

## JOURNAL OF THE HOUSE

### Sixty-seventh Legislative Assembly

\* \* \* \* \*

**Bismarck, February 22, 2021**

The House convened at 12:30 p.m., with Speaker K. Koppelman presiding.

The prayer was offered by Pastor Matt Thompson, Holy Cross Lutheran Church, Bismarck and St. John's Lutheran Church, McClusky.

The roll was called and all members were present except Representative Dobervich.

A quorum was declared by the Speaker.

#### SIXTH ORDER OF BUSINESS

**SPEAKER K. KOPPELMAN DEEMED** approval of the amendments to HB 1004, HB 1008, HB 1020, HB 1021, HB 1063, HB 1186, HB 1189, HB 1222, HB 1248, HB 1305, HB 1324, Engrossed HB 1358, HB 1366, HB 1367, HB 1397, and HB 1437.

HB 1004, HB 1008, HB 1020, HB 1021, HB 1063, HB 1186, HB 1189, HB 1222, HB 1248, HB 1305, HB 1324, Engrossed HB 1358, HB 1366, HB 1367, HB 1397, and HB 1437, as amended, were placed on the Eleventh order of business on the calendar.

#### SECOND READING OF HOUSE BILL

**HB 1452:** A BILL for an Act to create and enact a new chapter to title 54 of the North Dakota Century Code, relating to a clean sustainable energy authority and a clean sustainable energy fund; to amend and reenact sections 17-01-01 and 17-07-01 and subsection 5 of section 54-44.4-02 of the North Dakota Century Code, relating to low-emission technology, the energy policy commission, and an exemption from procurement services for energy programs; to provide a continuing appropriation; to provide an appropriation; to provide a transfer; and to provide a report.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Boe; Bosch; Boschee; Buffalo; Cory; Damschen; Delzer; Devlin; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Brandenburg; Christensen; Ertelt; Kading; Paur; Simons

**ABSENT AND NOT VOTING:** Dobervich

Reengrossed HB 1452 passed.

\*\*\*\*\*

#### MOTION

**REP. LOUSER MOVED** that HB 1234, HB 1389, HB 1448, HB 1503, and HCR 3012, which are on the Eleventh order, be laid over one legislative day, which motion prevailed on a voice vote.

**MOTION**

**REP. LOUSER MOVED** that HB 1323 be moved to the top of the Eleventh order, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1323:** A BILL for an Act to create and enact a new section to chapter 23-07 of the North Dakota Century Code, relating to limitations on mask wearing requirements.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 50 YEAS, 44 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Becker; Bellew; Bosch; Brandenburg; Christensen; Damschen; Delzer; Ertelt; Fegley; Fisher; Hatlestad; Headland; Hoverson; Howe; Jones; Kading; Kasper; Kempenich; Kiefert; Koppelman, B.; Lefor; Louser; Magrum; Marschall; Martinson; Meier; Nehring; Owens; Paulson; Paur; Pyle; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Schmidt; Schobinger; Simons; Skroch; Steiner; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, B.; Anderson, P.; Beltz; Boe; Boschee; Buffalo; Cory; Devlin; Dobervich; Dockter; Guggisberg; Hager; Hagert; Hanson; Heinert; Ista; Johnson, D.; Johnson, M.; Karls; Keiser; Klemin; Kreidt; Longmuir; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Pollert; Porter; Richter; Roers Jones; Sanford; Schneider; Schreiber-Beck; Stemen; Strinden; Weisz; Westlind; Zubke

HB 1323 passed.

\*\*\*\*\*

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3031:** A concurrent resolution to create and enact a new section to article I of the Constitution of North Dakota, relating to the legalization of cannabis; and to provide an effective date.

**ROLL CALL**

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 9 YEAS, 85 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Boe; Boschee; Buffalo; Dobervich; Hanson; Mitskog; Nelson, M.; Schneider

**NAYS:** Adams; Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

Engrossed HCR 3031 was declared lost on a recorded roll call vote.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1207:** A BILL for an Act to create and enact chapter 32-46.2 of the North Dakota Century Code, relating to civil actions involving asbestos; to amend and reenact subsection 2 of section 28-01.3-04 of the North Dakota Century Code, relating to liability of nonmanufacturing sellers; and to provide for application.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 76 YEAS, 18 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Boe; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Magrum; Marschall; Martinson; Meier; Monson; Nathe; Nehring; Nelson, J.; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hagert; Hanson; Ista; Johnson, M.; Louser; Mitskog; Mock; Nelson, M.; O'Brien; Roers Jones; Schneider

Engrossed HB 1207 passed.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1449:** A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a county aid distribution fund; to provide a continuing appropriation; to provide for application; and to provide an expiration date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 76 YEAS, 18 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Bellew; Christensen; Ertelt; Fegley; Fisher; Heinert; Hoverson; Koppelman, B.; Magrum; Marschall; Meier; Paur; Ruby, D.; Schatz; Simons; Skroch; Toman; Speaker Koppelman, K.

Engrossed HB 1449 passed.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1018:** A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society; and to provide for a report.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich;

Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Christensen; Ertelt; Headland; Kiefert; Koppelman, B.; Magrum; Marschall; Simons; Toman

**ABSENT AND NOT VOTING:** Dobervich

Engrossed HB 1018 passed.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1285:** A BILL for an Act to create and enact two new sections to chapter 55-01 of the North Dakota Century Code, relating to a commission for the commemoration of the two hundred fifty years since America's founding; and to provide a continuing appropriation.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 73 YEAS, 21 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Heinert; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Pollert; Porter; Richter; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schreiber-Beck; Stemen; Strinden; Trottier; Tveit; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Bellew; Christensen; Delzer; Ertelt; Headland; Hoverson; Howe; Kiefert; Magrum; Paulson; Paur; Pyle; Rohr; Schobinger; Simons; Skroch; Steiner; Thomas; Toman; Vetter

Engrossed HB 1285 passed.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1114:** A BILL for an Act to amend and reenact sections 15.1-18.2-05 and 15.1-18.2-06 of the North Dakota Century Code, relating to the expansion of the teacher support program to provide mentoring to all first- and second-year teachers in the state.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 23 YEAS, 71 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Heinert; Ista; Johnson, D.; Longmuir; Mitskog; Mock; Monson; O'Brien; Owens; Pyle; Richter; Schauer; Schneider; Schreiber-Beck; Zubke

**NAYS:** Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Boe; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Headland; Hoverson; Howe; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Louser; Magrum; Marschall; Martinson; Meier; Nathe; Nehring; Nelson, J.; Nelson, M.; Ostlie; Paulson; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.;

Sanford; Satrom; Schatz; Schmidt; Schobinger; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Speaker Koppelman, K.

Engrossed HB 1114 failed.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1416:** A BILL for an Act to create and enact a new subsection to section 50-06-05.1 and sections 50-11.1-21, 50-11.1-22, 50-11.1-23, and 50-11.1-24 of the North Dakota Century Code, relating to the four-year old program approval and the North Dakota early childhood council; to amend and reenact sections 15.1-09-58 and 15.1-37-05, subdivision d of subsection 6 of section 50-11.1-02, subsection 2 of section 50-11.1-07, and section 50-11.1-10 of the North Dakota Century Code, relating to four-year old program approval; and to repeal sections 15.1-37-01, 15.1-37-02, 15.1-37-03, 15.1-37-04, and 15.1-37-07 of the North Dakota Century Code, relating to early childhood education programs.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 69 YEAS, 25 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Delzer; Devlin; Dobervich; Dockter; Fegley; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Klemin; Kreidt; Lefor; Longmuir; Martinson; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schauer; Schmidt; Schneider; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Bellew; Christensen; Damschen; Ertelt; Fisher; Heinert; Hoverson; Kasper; Kiefert; Koppelman, B.; Louser; Magrum; Marschall; Meier; Paulson; Richter; Ruby, D.; Ruby, M.; Schatz; Schobinger; Simons; Skroch; Tveit; Vetter; Speaker Koppelman, K.

Engrossed HB 1416 passed.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1466:** A BILL for an Act to create and enact three new sections to chapter 50-11.1 of the North Dakota Century Code, relating to establishing four-year old program grants; to amend and reenact section 50-11.1-02 of the North Dakota Century Code, relating to the definition of four-year old program; to suspend sections 15.1-37-05, 15.1-37-06, and 15.1-37-08 of the North Dakota Century Code, relating to early childhood education grants; and to provide an expiration date.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 59 YEAS, 35 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Devlin; Dobervich; Dockter; Fegley; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Klemin; Longmuir; Martinson; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schauer; Schmidt; Schneider; Schreiber-Beck; Stemen; Strinden; Trottier; Weisz; Westlind; Zubke

**NAYS:** Becker; Bellew; Christensen; Damschen; Delzer; Ertelt; Fisher; Heinert; Hoverson; Kasper; Kempenich; Kiefert; Koppelman, B.; Kreidt; Lefor; Louser; Magrum;

Marschall; Meier; Owens; Paulson; Paur; Ruby, D.; Ruby, M.; Schatz; Schobinger; Simons; Skroch; Steiner; Thomas; Toman; Tveit; Vetter; Vigesaa; Speaker Koppelman, K.

Engrossed HB 1466 passed.

\*\*\*\*\*

#### ANNOUNCEMENT

**SPEAKER K. KOPPELMAN ANNOUNCED** that the House stand in recess for 10 minutes.

**THE HOUSE RECONVENED** pursuant to recess taken, with Speaker K. Koppelman presiding.

#### MOTION

**REP. LOUSER MOVED** that House Rule 509 be amended temporarily to replace thirty-two legislative days with thirty-three legislative days, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1144:** A BILL for an Act to protect free speech from racial, religious, and viewpoint discrimination by a social media platform or interactive computer service; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 73 YEAS, 21 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Bellew; Beltz; Boe; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Dockter; Fegley; Fisher; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, P.; Becker; Boschee; Buffalo; Devlin; Dobervich; Ertelt; Guggisberg; Hager; Hagert; Hanson; Ista; Keiser; Mitskog; Nelson, M.; O'Brien; Roers Jones; Schneider; Schreiber-Beck; Simons

Engrossed HB 1144 passed.

\*\*\*\*\*

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3023:** A concurrent resolution urging Congress to propose an amendment to the United States Constitution to prohibit changing the number of justices serving on the United States Supreme Court and that the amendment should state the Supreme Court of the United States shall be composed of nine justices.

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

Engrossed HCR 3023 was declared adopted 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 office of the secretary of state and public printing; to amend and reenact section 54-09-05 of the North Dakota Century Code, relating to the salary of the secretary of state; and to provide an exemption.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Christensen; Ertelt; Magrum; Simons; Steiner; Toman

Engrossed HB 1002 passed.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1001:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the governor; to amend and reenact sections 54-07-04 and 54-08-03 of the North Dakota Century Code, relating to the salaries of the governor and lieutenant governor; to provide an exemption; to provide for a report; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Christensen; Delzer; Ertelt; Koppelman, B.; Magrum; Marschall; Skroch; Toman

**ABSENT AND NOT VOTING:** Kempenich

Engrossed HB 1001 passed and the emergency clause was declared carried.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1014:** A BILL for an Act to provide an appropriation for defraying the expenses of the protection and advocacy project.

**ROLL CALL**

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee;

Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Bellew; Christensen; Ruby, D.; Simons

Engrossed HB 1014 passed.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1017:** A BILL for an Act to provide an appropriation for defraying the expenses of the game and fish department; and to provide a report.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 13 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Boe; Boschee; Brandenburg; Buffalo; Cory; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Bosch; Christensen; Delzer; Ertelt; Hoverson; Kasper; Magrum; Nelson, M.; Paur; Ruby, D.; Simons; Skroch

Engrossed HB 1017 passed.

\*\*\*\*\*

### MOTION

**REP. LOUSER MOVED** that Engrossed HB 1022, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Louser's motion, Engrossed HB 1022 was rereferred.

### SECOND READING OF HOUSE BILL

**HB 1024:** A BILL for an Act to provide an appropriation for defraying the expenses of the ethics commission.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 48 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Dobervich; Guggisberg; Hager; Hagert; Hanson; Heinert; Hoverson; Howe; Ista; Johnson, M.; Jones; Karls; Keiser; Kempenich; Klemin; Longmuir; Martinson; Meier; Mitskog; Mock; Nathe; Nehring; Nelson, J.; Nelson, M.; Pollert; Porter; Pyle; Roers Jones; Rohr; Sanford; Schmidt; Schneider; Schobinger; Schreiber-Beck; Strinden; Vigasaa; Zubke; Speaker Koppelman, K.



**NAYS:** Adams; Anderson, D.; Becker; Bellew; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hatlestad; Headland; Johnson, D.; Kading; Kasper; Kiefert; Koppelman, B.; Kreidt; Lefor; Louser; Magrum; Marschall; Monson; O'Brien; Ostlie; Owens; Paulson; Paur; Richter; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Simons; Skroch; Steiner; Stemen; Thomas; Toman; Trottier; Tveit; Vetter; Weisz; Westlind

Engrossed HB 1024 failed.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1154:** A BILL for an Act to create and enact chapter 26.1-36.9 and sections 26.1-47-02.2 and 26.1-47-02.3 of the North Dakota Century Code, relating to prior authorization of dental services, dental networks, and payment of dental claims.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 60 YEAS, 34 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hager; Hanson; Hatlestad; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Klemin; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schauer; Schneider; Steiner; Stemen; Strinden; Thomas; Trottier; Vetter; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Anderson, D.; Becker; Bellew; Christensen; Damschen; Delzer; Devlin; Headland; Hoverson; Jones; Kading; Kempenich; Kiefert; Koppelman, B.; Kreidt; Magrum; Marschall; Monson; Owens; Paulson; Paur; Pollert; Porter; Ruby, M.; Schatz; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Toman; Tveit; Vigesaa; Weisz

Engrossed HB 1154 passed.

\*\*\*\*\*

### MOTION

**REP. DELZER MOVED** that the House reconsider its action whereby Engrossed HB 1024 failed to pass.

### REQUEST

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

### ROLL CALL

The question being on the motion to reconsider the action whereby Engrossed HB 1024 failed to pass, the roll was called and there were 78 YEAS, 16 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Guggisberg; Hager; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Steiner; Stemen; Strinden; Thomas; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Bellew; Boe; Christensen; Fisher; Kasper; Koppelman, B.; Magrum; Marschall; Paur; Schatz; Schreiber-Beck; Simons; Skroch; Toman; Trottier; Tveit

The motion prevailed on a recorded roll call vote.

