"

Page 2, line 1, after the second "products" insert "which is allowed to engage in the business of farming or ranching under section 13 of this Act."

Page 2, line 4, replace the first "cattle" with "livestock"

Page 2, line 4, replace the second "cattle" with "livestock"

Page 2, line 4, after "of" insert "poultry or"

Page 2, line 5, after the second "products" insert "which is allowed to engage in the business of farming or ranching under section 13 of this Act."

Page 2, line 7, remove ""Cattle backgrounding" means the feeding or growing of cattle from weaning until the"

Page 2, remove lines 8 and 9

Page 2, line 10, replace "expeditiously preparing the cattle for harvest" with ""Beekeeping" means the breeding or rearing of bee colonies or the owning, maintenance, or management of bee apiaries"

Page 2, line 11, replace "7." with "6."

Page 2, line 13, replace "8." with "7. a."

Page 2, line 13, overstrike "cultivating land for production of agricultural crops or"

Page 2, line 14, overstrike "livestock, or the"

Page 2, line 14, overstrike "of" and insert immediately thereafter "agricultural crops, fruit, horticultural products, or"

Page 2, line 14, overstrike "poultry or"

Page 2, line 15, overstrike "poultry products, milk or dairy products, or fruit or horticultural products. It" and insert immediately thereafter "or livestock backgrounding, or livestock fishing."

b. The term"

Page 2, line 17, replace "a." with "(1)"

Page 2, line 18, replace "b." with "(2) Aquaculture or greenhouse agriculture by a person that has farmland or ranchland holdings not exceeding forty acres [16.19 hectares];"

(3) Beekeeping;

(4)"

Page 2, line 19, replace "c." with "(5)"

Page 2, remove lines 20 and 21

Page 2, line 22, remove "agricultural landholding not exceeding forty acres [16.19 hectares];"

Page 2, line 23, replace "f." with "(6)"

Page 2, line 25, replace "9." with "8."

Page 2, line 26, after "association" insert "which is allowed to engage in the business of farming or ranching under section 10-06.1-12."

Page 2, line 28, replace "10." with "9."

Page 2, line 29, after "company" insert "which is allowed to engage in the business of farming or ranching under section 10-06.1-12."

Page 2, after line 29, insert:

"10. "Farmland or ranchland" means agricultural land in this state used for farming or ranching."

Page 3, line 4, after "12." insert ""Livestock" includes beef cattle, dairy cattle, elk, bison, poultry, swine, sheep, goats, llamas, and alpacas."

13. "Livestock backgrounding" means the feeding or growing of livestock from weaning until the livestock enter a livestock finishing feedlot or facility.
14. "Livestock finishing" means the feeding or growing of livestock for the purpose of expeditiously preparing the livestock for harvest.
- 15."

Page 3, line 16, replace "13." with "16."

Page 3, line 16, remove "day-to-day"

Page 3, line 17, remove "day-to-day"

Page 3, line 18, remove "significantly"

Page 3, after line 22, insert:

"1."

Page 3, line 24, overstrike "land used for farming or ranching" and insert immediately thereafter "farmland or ranchland"

Page 3, line 25, after the period insert:

"2."

Page 3, line 26, overstrike "that is" and insert immediately thereafter "under title 45 which owns or leases farmland or ranchland or engages"

Page 3, line 27, after the period insert:

"3."

Page 3, line 27, after "provision" insert "of law"

Page 3, line 28, remove "is"

Page 3, line 29, replace "prohibited from being" with "may not be"

Page 3, line 29, remove "owning or leasing land used for farming or"

Page 3, line 30, replace "ranching or engaging" with "under title 45 which owns or leases farmland or ranchland or engages"

Page 3, line 30, remove ", a shareholder of an authorized"

Page 3, line 31, remove "livestock farm corporation, or a member of an authorized livestock farm limited liability company"

Page 3, after line 31, insert:

**"SECTION 3. AMENDMENT.** Section 10-06.1-03 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-03. Retention of mineral interests prohibited.**

For land and minerals acquired after July 1, 1985, any corporation or limited liability company that acquires mineral interests through foreclosure or in lieu of foreclosure which were not specifically valued at the time the security interest in the minerals was acquired, and which is prohibited from owning or leasing ~~land used in farming or ranching~~ farmland or ranchland, is prohibited from retaining mineral interests in ~~land used for farming or ranching~~ farmland or ranchland when the corporation or limited liability company divests itself of the land, and the mineral

interests must be passed with the surface estate of the land when the corporation or limited liability company divests itself of the land under this chapter."

Page 4, after line 3 insert:

"1."

Page 4, line 5, after "corporation" insert "or an authorized livestock farm corporation"

Page 4, line 9, after "10-06.1-15" insert "or section 18 of this Act"

Page 4, line 9, after the period insert:

"2."

Page 4, line 9, after the first "corporation" insert "or an authorized livestock farm corporation"

Page 4, line 13, replace "and" with "or"

Page 4, line 13, replace "11" with "21"

Page 4, replace lines 16 through 22 with:

**"SECTION 5. AMENDMENT.** Section 10-06.1-05 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-05. Conversion of limited liability company.**

1. A business limited liability company regulated under chapter 10-32.1 may convert to a farming or ranching limited liability company or an authorized livestock farm limited liability company by adopting an amendment to its articles of organization or by applying for an amended certificate of authority which specifies that the limited liability company elects to be subject to this chapter and by complying with all requirements of this chapter. The amendment must be filed with the secretary of state with the prescribed fee and with the initial report required by section 10-06.1-15 or section 18 of this Act.
2. A farming or ranching limited liability company or an authorized livestock farm limited liability company may convert to a business limited liability company by adopting an amendment to its articles of organization or by applying for an amended certificate of authority. The amendment must be filed with the secretary of state with the prescribed fee. The amendment must be accompanied by a report outlining the information, as of the date of the amendment, which is required under section 10-06.1-17 or section 21 of this Act, and the manner in which the limited liability company has divested itself of its owned or leased land holdings and its business of farming or ranching.

**SECTION 6. AMENDMENT.** Section 10-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-06. Surface coal mining - Exception.**

A corporation or limited liability company not engaged in the business of farming or ranching may own or lease ~~lands used for farming or ranching~~ farmland or ranchland, when the business of ~~such a~~ the corporation or limited liability company is the conducting of surface coal mining operations or related energy conversion, and when the owning or leasing of ~~lands used for farming or ranching~~ farmland or ranchland is reasonably necessary in the conduct of the business of surface coal mining or related energy conversion. When the necessity for owning or leasing of ~~lands used for farming or ranching~~ farmland or ranchland no longer exists, the exception provided in this section ceases and the corporation or limited liability company owning or leasing ~~such~~ the lands is subject to this chapter.

**SECTION 7. AMENDMENT.** Section 10-06.1-07 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-07. Industrial and business purpose ~~exception~~- Exception.**

A corporation or limited liability company that is not engaged in the business of farming or ranching may own or lease ~~land used for farming or ranching~~farmland or ranchland when the land is necessary for residential or commercial development; the siting of buildings, plants, facilities, industrial parks, or similar business or industrial purposes of the corporation or limited liability company; or for uses supportive of or ancillary to adjacent ~~nonagricultural land that is not farmland or ranchland~~ for the benefit of both land parcels. The farmland or ranchland while not being immediately used for any purpose of the corporation or limited liability company must be available to be leased by persons who farm or ranch as sole proprietorships or partnerships, or by ~~farming or ranching~~ farming or ranching corporations or ~~farming or ranching~~ limited liability companies allowed to engage in farming or ranching under section 10-06.1-12.

**SECTION 8. AMENDMENT.** Section 10-06.1-08 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-08. Cooperative corporations allowed to engage in the business of farming or ranching - Requirements.**

This chapter does not prohibit cooperative corporations, seventy-five percent of whose members or shareholders are actual farmers or ranchers residing on farms or ranches or depending principally on farming or ranching for their livelihood, from acquiring ~~real estate~~farmland or ranchland and engaging in the business of cooperative farming or ranching.

**SECTION 9. AMENDMENT.** Subsection 1 of section 10-06.1-09 of the North Dakota Century Code is amended and reenacted as follows:

1. A nonprofit organization or a trust for the benefit of an individual or a class of individuals related within the degrees of kinship specified in subsection 2 of section 10-06.1-12 may own or lease farmland or ranchland if that land is leased to a person who farms or ranches the land as a sole proprietorship or partnership, or a farming or ranching corporation or a farming or ranching limited liability company ~~allowed to engage in farming or ranching under section 10-06.1-12~~.

**SECTION 10. AMENDMENT.** Section 10-06.1-10 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-10. Acquisition of certain farmland or ranchland by certain nonprofit organizations.**

A nonprofit organization may acquire farmland or ranchland only in accordance with the following:

1. Unless it is permitted to own or lease farmland or ranchland under section 10-06.1-09, the nonprofit organization must have been either incorporated in this state or issued a certificate of authority to do business in this state before January 1, 1985, or, before January 1, 1987, have been incorporated in this state if the nonprofit organization was created or authorized under Public Law No. 99-294 [100 Stat. 418]. A nonprofit organization created or authorized under Public Law No. 99-294 [100 Stat. 418] may acquire no more than twelve thousand acres [4856.228 hectares] of land from interest derived from state, federal, and private sources held in its trust fund.
2. The ~~land~~farmland or ranchland may be acquired only for the purpose of conserving natural areas and habitats for biota, and, after acquisition:

- a. The land must be maintained and managed for the purpose of conserving natural area and habitat for biota.
  - b. Any agricultural use of the land is in accordance with the management of the land for conservation and agricultural use, and is by a sole proprietorship or partnership, or a farming or ranching corporation or a farming or ranching limited liability company ~~allowed to engage in farming or ranching under section 10-06.1-12.~~
  - c. If any parcel of the land is open to hunting, it must be open to hunting by the general public.
  - d. The nonprofit organization must fully comply with all state laws relating to the control of noxious and other weeds and insects.
  - e. The nonprofit organization must make payments in lieu of property taxes on the property, calculated in the same manner as if the property was subject to full assessment and levy of property taxes.
  - f. All property subject to valuation must be assessed for the purpose of making the payments under subdivision e in the same manner as other real property in this state is assessed for tax purposes. Before June thirtieth of each year, the county auditor of any county in which property subject to valuation is located shall give written notice to the nonprofit organization and the tax commissioner of the value placed by the county board of equalization upon each parcel of property subject to valuation in the county.
3.
    - a. Before farmland or rangeland may be purchased by a nonprofit organization for the purpose of conserving natural areas and habitats for biota, the governor must approve the proposed acquisition.
    - b. A nonprofit organization that desires to purchase farmland or rangeland for the purpose of conserving natural areas and habitats for biota shall first submit a proposed acquisition plan to the agriculture commissioner who shall convene an advisory committee consisting of the director of the parks and recreation department, the agriculture commissioner, the state forester, the director of the game and fish department, the president of the North Dakota farmers union, the president of the North Dakota farm bureau, the president of the North Dakota stockmen's association, and the chairman of the county commission of any county affected by the acquisition, or their designees.
    - c. The advisory committee shall hold a public hearing with the board of county commissioners concerning the proposed acquisition plan and shall make recommendations to the governor within forty-five days after receipt of the proposed acquisition plan.
    - d. The governor shall approve or disapprove any proposed acquisition plan, or any part thereof, within thirty days after receipt of the recommendations from the advisory committee.
  4. Land acquired in accordance with this section may not be conveyed to the United States or any agency or instrumentality of the United States.
  5. On failure to qualify to continue ownership under subsection 2, the land must be disposed of within five years of that failure to qualify.