**MOTION**

**REP. DELZER MOVED** that Engrossed HB 1024, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Delzer's motion, Engrossed HB 1024 was rereferred.

**SECOND READING OF HOUSE BILL**

**HB 1470:** A BILL for an Act to provide for a legislative management study relating to the behavioral health needs of inmates.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Ertelt; Headland; Hoverson; Jones; Magrum; Simons; Toman

Engrossed HB 1470 passed.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1464:** A BILL for an Act to amend and reenact subsection 1 of section 39-04-19.2 and sections 57-43.1-02 and 57-43.2-02 of the North Dakota Century Code, relating to electric and plug-in hybrid vehicle road use fees and the tax imposed on motor vehicle fuels and special fuels; to provide for a legislative management study; and to provide an effective date.

**REQUEST**

**REP. B. KOPPELMAN REQUESTED** that the House divide Reengrossed HB 1464, which request was granted.

**DIVISION A:** Section 1

**DIVISION B:** Sections 2, 3, 4, and 5

**ROLL CALL**

The question being on the final adoption of Division A of Reengrossed HB 1464, the roll was called and there were 73 YEAS, 21 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Beltz; Brandenburg; Cory; Damschen; Delzer; Devlin; Dockter; Fegley; Fisher; Guggisberg; Hagert; Hatlestad; Headland; Heinert; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Simons; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, P.; Becker; Bellew; Boe; Bosch; Boschee; Buffalo; Christensen; Dobervich; Ertelt; Hager; Hanson; Hoverson; Ista; Mitskog; Mock; Schauer; Schneider; Skroch; Toman

Division A of Reengrossed HB 1464 was adopted on a recorded roll call vote.

**ROLL CALL**

The question being on the final adoption of Division B of Reengrossed HB 1464, the roll was called and there were 61 YEAS, 32 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Boschee; Buffalo; Damschen; Devlin; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Keiser; Klemin; Longmuir; Martinson; Mitskog; Mock; Monson; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Weisz; Westlind; Zubke

**NAYS:** Becker; Bellew; Bosch; Brandenburg; Christensen; Cory; Delzer; Ertelt; Heinert; Hoverson; Kading; Kasper; Kempenich; Kiefert; Koppelman, B.; Kreidt; Lefor; Louser; Magrum; Marschall; Meier; Nathe; Paulson; Rohr; Schatz; Schauer; Schobinger; Simons; Skroch; Toman; Vigesaa; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Dobervich

Division B of Reengrossed HB 1464 was adopted on a recorded roll call vote.

**ROLL CALL**

The question being on the final passage of the amended bill, which includes Division A and Division B, which have been read, the roll was called and there were 62 YEAS, 32 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Boschee; Buffalo; Damschen; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Keiser; Kempenich; Klemin; Longmuir; Martinson; Mitskog; Mock; Monson; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Weisz; Westlind; Zubke

**NAYS:** Becker; Bellew; Bosch; Brandenburg; Christensen; Cory; Delzer; Heinert; Hoverson; Kading; Kasper; Kiefert; Koppelman, B.; Kreidt; Lefor; Louser; Magrum; Marschall; Meier; Nathe; Owens; Paulson; Paur; Rohr; Schatz; Schmidt; Schobinger; Simons; Skroch; Toman; Vigesaa; Speaker Koppelman, K.

Reengrossed HB 1464 passed.

\*\*\*\*\*

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1005, HB 1006, HB 1007, HB 1010, HB 1023, HB 1032, HB 1032, HB 1142, HB 1185, HB 1278, HB 1431, HB 1442, HB 1465.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2004, SB 2011, SB 2043, SB 2046, SB 2086, SB 2170, SB 2206, SB 2217, SB 2249, SB 2275, SB 2289, SB 2344.

**MOTION**

**REP. LOUSER MOVED** that the absent member be excused, which motion prevailed on a voice vote.

**MOTION**

**REP. LOUSER MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Tuesday, February 23, 2021, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**HB 1009: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1009 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 2, after "transfer" insert "; to amend and reenact sections 4.1-01-02 and 4.1-01-17 of the North Dakota Century Code, relating to the salary of the agriculture commissioner and the pipeline restoration and reclamation oversight program; to amend and reenact section 7 of chapter 34 of the 2019 Session Laws, relating to the waterbank program; to provide for a report; and to provide for a legislative management study"

Page 1, remove lines 9 through 24

Page 2, replace lines 1 and 2 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$14,232,746	\$1,487,555	\$15,720,301
Operating expenses	6,592,780	255,272	6,848,052
Capital assets	15,000	0	15,000
Grants	8,823,774	708,000	9,531,774
Environmental impact mitigation	5,000,000	(5,000,000)	0
Agricultural products utilization commission	1,760,417	2,700,000	4,460,417
North Dakota trade office	0	1,600,000	1,600,000
Board of animal health	865,718	0	865,718
Wildlife services	1,457,400	0	1,457,400
Pipeline restoration and reclamation oversight program	200,000	0	200,000
Crop harmonization board	<u>75,000</u>	<u>0</u>	<u>75,000</u>
Total all funds	\$39,022,835	\$1,750,827	\$40,773,662
Less estimated income	<u>28,322,406</u>	<u>(1,007,568)</u>	<u>27,314,838</u>
Total general fund	\$10,700,429	\$2,758,395	\$13,458,824
Full-time equivalent positions	78.00	1.00	79.00"

Page 2, line 3, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY**"

Page 2, line 4, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 8 through 11 with:

"Agricultural products utilization commission	2,000,000	2,700,000
Soil health grants	0	500,000
Total all funds	\$2,210,000	\$3,200,000
Less estimated income	<u>2,000,000</u>	<u>3,200,000</u>
Total general fund	\$210,000	\$0

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The agriculture commissioner shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 2, remove lines 12 through 30

Page 3, replace lines 1 through 4 with:

**"SECTION 3. APPROPRIATION - TRANSFER - GENERAL FUND TO BIOSCIENCE INNOVATION GRANT FUND - ONE-TIME FUNDING.** There is

appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,500,000, or so much of the sum as may be necessary, which the office of management and budget shall transfer to the bioscience innovation grant fund for the biennium beginning July 1, 2021, and ending June 30, 2023. The agriculture commissioner shall use these funds for providing bioscience innovation grants. This funding is considered a one-time funding item.

**SECTION 4. APPROPRIATION - TRANSFER - GENERAL FUND TO FEDERAL ENVIRONMENTAL LAW IMPACT REVIEW FUND - ONE-TIME FUNDING.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, which the office of management and budget shall transfer to the federal environmental law impact review fund for the biennium beginning July 1, 2021, and ending June 30, 2023. The agriculture commissioner shall use these funds for defraying costs associated with federal environmental legislation or regulations which detrimentally impact or potentially impact the state's agricultural, energy, or oil production sectors. This funding is considered a one-time funding item.

**SECTION 5. ESTIMATED INCOME - TRANSFER - BANK OF NORTH DAKOTA PROFITS - AGRICULTURAL PRODUCTS UTILIZATION COMMISSION - ONE-TIME FUNDING.** The estimated income line item in section 1 of this Act includes the sum of \$2,700,000 which the Bank of North Dakota shall transfer from the Bank's current earnings and undivided profits to the agriculture commissioner for deposit in the agricultural products utilization commission fund for defraying the expenses of the agricultural products utilization commission for the biennium beginning July 1, 2021, and ending June 30, 2023. This funding is considered a one-time funding item.

**SECTION 6. ESTIMATED INCOME - TRANSFER - BANK OF NORTH DAKOTA PROFITS - OUTDOOR HERITAGE FUND - SOIL HEALTH COVER CROP GRANT PROGRAM - ONE-TIME FUNDING.** The estimated income line item in section 1 of this Act includes the sum of \$500,000, of which the Bank of North Dakota shall transfer \$300,000 from the Bank's current earnings and undivided profits and the industrial commission shall transfer \$200,000 from the outdoor heritage fund to the agriculture commissioner for deposit in the agriculture commissioner's operating fund for defraying the expenses of the soil health cover crop grant program for the biennium beginning July 1, 2021, and ending June 30, 2023. The agriculture commissioner shall establish guidelines for the use of grant funding provided for this program. This funding is considered a one-time funding item.

**SECTION 7. ESTIMATED INCOME - TRANSFER - STATE WATER COMMISSION.** The estimated income line item in section 1 of this Act includes the sum of \$125,000 which the state water commission shall transfer to the agriculture commissioner for the purpose of defraying the expenses of the wildlife services program.

**SECTION 8. TRANSFER - ENVIRONMENT AND RANGELAND PROTECTION FUND - MINOR USE PESTICIDE FUND.** The agriculture commissioner shall transfer \$325,000 from the environment and rangeland protection fund to the minor use pesticide fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 9. ESTIMATED INCOME - ENVIRONMENT AND RANGELAND PROTECTION FUND.** The estimated income line item in section 1 of this Act includes the sum of \$6,900,301 from the environment and rangeland protection fund for the purpose of defraying the expenses of various agriculture commissioner programs.

**SECTION 10. ESTIMATED INCOME - GAME AND FISH FUND.** The estimated income line item in section 1 of this Act includes the sum of \$619,329 from the game and fish department operating fund for the purpose of defraying the expenses of various agriculture commissioner programs.

**SECTION 11. TRADE OFFICE - MATCHING FUND REQUIREMENT.** The North Dakota trade office line item and the general fund appropriation in section 1 of this Act include \$1,600,000 of funding related to the North Dakota trade office. The agriculture commissioner may spend sixty percent of this amount without requiring any matching funds from the trade office. Any additional amounts may be spent only to the extent the North Dakota trade office provides one dollar of matching funds from private or other public sources for each one dollar provided by the agriculture commissioner. Matching funds may include money spent by businesses or organizations to pay salaries to export assistants, providing training to export assistants, or to purchase computer equipment as part of the North Dakota trade office's export assistant program.

**SECTION 12. AMENDMENT.** Section 4.1-01-02 of the North Dakota Century Code is amended and reenacted as follows:

**4.1-01-02. Salary of agriculture commissioner.**

The annual salary of the agriculture commissioner is one hundred ~~sixteen~~twenty-one thousand ~~eight~~five hundred ~~thirty-six~~fifty-three dollars through June 30, ~~2020~~2022, and one hundred ~~nineteen~~twenty-three thousand ~~seven~~three hundred ~~fifty-seven~~seventy-six dollars after that date.

**SECTION 13. AMENDMENT.** Section 4.1-01-17 of the North Dakota Century Code is amended and reenacted as follows:

**4.1-01-17. Pipeline restoration and reclamation oversight ~~pilot~~ program - Generally.**

1. The commissioner shall establish a ~~pilot~~ program providing technical assistance and support to surface owners and surface tenants on pipeline restoration and followup support to surface owners and surface tenants on pipeline reclamation.
2. The commissioner may contract for ombudsmen to be a resource for technical assistance and followup on pipeline issues. The ombudsmen may not investigate or assist with any pipeline installed before January 1, 2006, or regulated by the public service commission under title 49, and may not assist in easement negotiations.
3. The ~~pilot~~ program may provide technical education, support, and outreach on pipeline-related matters in coordination with other entities.
4. The commissioner may contract with local individuals, deemed trustworthy by the surface owners and surface tenants, to be ombudsmen. The commissioner is not subject to the provisions of chapter 54-44.4 when contracting for the services of ombudsmen.
5. The names of surface owners and surface tenants who receive assistance under the program are closed records as defined in section 44-04-17.1.

**SECTION 14. ESTIMATED INCOME - PIPELINE RESTORATION AND RECLAMATION.** The estimated income line item in section 1 of this Act includes the sum of \$200,000 from the abandoned oil and gas well plugging and site reclamation fund for the purpose of defraying the expenses of the pipeline restoration and reclamation program.

**SECTION 15. AMENDMENT.** Section 7 of chapter 34 of the 2019 Session Laws is amended and reenacted as follows:

**SECTION 7. WATERBANK PROGRAM - MATCHING FUNDS.** The salaries and wages line item in section 1 of this Act includes up to \$50,000 from the general fund for matching funds for the North Dakota outdoor heritage fund grant provided for the waterbank program.

**SECTION 16. WATERBANK PROGRAM - MATCHING FUNDS.** The salaries and wages line item in section 1 of this Act includes up to \$50,000 from the general fund for matching funds for the North Dakota outdoor heritage fund grant provided for the waterbank program.