**SECTION 11. AMENDMENT.** Section 10-06.1-11 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-11. Required nonprofit organization divestiture of agricultural-land~~farmland or ranchland~~.**

In addition to the divestiture requirements of sections 10-06.1-10 and 10-06.1-24, a ~~nonprofit corporation~~nonprofit organization that acquires ~~land~~farmland or ranchland by gift or devise after December 31, 1984, the ownership of which is not permitted under this chapter, shall divest itself of the land within ten years after the acquisition. For purposes of this section, "ownership" means holding either fee or equitable title, unless fee title is held solely as security for payment of the purchase price, or unless fee title does not carry with it the right to immediate possession of the property. If the ~~corporation~~organization fails to divest itself of the land within the required time, the attorney general shall take action under section 10-06.1-24.

**SECTION 12. AMENDMENT.** Section 10-06.1-12 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-12. ~~Corporation~~Farming or ranching corporation or farming or ranching limited liability company allowed to engage in the business of farming or ranching - Requirements.**

This chapter does not prohibit a farming or ranching corporation or a farming or ranching limited liability company from owning ~~real estate~~or leasing farmland or ranchland and engaging in the business of farming or ranching, if the corporation meets all the requirements of chapter 10-19.1 or the limited liability company meets all the requirements of chapter 10-32.1 which are not inconsistent with this chapter. The following requirements also apply:

1.
  - a. If a farming or ranching corporation, the corporation must not have more than fifteen shareholders.
  - b. If a farming or ranching limited liability company, the limited liability company must not have more than fifteen members.
2. Each shareholder or member must be related to each of the other shareholders or members within one of the following degrees of kinship or affinity: parent, son, daughter, stepson, stepdaughter, grandparent, grandson, granddaughter, brother, sister, uncle, aunt, nephew, niece, great-grandparent, great-grandchild, first cousin, second cousin, or the spouse or surviving spouse of a person so related.
3. Each shareholder or member must be an individual or one of the following:
  - a. A trust for the benefit of an individual or a class of individuals who are related to every shareholder of the corporation or member of the limited liability company within the degrees of kinship or affinity specified in this section.
  - b. An estate of a decedent who was related to every shareholder of the corporation or member of the limited liability company within the degrees of kinship or affinity specified in this section.
4. A trust or an estate may not be a shareholder or member if the beneficiaries of the trust or the estate together with the other shareholders or members are more than fifteen in number.
5. Each individual who is a shareholder or member must be a citizen of the United States or a permanent resident alien of the United States.
6.
  - a. If a farming or ranching corporation, the officers and directors of the corporation must be shareholders who are actively engaged in operating the farm or ranch ~~and at least one of the corporation's shareholders must be an individual residing on or operating the farm or ranch.~~

- b. ~~If a farming or ranching limited liability company, the governors and managers, and members authorized under a statement of authority of the limited liability company must be members who are actively engaged in operating the farm or ranch and at least one of its members must be an individual residing on or operating the farm or ranch.~~
7. An annual average of at least sixty-five percent of the gross income of the farming or ranching corporation or farming or ranching limited liability company over the previous five years, or for each year of its existence, if less than five years, must have been derived from engaging in the business of farming or ranching operations.
8. The income of the farming or ranching corporation or farming or ranching limited liability company from nonfarm rent, nonfarm royalties, dividends, interest, and annuities cannot exceed twenty percent of the gross income of the corporation or limited liability company.
9. The farming or ranching corporation or farming or ranching limited liability company must own or lease farmland or ranchland ~~in this state.~~

Page 4, line 25, after "or" insert "authorized livestock farm"

Page 4, line 25, after "company" insert "allowed to engage in the business of farming or ranching"

Page 4, line 27, replace "real estate" with "farmland or ranchland"

Page 4, line 28, after the first "the" insert "authorized livestock farm"

Page 4, line 29, after the first "the" insert "authorized livestock farm"

Page 5, line 1, after "1." insert "a."

Page 5, line 1, replace the first "a" with "an authorized livestock farm"

Page 5, line 1, after the underscored period insert:

"b."

Page 5, line 1, replace the second "a" with "an authorized livestock farm"

Page 5, line 3, after "2." insert "a."

Page 5, line 3, replace "a" with "an authorized livestock farm"

Page 5, line 5, replace "operating a farm or ranch" with "the business of farming or ranching"

Page 5, line 5, after the underscored comma insert "farming or ranching"

Page 5, line 5, remove "that meet the"

Page 5, line 6, remove "requirements of chapter 10-06.1-12"

Page 5, line 6, after "or" insert "farming or ranching"

Page 5, line 6, remove "that meet the"

Page 5, line 7, remove "requirements of chapter 10-06.1-12"

Page 5, line 7, after the underscored period insert:

"b."

Page 5, line 7, replace "a" with "an authorized livestock farm"

Page 5, line 10, replace "operating a farm or ranch" with "the business of farming or ranching"

Page 5, line 10, after the underscored comma insert "farming or ranching"

Page 5, line 10, remove "that meet the requirements of"

Page 5, line 11, remove "chapter 10-06.1-12"

Page 5, line 11, after "or" insert "farming or ranching"

Page 5, line 11, remove "that meet the requirements of"

Page 5, line 12, remove "chapter 10-06.1-12"

Page 5, line 13, after "3." insert "a."

Page 5, line 13, replace "a" with "an authorized livestock farm"

Page 5, line 13, replace ", all" with:

(1) All"

Page 5, line 14, remove "or"

Page 5, line 14, replace "and all" with "or an authorized individual under section 47-10.1-02.  
(2) All"

Page 5, line 15, replace "person" with "individual or entity"

Page 5, line 16, replace "corporation" with "person"

Page 5, line 17, replace "or" with an underscored comma

Page 5, line 17, after "aliens" insert "of the United States, or an authorized individual under section 47-10.1-02"

Page 5, line 17, after the underscored period insert:

"b."

Page 5, line 17, replace "a" with "an authorized livestock farm"

Page 5, line 18, replace ", all" with ":

(1) All"

Page 5, line 19, replace "or" with an underscored comma

Page 5, line 19, replace "and all" with "or an authorized individual under section 47-10.1-02;  
and

(2) All"

Page 5, line 20, remove "person limited"

Page 5, line 21, replace "liability company" with "individual or entity of the person"

Page 5, line 22, replace "or" with an underscored comma

Page 5, line 23, after "aliens" insert "of the United States, or an authorized individual under section 47-10.1-02"

Page 5, line 25, remove "at any time, directly or indirectly."

Page 5, line 26, replace "land" with "farmland or ranchland"

Page 5, line 27, after "5." insert "a."

Page 5, line 27, replace "a" with "an authorized livestock farm"

Page 5, line 27, replace "are shareholders in" with "may hold direct or indirect interests in"

Page 5, line 28, remove the underscored comma

Page 5, line 28, remove "members"

Page 5, line 29, remove the first underscored comma

Page 5, line 29, remove "directly or indirectly"

Page 5, line 30, replace "land" with "farmland or ranchland"

Page 5, after line 30, insert:

"b."

Page 5, line 31, replace "a" with "an authorized livestock farm"

Page 5, line 31, replace "are members" with "may hold direct or indirect interests"

Page 6, line 1, remove "shareholders"

Page 6, line 1, after "in" insert "other"

Page 6, line 2, remove "directly or indirectly"

Page 6, line 4, replace "land" with "farmland or ranchland."

c. This section does not restrict the number of acres [hectares] of farmland or ranchland directly owned or leased by shareholders or members who are individuals, farming or ranching corporations, farming or ranching limited liability companies, or partnerships that meet the requirements of subsection 2 of section 10-06.1-02"

Page 6, line 5, after "6." insert "a."

Page 6, line 5, replace "a" with "an authorized livestock farm"

Page 6, line 6, after "are" insert "individuals and who are"

Page 6, line 6, remove "authorized livestock farm"

Page 6, line 6, after the underscored period insert:

"b."

Page 6, line 6, replace "a" with "an authorized livestock farm"

Page 6, line 7, replace "officers" with "members authorized under a statement of authority."

Page 6, line 7, after "are" insert "individuals and who are"

Page 6, line 8, remove "authorized farm"

Page 6, line 9, after the second "the" insert "authorized livestock farm"

Page 6, line 10, after the first "or" insert "authorized livestock farm"

Page 6, line 11, after "from" insert "livestock backgrounding, livestock finishing, or"

Page 6, line 11, remove "cattle."

Page 6, line 13, after "the" insert "authorized livestock farm"

Page 6, line 13, after "or" insert "authorized livestock farm"

Page 6, line 15, after "the" insert "authorized livestock farm"

Page 6, line 15, after "or" insert "authorized livestock farm"

Page 6, line 16, after "The" insert "authorized livestock farm"

Page 6, line 16, after the first "or" insert "authorized livestock farm"

Page 6, line 16, remove "directly or indirectly"

Page 6, line 17, remove "cultivation of land for the"

Page 6, line 17, after "livestock" insert "on farmland or ranchland"

Page 6, line 18, replace "The" with "If the authorized livestock farm"

Page 6, line 18, after "or" insert "authorized livestock farm"

Page 6, line 18, replace "must begin" with "is intended to primarily comprise an animal feeding operation or concentrated animal feeding operation on farmland or ranchland. the corporation or limited liability company must:"

a. Begin"

Page 6, line 20, remove the underscored period

Page 6, line 21, replace "11. The corporation or limited liability company must have" with "; and"

b. Have"

Page 6, line 22, replace "three" with "six"

Page 6, line 23, replace "agricultural landholding" with "farmland or ranchland"

Page 6, line 24, replace "12." with "11."

Page 6, line 25, replace "subsection 10 or 11" with "this section"

Page 7, line 10, overstrike ", except those sections which pertain to foreign limited liability companies,"

Page 7, after line 15, insert:

**"SECTION 16. AMENDMENT.** Section 10-06.1-15 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-15. Initial report - ShareholderFarming or ranching corporation shareholder and farming or ranching limited liability member requirements.**

1. Every farming or ranching corporation or farming or ranching limited liability company shall file an initial report with its articles of incorporation, articles of organization, or certificate of authority. The report must be signed by the incorporators or organizers or, in the case of a certificate of authority, an authorized person, and must contain the following:
  - a. The name of the farming or ranching corporation or farming or ranching limited liability company.

- b. With respect to each shareholder or member:
- (1) The name and address of each, including the names and addresses and relationships of trusts and estates that own shares or membership interests;
  - (2) The number of shares or membership interests or percentage of shares or membership interests owned by each;
  - (3) The relationship of each;
  - (4) A statement of whether each is a citizen or permanent resident alien of the United States; and
  - (5) A statement of whether each will be actively engaged in operating the farm or ranch ~~and whether each will reside on the farm or ranch.~~
- c. With respect to management:
- (1) If a farming or ranching corporation, ~~then~~ the names and addresses of the officers and members of the board of directors; or
  - (2) If a farming or ranching limited liability company, ~~then~~ the names and addresses of the managers, members authorized under a statement of authority, and members of the board of governors.
- d. If the purchase or lease of farmland or ranchland is final at the time of the initial report, a statement listing the acreage [hectarage] and location listed by section, township, range, and county of all ~~land in the state~~ farmland or ranchland owned or leased by the farming or ranching corporation or farming or ranching limited liability company ~~and used for farming or ranching~~. If the purchase or lease of farmland or ranchland is not yet final at the time of the initial report, a statement that there is a bona fide and imminent intent and a plan to purchase or lease farmland or ranchland ~~in the state~~.
- e. A statement that at least sixty-five percent of the gross income of the farming or ranching corporation or farming or ranching limited liability company will be derived from engaging in the business of farming or ranching ~~operations~~, and that twenty percent or less of the gross income of the corporation or limited liability company will be from nonfarm rent, nonfarm royalties, dividends, interest, and annuities.
2. A farming or ranching corporation or a farming or ranching limited liability company may not commence farming or ranching in this state until the secretary of state has received and filed the articles of incorporation ~~or~~ articles of organization, or certificate of authority, and the initial report required ~~by~~ under this section.
3. The farming or ranching corporation or farming or ranching limited liability company shall furnish to the official county newspaper of each county or counties in which ~~any land~~ farmland or ranchland is owned or leased by the corporation or limited liability company a legal notice reporting the following:
- a. The name of the farming or ranching corporation or farming or ranching limited liability company and its shareholders or members as listed in the initial report.
  - b. A statement ~~to the effect that the~~ farming or ranching corporation or farming or ranching limited liability company has reported that it owns or leases ~~land used for farming or ranching~~ farmland or

ranchland in the county and that a description of that land is available for inspection at the ~~secretary of state's office~~office of the secretary of state."