**SECTION 17. LEGISLATIVE MANAGEMENT STUDY - NORTH DAKOTA BEEF COMMISSION.** During the 2021-22 interim, the legislative management shall consider studying the North Dakota beef commission, including its operations and the selection of commission members. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1009 - Department of Agriculture - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$14,232,746	\$1,487,555	\$15,720,301
Operating expenses	6,592,780	255,272	6,848,052
Capital assets	15,000		15,000
Grants	8,823,774	708,000	9,531,774
State Board of Animal Health	865,718		865,718
Wildlife services	1,457,400		1,457,400
Crop Harmonization Board	75,000		75,000
Pipeline restoration and reclamation	200,000		200,000
Ag. Products Utilization Commission	1,760,417	2,700,000	4,460,417
Mitigation of environmental impacts	5,000,000	(5,000,000)	
Bioscience innovation grants		5,500,000	5,500,000
Environmental law impact review		5,000,000	5,000,000
North Dakota trade office		1,600,000	1,600,000
Total all funds	\$39,022,835	\$12,250,827	\$51,273,662
Less estimated income	28,322,406	(1,007,568)	27,314,838
General fund	\$10,700,429	\$13,258,395	\$23,958,824
FTE	78.00	1.00	79.00

**Department 602 - Department of Agriculture - Detail of House Changes**

	Adds Funding for Salary and Benefit Increases <sup>1</sup>	Adds Funding for Cost to Continue 2019-21 Salaries <sup>2</sup>	Adds Funding for Salary Compression <sup>3</sup>	Adds Funding for 1 FTE Grain Inspector Position <sup>4</sup>	Adds Funding for Meat Inspector Position <sup>5</sup>	Adds Funding for FTE Reclassification <sup>6</sup>
Salaries and wages	\$348,561	\$125,067	\$702,500	\$152,670	\$90,478	\$68,279
Operating expenses				30,729	15,980	
Capital assets						
Grants						
State Board of Animal Health						
Wildlife services						
Crop Harmonization Board						
Pipeline restoration and reclamation						
Ag. Products Utilization Commission						
Mitigation of environmental impacts						
Bioscience innovation grants						
Environmental law impact review						
North Dakota trade office						
Total all funds	\$348,561	\$125,067	\$702,500	\$183,399	\$106,458	\$68,279
Less estimated income	158,197	55,860	332,634	0	0	0
General fund	\$190,364	\$69,207	\$369,866	\$183,399	\$106,458	\$68,279
FTE	0.00	0.00	0.00	1.00	0.00	0.00

	Adjusts Base Level Funding <sup>2</sup>	Adds Funding for Grants <sup>3</sup>	Removes Funding for Environmental Impact Grants <sup>3</sup>	Transfers the North Dakota Trade Office <sup>10</sup>	Adds One-Time Funding for APUC <sup>11</sup>	Adds One-Time Funding for a Soil Health Grant Program <sup>12</sup>
Salaries and wages	\$208,563					
Operating expenses						
Capital assets						
Grants		\$208,000				\$500,000
State Board of Animal Health						
Wildlife services						
Crop Harmonization Board						
Pipeline restoration and reclamation						
Ag. Products Utilization Commission					\$2,700,000	
Mitigation of environmental impacts			(\$5,000,000)			
Bioscience innovation grants						
Environmental law impact review						
North Dakota trade office				\$1,600,000		
<b>Total all funds</b>	<b>\$208,563</b>	<b>\$208,000</b>	<b>(\$5,000,000)</b>	<b>\$1,600,000</b>	<b>\$2,700,000</b>	<b>\$500,000</b>
Less estimated income	37,741	208,000	(5,000,000)	0	2,700,000	500,000
<b>General fund</b>	<b>\$170,822</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,600,000</b>	<b>\$0</b>	<b>\$0</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for Bioscience Innovation Grants <sup>13</sup>	Adds One-Time Funding for Environmental Law Impact Review <sup>14</sup>	Total House Changes
Salaries and wages			\$1,487,555
Operating expenses			255,272
Capital assets			
Grants			708,000
State Board of Animal Health			
Wildlife services			
Crop Harmonization Board			
Pipeline restoration and reclamation			
Ag. Products Utilization Commission			2,700,000
Mitigation of environmental impacts			(5,000,000)
Bioscience innovation grants	\$5,500,000		5,500,000
Environmental law impact review		\$5,000,000	5,000,000
North Dakota trade office			1,600,000
<b>Total all funds</b>	<b>\$5,500,000</b>	<b>\$5,000,000</b>	<b>\$12,250,827</b>
Less estimated income	0	0	(1,007,568)
<b>General fund</b>	<b>\$5,500,000</b>	<b>\$5,000,000</b>	<b>\$13,258,395</b>
FTE	0.00	0.00	1.00

<sup>1</sup> The following funding is added for 2021-23 biennium salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and a maximum monthly increase of \$250 for both years, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	General Fund	Other Funds	Total
Salary increase	\$188,218	\$156,594	\$344,812
Health insurance increase	2,146	1,603	3,749
<b>Total</b>	<b>\$190,364</b>	<b>\$158,197</b>	<b>\$348,561</b>

<sup>2</sup> Funding of \$125,067 is added for the cost to continue salary increases given to employees in the 2<sup>nd</sup> year of the 2019-21 biennium, of which \$69,207 is from the general fund, \$26,577 is from federal funds, \$996 is from game and fish funds, \$4,217 is from the Agriculture Commissioner's operating fund, and \$24,070 is from the environment and rangeland protection fund.

<sup>3</sup> Funding of \$702,500 is added to address employee salary compression concerns, of which \$369,866 is from the general fund, \$158,484 is from federal funds, \$3,903 is from game and fish funds, \$21,330 is from the Agriculture Commissioner's operating fund, and \$148,917 is from the environment and rangeland protection fund.

<sup>4</sup> Funding of \$183,399 from the general fund is added for 1 FTE grain inspector position, of which \$152,670 is for salaries and \$30,729 is for related operating expenses.



<sup>5</sup> Funding of \$106,458 is added from the general fund to fully fund a previously underfunded FTE meat inspector position, of which \$90,478 is for salaries and \$15,980 is for operating expenses.

<sup>6</sup> Funding of \$68,279 is added from the general fund to reclassify an FTE program coordinator position to an FTE attorney position.

<sup>7</sup> Base level funding is adjusted as follows:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Adds funding for the industrial hemp program	\$0	\$36,250	\$36,250
Adds funding for public warehouse and grain buyer license costs	43,500	0	43,500
Adds funding for Microsoft Office 365 license expenses	7,322	1,491	8,813
Adds funding for the North Dakota mediation service program	120,000	0	120,000
Total	\$170,822	\$37,741	\$208,563

<sup>8</sup> Funding of \$208,000 is added for grants, including \$158,000 of federal funding for the speciality crop block grant program to provide total federal funding of \$5,758,000, and \$50,000 from the environment and rangeland protection fund for noxious weed grants to provide a total of \$1,425,274, of which \$90,000 is from federal funds and \$1,335,274 is from the environment and rangeland protection fund.

<sup>9</sup> Federal funding of \$5,000,000 is removed relating to the environmental impact mitigation fund. The Agriculture Commissioner has an existing continuing appropriation from the fund to provide grants to political subdivisions for the mitigation of environmental impacts.

<sup>10</sup> Funding of \$1.6 million from the general fund is transferred from the Department of Commerce to the Agriculture Commissioner for providing funding to the North Dakota Trade Office. A section is added to the bill regarding a matching requirement for these funds.

<sup>11</sup> One-time funding of \$2,700,000 is added from Bank of North Dakota profits for the Agricultural Products Utilization Commission (APUC) to provide a total of \$4,460,417, including \$1,760,417 from the APUC fund. A section is added to the bill to provide for the transfer from the Bank.

<sup>12</sup> One-time funding of \$500,000 is added for a soil health cover crop grant program, of which \$300,000 is from Bank of North Dakota profits and \$200,000 is from the outdoor heritage fund. A section is added to the bill to provide for the transfers from the Bank and the outdoor heritage fund.

<sup>13</sup> One-time funding of \$5.5 million is added from the general fund, which is transferred to the bioscience innovation grant fund, for providing bioscience innovation grants during the 2021-23 biennium. A separate section is included in the bill to provide for the appropriation and transfer. The Agriculture Commissioner has continuing appropriation authority for the bioscience innovation grant fund.

<sup>14</sup> One-time funding of \$5 million is added from the general fund, which is transferred to the federal environmental law impact review fund, for defraying costs associated with federal environmental legislation or regulations which detrimentally impact or potentially detrimentally impact the state's agricultural, energy, or oil production sectors during the 2021-23 biennium. A separate section is included in the bill to provide for the appropriation and transfer. The Agriculture Commissioner has continuing appropriation authority for the federal environmental law impact review fund.

This amendment also:

- Adds a section to appropriate \$5.5 million from the general fund, which the Office of Management and Budget is required to transfer to the bioscience innovation grant fund, from which the Agriculture Commissioner has a continuing appropriation, for the purpose of providing bioscience innovation grants during the 2021-23 biennium. The funding is considered a one-time funding item.
- Adds a section to appropriate \$5 million from the general fund, which the Office of Management and Budget is required to transfer to the federal environmental law

impact review fund, from which the Agriculture Commissioner has a continuing appropriation, for the purpose of defraying costs associated with federal environmental legislation or regulations which detrimentally impact or potentially detrimentally impact the state's agricultural, energy, or oil production sectors during the 2021-23 biennium. The funding is considered a one-time funding item.

- Adds a section to identify \$2.7 million in the estimated income line item, which the Bank of North Dakota is required to transfer from its current earnings and undivided profits to the Agriculture Commissioner for deposit in the APUC fund for the purpose of defraying the expenses of APUC during the 2021-23 biennium. The funding is considered a one-time funding item.
- Adds a section to identify \$500,000 in the estimated income line item, of which the Bank of North Dakota is required to transfer \$300,000 from its current earnings and undivided profits and the Industrial Commission is required to transfer \$200,000 from the outdoor heritage fund to the Agriculture Commissioner for deposit in the Agriculture Commissioner's operating fund for the purpose of defraying the expenses of the soil health cover crop grant program during the 2021-23 biennium. The Agriculture Commissioner is required to establish guidelines for the use of grant funding provided for this program. The funding is considered a one-time funding item.
- Updates the amount of funding the Agriculture Commissioner is authorized to spend from the environment and rangeland protection fund during the 2021-23 biennium.
- Updates the amount of funding the Agriculture Commissioner is authorized to spend from the Game and Fish Department operating fund during the 2021-23 biennium.
- Adds a section to identify \$1.6 million in the North Dakota trade office line item relating to the North Dakota Trade Office, which is transferred from the Department of Commerce. The Agriculture Commissioner may spend 60 percent of this amount without requiring any matching funds from the North Dakota Trade Office. Any additional amounts may be spent only to the extent the North Dakota Trade Office provides \$1 of matching funds from private or other sources for each \$1 provided by the Agriculture Commissioner during the 2021-23 biennium. Matching funds may include money spent by businesses or organizations to pay salaries to export assistants, to provide training, and to buy computer equipment as part of the North Dakota Trade Office's export assistant program.
- Adds a section to provide the statutory changes necessary to increase the Agriculture Commissioner's salary. The Agriculture Commissioner's annual salary will increase from the current level of \$119,757 to \$121,553 effective July 1, 2021, and to \$123,376 effective July 1, 2022, to reflect annual increases of 1.5 percent each year.
- Adds a section to amend North Dakota Century Code Section 4.1-01-17 to exempt the names of surface owners and surface tenants who receive assistance from the pipeline restoration and reclamation program from open records request laws.
- Adds a section to amend Section 7 of Chapter 34 of the 2019 Session Laws to allow the Agriculture Commissioner to use "up to" \$50,000 of the 2019-21 biennium salaries and wages line item as matching funds for the North Dakota outdoor heritage fund grant for the waterbank program.
- Adds a section to provide for a Legislative Management study of the North Dakota Beef Commission, including its operations and the selection of commission members.

#### REPORT OF STANDING COMMITTEE

**HB 1013: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1013 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "and to provide an exemption" with "to amend and reenact sections 15.1-02-02, 15.1-02-16, 15.1-06-19, and 15.1-27-16 of the North Dakota Century Code, relating to the salary of the superintendent of public instruction, credentialing, school counselors, and administrative cost-sharing for cooperating districts; to provide for a transfer; to provide an exemption; to provide for a legislative management study; to provide for reports; and to provide an expiration date"

Page 1, remove lines 14 through 24

Page 2, replace lines 1 and 5 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$18,027,035	(\$188,572)	\$17,838,463
Operating expenses	33,770,947	(672,798)	33,098,149
Integrated formula payments	2,098,202,429	168,071	2,098,370,500
Grants - special education	24,000,000	3,000,000	27,000,000
Grants - transportation	56,500,000	0	56,500,000
Grants - other grants	287,062,705	25,676,188	312,738,893
Grants - program grants	7,680,000	(7,680,000)	0
Grants - passthrough grants	2,863,764	(2,863,764)	0
Grants - program and passthrough	0	23,733,064	23,733,064
PowerSchool	5,500,000	(250,000)	5,250,000
National board certification	108,000	68,290	176,290
Total all funds	\$2,533,714,880	\$40,990,479	\$2,574,705,359
Less estimated income	812,553,743	105,661,414	918,215,157
Total general fund	\$1,721,161,137	(\$64,670,935)	\$1,656,490,202
Full-time equivalent positions	89.25	(3.00)	86.25"

Page 2, replace lines 8 through 16 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$4,300,335	(\$152,269)	\$4,148,066
Operating expenses	1,621,917	200,786	1,822,703
Grants	2,233,528	0	2,233,528
Total all funds	\$8,155,780	\$48,517	\$8,204,297
Less estimated income	2,374,361	(10,438)	2,363,923
Total general fund	\$5,781,419	\$58,955	\$5,840,374
Full-time equivalent positions	27.75	(1.00)	26.75"

Page 2, replace lines 19 through 28 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$8,054,944	\$282,522	\$8,337,466
Operating expenses	1,705,586	0	1,705,586
Capital assets	158,678	697,500	856,178
Grants	40,000	(40,000)	0
Total all funds	\$9,959,208	\$940,022	\$10,899,230
Less estimated income	2,430,358	1,058,622	3,488,980
Total general fund	\$7,528,850	(\$118,600)	\$7,410,250
Full-time equivalent positions	44.61	0.00	44.61"

Page 3, replace lines 1 through 9 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$4,935,291	\$60,053	\$4,995,344
Operating expenses	795,821	29,850	825,671
Capital assets	39,192	284,000	323,192
Total all funds	\$5,770,304	\$373,903	\$6,144,207
Less estimated income	1,052,315	473,796	1,526,111
Total general fund	\$4,717,989	(\$99,893)	\$4,618,096
Full-time equivalent positions	27.90	(0.15)	27.75"

Page 3, replace lines 12 through 16 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$1,739,189,395	(\$64,830,473)	\$1,674,358,922

Grand total special funds	<u>818,410,777</u>	<u>107,183,394</u>	<u>925,594,171</u>
Grand total all funds	\$2,557,600,172	\$42,352,921	\$2,599,953,093"

Page 3, line 17, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY**"

Page 3, line 18, after "biennium" insert "and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act"

Page 3, replace line 21 with:

" Science experiments grant	\$0	\$13,500,000
Rapid enrollment grants	3,000,000	0"

Page 3, replace lines 25 through 30 with:

" Total department of public instruction - all funds	\$5,200,000	\$13,500,000
Total department of public instruction - estimated income	<u>5,000,000</u>	<u>13,500,000</u>
Total department of public instruction - general fund"	\$200,000	\$0

Page 3, remove line 31

Page 4, replace lines 1 through 3 with:

"School for the deaf		
Extraordinary repairs	\$250,000	\$0
Campus server upgrade	0	7,500
Equipment	20,000	40,000
Boiler and resource center projects	0	<u>650,000</u>
Total school for the deaf - estimated income	\$270,000	\$697,500"

Page 4, replace lines 4 through 12 with:

"North Dakota vision services - school for the blind		
South wing restroom remodel	\$120,000	\$0
Gymnasium floor replacement	42,000	0
West wing roof repair	39,000	0
Daily living skills area remodel	25,000	0
Adaptive technology equipment	20,000	0
Other repairs	18,500	0
Garage door replacement	16,000	0
Replace flooring	0	10,000
Replace south wing air conditioning	0	40,000
Repair sidewalk, roof, and parking lot	0	24,000
Replace doors and key system	0	45,000
Install LED lighting	0	33,000
South wing electrical service	0	<u>165,000</u>
Total school for the blind - estimated income	\$280,500	\$317,000"

Page 4, replace lines 13 through 15 with:

"Grand total - all funds	\$5,750,500	\$14,514,500
Grand total - estimated income	<u>5,550,500</u>	<u>14,514,500</u>
Grand total - general fund	\$200,000	\$0

The 2021-23 biennium one-time funding amounts are not part of the entity's base budget for the 2023-25 biennium. The department of public instruction, school for the deaf, and North Dakota vision services - school for the blind shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 4, line 16, replace "\$377,764,000" with "\$433,020,000"

Page 6, remove lines 21 through 31

Page 7, replace lines 1 through 23 with:

**"SECTION 8. CONDITION ON APPROPRIATION FOR GRANTS - PROGRAM AND PASSTHROUGH LINE ITEM.** The appropriation in the grants - program and passthrough line item in subdivision 1 of section 1 of this Act is conditioned on the superintendent of public instruction not using federal funds to defray the expenses of the following programs for which state funding is provided in this line item for the biennium beginning July 1, 2021, and ending June 30, 2023:

1. Adult education matching grants;
2. School food services matching grants;
3. Program grant pool; and
4. Mentoring program."

Page 8, after line 3, insert:

**"SECTION 11. EXEMPTION - GENERAL EDUCATIONAL DEVELOPMENT FEES AND DISPLACED HOMEMAKER DEPOSITS.** Notwithstanding section 54-44.1-15, any moneys collected by the department of public instruction for general educational development fees and displaced homemakers deposits, must be deposited in the public instruction fund in the state treasury and may be spent subject to appropriation by the legislative assembly.

**SECTION 12. EXEMPTION - TRANSFER - PUBLIC INSTRUCTION FUND.** Notwithstanding section 54-44.1-11, if, after the superintendent of public instruction complies with all statutory payment obligations imposed for the 2019-21 biennium, any moneys remain in the integrated formula payments line item in subdivision 1 of section 1 of chapter 38 of the 2019 Session Laws, the lesser of \$23,733,064 or the remaining amount must be continued into the 2021-23 biennium and the office of management and budget shall transfer this amount into the public instruction fund for the purpose of providing program and passthrough grants as appropriated in subdivision 1 of section 1 of this Act.

**SECTION 13. EXEMPTION - DYSLEXIA SCREENING PILOT PROGRAM.** Notwithstanding section 54-44.1-11, if, after the superintendent of public instruction complies with all statutory payment obligations imposed for the 2019-21 biennium, any moneys remain in the integrated formula payments line item in subdivision 1 of section 1 of chapter 38 of the 2019 Session Laws, up to \$250,000 must be continued into the 2021-23 biennium for the purpose of defraying the expenses of the dyslexia screening pilot program."

Page 8, line 5, replace "\$1,737,528" with "\$1,737,582"

Page 8, line 8, remove "grants line item in subdivision 3 of"

Page 8, line 9, replace "section 1 of this Act is" with "\$40,000 appropriated"

Page 8, line 11, remove ", for the biennium beginning July 1, 2021, and ending"

Page 8, line 12, replace "June 30, 2023. Moneys appropriated for this program are not subject to section 54-44.1-11" with "in subdivision 3 of section 1 of chapter 38 of the 2019 Session Laws and any funding continued for this purpose from prior bienniums is not subject to section 54-44.1-11"

Page 8, line 13, replace "Funds" with "Any funds remaining"

Page 8, after line 28, insert:

**"SECTION 16. AMENDMENT.** Section 15.1-02-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-02-02. Salary.**

The annual salary of the superintendent of public instruction is one hundred ~~twenty-two~~twenty-seven thousand ~~eight~~seven hundred ~~ten~~sixty-eight dollars through June 30, ~~2020~~2022, and one hundred ~~twenty-five~~twenty-nine thousand ~~eight~~six hundred ~~eighty~~eighty-five dollars thereafter.

**SECTION 17. AMENDMENT.** Section 15.1-02-16 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-02-16. Superintendent of public instruction - Issuance of credentials to teachers and administrators.**

The superintendent of public instruction may adopt rules governing the issuance of:

1. Credentials for teachers of driver's education;
2. Credentials for teachers of early childhood special education;
3. Credentials for elementary school principals;
4. Credentials for teachers of students who are emotionally disturbed;
5. Credentials for teachers of students who are gifted and talented;
6. Credentials for secondary school principals;
7. Credentials for library media;
8. Credentials for teachers of title I;
9. Credentials for teachers of students who have intellectual disabilities;
10. Credentials for teachers of students who are physically disabled;
11. Credentials for coordinators of programs for students with limited English proficiency;
12. Credentials for school counselors;
13. Credentials for special education directors;
14. Credentials for special education strategists;
15. Credentials for teachers of students who have specific learning disabilities;
16. Credentials for superintendents;
17. Credentials for teachers of students who have vision impairments;
18. Credentials for teachers of students who are deaf or hard of hearing;
19. Credentials for teachers of computer and cyber science; ~~and~~
20. Certificate of completion for paraprofessionals; and
21. Certificate of completion for school health technicians.

**SECTION 18. AMENDMENT.** Section 15.1-06-19 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-06-19. Counselor positions - Requirement.**

1. Beginning with the 2010-11 school year, each school district must have available one full-time equivalent school counselor for every three hundred students in grades seven through twelve.
2. Beginning with the 2022-23 school year, each school district must have available one full-time equivalent school counselor for every three hundred students in grades kindergarten through six.
3. The duties of a school counselor under this section must include the academic advisement and appraisal of students, career preparation and advisement of students, assisting in the orientation of new students, interpreting aptitude and achievement tests, providing short-term individual and group counseling sessions to students, presentation of age-appropriate school counseling lessons to students, interpreting student records, collaborating with teachers on building classroom connections, collaborating with school administration to identify student issues and needs, advocating for students, and analyzing disaggregated schoolwide data. The duties may not include assessment administration, clerical responsibilities, or other administrative duties.
- 2-4. Up to one-third of the full-time equivalency requirement established in subsection 1 may be met by career advisors.
- 3-5. For purposes of this section, a "career advisor" means an individual who holds a certificate in career development facilitation issued by the department of career and technical education under section 15-20.1-24 or an individual who is provisionally approved by the department of career and technical education under section 15-20.1-25 to serve as a career advisor.

**SECTION 19. AMENDMENT.** Section 15.1-27-16 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-27-16. Per student payments - Administrative cost-sharing - Cooperating districts.**

1. If any school district receiving payments under this chapter cooperates with another school district for the joint provision of educational services under a plan approved by the superintendent of public instruction, the superintendent of public instruction shall, notwithstanding the provisions of section 15.1-27-03.2, create and assign a separate weighting factor that allows the cooperating districts to receive, for a period of four years, a payment rate equivalent to that which each district would have received had the cooperative plan not taken effect. The superintendent of public instruction shall compute the separate weighting factor to four decimal places and that weighting factor is effective for the duration of the cooperative plan.
2. A school district that is cooperating with another school district under a cooperative plan approved by the superintendent of public instruction, and which has taxable property located in the same city as the other school district under the cooperative plan, may not be required as part of the cooperative plan to:
  - a. Provide unduplicated grade level services; or
  - b. Share administrative personnel.
3. If any school district receiving payments under this chapter cooperates with another school district to jointly employ both a superintendent and a business manager, the superintendent of public instruction shall provide partial reimbursement of the combined salaries of the superintendent and the business manager as follows:

- a. If the combined salaries exceed three hundred thousand dollars, the amount of the reimbursement must be calculated based upon three hundred thousand dollars. Each cooperating school district shall receive a prorated share of the reimbursement percentages listed below based on the percentage of full-time equivalency that the superintendent and business manager are employed by each district. The percentage of reimbursement for the combined salaries of the jointly hired superintendent and business manager must be as follows:
- (1) If two schools are cooperating, ten percent of the combined salaries;
  - (2) If three schools are cooperating, fifteen percent of the combined salaries;
  - (3) If four schools are cooperating, twenty percent of the combined salaries; and
  - (4) If five or more schools are cooperating, twenty-five percent of the combined salaries.
- b. To be eligible for reimbursement under this subsection, the cooperating school districts must:
- (1) Have been approved by the superintendent of public instruction and have implemented their administrative cost-sharing program after June 30, 2022; and
  - (2) Submit the salaries of the superintendent and business manager to the superintendent of public instruction by June first of each year.

**SECTION 20. LEGISLATIVE MANAGEMENT STUDY - SCHOOL CONSTRUCTION FUNDING.** During the 2021-22 interim, the legislative management shall consider studying the feasibility and desirability of using up to 1 percent of common schools trust fund assets annually for school construction grants. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-eighth legislative assembly.

**SECTION 21. LEARNING LOSS, ACCELERATED LEARNING RECOVERY, AND ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND - REPORT TO LEGISLATIVE MANAGEMENT.** School districts receiving funds from the elementary and secondary school emergency relief fund shall provide two narrative summary reports to the superintendent of public instruction, including information regarding learning losses of students identified within the district, including subgroup gaps; school district plans to accelerate learning recovery for all students, including closing subgroup gaps; uses of elementary and secondary school emergency relief funds, including the percentage of those funds expended in categories determined by the superintendent of public instruction; and the impact elementary and secondary school emergency relief fund expenditures had on accelerating the learning recovery for the districts' students. The first school district report must be submitted to the superintendent of public instruction by December 1, 2021. An aggregated report must be presented by the superintendent of public instruction to the legislative management by June 1, 2022. The second school district report must be submitted to the superintendent of public instruction by December 1, 2022. An aggregated report must be presented by the superintendent of public instruction to the sixty-eighth legislative assembly.

**SECTION 22. EXPIRATION DATE.** Section 19 of this Act is effective through June 30, 2024, and after that date is ineffective."

Renumber accordingly



## STATEMENT OF PURPOSE OF AMENDMENT:

## House Bill No. 1013 - Summary of House Action

	Base Budget	House Changes	House Version
Department of Public Instruction			
Total all funds	\$2,533,714,880	\$40,990,479	\$2,574,705,359
Less estimated income	812,553,743	105,661,414	918,215,157
General fund	<u>\$1,721,161,137</u>	<u>(\$64,670,935)</u>	<u>\$1,656,490,202</u>
FTE	89.25	(3.00)	86.25
State Library			
Total all funds	\$8,155,780	\$48,517	\$8,204,297
Less estimated income	2,374,361	(10,438)	2,363,923
General fund	<u>\$5,781,419</u>	<u>\$58,955</u>	<u>\$5,840,374</u>
FTE	27.75	(1.00)	26.75
School for the Deaf			
Total all funds	\$9,959,208	\$940,022	\$10,899,230
Less estimated income	2,430,358	1,058,622	3,488,980
General fund	<u>\$7,528,850</u>	<u>(\$118,600)</u>	<u>\$7,410,250</u>
FTE	44.61	0.00	44.61
Vision Services - School for the Blind			
Total all funds	\$5,770,304	\$373,903	\$6,144,207
Less estimated income	1,052,315	473,796	1,526,111
General fund	<u>\$4,717,989</u>	<u>(\$99,893)</u>	<u>\$4,618,096</u>
FTE	27.90	(0.15)	27.75
Bill total			
Total all funds	\$2,557,600,172	\$42,352,921	\$2,599,953,093
Less estimated income	818,410,777	107,183,394	925,594,171
General fund	<u>\$1,739,189,395</u>	<u>(\$64,830,473)</u>	<u>\$1,674,358,922</u>
FTE	189.51	(4.15)	185.36

## House Bill No. 1013 - Department of Public Instruction - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$18,027,035	(\$188,572)	\$17,838,463
Operating expenses	33,770,947	(672,798)	33,098,149
Integrated formula payments	2,098,202,429	168,071	2,098,370,500
Grants - Special education contracts	24,000,000	3,000,000	27,000,000
Grants - Transportation	56,500,000		56,500,000
Grants - Other grants	287,062,705	25,676,188	312,738,893
Grants - Program grants	7,680,000	(7,680,000)	
Grants - Passthrough grants	2,863,764	(2,863,764)	
PowerSchool	5,500,000	(250,000)	5,250,000
National board certification	108,000	68,290	176,290
Grants - Program and passthrough grants	<u></u>	<u>23,733,064</u>	<u>23,733,064</u>
Total all funds	\$2,533,714,880	\$40,990,479	\$2,574,705,359
Less estimated income	812,553,743	105,661,414	918,215,157
General fund	<u>\$1,721,161,137</u>	<u>(\$64,670,935)</u>	<u>\$1,656,490,202</u>
FTE	89.25	(3.00)	86.25

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

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Transfers Early Childhood Positions <sup>3</sup>	Adjusts Funding Source of Accreditation Support <sup>4</sup>	Adjusts Funding for Operating Expenses <sup>5</sup>	Removes Funding for ACT Aspire Testing Fees <sup>6</sup>
Salaries and wages	\$2,878	\$408,550	(\$600,000)			
Operating expenses			(100,000)		\$207,202	(\$780,000)
Integrated formula payments						
Grants - Special education contracts						
Grants - Transportation						
Grants - Other grants						
Grants - Program grants						
Grants - Passthrough grants						
PowerSchool						
National board certification						
Grants - Program and passthrough grants						
<b>Total all funds</b>	<b>\$2,878</b>	<b>\$408,550</b>	<b>(\$700,000)</b>	<b>\$0</b>	<b>\$207,202</b>	<b>(\$780,000)</b>
Less estimated income	2,878	281,284	(400,000)	1,112,000	0	0
<b>General fund</b>	<b>\$0</b>	<b>\$127,266</b>	<b>(\$300,000)</b>	<b>(\$1,112,000)</b>	<b>\$207,202</b>	<b>(\$780,000)</b>
FTE	0.00	0.00	(3.00)	0.00	0.00	0.00