Page 7, line 19, replace "supersede this chapter" with "take precedence"

Page 7, line 19, after "conflict" insert "with this chapter"

Page 7, line 22, replace "**corporations**" with "**corporation shareholder**"

Page 7, line 23, replace "**companies**" with "**company member requirements**"

Page 7, line 25, replace "or" with an underscored comma

Page 7, line 26, after "organization" insert ", or certificate of authority"

Page 7, line 26, after the underscored comma insert "or in the case of a certificate of authority, an authorized person,"

Page 7, line 28, after "the" insert "authorized livestock farm"

Page 7, line 28, after "or" insert "authorized livestock farm"

Page 7, line 30, remove ", including the names and addresses and"

Page 7, line 31, remove "relationships of trusts and estates that own shares or membership interests"

Page 8, line 1, replace "an organization" with "a person other than an individual"

Page 8, line 1, after "of" insert "incorporation, organization, or"

Page 8, line 2, after "interests" insert "or percentage of shares or membership interests of each"

Page 8, line 3, after "of" insert "total"

Page 8, line 5, after "of" insert "total"

Page 8, line 6, replace "A" with "As to individuals, a"

Page 8, line 7, remove "and"

Page 8, remove line 9

Page 8, line 10, replace "ranch" with "the business of farming or ranching; and

(8) As to a person other than an individual, a statement of whether the person, and any controlling person of the person, is incorporated in the United States and one hundred percent of the stock or interests is owned by citizens of the United States, permanent aliens of the United States, or individuals or persons in compliance with section 47-10.1-02"

Page 8, line 12, replace "a" with "an authorized livestock farm"

Page 8, line 13, replace the underscored period with ", and a statement whether each will be actively engaged in the operation of the corporation; or"

Page 8, line 14, replace "a" with "an authorized livestock farm"

Page 8, line 15, replace "officers" with "members authorized under a statement of authority, and a statement whether each will be actively engaged in the operation of the limited liability company"

Page 8, line 16, after "the" insert "authorized livestock farm"

Page 8, line 16, after "or" insert "authorized livestock farm"

Page 8, line 16, remove "and will not"

Page 8, line 17, remove "directly or indirectly"

Page 8, line 18, after the underscored closing bracket insert "of farmland and ranchland"

Page 8, line 19, replace "land" with "farmland or ranchland"

Page 8, line 20, replace "and the number of hectares" with "[hectarage]"

Page 8, line 21, replace "land in the state" with "farmland or ranchland"

Page 8, line 21, after the second "the" insert "authorized livestock farm"

Page 8, line 21, after "or" insert "authorized livestock farm"

Page 8, line 23, replace "land" with "farmland or ranchland"

Page 8, line 24, remove "land"

Page 8, line 25, replace "in the state" with "farmland or ranchland"

Page 8, line 26, remove "investors are"

Page 8, line 26, after "members" insert "hold a direct or indirect interest"

Page 8, line 26, remove "any"

Page 8, line 27, replace "corporation" with "corporations"

Page 8, line 28, replace "company" with "companies"

Page 8, line 28, replace "directly or indirectly" with "in combination"

Page 8, line 30, after the underscored closing bracket insert "of farmland or ranchland. An interest disclosed under this subdivision does not include the number of acres of farmland or ranchland directly owned or leased by shareholders or members that are individuals, farming or ranching corporations, farming or ranching limited liability companies, or partnerships that meet the requirements of subsection 2 of section 10-06.1-02"

Page 9, line 1, after the second "the" insert "authorized livestock farm"

Page 9, line 2, after the first "or" insert "authorized livestock farm"

Page 9, line 2, replace "farming or ranching" with "authorized livestock farm"

Page 9, line 6, after the first "the" insert "authorized livestock farm"

Page 9, line 6, after "or" insert "authorized livestock farm"

Page 9, line 7, remove "cultivation of land for the"

Page 9, line 7, after "crops" insert "or the grazing of livestock on farmland or ranchland"

Page 9, line 8, after the first "the" insert "authorized livestock farm corporation facility or authorized livestock farm limited liability company"

Page 9, line 8, after "of" insert "the commencement of facility"

Page 9, remove lines 9 through 11

Page 9, line 12, replace "A" with "An authorized livestock farm"

Page 9, line 12, replace "a" with "authorized livestock farm"

Page 9, line 14, replace "or" with an underscored comma

Page 9, line 14, after "organization" insert ", or certificate of authority"

Page 9, line 14, after the underscored period insert:

"3."

Page 9, line 14, after "The" insert "authorized livestock farm"

Page 9, line 15, after "or" insert "authorized livestock farm"

Page 9, line 16, remove "or counties"

Page 9, line 16, replace the first "any" with "an"

Page 9, line 16, replace "any land" with "farmland and ranchland"

Page 9, line 18, after "the" insert "authorized livestock farm"

Page 9, line 18, after the first "or" insert "authorized livestock farm"

Page 9, line 20, remove "to the effect"

Page 9, line 20, after the second "the" insert "authorized livestock farm"

Page 9, line 20, after "or" insert "authorized livestock farm"

Page 9, line 21, replace the first "land" with "farmland or ranchland"

Page 9, line 22, remove "secretary of state's"

Page 9, line 23, after "office" insert "of the secretary of state"

Page 9, line 24, remove "to the effect"

Page 9, line 24, after the third "the" insert "authorized livestock farm"

Page 9, line 25, after "the" insert "authorized livestock farm"

Page 9, line 25, remove "directly or indirectly in"

Page 9, line 26, replace "combination with interests in any other person own" with "hold a direct or indirect interest in authorized livestock farm corporations or authorized livestock farm limited liability companies that in aggregate, own, lease, or otherwise hold an interest in"

Page 9, line 27, replace "agricultural land" with "farmland or ranchland. An interest disclosed under this subdivision does not include the number of acres of farmland or ranchland directly owned or leased by shareholders or members that are individuals, farming or ranching corporations, farming or ranching limited liability companies, or partnerships that meet the requirements of subsection 2 of section 10-06.1-02"

Page 9, after line 27, insert:

**"SECTION 19. AMENDMENT.** Section 10-06.1-16 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-16. Share and membership interest transfer records.**

1. a. Every corporation owning or leasing ~~land used for farming or ranching~~farmland or ranchland or engaged in the business of farming or ranching ~~after June 30, 1981,~~ shall keep a record of transfers of shares or transfers of interests in the corporation.
  - b. Every limited liability company owning or leasing ~~land used for farming or ranching~~farmland or ranchland or engaged in the business of farming or ranching shall keep a record of transfers of membership interests in the limited liability company.
2. a. If a corporation, the corporation's secretary shall cause to be recorded in the record all transfers of shares or transfers of interests among and between the corporation and its respective shareholders or holders of interest.
  - b. If a limited liability company, the limited liability company's secretary shall cause to be recorded in the record all transfers of membership interests among and between the limited liability company and its respective members.
3. The record must contain at least the following: the names of the transferor and transferee, their relationship, the date of the transfer and, if a corporation, the number of shares or the percentage of interests transferred or, if a limited liability company, the number or percentage of membership interests transferred."

Page 10, line 1, after the first boldfaced dash insert "**Farming or ranching corporations and farming or ranching limited liability companies -**"

Page 10, after line 1 insert:

"1."

Page 10, line 2, after "a" insert "farming or ranching"

Page 10, line 2, overstrike "engaged in farming or"

Page 10, line 3, overstrike "ranching after June 30, 1981, and" and insert immediately thereafter "or"

Page 10, line 3, after "a" insert "farming or ranching"

Page 10, line 3, after "in" insert "the business of"

Page 10, after line 6, insert:

"2."

Page 10, line 7, after "a" insert "farming or ranching"

Page 10, line 8, after "a" insert "farming or ranching"

Page 10, line 10, overstrike "it" and insert immediately thereafter "the annual report"

Page 10, line 11, after the period insert:

"3."

Page 10, line 11, after "report" insert "of the farming or ranching corporation or the farming or ranching limited liability company"

Page 10, line 13, overstrike "1." and insert immediately thereafter "a."

Page 10, line 13, after "the" insert "farming or ranching"

Page 10, line 13, after "or" insert "farming or ranching"

Page 10, line 14, overstrike "2." and insert immediately thereafter "b."

Page 10, line 14, after the second "the" insert "farming or ranching"

Page 10, line 14, after "or" insert "farming or ranching"

Page 10, line 17, overstrike "3." and insert immediately thereafter "c."

Page 10, line 17, after "each" insert "farming or ranching"

Page 10, line 18, overstrike "a." and insert immediately thereafter "(1)"

Page 10, line 21, overstrike "b." and insert immediately thereafter "(2)"

Page 10, line 23, overstrike "4." and insert immediately thereafter "d."

Page 10, line 23, after "each" insert "farming or ranching"

Page 10, line 24, replace "a." with "(1)"

Page 10, line 24, replace "number of units" with "membership interests"

Page 10, line 26, replace "b." with "(2)"

Page 10, line 26, replace "number of issued units" with "membership interests"

Page 10, line 28, replace "5." with "e."

Page 10, line 29, overstrike "a." and insert immediately thereafter "(1)"

Page 11, line 1, overstrike "b." and insert immediately thereafter "(2)"

Page 11, line 3, overstrike "c." and insert immediately thereafter "(3)"

Page 11, line 3, after the semicolon insert "and"

Page 11, line 4, overstrike "d." and insert immediately thereafter "(4)"

Page 11, line 5, overstrike "; and"

Page 11, overstrike line 6

Page 11, line 7, overstrike "farm or ranch"

Page 11, line 8, replace "6." with "f."

Page 11, line 9, overstrike "a." and insert immediately thereafter "(1)"

Page 11, line 9, after "a" insert "farming or ranching"

Page 11, line 9, overstrike "then"

Page 11, line 12, overstrike "b." and insert immediately thereafter "(2)"

Page 11, line 12, after "a" insert "farming or ranching"

Page 11, line 12, overstrike "then"

Page 11, line 12, overstrike the second "and" and insert immediately thereafter an underscored comma

Page 11, line 13, after the comma insert "and member authorized under a statement of authority."

Page 11, line 15, replace "z." with "g."

Page 11, line 16, overstrike "land in the state" and insert immediately thereafter "farmland or ranchland"

Page 11, line 17, after "the" insert "farming or ranching"

Page 11, line 17, after the first "or" insert "farming or ranching"

Page 11, line 17, overstrike "and used for farming or ranching"

Page 11, line 21, replace "8." with "h."

Page 11, line 21, after the third "the" insert "farming or ranching"

Page 11, line 22, after the first "or" insert "farming or ranching"

Page 11, line 22, after "from" insert "engaging in the business of"

Page 11, line 23, overstrike "operations"

Page 11, line 25, replace "9." with "i."

Page 11, line 25, after the second "the" insert "farming or ranching"

Page 11, line 25, after "or" insert "farming or ranching"

Page 11, line 28, replace "10." with "4."

Page 11, line 28, after "A" insert "farming or ranching"

Page 11, line 28, after "in" insert "the business of"

Page 11, line 28, after "farming" insert "or ranching"

Page 11, line 30, overstrike "by" and insert immediately thereafter "under"

Page 12, line 1, replace "11." with "5."