	Adjusts Funding for Integrated Formula Payments <sup>7</sup>	Adjusts Funding Source of Integrated Formula Payments <sup>8</sup>	Increases Funding for Special Education Contracts <sup>9</sup>	Increases Federal Funding for Literacy Development <sup>10</sup>	Adjusts Funding for Program and Passthrough Grants <sup>11</sup>	Decreases Funding for PowerSchool <sup>12</sup>
Salaries and wages						
Operating expenses						
Integrated formula payments	\$168,071					
Grants - Special education contracts			\$3,000,000			
Grants - Transportation						
Grants - Other grants				\$25,676,188		
Grants - Program grants					(\$7,680,000)	
Grants - Passthrough grants					(2,863,764)	
PowerSchool						(\$250,000)
National board certification						
Grants - Program and passthrough grants					23,733,064	
<b>Total all funds</b>	<b>\$168,071</b>	<b>\$0</b>	<b>\$3,000,000</b>	<b>\$25,676,188</b>	<b>\$13,189,300</b>	<b>(\$250,000)</b>
Less estimated income	0	55,256,000	0	25,676,188	23,733,064	0
<b>General fund</b>	<b>\$168,071</b>	<b>(\$55,256,000)</b>	<b>\$3,000,000</b>	<b>\$0</b>	<b>(\$10,543,764)</b>	<b>(\$250,000)</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Increases Funding for National Board Certification <sup>13</sup>	Total House Changes
Salaries and wages		(\$188,572)
Operating expenses		(672,798)
Integrated formula payments		168,071
Grants - Special education contracts		3,000,000
Grants - Transportation		
Grants - Other grants		25,676,188
Grants - Program grants		(7,680,000)
Grants - Passthrough grants		(2,863,764)
PowerSchool		(250,000)
National board certification	\$68,290	68,290
Grants - Program and passthrough grants		23,733,064
<b>Total all funds</b>	<b>\$68,290</b>	<b>\$40,990,479</b>
Less estimated income	0	105,661,414
<b>General fund</b>	<b>\$68,290</b>	<b>(\$64,670,935)</b>
FTE	0.00	(3.00)

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

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and a maximum monthly increase of \$250 for both years, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Salary increase	\$125,879	\$278,342	\$404,221
Health insurance increase	1,387	2,942	4,329
Total	\$127,266	\$281,284	\$408,550

<sup>3</sup> Three FTE positions related to early childhood development and related salaries and wages of \$600,000 and operating expenses of \$100,000 are transferred to the Department of Human Services pursuant to House Bill No. 1416.

<sup>4</sup> Funding for professional fees related to accreditation support is adjusted to provide funding from school district reimbursements for services.

<sup>5</sup> Funding is adjusted for operating expenses, including increases in information technology fees (\$288,000) and Microsoft Office 365 licensing expenses (\$2,495) and a decrease in other professional fees of \$83,293.

<sup>6</sup> Funding for ACT Aspire testing fees is removed pursuant to Senate Bill No. 2141.

<sup>7</sup> Funding for integrated formula payments is adjusted as follows:

	<u>General Fund</u>
Savings related to cost to continue integrated formula payments	(\$16,868,441)
State school aid formula changes in House Bill No. 1388:	
5 percent increase in transition maximum payment adjustments	5,700,000
Phase out of the transition maximum payment adjustment	3,036,512
Increase in the small school weighting factors	3,300,000
Fiscal impact of increased participation in summer school related to House Bill No. 1436	1,300,000
	<u>3,700,000</u>
Fiscal impact of eliminating the deduction of tuition paid with federal impact aid pursuant to House Bill No. 1246	
Increase in integrated formula payments	\$168,071

<sup>8</sup> The funding source for integrated formula payments is adjusted to increase funding from the state tuition fund and the common schools trust fund to provide a total of \$433 million.

<sup>9</sup> Funding for special education contract grants is increased to provide a total of \$27 million from the general fund.

<sup>10</sup> Funding is added from federal funds related to a comprehensive literacy development grant.

<sup>11</sup> Funding from special funds made available from 2019-21 biennium carryover is added for a one-time grant relating to the development of science experiments, including space needed for the experiments, at a children's science center in Bismarck and the grants - program grants line item and grants - passthrough grants line item are combined and the funding source is changed to special funds made available from carryover to provide the following program and passthrough grants:

	<u>Program and Passthrough Grants</u>
Adult education matching grants	\$5,000,000
School food services matching grants	1,380,000
Free breakfast program	200,000
Program grant pool	900,000
Science experiments one-time grant	13,500,000
National writing projects	42,500
Rural art outreach projects	306,000
North Central Council for Education Media Services	202,300
Mentoring program	2,125,764
"We the People" program	42,500
Cultural heritage grants	34,000
Total program and passthrough grants	\$23,733,064

<sup>12</sup> Funding for PowerSchool is reduced to provide a total of \$5,250,000 from the general fund.

<sup>13</sup> Funding for national board certification is increased to provide a total of \$176,290.

This amendment also:

- Amends a section to provide that any money available in the state tuition fund in

excess of the \$433,020,000 appropriated in Section 1 of the bill is appropriated to the Department of Public Instruction for distribution to school districts;

- Adds a section precluding federal funds from being used for adult education matching grants, school food services matching grants, the program grant pool, and the mentoring program;
- Removes a section related to the distribution of up to \$125,000 for continuing education grants;
- Removes a section related to the distribution of passthrough grants;
- Adds a section to provide any moneys collected for GED fees and displaced homemakers deposits must be deposited in the public instruction fund in the state treasury and may be spent subject to appropriation by the Legislative Assembly;
- Adds a section to provide if, after the Superintendent of Public Instruction complies with all statutory payment obligations imposed for the 2019-21 biennium, any money remains in the integrated formula payments line item in subdivision 1 of Section 1 of Chapter 38 of the 2019 Session Laws, the Office of Management and Budget must continue \$23,733,064 and transfer the funding to the public instruction fund for the purpose of providing program and passthrough grants during the 2021-23 biennium;
- Adds a section to provide an exemption to allow the Department of Public Instruction to continue up to \$250,000 of funding remaining in the integrated formula payments line item from the 2019-21 biennium into the 2021-23 biennium to continue a dyslexia screening pilot program;
- Adds a section to amend North Dakota Century Code Section 15.1-02-02 to provide the statutory changes to increase the Superintendent of Public Instruction's salary. The superintendent's annual salary would increase from the current level of \$125,880 to \$127,768, effective July 1, 2021, and to \$129,685, effective July 1, 2022, to reflect a 1.5 percent salary increase each year of the biennium;
- Adds a section to amend Section 15.1-02-16 to allow Superintendent of Public Instruction to develop a certificate for school health technicians;
- Adds a section to amend Section 15.1-06-19 related to school counselors;
- Adds a section to amend Section 15.1-27-16 to provide reimbursement for administrative cost-sharing;
- Adds a section to provide for a Legislative Management study of the feasibility and desirability of using up to 1 percent of common schools trust fund assets annually to be used for school construction grants;
- Adds a section to require the Superintendent of Public Instruction to collect school district reports regarding learning loss and gaps, school district plans to accelerate learning recovery, and uses of elementary and secondary school emergency relief funds and to provide reports to the Legislative Management and the Legislative Assembly; and
- Adds a section to provide an expiration date for administrative cost-sharing reimbursements.

#### House Bill No. 1013 - State Library - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$4,300,335	(\$152,269)	\$4,148,066
Operating expenses	1,621,917	200,786	1,822,703
Grants	2,233,528		2,233,528
Total all funds	\$8,155,780	\$48,517	\$8,204,297
Less estimated income	2,374,361	(10,438)	2,363,923
General fund	\$5,781,419	\$58,955	\$5,840,374
FTE	27.75	(1.00)	26.75

**Department 250 - State Library - Detail of House Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Removes Undesignated Positions <sup>3</sup>	Adds Educational Program Administrator <sup>4</sup>	Adds Funding for Microsoft Office 365 License Expenses <sup>5</sup>	Adds Funding for Federal Grants <sup>6</sup>
Salaries and wages				\$151,000		
Operating expenses	(\$117,322)	\$122,515	(\$308,462)		\$786	\$200,000
Grants						
<b>Total all funds</b>	<b>(\$117,322)</b>	<b>\$122,515</b>	<b>(\$308,462)</b>	<b>\$151,000</b>	<b>\$786</b>	<b>\$200,000</b>
Less estimated income	(223,592)	13,154	0	0	0	200,000
<b>General fund</b>	<b>\$106,270</b>	<b>\$109,361</b>	<b>(\$308,462)</b>	<b>\$151,000</b>	<b>\$786</b>	<b>\$0</b>
FTE	0.00	0.00	(2.00)	1.00	0.00	0.00

	<b>Total House Changes</b>
Salaries and wages	(\$152,269)
Operating expenses	200,786
Grants	
<b>Total all funds</b>	<b>\$48,517</b>
Less estimated income	(10,438)
<b>General fund</b>	<b>\$58,955</b>
FTE	(1.00)

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

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and a maximum monthly increase of \$250 for both years, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Salary increase	\$108,204	\$12,950	\$121,154
Health insurance increase	1,157	204	1,361
<b>Total</b>	<b>\$109,361</b>	<b>\$13,154</b>	<b>\$122,515</b>

<sup>3</sup> Two FTE undesignated positions are removed.

<sup>4</sup> One FTE educational program administrator II position is added.

<sup>5</sup> Funding is added for operating expenses related to Microsoft Office 365 license expenses.

<sup>6</sup> Funding from federal funds available from the Institute of Museum and Library Services is added for statewide database services, professional development for librarians, and other services.

This amendment also amends a section in the bill to provide that of the \$1,737,582 provided for aid to public libraries, no more than one-half may be spent during the 1<sup>st</sup> year of the biennium.

**House Bill No. 1013 - School for the Deaf - House Action**

	<u>Base Budget</u>	<u>House Changes</u>	<u>House Version</u>
Salaries and wages	\$8,054,944	\$282,522	\$8,337,466
Operating expenses	1,705,586		1,705,586
Capital assets	158,678	697,500	856,178
Grants	40,000	(40,000)	
<b>Total all funds</b>	<b>\$9,959,208</b>	<b>\$940,022</b>	<b>\$10,899,230</b>
Less estimated income	2,430,358	1,058,622	3,488,980
<b>General fund</b>	<b>\$7,528,850</b>	<b>(\$118,600)</b>	<b>\$7,410,250</b>
FTE	44.61	0.00	44.61

Department 252 - School for the Deaf - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adjusts Funding Source for Salaries and Wages <sup>3</sup>	Increases Funding for Teacher Salaries <sup>4</sup>	Removes Funding for Higher Education Interpreter Grants <sup>5</sup>	Adds One-Time Funding for Campus Server Upgrade <sup>6</sup>
Salaries and wages	(\$37,345)	\$201,705	(\$15,542)	\$133,704		
Operating expenses						\$7,500
Capital assets						
Grants					(\$40,000)	
<b>Total all funds</b>	<b>(\$37,345)</b>	<b>\$201,705</b>	<b>(\$15,542)</b>	<b>\$133,704</b>	<b>(\$40,000)</b>	<b>\$7,500</b>
Less estimated income	(2)	11,124	350,000	0	0	7,500
<b>General fund</b>	<b>(\$37,343)</b>	<b>\$190,581</b>	<b>(\$365,542)</b>	<b>\$133,704</b>	<b>(\$40,000)</b>	<b>\$0</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for Equipment <sup>7</sup>	Adds One-Time Funding for Boiler and Other Projects <sup>8</sup>	Total House Changes
Salaries and wages			\$282,522
Operating expenses			
Capital assets		\$40,000	697,500
Grants			(40,000)
<b>Total all funds</b>	<b>\$40,000</b>	<b>\$650,000</b>	<b>\$940,022</b>
Less estimated income	40,000	650,000	1,058,622
<b>General fund</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$118,600)</b>
FTE	0.00	0.00	0.00

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

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and a maximum monthly increase of \$250 for both years, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	General Fund	Other Funds	Total
Salary increase	\$188,211	\$11,009	\$199,220
Health insurance increase	2,370	115	2,485
<b>Total</b>	<b>\$190,581</b>	<b>\$11,124</b>	<b>\$201,705</b>

<sup>3</sup> The funding source for salaries and wages is adjusted to provide funding from special funds available from trust fund distributions, rents, and service revenue.

<sup>4</sup> Funding for teacher salaries is increased.

<sup>5</sup> Funding for interpreter grants to state colleges and universities is removed.

<sup>6</sup> One-time funding from special funds available from trust fund distributions, rents, and service revenue is added to upgrade the campus server.

<sup>7</sup> One-time funding from special funds available from trust fund distributions, rents, and service revenue is added for lawn tractor and kitchen appliance replacement.

<sup>8</sup> One-time funding from special funds available from trust fund distributions, rents, and service revenue to upgrade the standby boiler and other Resource Center projects.

A section related to the distribution of higher education grants is amended to allow carryover of unused grant funds from the 2019-21 biennium to the 2021-23 biennium to provide grants until the remaining funding is expended. No new grant funding is provided in the 2021-23 biennium.