Page 12, line 1, after "A" insert "farming or ranching"

Page 12, line 1, after "in" insert "the business of"

Page 12, line 1, after "farming" insert "or ranching"

Page 12, line 4, overstrike "by" and insert immediately thereafter "under"

Page 12, line 7, after the first underscored boldfaced dash insert "**Authorized livestock farm corporations and authorized livestock farm limited liability companies -**"

Page 12, line 12, replace "or" with an underscored comma

Page 12, line 12, after "organization" insert ", or certificate of authority"

Page 12, line 12, after the underscored period insert:

"2."

Page 12, line 13, after "in" insert "subsection 58 of"

Page 12, line 13, replace "a" with "an authorized livestock farm"

Page 12, line 13, replace "or" with "and subsection 49 of"

Page 12, line 14, replace the first "a" with "an authorized livestock farm"

Page 12, line 15, after the first "the" insert "authorized livestock farm"

Page 12, line 15, after "or" insert "authorized livestock farm"

Page 12, line 16, after the second "the" insert "authorized livestock farm"

Page 12, line 16, after the second "or" insert "authorized livestock farm"

Page 12, line 17, after the underscored period insert:

"3."

Page 12, line 17, after "report" insert "of the authorized livestock farm corporation or the authorized livestock farm limited liability company"

Page 12, line 19, replace "registered agent of the" with "authorized livestock farm"

Page 12, line 19, after "or" insert "authorized livestock farm"

Page 12, remove lines 20 and 21

Page 12, line 22, remove "this state"

Page 12, line 23, replace "corporation of limited liability company" with "registered agent of the authorized livestock farm corporation or authorized livestock farm limited liability company as provided in chapter 10-01.1 and, if a noncommercial registered agent, the address of the registered office of the authorized livestock farm corporation or authorized livestock farm limited liability company in this state"

Page 12, line 24, after "each" insert "authorized livestock farm"

Page 12, line 25, after the second "the" insert "authorized livestock farm"

Page 12, line 31, after "each" insert "authorized livestock farm"

Page 13, line 1, replace "number of units" with "membership interests"

Page 13, line 1, after the second "the" insert "authorized livestock farm"

Page 13, line 3, replace "units" with "membership interests"

Page 13, line 6, remove ", including the names and addresses and"

Page 13, line 7, remove "relationships of trusts and estates that own shares or membership interests"

Page 13, line 8, replace "an organization" with "a person other than an individual"

Page 13, line 8, after "of" insert "incorporation, organization, or"

Page 13, line 9, after "interests" insert "or percentage of shares or membership interests of each"

Page 13, line 10, after "of" insert "total"

Page 13, line 12, after "of" insert "total"

Page 13, line 13, replace "A" with "As to individuals, a"

Page 13, line 14, remove "and"

Page 13, remove line 16

Page 13, line 17, replace "ranch" with "the business of farming or ranching; and

- (8) As to persons other than an individual, a statement of whether the person, and any controlling person of the person, is incorporated or organized in the United States and one hundred percent of the stock or interests is owned by citizens of the United States, permanent resident aliens of the United States, or individuals or persons in compliance with section 47-10.1-02"

Page 13, line 19, replace "a" with "an authorized livestock farm"

Page 13, line 20, replace the underscored period with ", and a statement whether each actively is engaged in the operation of the corporation; or"

Page 13, line 21, replace "a" with "an authorized livestock farm"

Page 13, line 22, after "governors" insert ", and a statement whether each actively is engaged in the operation of the limited liability company"

Page 13, line 23, after "the" insert "authorized livestock farm"

Page 13, line 23, after the first "or" insert "authorized livestock farm"

Page 13, line 23, remove "directly or"

Page 13, line 24, remove "indirectly"

Page 13, line 25, after the underscored closing bracket insert "of farmland or ranchland"

Page 13, line 26, replace "land" with "farmland or ranchland"

Page 13, line 26, remove ", the total"

Page 13, line 27, replace "number of hectares" with "[hectarage]"

Page 13, line 28, replace "land in the state" with "farmland or ranchland"

Page 13, line 28, after the second "the" insert "authorized livestock farm"

Page 13, line 28, after "or" insert "authorized livestock farm"

Page 13, line 30, remove "investors are"

Page 13, line 30, after "members" insert "hold a direct or indirect interest"

Page 13, line 30, remove "any"

Page 13, line 31, replace "corporation" with "corporations"

Page 14, line 1, replace "company" with "companies"

Page 14, line 1, replace "directly or indirectly" with "in combination"

Page 14, line 3, after the underscored closing bracket insert "of farmland or ranchland. The interest disclosed under this subdivision does not include the number of acres [hectares] of farmland or ranchland directly owned or leased by shareholders or members who are individuals, farming or ranching corporations, farming or ranching limited liability companies, or partnerships that meet the requirements of subsection 2 of section 10-06.1-02"

Page 14, line 4, remove "A statement that at least sixty-five percent of the gross income of the corporation"

Page 14, remove lines 5 through 8

Page 14, line 9, remove "k."

Page 14, line 9, after "the" insert "authorized livestock farm"

Page 14, line 9, after "or" insert "authorized livestock farm"

Page 14, line 10, remove "cultivation of land for the"

Page 14, line 10, after "livestock" insert "on farmland or ranchland"

Page 14, line 11, replace "l." with "k."

Page 14, line 11, after "of" insert "livestock"

Page 14, remove lines 12 through 18

Page 14, line 19, replace "o." with "l."

Page 14, line 19, after the third "the" insert "authorized livestock farm"

Page 14, line 20, after the first "or" insert "authorized livestock farm"

Page 14, line 20, remove "farming or"

Page 14, line 21, replace "ranching" with "authorized livestock farm"

Page 14, line 23, replace "p." with "m."

Page 14, line 23, after the second "the" insert "authorized livestock farm"

Page 14, line 23, after "or" insert "authorized livestock farm"

Page 14, line 26, replace "2. A" with:

"4. An authorized livestock farm"

Page 14, line 26, replace "farming which" with "authorized livestock farm operations that"

Page 14, line 28, replace "by" with "under"

Page 14, line 29, replace "3. A" with:

"5. An authorized livestock farm"

Page 14, line 29, replace "farming which" with "authorized livestock farm operations that"

Page 15, line 2, replace "by" with "under"

Page 15, after line 2, insert:

**"SECTION 22. AMENDMENT.** Section 10-06.1-18 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-18. Reports of corporations and limited liability companies not engaged in farming or ranching.**

Any business ~~or nonprofit~~ corporation and any, limited liability company, or nonprofit organization not engaged in the business of farming or ranching which owns or leases a tract of ~~land used for farming or ranching~~ farmland or ranchland which is larger than twenty acres [8.09 hectares] in size shall file with the attorney general, within twelve months of any transaction involving the purchase, sale, or surface leasing of ~~such~~ the farmland or ranchland by that corporation or limited liability company, a report containing all of the following information:

1. The name of the corporation or limited liability company and its place of incorporation or organization and, if a nonprofit ~~corporation~~ organization, a copy of its section 501(c)(3) exemption letter from the internal revenue service.
2. The name of the registered agent of the corporation or limited liability company as provided in chapter 10-01.1 and, if a noncommercial registered agent, then the address of the noncommercial registered agent in this state.
3. The acreage [hectarage] and location listed by section, township, range, and county of all ~~such land in the state~~ the farmland or ranchland owned or leased by the corporation or limited liability company ~~and used for farming or ranching.~~
4. The date and method of acquisition or disposal of ~~such~~ the farmland or ranchland.

**SECTION 23. AMENDMENT.** Section 10-06.1-19 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-19. Exemption from certain disclosure and other requirements for certain organizations.**

Sections 10-06.1-12, 10-06.1-15, 18 of this Act, 10-06.1-17, 21 of this Act, and 10-06.1-18 do not apply to nonprofit organizations or to corporations or limited liability companies such as banks, trust companies, or foundations serving in a fiduciary capacity as the personal representative or trustee of an estate or trust for an individual described in subsection 2 of section 10-06.1-12.

**SECTION 24. AMENDMENT.** Section 10-06.1-20 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-20. Failure to file report - Penalty.**

Every corporation or limited liability company ~~which~~ that willfully fails to file any report required under this chapter or willfully files false information on any report required under this chapter is guilty of a class A misdemeanor."

Page 15, line 7, replace "5" with "13"

Page 15, line 8, overstrike "such" and insert immediately thereafter "the"

Page 15, line 14, after "from" insert "engaging in the business of"

Page 15, line 15, overstrike "operations"

Page 15, line 15, overstrike "such" and insert immediately thereafter "the"

Page 15, line 16, replace "11" with "21"

Page 15, after line 17, insert:

**"SECTION 27. AMENDMENT.** Section 10-06.1-23 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-23. Attorney general to conduct random compliance program.**

Each year the attorney general shall select at random at least five percent of the total number of corporations and limited liability companies authorized ~~by~~ under this chapter for requests for information to determine compliance with this chapter. For ~~such~~ this purpose, the attorney general may request affidavits, share transfer records, certified copies of marriage licenses, birth certificates, deeds, leases, and ~~such~~ other records and documents necessary to determine compliance. The

corporation or limited liability company shall comply with any request for information made under this section.

**SECTION 28. AMENDMENT.** Section 10-06.1-24 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-24. Enforcement - Penalty.**

1.
  - a. The recorder shall mail or deliver a copy of every instrument filed or recorded, within thirty days after the instrument is recorded, to the attorney general if the instrument documents evidence of a lease agreement or purchase agreement pursuant to subsection 6 or 7 or if the instrument conveys the title to farmland or ranchland to a corporation or limited liability company.
  - b. The attorney general shall commence an action in the district court of the county in which the substantial portion of farmland or ranchland used in violation of this chapter is situated if the attorney general has reason to believe that any person is violating this chapter. The attorney general shall file for record with the recorder of each county in which any portion of the land is located a notice of the pendency of the action.
  - c. ~~If the court finds that the land in question~~ farmland or ranchland is being held in violation of this chapter, or that a corporation or limited liability company is ~~conducting~~ engaging in the business of farming or ranching in violation of this chapter, the court shall enter an order ~~se- declaring pursuant to the court's findings of fact and conclusions of law.~~ The attorney general shall file ~~any such~~ the order for record with the recorder of each county in which any portion of the land is located. Thereafter, the corporation or limited liability company shall, within the time set by the court not to exceed one year from the date of the court's final order, divest itself of ~~any farming or ranching- land~~ the farmland or ranchland owned or leased by it in violation of this chapter, and cease ~~at~~ engaging in the business of farming or ranching operations.
  - d. Except as otherwise provided in subsection 10, any corporation or limited liability company that fails to comply with the court's order is subject to a civil penalty not to exceed twenty-five thousand dollars and may be dissolved or terminated by the secretary of state.
2. The divestment period is deemed to be a covenant running with the title to the ~~land~~ farmland or ranchland against any corporate or limited liability company grantee, corporate or limited liability company successor, or corporation or limited liability company assignee of the corporation or limited liability company not authorized to ~~de~~ engage in the business of farming or ranching under this chapter.
3. Any ~~land~~ farmland or ranchland not divested within the divestment period prescribed must be sold at public sale in the manner prescribed by law for the foreclosure of real estate mortgage by action. In addition, any prospective or threatened violation may be enjoined by an action brought by the attorney general in the manner provided by law, including enjoining the corporation or limited liability company from completing performance on the remainder of any leasehold which is in violation of this chapter.
4. Subject to the divestiture requirements of subsections 5, 6, and 7, a ~~domestic or foreign~~ corporation or limited liability company may acquire farmland or ranchland as security for indebtedness, by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise.

5. Unless retention of the farmland or ranchland is permitted under subsection 6 or 7, all farmland or ranchland acquired as security for indebtedness, in the collection of debts, or by the enforcement of a lien or claim shall be disposed of within three years after acquiring ownership, if the acquisition would otherwise violate this chapter.
6. The disposition requirement does not apply to a corporation or limited liability company that has acquired title to the ~~land~~farmland or ranchland through the process of foreclosure of a mortgage, or a deed from a mortgagor instead of a foreclosure, if, by the expiration of one month after what is or what would have been the redemption period of the mortgage if the mortgage had been foreclosed, that corporation or limited liability company leases to the prior mortgagor from whom it was acquired, with an option to purchase, and if documents evidencing the lease agreement have been filed with the recorder of each county in which the land is located. A copy of a notice of lease is sufficient evidence. The exemption in this subsection applies for only five years and then only if the property has been appraised in accordance with subsection 8. The annual lease payments required of the tenant may not exceed seven percent of the appraised value.
7. The disposition requirement does not apply to a corporation or limited liability company that has acquired title to the ~~land~~farmland or ranchland through the process of foreclosure of a mortgage, or a deed from the mortgagor instead of foreclosure, if, by the expiration of one month after what is or what would have been the redemption period of the mortgage if the mortgage had been foreclosed, that corporation or limited liability company contracts for the sale of the land to the prior mortgagor from whom it was acquired, and if documents evidencing the purchase agreement have been filed with the recorder of each county in which the land is located. A copy of a notice of the contract for deed is sufficient evidence. An exemption under this subsection is valid only if an appraisal has been made in accordance with subsection 8, and if it is valid, the exemption is unlimited in duration. The sale price may not exceed the price determined by the appraisers.
8. If an appraisal is required, the appraisal must be made by three independent appraisers, one selected by the corporation or limited liability company, one selected by the prior mortgagor, and the third selected by the first two appraisers.
9. If a corporation or limited liability company holds ~~land~~farmland or ranchland pending divestiture, and the holding is not otherwise ~~governed by~~regulated under this section, the land must be leased to persons actually engaged in the business of farming or ranching and a disposal may not be to a corporation or limited liability company unless ownership by that corporation or limited liability company is authorized under this chapter.
10. The civil penalty for a violation of section 10-06.1-10 may not exceed one hundred thousand dollars.
11. Except as provided in subsection 10, any corporation or limited liability company continuing to violate this chapter is subject to a civil penalty not to exceed twenty-five thousand dollars and may be dissolved or terminated by the attorney general in accordance with the laws of this state.

**SECTION 29. AMENDMENT.** Section 10-06.1-25 of the North Dakota Century Code is amended and reenacted as follows:

**10-06.1-25. Private enforcement.**

This chapter may be enforced in the same manner as provided in section 10-06.1-24 by any corporation or limited liability company authorized to engage in

~~the business of farming or ranching by~~under this chapter or any resident of legal age of a county in which the ~~land~~farmland or ranchland owned or leased by a corporation or limited liability company in violation of this chapter is located. ~~If such action is successful, all costs of the action must be assessed against the defendant and a reasonable attorney's fee must be allowed the plaintiff. If judgment is rendered for the defendant, such costs and a reasonable attorney's fee for the defendant must be paid by the plaintiff.~~If an action is brought under this section, the district court must award to the prevailing party the actual costs and disbursements and reasonable attorney's fees."

Page 15, after line 20, insert:

"1."

Page 15, line 22, overstrike "doing" and insert immediately thereafter "engaged in the"

Page 15, line 22, after "business" insert "of farming and ranching"

Page 15, line 27, after the period insert:

"2."

Page 15, line 28, after the first "the" insert "farming and ranching"

Page 15, line 28, after "corporation" insert "or authorized livestock farm corporation"

Page 16, line 5, after the period insert:

"3."

Page 16, line 6, after the third "the" insert "farming or ranching"

Page 16, line 7, after "corporation" insert "or authorized livestock farm corporation"

Page 16, after line 18 insert:

"1."

Page 16, line 20, overstrike "doing" and insert immediately thereafter "engaged in the"

Page 16, line 20, after "business" insert "of farming and ranching"

Page 16, line 25, overstrike "by" and insert immediately thereafter "under"

Page 16, line 26, after the period insert:

"2."

Page 16, line 26, after the third "the" insert "farming or ranching"

Page 16, line 27, after "company" insert "or authorized livestock farm limited liability company"

Page 17, line 5, after the period insert:

"3."

Page 17, line 7, after "company" insert "or authorized livestock farm limited liability company itself"

Page, 17, after line 17, insert

**"SECTION 32. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

Engrossed HB 1371 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. THOMAS MOVED** that the conference committee report on Engrossed HB 1371 as printed on HJ pages 2235-2260 be adopted, 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; 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, the roll was called and there were 72 YEAS, 20 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Brandenburg; Conmy; Cory; Dakane; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hager; Hatlestad; Hauck; Headland; Heinert; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Monson; Motschenbacher; Murphy; Nathe; Nelson; O'Brien; Olson, J.; Olson, S.; Ostlie; Prichard; Pyle; Richter; Rios; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Vetter; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Boschee; Christensen; Davis; Dobervich; Finley-DeVile; Hager; Hanson; Heilman; Henderson; Holle; Hoverson; Ista; Longmuir; Mock; Novak; Rohr; Schneider; Timmons; Tveit; VanWinkle

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

Reengrossed HB 1371 passed and the emergency clause was declared carried.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. M. RUBY MOVED** that the conference committee report on Engrossed SB 2201 as printed on HJ page 2098 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2201:** A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 19-24.1-03, subsection 3 of section 19-24.1-04, subsection 2 of section 19-24.1-18, subdivision a of subsection 3 of section 19-24.1-18, and subsection 1 of section 19-24.1-24 of the North Dakota Century Code, relating to medical marijuana certification and application fees; and to provide for a legislative management study.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 77 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVillie; Frellich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heilman; Heinert; Henderson; Holle; Ista; Jonas; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Prichard; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Bellew; Bosch; Fisher; Hauck; Hoverson; Johnson, J.; Karls; McLeod; Rios; Rohr; Satrom; Schatz; Timmons; Tveit; VanWinkle

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

Engrossed SB 2201, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. STEINER MOVED** that the conference committee report on Engrossed SB 2029 as printed on HJ page 2132 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2029:** A BILL for an Act to amend and reenact sections 54-16-04.1 and 54-16-04.2 of the North Dakota Century Code, relating to emergency commission and budget section approval to accept and disburse federal funds and state special funds; and to declare an emergency.

#### ROLL CALL

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

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

**NAYS:** Boschee

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

Engrossed SB 2029, as amended, passed and the emergency clause was declared carried.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. ROERS JONES MOVED** that the conference committee report on SB 2261 as printed on HJ pages 2133-2134 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2261:** A BILL for an Act to amend and reenact sections 17-04-07 and 35-27-13 of the North Dakota Century Code, relating to wind energy facility liens.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

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

SB 2261, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. MARSCHALL MOVED** that the conference committee report on SB 2343 as printed on HJ pages 2134-2135 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2343:** A BILL for an Act to create and enact two new sections to chapter 15-10 of the North Dakota Century Code, relating to the state board of higher education, reporting by the state commissioner of higher education, and records of the state board of higher education; to amend and reenact section 15-10-17 of the North Dakota Century Code, relating to state board of higher education policy; and to provide for a legislative management report.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 71 YEAS, 21 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, K.; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hagert; Hanson; Hatlestad; Headland; Heilman; Heinert; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Motschenbacher; Nathe; Nelson; Olson, J.; Olson, S.; Ostlie; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; Vigesaa; Wagner; Weisz

**NAYS:** Anderson, D.; Bahl; Conmy; Cory; Hager; Hauck; Henderson; Holle; Hoverson; Ista; Johnson, J.; Longmuir; Monson; Murphy; Novak; O'Brien; Schatz; VanWinkle; Vetter; Warrey; Speaker Johnson, D.

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

SB 2343, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. M. RUBY MOVED** that the conference committee report on Engrossed SB 2276 as printed on HJ page 2185 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2276:** A BILL for an Act to create and enact a new section to chapter 50-06 and a new section to chapter 50-24.1 of the North Dakota Century Code, relating to the establishment of a cross-disability advisory council and a family caregiver service pilot project; to provide an appropriation; to provide an effective date; and to provide an expiration date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

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

Engrossed SB 2276, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. BELTZ MOVED** that the conference committee report on Engrossed SB 2341 as printed on HJ page 2188 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2341:** A BILL for an Act to provide for a study of youth services for children impacted or potentially impacted by human trafficking; and to provide for a legislative management report.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

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

Engrossed SB 2341, as amended, passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. SCHREIBER-BECK MOVED** that the conference committee report on Engrossed HB 1239 as printed on HJ page 2121 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. WEISZ MOVED** that the conference committee report on Engrossed HB 1477 as printed on HJ page 2185 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. NATHE MOVED** that the conference committee report on Engrossed HB 1002 as printed on HJ page 2023 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1002:** A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to amend and reenact sections 27-02-02, 27-05-03, and 27-09.1-14 of the North Dakota Century Code, relating to the salaries of justices of the supreme court, the salaries of district court judges, and compensation of jurors; to provide for transfers; to provide for a report; and to provide an exemption.

**ROLL CALL**

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

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

**NAYS:** Bellew; Dyk; Fegley; Henderson; Holle; Schatz; Toman; VanWinkle

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

Reengrossed HB 1002 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. BOSCHEE MOVED** that the conference committee report on Engrossed HB 1310 as printed on HJ page 2023 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1310:** A BILL for an Act to create and enact a new section to chapter 47-04.1 of the North Dakota Century Code, relating to electric vehicle charging station installation in condominiums; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 81 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Bellew; Christensen; Dyk; Fegley; Frelich; Henderson; Holle; Hoverson; Kasper; Rios; Toman

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

Reengrossed HB 1310 passed.

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**ANNOUNCEMENT**

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

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

**CORRECTION AND REVISION OF THE JOURNAL**

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

Page 2138, after line 42, insert:

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. JONAS MOVED** that the conference committee report on Engrossed HCR 3035 as printed on HJ page 1798 be adopted, which motion prevailed on a verification vote.

Page 2192, replace lines 32-34, with:

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. KLEMIN MOVED** that the House do concur in the Senate amendments to Engrossed HB 1205 as printed on HJ page 1428, which motion prevailed on a voice vote. Engrossed HB 1205, as amended, was placed on the Eleventh order of business.

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

**MOTION**

**REP. WEISZ MOVED** that Rep. M. Ruby replace Rep. Prichard on the Conference Committee on SB 2080, which motion prevailed on a voice vote.

**MOTION**

**REP. WEISZ MOVED** that Rep. Dockter replace Rep. Dobervich on the Conference Committee on SB 2080, which motion prevailed on a voice vote.

**MOTION**

**REP. BOSCH MOVED** that HB 1025, which is on the Seventh order, be laid over one legislative day, which motion prevailed.