House Bill No. 1013 - Vision Services - School for the Blind - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$4,935,291	\$60,053	\$4,995,344
Operating expenses	795,821	29,850	825,671
Capital assets	39,192	284,000	323,192
Total all funds	\$5,770,304	\$373,903	\$6,144,207
Less estimated income	1,052,315	473,796	1,526,111
General fund	\$4,717,989	(\$99,893)	\$4,618,096
FTE	27.90	(0.15)	27.75

Department 253 - Vision Services - School for the Blind - Detail of House Changes

	Adds Funding for Salary and Benefit Increases <sup>1</sup>	Removes Activity Assistant Position <sup>2</sup>	Adjusts Funding Source for Salaries and Wages <sup>3</sup>	Increases Funding for Teacher Salaries <sup>4</sup>	Decreases Funding for Operating Expenses <sup>5</sup>	Adds Funding for Microsoft Office 365 License Expenses <sup>6</sup>
Salaries and wages	\$71,125	(\$9,370)	(\$74,312)	\$72,610		
Operating expenses					(\$6,235)	\$3,085
Capital assets						
Total all funds	\$71,125	(\$9,370)	(\$74,312)	\$72,610	(\$6,235)	\$3,085
Less estimated income	8,797	0	145,982	0	0	2,017
General fund	\$62,328	(\$9,370)	(\$220,294)	\$72,610	(\$6,235)	\$1,068
FTE	0.00	(0.15)	0.00	0.00	0.00	0.00

	Adds One-Time Funding for LED Lighting <sup>7</sup>	Adds One-Time Funding for Electrical Service in the South Wing <sup>8</sup>	Adds One-Time Funding for Other Improvements <sup>9</sup>	Adds One-Time Funding to Replace Flooring <sup>9</sup>	Total House Changes
Salaries and wages					\$60,053
Operating expenses	\$33,000				29,850
Capital assets		\$165,000	\$109,000	\$10,000	284,000
Total all funds	\$33,000	\$165,000	\$109,000	\$10,000	\$373,903
Less estimated income	33,000	165,000	109,000	10,000	473,796
General fund	\$0	\$0	\$0	\$0	(\$99,893)
FTE	0.00	0.00	0.00	0.00	(0.15)

<sup>1</sup> The following funding is added for 2021-23 biennium salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and a maximum monthly increase of \$250 for both years, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	General Fund	Other Funds	Total
Salary increase	\$61,049	\$8,663	\$69,712
Health insurance increase	1,279	134	1,413
Total	\$62,328	\$8,797	\$71,125

<sup>2</sup> A .15 FTE activity assistant position and related funding for salaries and wages is removed.

<sup>3</sup> The funding source for salaries and wages is adjusted to provide funding from special funds available from trust fund distributions, rents, and service revenue.

<sup>4</sup> Funding is increased for teacher salaries.

<sup>5</sup> Funding is decreased for operating expenses.

<sup>6</sup> Funding is increased for Microsoft Office 365 license expenses.

<sup>7</sup> One-time funding from special funds available from trust fund distributions, rents, and service revenue is added for LED lighting.

<sup>8</sup> One-time funding from special funds available from trust fund distributions, rents, and service revenue is added to replace electrical service to the South Wing.

<sup>9</sup> One-time funding from special funds available from trust fund distributions and other

revenue is added for air conditioning replacement; sidewalk, parking lot, and roof repairs; and overhead door, main door, and key system replacement.

<sup>10</sup> One-time funding from special funds available from trust fund distributions, rents, and service revenue is added to replace flooring in the main restrooms and living quarters.

#### REPORT OF STANDING COMMITTEE

**HB 1016: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1016 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 2, after "exemption" insert "; to provide a report; to provide legislative intent; and to declare an emergency"

Page 1, remove lines 12 through 24

Page 2, replace lines 1 and 2 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$6,833,766	\$317,263	\$7,151,029
Operating expenses	2,767,321	280,992	3,048,313
Capital assets	224,046	21,500,000	21,724,046
Grants	210,916	0	210,916
Civil air patrol	305,134	4,365	309,499
Tuition, recruiting, and retention	4,782,072	(1,739,837)	3,042,235
Air guard contract	8,571,129	(74,738)	8,496,391
Army guard contract	46,940,013	1,686,682	48,626,695
Veterans' cemetery	1,151,906	174,648	1,326,554
Reintegration program	1,051,168	(124,701)	926,467
Total all funds	\$72,837,471	\$22,024,674	\$94,862,145
Less estimated income	<u>54,214,657</u>	<u>23,911,970</u>	<u>78,126,627</u>
Total general fund	\$18,622,814	(\$1,887,296)	\$16,735,518"

Page 2, replace lines 5 through 14 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$10,986,431	\$986,330	\$11,972,761
Operating expenses	8,060,574	(1,458,240)	6,602,334
Capital assets	0	660,000	660,000
Grants	16,273,425	(1,723,425)	14,550,000
Disaster costs	36,555,085	12,430,330	48,985,415
Total all funds	\$71,875,515	\$10,894,995	\$82,770,510
Less estimated income	<u>63,108,132</u>	<u>13,276,877</u>	<u>76,385,009</u>
Total general fund	\$8,767,383	(\$2,381,882)	\$6,385,501"

Page 2, replace lines 17 through 22 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$27,390,173	(\$4,269,178)	\$23,121,019
Grand total special funds	117,322,789	37,188,847	154,511,636
Grand total all funds	\$144,712,986	\$32,919,669	\$177,632,655
Full-time equivalent positions	222.00	(2.00)	220.00"

Page 2, line 23, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY**"

Page 2, line 24, after "biennium" insert "and the 2021-23 biennium one-time funding items included in the appropriation in section 1 of this Act"



Page 2, remove lines 26 through 31

Page 3, replace lines 1 through 3 with:

"Fraine Barracks automation system	\$0	\$320,000
Emergency response equipment and supplies	0	100,000
Fargo Readiness Center equipment	0	100,000
Dickinson Readiness Center project	0	15,500,000
Bridge training site	0	6,000,000
Emergency response equipment	660,000	0
Camp Grafton expansion	600,000	0
Uninterruptible power supply battery replacement	20,000	0
Computer-aided dispatch equipment	516,000	0
Message switch system upgrade	335,000	0
Dispatching service fee shortfall	1,212,253	0
Total all funds	\$3,343,253	\$22,020,000
Total other funds	<u>3,162,253</u>	<u>21,790,000</u>
Total general fund	\$181,000	\$230,000

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The adjutant general shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 3. APPROPRIATION - NORTH DAKOTA MILITARY MUSEUM.**

The adjutant general may accept up to \$10,000,000 from other funds, including private and federal funds, the sum of which is appropriated to the adjutant general for the construction of a North Dakota military museum during the period beginning with the effective date of this Act, and ending June 30, 2023. The adjutant general, with the approval of the governor, may enter into an agreement with the director of the parks and recreation department or the state historical society for the construction of a new facility, the renovation of an existing property, and the operations and maintenance of a military museum. The funding provided in this section is considered a one-time funding item."

Page 3, after line 17, insert:

**"SECTION 6. EXEMPTION.** Any amounts continued from the strategic investment and improvements fund pursuant to section 14 of chapter 41 of the 2019 Session Laws, which are unexpended as of June 30, 2021, are not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used to complete the mobile repeaters and programming radios, and for technology upgrade costs required to implement the statewide interoperable radio network during the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 7. EXEMPTION.** The amount appropriated in the tuition, recruiting, and retention line item in subdivision 1 of section 1 of chapter 41 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used to provide tuition assistance, recruiting, and retention incentives to eligible members of the North Dakota national guard during the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 8. EXEMPTION.** The sum of \$450,000 from the strategic investment and improvements fund and \$66,000 from the general fund appropriated for computer-aided dispatch equipment in subdivision 2 of section 1 of chapter 41 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for computer-aided dispatch equipment during the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 9. EXEMPTION.** The sum of \$240,000 from the strategic investment and improvements fund and \$95,000 from the general fund appropriated for the message switch upgrade in subdivision 2 of section 1 of chapter 41 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds

from this appropriation may be used to complete the message switch upgrade project during the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 10. EXEMPTION.** The amount of \$600,000 from the strategic investment and improvements fund appropriated in the camp Grafton expansion line item in subdivision 1 of section 1 of chapter 41 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used to continue the expansion of camp Grafton during the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 11. LEGISLATIVE INTENT - CAMP GRAFTON EXPANSION.** It is the intent of the sixty-seventh legislative assembly that:

1. The adjutant general purchase options during the biennium beginning July 1, 2021, and ending June 30, 2023, for the purchase or long-term lease of land for the camp Grafton expansion, including the purchase of no more than one thousand six hundred acres and the long-term lease of the remainder, not to exceed six thousand acres in total.
2. If the adjutant general secures options to purchase or lease all necessary land for the camp Grafton expansion, the sixty-eighth legislative assembly provide funding and authority for the purchase or long-term lease of land for the camp Grafton expansion during the biennium beginning July 1, 2023, and ending June 30, 2025.
3. The adjutant general not use eminent domain for the expansion of camp Grafton.

**SECTION 12. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1016 - Summary of House Action**

	Base Budget	House Changes	House Version
Adjutant General			
Total all funds	\$72,837,471	\$32,024,674	\$104,862,145
Less estimated income	54,214,657	33,911,970	88,126,627
General fund	<u>\$18,622,814</u>	<u>(\$1,887,296)</u>	<u>\$16,735,518</u>
FTE	154.00	(2.00)	152.00
Department of Emergency Services			
Total all funds	\$71,875,515	\$10,894,995	\$82,770,510
Less estimated income	63,108,132	13,276,877	76,385,009
General fund	<u>\$8,767,383</u>	<u>(\$2,381,882)</u>	<u>\$6,385,501</u>
FTE	68.00	0.00	68.00
Bill total			
Total all funds	\$144,712,986	\$42,919,669	\$187,632,655
Less estimated income	117,322,789	47,188,847	164,511,636
General fund	<u>\$27,390,197</u>	<u>(\$4,269,178)</u>	<u>\$23,121,019</u>
FTE	222.00	(2.00)	220.00

House Bill No. 1016 - Adjutant General - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$6,833,766	\$317,263	\$7,151,029
Operating expenses	2,767,321	280,992	3,048,313
Capital assets	224,046	21,500,000	21,724,046
Grants	210,916		210,916
Civil air patrol	305,134	4,365	309,499
Tuition, recruiting, and retention	4,782,072	(1,739,837)	3,042,235
Air guard contract	8,571,129	(74,738)	8,496,391
Army guard contract	46,940,013	1,686,682	48,626,695
Veterans' Cemetery	1,151,906	174,648	1,326,554
Reintegration program	1,051,168	(124,701)	926,467
Military museum		10,000,000	10,000,000
Total all funds	\$72,837,471	\$32,024,674	\$104,862,145
Less estimated income	54,214,657	33,911,970	88,126,627
General fund	\$18,622,814	(\$1,887,296)	\$16,735,518
FTE	154.00	(2.00)	152.00

Department 540 - Adjutant General - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Adjustments <sup>2</sup>	Removes Positions <sup>3</sup>	Adds Funding for Fargo Readiness Center Operations <sup>4</sup>	Adjusts Funding for the National Guard <sup>5</sup>	Reduces Funding for Tuition Assistance <sup>6</sup>
Salaries and wages	\$156,861	\$160,402				
Operating expenses						
Capital assets						
Grants						
Civil air patrol	778	4,365				
Tuition, recruiting, and retention						(\$1,739,837)
Air guard contract	(212,321)	137,583				
Army guard contract	955,404	336,410	(\$285,132)	\$340,000		
Veterans' Cemetery	(1)	21,827				
Reintegration program	44,121	22,554	(191,376)			
Military museum						
Total all funds	\$944,842	\$683,141	(\$476,508)	\$340,000	\$0	(\$1,739,837)
Less estimated income	654,882	450,664	0	170,000	808,320	0
General fund	\$289,960	\$232,477	(\$476,508)	\$170,000	(\$808,320)	(\$1,739,837)
FTE	0.00	0.00	(2.00)	0.00	0.00	0.00

	Adds Funding for the Veterans' Cemetery <sup>7</sup>	Adds Funding to Expand Camp Grafton <sup>8</sup>	Adjusts Funding for Miscellaneous Expenses <sup>9</sup>	Add One-Time Funding <sup>10</sup>	Total House Changes
Salaries and wages					\$317,263
Operating expenses		\$280,000	\$992		280,992
Capital assets				\$21,500,000	21,500,000
Grants					
Civil air patrol			(778)		4,365
Tuition, recruiting, and retention					(1,739,837)
Air guard contract					(74,738)
Army guard contract			(80,000)	420,000	1,686,682
Veterans' Cemetery	\$152,822				174,648
Reintegration program					(124,701)
Military museum				10,000,000	10,000,000
Total all funds	\$152,822	\$280,000	(\$79,786)	\$31,920,000	\$32,024,674
Less estimated income	77,822	0	(39,718)	31,790,000	33,911,970
General fund	\$75,000	\$280,000	(\$40,068)	\$130,000	(\$1,887,296)
FTE	0.00	0.00	0.00	0.00	(2.00)

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

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and a maximum monthly increase of \$250 for both years, and increases in health insurance premiums from \$1,427 to \$1,429 per month:



	Adds Funding for Disaster Costs <sup>7</sup>	Adds Funding for Equipment <sup>8</sup>	Total House Changes
Salaries and wages			\$986,330
Operating expenses		\$100,000	(1,458,240)
Capital assets		660,000	660,000
Grants			(1,723,425)
Disaster costs	\$13,268,863		12,430,330
Total all funds	\$13,268,863	\$760,000	\$10,894,995
Less estimated income	13,268,863	660,000	13,276,877
General fund	\$0	\$100,000	(\$2,381,882)
FTE	0.00	0.00	0.00

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

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and a maximum monthly increase of \$250 for both years, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	General Fund	Other Funds	Total
Salary increase	\$155,047	\$141,758	\$296,805
Health insurance increase	1,608	1,720	3,328
Total	\$156,655	\$143,478	\$300,133

<sup>3</sup> Funding for the Department of Emergency Services is adjusted to reduce funding from the general fund by \$72,608 and increase funding from other funds by \$72,608.

<sup>4</sup> Funding for State Radio is increased by \$300,000, including a decrease of \$707,690 from the general fund and an increase of \$1,007,690 from other funds from state radio fees.

<sup>5</sup> Funding of \$1,858,240 from the general fund is removed to transfer State Radio towers to the Information Technology Department.

<sup>6</sup> Funding for grants, including emergency management, hazard mitigation, and hazardous material emergency preparation grants, is reduced by \$1,723,425 from federal funds.

<sup>7</sup> Funding is increased by \$13,268,863 for disaster costs to provide a total of \$48,985,415 for disaster costs. This amount includes approximately \$44.4 million from federal funds and \$4.1 million from the state disaster relief fund for costs related to non-COVID disasters.

<sup>8</sup> Funding of \$660,000 from federal funds is added for emergency services equipment, including damage assessment and documentation software and generators. One-time funding of \$100,000 from the general fund is added for emergency response equipment and supplies.