**MOTION**

**REP. BOSCH MOVED** that HB 1532, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. MOCK MOVED** that the conference committee report on Engrossed SB 2024 as printed on HJ pages 2232-2234 be adopted, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2024:** A BILL for an Act to provide an appropriation for defraying the expenses of the ethics commission; to provide for a legislative management study; to provide for a legislative management report; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 52 YEAS, 39 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Beltz; Bosch; Boschee; Brandenburg; Conmy; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVilleville; Grueneich; Hager; Hagert; Hanson; Heinert; Ista; Jonas; Kempenich; Kiefert; Klemin; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Mock; Murphy; Nelson; O'Brien; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Anderson, K.; Bahl; Bellew; Christensen; Cory; Dyk; Fisher; Frelich; Hatlestad; Hauck; Headland; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Karls; Kasper; Koppelman; Kreidt; Marschall; Monson; Motschenbacher; Nathe; Novak; Olson, J.; Olson, S.; Ostlie; Prichard; Rios; Ruby, D.; Ruby, M.; Schatz; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter

**ABSENT AND NOT VOTING:** Anderson, B.; Christy; Porter

Engrossed SB 2024, as amended, passed but the emergency clause failed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. KEMPENICH MOVED** that the conference committee report on Engrossed SB 2017 as printed on HJ pages 2227-2230 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2017:** A BILL for an Act to provide an appropriation for defraying the expenses of the game and fish department; to provide a contingent appropriation; to provide for a transfer; and to provide an exemption.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 67 YEAS, 24 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson, K.; Bellew; Christensen; Cory; Dyk; Fisher; Frelich; Hauck; Headland; Heilman; Henderson; Holle; Hoverson; Kasper; Koppelman; Marschall; Prichard; Ruby, D.; Ruby, M.; Schatz; Timmons; Toman; VanWinkle; Vetter

**ABSENT AND NOT VOTING:** Anderson, B.; Christy; Porter

Engrossed SB 2017, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. MEIER MOVED** that the conference committee report on Engrossed SB 2023 as printed on HJ pages 2230-2232 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2023:** A BILL for an Act to provide an appropriation for defraying the expenses of the public employees retirement system; and to provide a contingent appropriation.

#### ROLL CALL

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

**YEAS:** Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner;

Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Bellew; Christensen; Hoverson; Kasper; Koppelman; Marschall; Ruby, D.; Schatz; Timmons

**ABSENT AND NOT VOTING:** Anderson, B.; Christy; Porter

Engrossed SB 2023, as amended, passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. KOPPELMAN MOVED** that the conference committee report on Engrossed HB 1487 as printed on HJ pages 2023-2025 be adopted, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1487:** A BILL for an Act to create and enact a new chapter to title 6 of the North Dakota Century Code, relating to financial entities use of merchant codes to track firearm and ammunition-related purchases; to provide a penalty; to provide a continuing appropriation; and to provide for a legislative management study.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 81 YEAS, 10 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Boschee; Conmy; Dakane; Davis; Dobervich; Finley-DeVille; Hager; Hanson; Headland; Schneider

**ABSENT AND NOT VOTING:** Anderson, B.; Christy; Porter

Reengrossed HB 1487 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. SCHREIBER-BECK MOVED** that the conference committee report on Engrossed HB 1501 as printed on HJ pages 2025-2027 be adopted.

#### REQUEST

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

#### ROLL CALL

The question being on the motion to adopt the conference committee report on Engrossed HB 1501, the roll was called and there were 56 YEAS, 35 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Boschee; Brandenburg; Conmy; Dakane; Davis; Dobervich; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hanson; Hatlestad; Hauck; Heinert; Hoverson; Ista; Johnson, J.; Jonas; Kempenich; Kiefert; Klemin; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Murphy; Nelson; O'Brien; Olson, S.; Pyle; Richter; Ruby, M.; Sanford; Schauer; Schneider; Schobinger; Schreiber-Beck; Strinden; Swiontek; Thomas; VanWinkle;

Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Bosch; Christensen; Cory; Dockter; Dyk; Hagert; Headland; Heilman; Henderson; Holle; Karls; Kasper; Koppelman; Kreidt; Marschall; McLeod; Motschenbacher; Nathe; Novak; Olson, J.; Ostlie; Prichard; Rios; Roers Jones; Rohr; Ruby, D.; Satrom; Schatz; Steiner; Stemen; Timmons; Toman; Tveit; Vetter; Vigesaa

**ABSENT AND NOT VOTING:** Anderson, B.; Christy; Porter

The conference committee report on Engrossed HB 1501 was adopted on a recorded roll call vote.

### SECOND READING OF HOUSE BILL

**HB 1501:** A BILL for an Act to amend and reenact subsection 1 of section 4.1-11-01, sections 4.1-11-08, 4.1-11-10, 4.1-11-11, 4.1-11-12, 4.1-11-13, 4.1-11-14, and 4.1-11-15, and subsection 1 of section 4.1-44-03 of the North Dakota Century Code, relating to the North Dakota soybean council and the North Dakota soybean fund; and to provide an effective date.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 55 YEAS, 36 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Anderson, K.; Bahl; Beltz; Boschee; Brandenburg; Conmy; Cory; Dakane; Davis; Dobervich; Fegley; Finley-DeVille; Fisher; Grueneich; Hager; Hanson; Hatlestad; Hauck; Heinert; Holle; Ista; Johnson, J.; Jonas; Kempenich; Kiefert; Klemin; Lefor; Longmuir; Louser; Martinson; Mitskog; Mock; Monson; Murphy; Nelson; O'Brien; Olson, S.; Pyle; Richter; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Strinden; Swiontek; Thomas; VanWinkle; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Bellew; Bosch; Christensen; Dockter; Dyk; Frelich; Hagert; Headland; Heilman; Henderson; Hoverson; Karls; Kasper; Koppelman; Kreidt; Marschall; McLeod; Meier; Motschenbacher; Nathe; Novak; Olson, J.; Ostlie; Prichard; Rios; Roers Jones; Rohr; Ruby, D.; Schatz; Steiner; Stemen; Timmons; Toman; Tveit; Vetter; Vigesaa

**ABSENT AND NOT VOTING:** Anderson, B.; Christy; Porter

Reengrossed HB 1501 passed.

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### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. HAGERT MOVED** that the conference committee report on Engrossed HB 1391 as printed on HJ page 2023 be adopted, which motion prevailed on a voice vote.

### SECOND READING OF HOUSE BILL

**HB 1391:** A BILL for an Act to amend and reenact section 61-16.1-04 of the North Dakota Century Code, relating to the publication and distribution of water resource board meeting minutes.

### ROLL CALL

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

**YEAS:** Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner;

Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**ABSENT AND NOT VOTING:** Anderson, B.; Christy; Porter

Reengrossed HB 1391 passed.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. D. RUBY MOVED** that the conference committee report on Engrossed HB 1413 as printed on HJ page 2183 be adopted.

**REQUEST**

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

The question being on the motion to adopt the conference committee report on Engrossed HB 1413, the conference committee report on Engrossed HB 1413 was rejected on a verification vote.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1040.

**SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1040**

Page 1, line 5, remove "section 6-09.4-10.1,"

Page 1, line 6, remove "21-10-13,"

Page 1, line 10, remove "and"

Page 1, line 10, after "54-52.6-19" insert ", and 57-51.1-07.5"

Page 1, line 10, remove "a transfer from the"

Page 1, line 11, remove "legacy earnings fund to the public employees retirement system main plan and"

Page 1, line 12, after "plans" insert "and the state share of oil and gas taxes"

Page 1, line 15, after "a" insert "legislative management"

Page 1, remove lines 18 through 24

Page 2, remove lines 1 through 10

Page 2, remove lines 15 through 30

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 13

Page 13, line 14, remove "two hundred"

Page 13, line 15, replace "forty-six months" with "thirty and one-half years"

Page 13, line 16, replace "2046" with "2056"

Page 22, line 15, replace "January 1, 2025" with "December 31, 2024"

Page 24, line 24, remove "The board shall follow"

Page 24, remove lines 25 through 30

Page 27, line 2, overstrike "shall"

Page 27, line 2, after "promptly" insert "shall"

Page 27, line 11, after the second underscored comma insert "and an employee who elects to participate in the defined contribution plan under section 54-52.6-02.2."

Page 27, line 14, after the second underscored comma insert "except for an employee who elects to participate in the defined contribution plan under section 54-52.6-02.2."

Page 27, line 28, after the second underscored comma insert "and for an employee who elects to participate in the defined contribution plan under section 54-52.6-02.2."

Page 28, line 2, after the second underscored comma insert "except for an employee who elects to participate in the defined contribution plan under section 54-52.6-02.2."

Page 30, line 19, after "54-52.6-02" insert "or 54-52.6-02.2"

Page 32, line 16, after "54-52.6-02" insert "or 54-52.6-02.2"

Page 33, after line 28, insert:

**"SECTION 31. AMENDMENT.** Section 57-51.1-07.5 of the North Dakota Century Code is amended and reenacted as follows:

**57-51.1-07.5. State share of oil and gas taxes - Deposits.**

From the revenues designated for deposit in the state general fund under chapters 57-51 and 57-51.1, the state treasurer shall deposit the revenues received each biennium in the following order:

1. The first two hundred million dollars into the state general fund;
2. The next two hundred million dollars into the tax relief fund;
3. The next seventy-five million dollars into the budget stabilization fund, but not in an amount that would bring the balance in the fund to more than the limit in section 54-27.2-01;
4. The next two hundred million dollars into the state general fund;
5. The next ten million dollars into the lignite research fund;
6. The next twenty million dollars into the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than twenty million dollars;
7. The next four hundred million dollars into the strategic investment and improvements fund;
8. The next sixty-five million dollars to the public employees retirement fund for the main system plan;
9. The next fifty-nine million seven hundred fifty thousand dollars, or the amount necessary to provide for twice the amount of the distributions under subsection 2 of section 57-51.1-07.7, into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;
- 9-10. The next one hundred seventy million two hundred fifty thousand dollars or the amount necessary to provide a total of two hundred thirty million dollars into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;

- ~~40-11.~~ The next twenty million dollars into the airport infrastructure fund; and
- ~~44-12.~~ Any additional revenues into the strategic investment and improvements fund."

Page 34, after line 6, insert:

**"SECTION 34. LEGISLATIVE MANAGEMENT STUDY - PUBLIC EMPLOYEES RETIREMENT SYSTEM MAIN RETIREMENT PLAN.** During the 2023-24 interim, the legislative management shall study best practices for public employee retirement plans, including defined benefit plans, defined contribution plans, and hybrid plans such as side-by-side hybrid plans, cash benefit plans, and stacked hybrid plans. The study must include development of legislation to implement the retirement plan best suited to meet the needs of the state, political subdivisions, and public employees. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Page 34, line 9, replace "\$240,000,000" with "\$135,000,000"

Page 34, line 14, replace "12" with "10"

Page 34, line 16, replace "1, 3, 11, 34 and 35" with "9, 31, 33, 34, and 35"

Page 34, line 17, replace "July" with "August"

Page 34, line 17, remove "section 2,"

Page 34, line 17, replace "4" with "1"

Page 34, line 17, replace "10" with "8"

Page 34, line 17, replace "13" with "11"

Page 34, line 17, replace "24" with "22"

Page 34, line 17, remove "and"

Page 34, line 17, replace "26" with "24"

Page 34, line 18, replace "33" with "30, and section 32"

Page 34, line 18, replace "12, 25" with "10, 23"

Renumber accordingly

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2085 and SB 2206.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2009 and SB 2015, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2009:** Sens. Wanzek; Erbele; Dwyer

**SB 2015:** Sens. Bekkedahl; Hogue; Wanzek

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2080, and the President has appointed as a new conference committee to act with a like committee from the House on:

**SB 2080:** Sens. Lee; Hogan; K. Roers

**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 2004:** Reps. Monson; Pyle; Mock

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The Speaker has appointed Rep. M. Ruby to replace Rep. Prichard on the Conference Committee on SB 2080.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The Speaker has appointed Rep. Dockter to replace Rep. Dobervich on the Conference Committee on SB 2080.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report on: HB 1239, HB 1477.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1002, HB 1310.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1391, HB 1487, HB 1501.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2201, SB 2261, SB 2276, SB 2341, SB 2343.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2017, SB 2023.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MADAM PRESIDENT:** The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1371.

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

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report on: HB 1002, HB 1310.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2017, SB 2023.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2129, SB 2170, SB 2181, SB 2198, SB 2345.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1477.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2024.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1239, HB 1371.