---

**House Bill No. 1016 - Other Changes - House Action**

This amendment also:

- Adds sections to provide carryover authority for unexpended appropriations for mobile repeaters and programming radios related to the statewide interoperable radio network, tuition assistance, computer-aided dispatch equipment, the message switch upgrade project, and the purchase of options to purchase or lease land for the expansion of Camp Grafton.
- Adds a section to continue legislative intent for the Adjutant General to purchase options for the purchase or lease of land for the expansion of Camp Grafton.
- Adds a section to authorize the Adjutant General to accept and spend \$10 million from other funds for a North Dakota military museum.

**REPORT OF STANDING COMMITTEE**

**HB 1081: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1081 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact sections 15-08-28, 15-08-29, 15-08-30, 15-08-31, and 15-08-32 of the North Dakota Century Code, relating to access to and activities on trust lands; to"

Page 1, line 2, after "laws" insert "; and to provide a penalty"

Page 1, after line 3, insert:

**"SECTION 1.** Section 15-08-28 of the North Dakota Century Code is created and enacted as follows:

**15-08-28. Vehicular access.**

The use of vehicles on trust lands is prohibited, except:

1. Within thirty-three feet [10.06 meters] of section lines:
2. As allowed by the terms of a lease, permit, or easement issued by the board of university and school lands;
3. When used for travel on a public road easement issued by the board;
4. When used by government personnel in the performance of official duties; or
5. When hunting under a special permit issued by the director of the game and fish department to shoot from a stationary vehicle and with written permission from the lessee and commissioner.

**SECTION 2.** Section 15-08-29 of the North Dakota Century Code is created and enacted as follows:

**15-08-29. Public access.**

1. Nonvehicular public access to leased and unleased trust lands is allowed if in the best interests of the trusts, unless:
  - a. Specifically prohibited by the commissioner; or
  - b. A lessee of any lands under the control of the board of university and school lands posts the land with signage issued by the department, which:
    - (1) Requires notification to the lessee before entry by the public; or
    - (2) Closes the trust lands to all public access.
2. A lessee of any lands under the control of the board may not lease, sell, or otherwise be compensated for access to, on, across, or over leased trust lands.

**SECTION 3.** Section 15-08-30 of the North Dakota Century Code is created and enacted as follows:

**15-08-30. Prohibited activities - Penalty.**

1. The following activities and items are prohibited on trust lands:
  - a. Target shooting, explosives, and exploding targets;
  - b. Camping, picnicking, or campfires;
  - c. Unattended trail cameras, hunting blinds, tree stands, and screw-in steps unless otherwise authorized by the commissioner of university and school lands;

- d. Using bait to attract, lure, feed, or habituate wildlife for any purpose. For purposes of this subsection "bait" includes grains, screenings, minerals, salt, fruits, vegetables, hay, or any other natural or manufactured feeds, but not the use of lures, scents, or liquid attractants for hunting;
  - e. Disturbing or removing artifacts or any cultural, historical, archeological, or paleontological resources found on trust lands without written permission from the board of university and school lands;
  - f. Disposing of refuse, including garbage, bottles, cans, trees, branches, or other waste materials;
  - g. Dog training;
  - h. Metal detecting;
  - i. Guiding and outfitting;
  - j. Collecting plant parts for sale or other commercial purposes;
  - k. Trapping, unless authorized in writing by the commissioner;
  - l. Tree cutting and firewood gathering, unless authorized in writing by the commissioner;
  - m. Beehives, unless specifically authorized in a surface land lease; and
  - n. Organized events for which the commissioner has not issued a written agreement or permit in accordance with section 15-08-31.
2. An individual who violates subdivision n of subsection 1 is guilty of a class B misdemeanor.

**SECTION 4.** Section 15-08-31 of the North Dakota Century Code is created and enacted as follows:

**15-08-31. Organized event.**

- 1. Upon written request, the commissioner of university and school lands may allow by written agreement or permit, an organized event involving public access or activity on trust lands if the event:
  - a. Is an appropriate use of trust lands;
  - b. Does not damage trust lands;
  - c. Does not have a negative impact on the value or financial return of the trust lands in violation of the board of university and school lands' fiduciary duty to the applicable trusts as determined by the commissioner;
  - d. Protects the state from liability and other claims for damage; and
  - e. Has been approved by the current surface land lessee, if the trust lands are leased.
- 2. The commissioner may refuse to issue or renew a permit if the permit applicant has repeatedly violated the provisions of this chapter or rules or orders of the commissioner.

**SECTION 5.** Section 15-08-32 of the North Dakota Century Code is created and enacted as follows:

**15-08-32. Penalty.**

An individual who violates any provision of this chapter, for which another penalty is not specifically provided, or any applicable administrative rule for a substantially similar offense, is guilty of a noncriminal offense for which a fee of one hundred dollars must be assessed."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1187: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1187 was placed on the Sixth order on the calendar.

Page 2, line 6, replace "The Bank of North Dakota" with "Excluding the rebuilders and rebuilders home loans transferred to the fund, the Bank of North Dakota shall deposit in the fund all principal and interest paid on the loans made from the fund. The Bank"

Page 2, line 23, remove "Current loans in"

Page 2, remove lines 24 through 27

Page 2, line 28, replace "permanent loan fund." with "On July 1, 2021, the Bank of North Dakota shall transfer any outstanding loans and other moneys in the rebuilders home loan and rebuilder loan programs to the rebuilders permanent loan fund. Principal and interest payments from the rebuilders and rebuilders home loans that are transferred to the rebuilders permanent loan fund must be used to replenish the Bank's current earnings and undivided profits and to repay the state general fund pursuant to section 3 of chapter 83 of the 2013 Session Laws and subsection 5 of section 20 of chapter 14 of the 2019 Session Laws."

Page 2, line 30, after the period insert "Payments of principal and interest from the small employee loans that are transferred to the rebuilders permanent loan fund must be deposited in the rebuilders permanent loan fund."

Page 3, line 1, remove ", or so much as may be required, on an as-needed basis"

Page 3, line 2, after "fund" insert "in the amounts and at the times determined by the Bank"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment clarifies the repayment process for loans transferred from the rebuilders and rebuilders home loan programs to the newly created rebuilders permanent loan fund. The repayment of the rebuilders and rebuilders home loans must be used to repay the Bank of North Dakota's profits and the general fund, the same as the original repayment requirements. Repayments on small employee loans transferred to the fund and on new loans from the fund must be deposited in the fund.

**REPORT OF STANDING COMMITTEE**

**HB 1191: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1191 was placed on the Sixth order on the calendar.

Page 2, line 9, after "each" insert "aggregated"

Page 3, line 21, after "each" insert "aggregated"

Page 6, line 18, after the first "the" insert "independent"

Page 6, line 18, after "expenditure" insert "or disbursement"



Page 6, line 18, after the fourth "the" insert "independent"

Page 6, line 19, after "expenditure" insert "or disbursement"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1233: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1233 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 54-52.1-04.16 of the North Dakota Century Code, relating to public employees retirement system prescription drug coverage performance audits.

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

**SECTION 1. AMENDMENT.** Section 54-52.1-04.16 of the North Dakota Century Code is amended and reenacted as follows:

#### **54-52.1-04.16. Prescription drug coverage - Performance audits - Report to employee benefits programs committee.**

1. Except for Medicare part D, prescription drug coverage, the board may not enter or renew a contract for prescription drug coverage, whether contracting directly with a pharmacy benefits manager, providing prescription drug coverage through a self-insurance plan, or contracting with a carrier, unless the contract authorizes the board during the term of the contract to conduct a performance audit of the prescription drug coverage and any related pharmacy benefits management services.
2. During the term of the contract for the prescription drug coverage, the board shall conduct a performance audit of the prescription drug coverage and any related pharmacy benefits management service. The performance audit must be conducted directly through the pharmacy benefits manager providing the prescription drug coverage and may not be conducted through an intermediary, such as the carrier. The contract for prescription drug coverage must provide:
  - a. The board and auditor must have full access to claim-level data regarding:
    - (1) The total amount of dollars paid to the pharmacy benefits manager by the carrier and the board, including detail by prescription to arrive at the aggregate total amounts;
    - (2) The total amount of dollars paid to the pharmacy benefits manager by the carrier and the board which were not subsequently paid to a licensed pharmacy in the state; and
    - (3) Payments made to all pharmacy providers which shows line item detail to include product reimbursement and dispensing fees as two separate fields to arrive at the aggregate total amounts; and
    - (4) Any recoupment by the pharmacy benefits manager either at the point of sale or retrospectively, including the reason and the reason code.
  - b. The board and auditor must have full access to data regarding the average per claim detail of reimbursement, by drug ingredient cost, dispensing fee, and any other fee paid by a pharmacy benefits manager to licensed pharmacies with which the pharmacy benefits

manager shares common ownership or control or is affiliated through any contractual agreement.

- c. The board and auditor must have full access to data regarding the average per claim detail of reimbursement, by drug ingredient cost, dispensing fee, and any other fee paid by a pharmacy benefits manager to pharmacies licensed in the state.
- d. The board and auditor must have full access to data on an individual claim basis regarding any prospective and retrospective direct and indirect fees, charges, or recoupment, or any kind of assessments or effective rates imposed by the pharmacy benefits manager on pharmacies licensed with which the pharmacy benefits manager shares common ownership or control or is affiliated through any contractual agreement.
- e. The board and auditor must have full access to data on an individual claim basis regarding any prospective and retrospective direct and indirect fees, charges, or recoupment, or any kind of assessments or effective rates imposed by the pharmacy benefits manager, on pharmacies licensed in the state.
- f. ~~The contract must provide that~~ That all drug rebates, financial incentives, fees, and discounts must be disclosed to the board at the national drug code level.
- g. The terms of the contract between the carrier and the pharmacy benefits manager.

2-3. The following apply to conducting a performance audit as required under this section:

- a. The board shall use an independent auditor who has no conflict of interest with the carrier, pharmacy benefits manager, or board such as an existing contract with that entity. The board may not compensate the auditor based on financial findings or recoveries resulting from an audit. All audit compensation must be on a flat fee or hourly basis.
- b. Data and documents provided by the pharmacy benefits manager to the board or the auditor may not be redacted or altered by the pharmacy benefits manager. The board's auditor, the insurance department, and the employee benefits programs committee may access any information the board and the auditor may access under this section. All information accessed by the board, board's auditor, insurance department, or employee benefits programs committee which is trade secret is a confidential record. This subsection/subdivision does not limit the information required to be disclosed to the board and the auditor under subsection 1. This subdivision does not limit the access to information that is not a trade secret.
- c. The performance audit must include a review of financial terms and guarantees and performance guarantees, including administrative fees, annual brand prescription guarantees, annual generic prescription guarantees, annual specialty drug guaranteed discounts, and financial benefit guarantees listed in the pharmacy benefits manager contract to validate the terms of the contract are being met.
- d. The performance audit must include a review of medical prescription drug claim rebates at the national drug code level and the amounts and verify who retained the rebates for such drugs.

- e. The pharmacy benefits manager shall disclose to the board and the auditor the terms of any contract or arrangement the pharmacy benefits manager has with a rebate aggregator, regardless of whether self-owned or with an outside entity that functions as a rebate aggregator for the pharmacy benefits manager, regardless of whether self-described as a rebate aggregator.
  - f. The pharmacy benefits manager shall provide all data and documents necessary to enable the board and the auditor to calculate any compensation the pharmacy benefits manager shall pay to the public employees retirement system if a program or contract guarantee was not properly implemented.
3. ~~If the board contracts directly with a pharmacy benefits manager or provides prescription drug coverage through a self-insurance plan, the contract must provide the pharmacy benefits manager shall disclose to the board and the board's auditor all rebates and any other fees that provide the pharmacy benefits manager with sources of income under the contract, including under related contracts the pharmacy benefits manager has with third parties, such as drug manufacturers.~~
  4. ~~Anything the board has access to under this section, the insurance department and employee benefits programs committee has access to~~The board shall report to the employee benefits programs committee the report of each performance audit conducted under this section."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1249: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1249 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of the building space needs of the legislative branch.

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - LEGISLATIVE BRANCH BUILDING SPACE NEEDS.** During the 2021-22 interim, the legislative management shall consider studying the building space needs of the legislative branch for purposes of considering whether an expansion or renovation of the space available to the legislative branch is necessary to serve the public and meet the needs of the legislative branch. The study must include consideration of whether adequately sized committee rooms, appropriate accommodations under the federal Americans with Disabilities Act, and flexible meeting areas are available, and will continue to be available, to the legislative branch, and the impact on the space needs from a potential expansion of the information technology division of the legislative council. The legislative management may consult with third-party consultants for this study. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations to the sixty-eighth legislative assembly."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1253: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1253 was placed on the Sixth order on the calendar.

Page 1, line 8, after "sections" insert "16.1-06-02,"

Page 1, line 15, remove "16.1-13-10,"

Page 1, line 20, after the fifth comma insert "16.1-16-04, 16.1-16-05,"

Page 1, line 23, after "administration" insert "and the removal of obsolete language"

Page 2, line 9, remove "an"

Page 2, line 10, remove "individual who seeks nomination for election or election to public office, and includes"

Page 3, line 18, replace "may" with "shall"

Page 5, line 21, replace "question" with "factual dispute"

Page 16, after line 16, insert:

**"SECTION 23. AMENDMENT.** Section 16.1-06-02 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-06-02. Ballots prepared by county auditor or local official - Penalty.**

For a local election, the ballots must be printed and distributed under the direction of the auditor or clerk of the local subdivision. For all other elections, ballots must be printed and distributed under the direction of the county auditor, subject to the supervision and approval of the secretary of state as to the legal sufficiency of the form, style, wording, and contents of the ballots. If an auditor or clerk of a local subdivision, a county auditor, or the secretary of state causes or approves the printing of a ballot listing an individual as a candidate when the official knows or should know the individual does not meet the qualifications, or has not satisfied the requirements to be a candidate, the official is guilty of an infraction."