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

**MADAM PRESIDENT:** Your signature is respectfully requested on: HB 1205, HB 1438, HB 1473.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2126, SB 2139, SB 2161, SB 2187, SB 2227, SB 2344, SB 2391.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2029, SB 2201, SB 2261, SB 2276, SB 2341, SB 2343.

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

**MR. SPEAKER:** The President has signed: HB 1011, HB 1052, HB 1429, HB 1455.

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

**MR. SPEAKER:** The President has signed: HB 1205, HB 1438, HB 1473.

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

**MR. SPEAKER:** The President has signed: HCR 3035.

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

**MADAM PRESIDENT:** The Speaker has signed: HB 1011, HB 1052, HB 1429, HB 1455, HCR 3035.

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

**MADAM PRESIDENT:** The Speaker has signed: SB 2092, SB 2094, SB 2360.

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

**MADAM PRESIDENT:** The Speaker has signed: SB 2126, SB 2139, SB 2161, SB 2187, SB 2227, SB 2344, SB 2391.

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

**MR. SPEAKER:** The President has signed: SB 2092, SB 2094, SB 2360.

**MOTION**

**REP. BOSCH MOVED** that the absent members be excused, which motion prevailed.

**MOTION**

**REP. BOSCH MOVED** that the House be on the Fourth, Fifth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Tuesday, April 25, 2023, which motion prevailed.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1008, as engrossed:** Your conference committee (Sens. K. Roers, Erbele, Vedaa and Reps. Meier, Monson, Pyle) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1608-1610, adopt amendments as follows, and place HB 1008 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1608-1610 of the House Journal and pages 1348-1350 of the Senate Journal and that Engrossed House Bill No. 1008 be amended as follows:

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	\$299,364	\$7,714,462
Operating expenses	1,671,409	450,508	2,121,917
Contingency	<u>20,000</u>	<u>0</u>	<u>20,000</u>
Total special funds	\$9,106,507	\$749,872	\$9,856,379
Full-time equivalent positions	31.00	3.00	34.00"

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 classifications 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 - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$7,415,098	\$8,457,556	(\$743,094)	\$7,714,462	\$7,727,840	(\$13,378)
Operating expenses	1,671,409	2,083,917	38,000	2,121,917	2,152,862	(30,945)
Contingency	<u>20,000</u>	<u>20,000</u>		<u>20,000</u>	<u>20,000</u>	
Total all funds	\$9,106,507	\$10,561,473	(\$705,094)	\$9,856,379	\$9,900,702	(\$44,323)
Less estimated income	<u>9,106,507</u>	<u>10,561,473</u>	<u>(705,094)</u>	<u>9,856,379</u>	<u>9,900,702</u>	<u>(44,323)</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	31.00	33.00	1.00	34.00	35.00	(1.00)

#### Department 413 - Department of Financial Institutions - Detail of Conference Committee Changes

	Adjusts Funding for Salary and Benefit Increases <sup>1</sup>	Adds Funding for Mortgage Servicer Examiner Position <sup>2</sup>	Removes Salary Funding for Funding Pool <sup>3</sup>	Total Conference Committee Changes
Salaries and wages	\$123,849	\$200,000	(\$1,066,943)	(\$743,094)
Operating expenses		38,000		38,000
Contingency				
Total all funds	\$123,849	\$238,000	(\$1,066,943)	(\$705,094)
Less estimated income	<u>123,849</u>	<u>238,000</u>	<u>(1,066,943)</u>	<u>(705,094)</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	1.00	0.00	1.00

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

	Other Funds
Salary increase	\$127,141
Health insurance adjustment	(3,292)
Total	\$123,849

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

<sup>2</sup> Funding of \$238,000 from other funds is added for 1 FTE mortgage servicer examiner position (\$200,000) and related operating expenses (\$38,000). The Senate also added funding for this position. The House and Senate added a second mortgage servicer

examiner position in House Bill No. 1068.

<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.

	<b>Other Funds</b>
New FTE positions	(\$826,742)
Vacant FTE positions	(240,201)
Total	(\$1,066,943)

The Senate also removed this funding.

This amendment adds a section to provide for a Legislative Management study of the appropriation and management procedures for the Department of Financial Institutions, the same as the Senate. The Conference Committee did not include 1 FTE position added by the Senate.

Engrossed HB 1008 was placed on the Seventh order of business on the calendar.

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

**HB 1088, as engrossed:** Your conference committee (Sens. Boehm, Klein, Barta and Reps. Bahl, Cory, Satrom) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1193-1194, adopt amendments as follows, and place HB 1088 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1193 and 1194 of the House Journal and pages 906 and 907 of the Senate Journal and that Engrossed House Bill No. 1088 be amended as follows:

Page 1, line 1, after "21-10-01" insert "and subsection 4 of section 21-10-11"

Page 1, line 2, after "board" insert "and the legacy and budget stabilization fund advisory board; to provide an effective date; and to declare an emergency"

Page 1, line 16, overstrike "One member"

Page 1, line 17, replace "who has expertise in finance and investments" with "Two members, each of whom by experience is familiar with institutional investments."

Page 1, line 18, replace "The" with "One initial appointee shall serve a term of three years, one initial"

Page 1, line 18, after "years" insert ", and all subsequent appointees shall serve five-year terms"

Page 1, line 18, remove the overstrike over "and"

Page 1, line 19, overstrike "One member of" and insert immediately thereafter "Two members, one from the senate and one from the house of representatives, or the member's designee, who serve on"

Page 1, line 20, replace "and" with "to represent that board"

Page 1, remove line 21

Page 1, line 22, remove "by the legislative management"

Page 1, after line 22, insert:

**"SECTION 2. AMENDMENT.** Subsection 4 of section 21-10-11 of the North Dakota Century Code is amended and reenacted as follows:

4. The board consists of three members of the senate appointed by the senate majority leader, three members of the house of representatives appointed by the house majority leader, the president of the Bank of North Dakota or designee, the tax commissioner or designee, the ~~insurance commissioner~~ director of the office of management and budget or designee, and the state treasurer or designee. The board shall select a member from the senate or house of representatives to serve as chairman for no more than one consecutive year and must meet at the call of the chairman.

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

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

Renumber accordingly

Engrossed HB 1088 was placed on the Seventh order of business on the calendar.

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

**HB 1114, as engrossed:** Your conference committee (Sens. Burckhard, Kreun, Dever and Reps. Cory, S. Olson, Schneider) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1626-1627, adopt amendments as follows, and place HB 1114 on the Seventh order:

That the Senate recede from its amendments as printed on page 1626 and 1627 of the House Journal and pages 1361 and 1362 of the Senate Journal and that Engrossed House Bill No. 1114 be amended as follows:

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~~Ninety-five 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 \$95,000 per quarter, resulting in an additional \$680,000 being transferred to the gambling disorder prevention and treatment fund rather than the general fund each biennium.

Engrossed HB 1114 was placed on the Seventh order of business on the calendar.

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

**HB 1168, as reengrossed:** Your conference committee (Sens. Rummel, Kannianen, Magrum and Reps. Hagert, Dockter, J. Olson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1678-1679, adopt amendments as follows, and place HB 1168 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1678 and 1679 of the House Journal and pages 1052 and 1053 of the Senate Journal and that Reengrossed House Bill No. 1168 be amended as follows:

Page 1, line 4, after "process" insert "; to amend and reenact subdivision j of subsection 3 of section 54-35-26 of the North Dakota Century Code, relating to evaluation of economic development tax incentives"

Page 1, after line 6, insert:

**"SECTION 1. AMENDMENT.** Subdivision j of subsection 3 of section 54-35-26 of the North Dakota Century Code is amended and reenacted as follows:

- j. ~~Manufacturing automation equipment credit~~Twenty-first century manufacturing and animal agricultural workforce incentive."

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

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

equipment for the purpose of automating manufacturing or animal agricultural processes.

d."

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

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

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

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

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

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

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

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

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

- "(1) From the aggregate credit limit in this subdivision, the tax commissioner shall designate:
- (a) Five hundred thousand dollars for credits claimed by first-time claimants for animal agricultural machinery and equipment for the purpose of automating animal agricultural processes; and
  - (b) Five hundred thousand dollars for credits claimed by first-time claimants for manufacturing machinery and equipment for the purpose of automating manufacturing processes.
- (2) If the portion of the aggregate limit which is designated for first-time claimants in paragraph 1 is greater than the amount of credits claimed by the corresponding first-time claimants, the remaining portion of the aggregate limit which is designated for the first-time claimants in paragraph 1 must be included in the amount available to claimants that are not first-time claimants.
- (3) If the portion of the aggregate limit which is not designated for first-time claimants in paragraph 1 is greater than the amount of credits claimed by claimants that are not first-time claimants, the remaining portion of the aggregate limit which is not designated for first-time claimants in paragraph 1 must be included in the amount available to first-time claimants to the extent necessary to satisfy all first-time claims.
- (4) If the sum of the portion of the aggregate limit which is designated for the corresponding first-time claimants in paragraph 1 and any amount available to the first-time claimants under paragraph 3 is less than the amount of credits claimed by the first-time claimants, the tax commissioner shall prorate the credits among the first-time claimants.

b. If"

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

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

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

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

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

Page 4, line 20, replace "1" with "2"

Page 4, line 21, replace "This" with "Sections 2 and 3 of this"

Page 4, line 21, replace "is" with "are"

ReNUMBER accordingly

Reengrossed HB 1168 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1415, as engrossed:** Your conference committee (Sens. Wobbema, Larson, Vedaa and Reps. Vetter, S. Olson, B. Anderson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1389-1390, adopt amendments as follows, and place HB 1415 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1389 and 1390 of the House Journal and pages 1132 and 1133 of the Senate Journal and that Engrossed House Bill No. 1415 be amended as follows:

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

Page 1, line 6, replace "\$480,000" with "\$29,000"

Page 1, line 7, replace "a" with "any"

Page 1, line 8, remove "southeastern North Dakota"

Page 1, line 8, remove "with a population of between"

Page 1, line 9, remove "fourteen thousand and seventeen thousand residents"

Page 1, after line 15, insert:

**"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - SEXUAL PREDATOR TASK FORCE.** During the 2023-24 interim, the legislative management shall consider studying the feasibility and desirability of creating a multijurisdictional sexual predator task force. The study must include input from stakeholders, including representatives from law enforcement, regarding the need for or desire to have a sexual predator task force. The study also must include an analysis of interagency coordination. 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

Engrossed HB 1415 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1539, as engrossed:** Your conference committee (Sens. K. Roers, Cleary, Estenson and Reps. Louser, Boschee, Warrey) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 2152-2153, adopt further amendments as follows, and place HB 1539 on the Seventh order:

That the House accede to the Senate amendments as printed on pages 2152 and 2153 of the House Journal and page 1741 of the Senate Journal and that Engrossed House Bill No. 1539 be further amended as follows:

Page 1, line 11, overstrike "affect, actuarially or otherwise," and insert immediately thereafter "fiscally impact"

Page 3, line 2, replace "affects" with "fiscally impacts"

Renumber accordingly

Engrossed HB 1539 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2107, as reengrossed:** Your conference committee (Sens. Larson, Myrdal, Paulson and Reps. Klemin, Karls, Cory) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1472-1473, adopt amendments as follows, and place SB 2107 on the Seventh order:

That the House recede from its amendments as printed on pages 1472 and 1473 of the Senate Journal and pages 1412 and 1413 of the House Journal and that Reengrossed Senate Bill No. 2107 be amended as follows:

Page 1, line 3, after "12.1-17-01" insert ", 12.1-17-03"

Page 1, line 3, after the fourth comma insert "12.1-32-09.1, and"

Page 1, line 3, remove ", and 62.1-02-01"

Page 1, line 5, after "enforcement" insert ", reckless endangerment, simple assault, and presumptive probation; to provide for a legislative management study"

Page 2, line 1, remove "jail"

Page 2, line 1, after "sentence" insert "of incarceration"

Page 2, line 2, remove "jail"

Page 2, line 2, after "sentence" insert "of incarceration"

Page 2, line 3, remove "jail"

Page 2, line 3, after "sentence" insert "of incarceration"

Page 2, line 4, after "court" insert ", in the exercise of the court's discretion"

Page 2, line 5, replace "imprisonment" with "incarceration"

Page 2, line 6, remove "jail"

Page 2, line 25, remove "of this section"

Page 2, line 26, remove "jail"

Page 2, line 26, after "sentence" insert "of incarceration"

Page 2, line 27, remove "jail"

Page 2, line 27, after "sentence" insert "of incarceration"

Page 2, line 28, after "court" insert ", in the exercise of the court's discretion,"

Page 2, line 29, replace "imprisonment" with "incarceration"

Page 2, line 30, remove "jail"

Page 3, line 6, replace "a class B felony" with "reckless endangerment as provided in section 12.1-17-03"

Page 3, after line 8, insert:

**"SECTION 4. AMENDMENT.** Section 12.1-17-03 of the North Dakota Century Code is amended and reenacted as follows:

**12.1-17-03. Reckless endangerment.**

A person is guilty of an offense if ~~he~~the person creates a substantial risk of serious bodily injury or death to another. The offense is a class ~~B~~B felony if the offense is committed by intentionally or knowingly discharging a firearm. The offense is a class ~~C~~C felony if the circumstances manifest ~~his~~the person's extreme indifference to the value of human life. Otherwise it is a class A misdemeanor. There is risk within the meaning of this section if the potential for harm exists, whether or not a particular person's safety is actually jeopardized."

Page 3, line 16, remove "or"

Page 3, line 16, remove the overstrike over "~~or firearm~~"

Page 3, line 18, remove "or"

Page 3, line 18, remove the overstrike over "~~or firearm~~"

Page 3, line 20, remove "or"

Page 3, line 21, remove the overstrike over "~~or firearm~~"

Page 3, after line 31, insert:

"5. This section does not apply to an offender convicted under section 62.1-02-15."

Page 4, line 9, after the second underscored comma insert "section 12.1-17-03."

Page 4, after line 24, insert:

**"SECTION 7. AMENDMENT.** Section 12.1-32-09.1 of the North Dakota Century Code is amended and reenacted as follows:

**12.1-32-09.1. Sentencing of violent offenders.**

1. Except as provided under section 12-48.1-02 and pursuant to rules adopted by the department of corrections and rehabilitation, an offender who is convicted of a crime in violation of section 12.1-16-01, 12.1-16-02, subsection 2 of section 12.1-17-02, section 12.1-17-14, section 12.1-18-01, subdivision a of subsection 1 or subdivision b of subsection 2 of section 12.1-20-03, section 12.1-22-01, subdivision b of subsection 2 of section 12.1-22-02, or an attempt to commit the offenses, and who receives a sentence of ~~imprisonment~~incarceration is not eligible for release from ~~confinement~~incarceration on any basis until eighty-five percent of the sentence imposed by the court has been served or the sentence is commuted.
2. In the case of an offender who is sentenced to a term of life imprisonment with opportunity for parole under subsection 1 of section 12.1-32-01, the term "sentence imposed" means the remaining life expectancy of the offender on the date of sentencing. The remaining life expectancy of the offender must be calculated on the date of sentencing, computed by reference to a recognized mortality table as established by rule by the supreme court.
3. Notwithstanding this section, an offender sentenced under subsection 1 of section 12.1-32-01 may not be eligible for parole until the requirements of that subsection have been met.

4. An offender who is convicted of a class C felony in violation of section 12.1-17-02, or an attempt to commit the offense, and who has received a sentence of imprisonment or a sentence of imprisonment upon revocation of probation before August 1, 2015, is eligible to have the offender's sentence considered by the parole board.
5. Notwithstanding subsection 4, this section does not apply to a sentence imposed upon revocation of probation."

Page 5, line 15, remove "jail"

Page 5, line 15, after "sentence" insert "of incarceration"

Page 5, line 16, remove "jail"

Page 5, line 16, after "sentence" insert "of incarceration"

Page 5, line 17, remove "jail"

Page 5, line 17, after "sentence" insert "of incarceration"

Page 5, line 18, after "court" insert ", in the exercise of the court's discretion."

Page 5, line 18, replace "imprisonment" with "incarceration"

Page 5, line 19, remove "jail"

Page 5, remove lines 21 through 31

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 31

Page 9, remove lines 1 through 9

Page 9, line 14, after the underscored comma insert "knowingly possesses, within the person's proximity, or uses a firearm"

Page 9, line 14, replace "and" with "or"

Page 9, line 15, remove ", uses or carries a firearm, or who, in furtherance of any such crime."

Page 9, line 16, remove "possesses a firearm"

Page 9, line 17, replace "imprisonment" with "incarceration"

Page 9, line 18, after the second "the" insert "underlying"

Page 9, line 19, replace "imprisonment" with "incarceration"

Page 9, line 20, after "years" insert "if the firearm is possessed within the person's proximity"

Page 9, line 25, replace "imprisonment" with "incarceration"

Page 9, line 29, replace "imprisonment" with "incarceration"

Page 10, line 1, remove "A term of imprisonment imposed on a person under this section may not run"

Page 10, remove lines 2 through 4

Page 10, line 5, remove "b."

Page 10, line 6, replace "confinement" with "incarceration"

Page 10, line 7, remove "For"

Page 10, line 8, replace "purposes of this subsection, confinement" with "Incarceration"

Page 10, line 10, replace "c." with "b."

Page 10, line 10, after "court" insert ", in the exercise of the court's discretion."

Page 10, line 11, replace "imprisonment" with "incarceration"

Page 10, after line 24, insert:

**"SECTION 10. LEGISLATIVE MANAGEMENT STUDY - FIREARM POSSESSION.** During the 2023-24 interim, the legislative management shall consider studying those provisions of the North Dakota Century Code which prohibit certain individuals from possessing a firearm. The study may include an examination of the state's firearm and weapon possession prohibitions as compared to the federal regulations. The study must include an examination of whether the category of individuals prohibited from possessing a firearm by statute should be maintained in its current form, narrowed, or expanded. The study must include input from the attorney general, the supreme court, the North Dakota association of counties, the North Dakota league of cities, the North Dakota state's attorneys' association, the North Dakota association of criminal defense lawyers, the North Dakota peace officers association, and the national rifle association. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly."

ReNUMBER accordingly

Reengrossed SB 2107 was placed on the Seventh order of business on the calendar.

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

**SB 2129, as reengrossed:** Your conference committee (Sens. Cleary, Clemens, Davison and Reps. S. Olson, Schneider, Stemen) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 1698-1699 and place SB 2129 on the Seventh order.

Reengrossed SB 2129 was placed on the Seventh order of business on the calendar.

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

**SB 2170, as engrossed:** Your conference committee (Sens. Wobbema, Sickler, Piepkorn and Reps. Koppelman, Kasper, Dakane) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 1659-1660 and place SB 2170 on the Seventh order.

Engrossed SB 2170 was placed on the Seventh order of business on the calendar.

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

**SB 2181, as engrossed:** Your conference committee (Sens. K. Roers, Cleary, Dever and Reps. McLeod, Frelich, Strinden) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 1701-1702 and place SB 2181 on the Seventh order.

Engrossed SB 2181 was placed on the Seventh order of business on the calendar.

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

**SB 2198:** Your conference committee (Sens. Axtman, Larson, Piepkorn and Reps. Wagner, J. Johnson, Schauer) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1660, adopt amendments as follows, and place SB 2198 on the Seventh order:

That the House recede from its amendments as printed on page 1660 of the Senate Journal

and page 1908 of the House Journal and that Senate Bill No. 2198 be amended as follows:

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

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

Renumber accordingly

SB 2198 was placed on the Seventh order of business on the calendar.

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

**SB 2265, as engrossed:** Your conference committee (Sens. Lee, Cleary, Hogan and Reps. McLeod, Fegley, Davis) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1462 and place SB 2265 on the Seventh order.

Engrossed SB 2265 was placed on the Seventh order of business on the calendar.

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

**SB 2328, as engrossed:** Your conference committee (Sens. Axtman, Conley, Lemm and Reps. Heinert, Hauck, Richter) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1660-1661, adopt amendments as follows, and place SB 2328 on the Seventh order:

That the House recede from its amendments as printed on pages 1660 and 1661 of the Senate Journal and pages 1925 and 1926 of the House Journal and that Engrossed Senate Bill No. 2328 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create a school funding task force; and to provide for a legislative management report.

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

##### **SECTION 1. SCHOOL FUNDING TASK FORCE - REPORT TO LEGISLATIVE MANAGEMENT.**

1. During the 2023-24 interim, the legislative management shall establish and provide staffing and administrative services to a school funding task force facilitated by a nonpartisan leadership organization. The chair of legislative management may add additional, temporary nonvoting members to the task force, as deemed necessary by the task force chair, to serve without compensation. The task force may include public school administrators or business managers, public school teachers, five members of the legislative assembly appointed by the legislative management, parents of public school students, representatives from the department of public instruction, a representative from the governor's office, and a representative from a regional education association.
2. During the 2023-24 interim, the school funding task force shall:
  - a. Review litigation the state was a party to relating to school funding and the resulting implications for school funding models;
  - b. Analyze higher education funding sources to determine whether the sources may be used in whole or in part for the kindergarten through grade twelve system;
  - c. Review school payment formulas to determine whether education costs can be equalized across the state;
  - d. Study the size, student population, and economics of school districts and the number of facilities within the district per square mile compared with student population;

- e. Develop and study sliding-scale models within school districts based on size, student populations, and economics;
  - f. Assess the negative impacts of the current funding formula;
  - g. Study school funding formulas used by other states;
  - h. Determine the benefits of and incentives to promote school district consolidation;
  - i. Review school transportation costs considering location, size, and student enrollment;
  - j. Study high-cost student and special education student costs as those costs relate to the formula weighting factors; and
  - k. Analyze the cost of distance education, comparing the costs of different methods of instruction delivery, including synchronous as compared to asynchronous instruction.
3. The task force may:
- a. Study the funding of school building maintenance and repairs considering location and whether buildings are located in a rural or urban area; and
  - b. Review ending fund balances and analyze how the current funding formula impacts ending fund balances.
4. The task force shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

Engrossed SB 2328 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2345, as reengrossed:** Your conference committee (Sens. Lee, Hogan, Dever and Reps. M. Ruby, Beltz, Davis) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1702, adopt amendments as follows, and place SB 2345 on the Seventh order:

That the House recede from its amendments as printed on page 1702 of the Senate Journal and page 1957 of the House Journal and that Reengrossed Senate Bill No. 2345 be amended as follows:

Page 1, line 3, after the semicolon insert "to amend and reenact subsection 4 of section 43-41-09 of the North Dakota Century Code, relating to the licensure of social workers;"

Page 2, after line 10, insert:

**"SECTION 2. AMENDMENT.** Subsection 4 of section 43-41-09 of the North Dakota Century Code is amended and reenacted as follows:

- 4. ~~Approve examinations for licensing~~License social workers. The board may:
  - a. Suspend the use of an examination for licensure.
  - b. Waive examination requirements and create a process under which an applicant may apply for a waiver to licensure examination requirements.

- c. Create alternative requirements that do not require an examination to ascertain the qualifications and fitness of a candidate for a license to engage in the practice of social work."

Renumber accordingly

Reengrossed SB 2345 was placed on the Seventh order of business on the calendar.

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

**Buell J. Reich, Chief Clerk**