Page 27, line 13, after "3." insert "Any voter who is blind, visually impaired, or print disabled and wishes to cast an absentee ballot may mark the electronic ballot by electronic means. The voter then shall deposit the ballot electronically on the secure server that is used by covered voters as defined in section 16.1-07-18. Upon system notification that a ballot has been left by a qualified voter, an election official shall print the ballot, place the ballot in a secrecy envelope, attach the absent voter's application for the ballot, and securely store the enveloped ballot and the application with all the other absentee ballots. When the absentee ballot election board meets to process and count absentee ballots, the ballot from the covered voter must be transferred onto a paper ballot and tabulated with all the other valid absent voters' ballots."

4."

Page 27, line 30, replace "4." with "5."

Page 28, line 5, replace "5." with "6."

Page 28, line 10, replace "6." with "7."

Page 28, line 17, replace "7." with "8."

Page 59, remove lines 25 through 31

Page 60, remove lines 1 through 31

Page 61, remove lines 1 through 10

Page 64, line 30, replace "may" with "shall"

Page 74, line 13, after "thereto" insert "to"

Page 80, after line 15, insert:

**"SECTION 105. AMENDMENT.** Section 16.1-16-04 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-16-04. Time for commencement of action.**

Any

1. Except as provided in subsection 2, an action to contest an election must be commenced and the complaint must be filed in the district court of the contestee's county of residence within five days after final certification of a recount by the appropriate canvassing board or within fourteen days after the final certification by the appropriate canvassing board if no recount is to be conducted. However, if
2. If the grounds for the action are the illegal payment of money or other valuable thing subsequent to the filing of any statement of expenses required by this title or if the contestee does not or cannot meet the qualifications to hold the office as required by law, the action may be commenced at any time. If the grounds for the action are the failure of a contestee to satisfy the requirements for having the contestee's name listed on the ballot as a candidate, the action may be commenced within thirty days of the date the contestant knows or should know of the failure.
3. The contestee shall serve and file an answer within fourteen days after service of the contest summons and complaint.

**SECTION 106. AMENDMENT.** Section 16.1-16-05 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-16-05. Grounds for election contest.**

An election contest may be commenced for any of the following causes:

1. ~~If the~~The contestee does not or cannot meet the qualifications to hold the office as required by law.
2. ~~Because~~The existence of illegal votes or erroneous or fraudulent voting, count, canvass, or recount of votes.
3. The contestee was listed as a candidate on the ballot despite failing to meet the requirements to be listed on the ballot."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1255: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (17 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1255 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1273: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1273 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1293: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1293 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subdivision I of subsection 2 of section 62.1-02-05,"

Page 1, line 2, replace "subsection 7 of section" with "sections"

Page 1, line 2, remove "and sections"

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

Page 1, line 2, remove ", 62.1-04-03.1, and"

Page 1, line 3, remove "62.1-04-04"

Page 1, line 4, remove "; and to provide a penalty"

Page 1, replace lines 6 through 20 with:

**"SECTION 1. AMENDMENT.** Section 62.1-02-10 of the North Dakota Century Code is amended and reenacted as follows:

**62.1-02-10. Carrying loaded firearm in certain vehicles prohibited - Penalty - Exceptions.**

An individual may not keep or carry a loaded firearm in or on any motor vehicle, including an off-highway vehicle or snowmobile in this state. An individual violating this section is guilty of an infraction. This prohibition does not apply to:

1. A member of the armed forces of the United States or national guard, organized reserves, state defense forces, or state guard organizations while possessing the firearm issued to the member by the organization and while on official duty.
2. A law enforcement officer.
3. An individual possessing a valid concealed weapons license from this state or who has reciprocity under section 62.1-04-03.1 with a handgun, ~~or with a rifle or shotgun if not in the field hunting or trapping.~~
4. An individual who possesses a rifle or shotgun, is not in the field hunting or trapping, and possesses a valid concealed weapons license from this state or has reciprocity under section 62.1-04-03.1.
5. An individual possessing a handgun in the field engaged in lawful hunting or trapping of nongame species or fur-bearing animals.
- ~~5-6.~~ A security guard or private investigator properly licensed to carry firearms.
- ~~6-7.~~ An individual possessing a valid special permit issued pursuant to section 20.1-02-05.
- ~~7-8.~~ An individual with a handgun who is not otherwise precluded from possessing a class 2 firearm and dangerous weapon license under chapter 62.1-04 and who has possessed for at least one year a valid driver's license or nondriver identification card issued by the department of transportation.
9. An individual who possesses a rifle or shotgun, is not in the field hunting or trapping, and is not otherwise precluded from possessing a class 2 firearm and dangerous weapon license under chapter 62.1-04 and has possessed for at least thirty days a valid driver's license or nondriver identification card issued by the department of transportation."

Page 1, line 23, remove the overstrike over "~~Limitations -- Exceptions~~"

Page 1, line 24, remove the overstrike over "4."

Page 1, line 24, remove the overstrike over "if"

Page 2, line 1, after "The" insert "the"

Page 2, line 1, remove the overstrike over "~~handgun is unloaded~~"

Page 2, line 1, replace "concealed or" with "and"

Page 2, line 1, remove the overstrike over "~~or secured~~"

Page 2, line 4, remove the overstrike over the overstruck period

Page 2, line 5, remove the overstrike over "~~2.—A limitation under~~"

Page 2, line 5, remove the overstrike over "~~subsection 1 does not apply to:~~"

Page 2, remove the overstrike over lines 6 through 8

Page 2, line 9, remove the overstrike over "least"

Page 2, line 9, after "year" insert "thirty days"

Page 2, line 9, remove the overstrike over "~~a valid driver's license or nondriver identification card issued by~~"

Page 2, remove the overstrike over lines 10 through 31

Page 3, remove the overstrike over lines 1 through 5

Page 3, remove the overstrike over lines 10 through 13

Page 3, line 14, remove the overstrike over "~~dangerous weapon license under this chapter and who has possessed for at least~~"

Page 3, line 15, after "year" insert "thirty days"

Page 3, line 15, remove the overstrike over "~~a valid driver's license or nondriver identification card issued by the department of~~"

Page 3, remove the overstrike over line 16

Page 3, line 17, remove the overstrike over "3-" and insert immediately thereafter "An individual may carry a firearm concealed under this chapter if the individual qualifies for reciprocity under section 62.1-04-03.1 and the individual has the equivalent of a class 2 firearm and dangerous weapon license from the state in which the individual is a resident."

4."

Page 3, remove lines 23 through 31

Page 4, remove lines 1 through 26

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1295: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1295 was placed on the Sixth order on the calendar.

Page 2, line 11, overstrike "shall" and insert immediately thereafter "may"

Page 2, line 13, overstrike "must" and insert immediately thereafter "may"

Page 2, line 13, after "be" insert "up to"

Page 2, line 15, overstrike "must" and insert immediately thereafter "may"

Page 2, line 16, overstrike "no less than"

Page 2, line 23, overstrike "shall" and insert immediately thereafter "may"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1297: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1297 was placed on the Sixth order on the calendar.

Page 1, line 10, after "firearm" insert "or dangerous weapon"

Page 1, line 11, remove "An"

Page 1, line 11, overstrike "athletic or sporting" and insert immediately thereafter "A school or school-sponsored"

Page 1, line 11, after "event" insert "on school property"

Page 1, line 12, remove "A"

Page 1, line 12, overstrike "school"

Page 1, line 12, remove the underscored semicolon

Page 1, line 13, remove "c."

Page 1, line 14, replace "d." with "c."

Page 2, line 14, remove the overstrike over "~~possessing a valid concealed weapons license from this state~~"

Page 2, line 14, remove "who is"

Page 2, remove line 15

Page 2, line 16, remove "concealed"

Page 2, line 18, remove the overstrike over "~~has the approval to carry in the~~"

Page 2, remove the overstrike over line 19

Page 2, line 20, remove the overstrike over "~~church or other place of worship or~~"

Page 2, line 21, remove "has not otherwise restricted the possession of a firearm or"

Page 2, line 22, remove "dangerous weapon"

Page 3, after line 16, insert:

"6. An individual who knowingly violates this section is guilty of a noncriminal offense punishable by a fee of fifty dollars."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1335: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1335 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1375, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (17 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1375 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1383: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends



**AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1383 was placed on the Sixth order on the calendar.

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

Page 1, line 17, after the first "the" insert "federal"

Page 1, line 17, replace "county" with "federal district"

Page 2, after line 2, insert:

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

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1392: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1392 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1394: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1394 was placed on the Sixth order on the calendar.

Page 1, line 1, after "services" insert "; to provide an exemption"

Page 1, replace lines 11 and 12 with:

"Governor's emergency education relief fund	<u>\$2,732,339</u>
Total federal funds	\$2,732,339
Subdivision 2.	

#### ATTORNEY GENERAL

COVID-19 - Justice assistance grants	<u>\$2,082,871</u>
Total federal funds	\$2,082,871"

Page 1, line 13, replace "2" with "3"

Page 1, replace lines 15 and 16 with:

"Elementary and secondary school emergency education relief - schools	\$144,603,071
Elementary and secondary school emergency education relief - state	13,661,117
Governor's emergency education relief fund	<u>3,998,745</u>
Total federal funds	\$162,262,933"

Page 1, line 17, replace "3" with "4"

Page 1, replace lines 19 through line 21 with:

"COVID-19 response	<u>\$100,532,232</u>
Total federal funds	\$100,532,232"

Page 1, line 22, replace "4" with "5"

Page 1, after line 22, insert:

#### "VETERANS' HOME

CARES Act funding	<u>\$650,000</u>
Total federal funds	\$650,000

## Subdivision 6."

Page 2, replace lines 1 through 9 with:

"COVID-19 operating expenses	\$13,807,978
COVID-19 grants	280,814,929
COVID-19 grants - Medical assistance	<u>16,000,000</u>
Total federal funds	\$310,622,907

## Subdivision 7.

## ADJUTANT GENERAL

COVID-19 response	\$148,666,667
Total federal funds	\$148,666,667

## Subdivision 8.

## DEPARTMENT OF COMMERCE

CARES Act funding	\$11,393,078
Total federal funds	\$11,393,078

## Subdivision 9.

## DEPARTMENT OF AGRICULTURE

COVID-19 stress assistance program operating expenses	\$500,000
COVID-19 specialty crop block grants	<u>5,000,000</u>
Total federal funds	\$5,500,000"

Page 2, line 10, replace "5" with "10"

Page 2, line 12, replace "Enhanced" with "COVID-19 enhanced"

Page 2, replace lines 13 and 14 with:

"COVID-19 surface transportation grants	<u>61,584,858</u>
Total federal funds	\$61,700,060"

Page 2, line 15, replace "6" with "11"

Page 2, replace line 17 with:

"Grand total federal funds	\$806,143,087
----------------------------	---------------

**SECTION 2. EXEMPTION.** The funding appropriated in section 1 of this Act is not subject to the provisions of section 54-44.1-11 and may be continued into the biennium beginning July 1, 2021, and ending June 30, 2023."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment appropriates the following federal COVID-19 relief funding for the 2019-21 biennium and authorizes agencies to continue the funding into the 2021-23 biennium.

Agency	Program	Amount
Office of Management and Budget	Governor's emergency education relief fund allocations to public schools	\$2,732,339
Total - Office of Management and Budget		\$2,732,339
Attorney General	Justice assistance grants for staff and equipment costs to respond to COVID-19	\$2,082,871
Total - Attorney General		\$2,082,871
Department of Public Instruction	Elementary and secondary school emergency relief fund - allocations to schools	\$122,331,954

	Elementary and secondary school emergency relief fund - state administration initiatives	13,592,439
	Previously approved elementary and secondary school emergency relief fund - allocations to schools	22,271,117
	Previously approved elementary and secondary school emergency relief fund - state administration initiatives	68,678
	Governor's emergency education relief fund allocations to private schools	3,998,745
Total - Department of Public Instruction		\$162,262,933
State Department of Health	COVID-19 testing, vaccine preparedness, and agency response costs	\$100,532,232
Total - State Department of Health		\$100,532,232
Veterans' Home	Provider incentive payments used for COVID-19 supplies and staff costs	\$650,000
Total - Veterans' Home		\$650,000
Department of Human Services	Substance abuse prevention and treatment services	\$6,411,715
	Emergency rental assistance program	200,000,000
	Mental health block grant program to provide services to children and adults with serious mental illness	2,972,514
	Child care and development block grant to allow low-income families to have access to child care	19,448,230
	Safe and stable families program to ensure childrens' safety within their homes	90,342
	Foster care program costs to assist foster care youth	1,224,837
	Education and training vouchers for postsecondary costs of youth leaving foster care	166,136
	Congregate and home-delivered meals for older adults to maintain their health	840,000
	Ombudsman program to assist in preventing elder neglect and abuse	20,000
	Vulnerable adult protective services to assist older adults affected by abuse, neglect, or financial exploitation	704,100
	Supplemental nutrition assistance program increased monthly benefit distribution	7,200,000
	Supplemental nutrition assistance program emergency assistance to increase program availability	16,992,580
	Pandemic electronic benefits transfer to provide food assistance to children who would normally receive free or reduced school lunches	31,992,804
	Water and wastewater bill assistance to assist in utility payment	3,700,000
	Enhanced federal medical assistance percentage increase of 6.2 percent from April through June 2020	16,000,000
	Mental health and substance use disorder funding to provide crisis intervention services and other mental health support	2,859,649
Total - Department of Human Services		\$310,622,907
Adjutant General	Increase the FEMA reimbursement rate from 75 percent to 100 percent for COVID-19-related disaster expenses and apply 100 percent reimbursement rates retroactively to expenses already incurred	\$148,666,667
Total - Adjutant General		\$148,666,667
Department of Commerce	Community services block grant funding to address the needs of low-income individuals	\$7,393,078
	Community development block grant funding to address community needs relating to COVID-19	3,000,000
<b>Agency</b>	<b>Program</b>	<b>Amount</b>
Total - Department of Commerce	Emergency solutions grant program to provide additional homeless assistance	1,000,000
		\$11,393,078
Department of Agriculture	Stress assistance programs to provide behavioral health services to agriculture producers	\$500,000
	Specialty crop block grants to enhance the competitiveness of special crops	5,000,000
Total - Department of Agriculture		\$5,500,000
Department of Transportation	Enhanced mobility services to assist the elderly and disabled with transportation	\$115,202
	Surface transportation grant program	61,584,858
Total - Department of Transportation		\$61,700,060
Total - All agencies		\$806,143,087

### REPORT OF STANDING COMMITTEE

**HB 1395: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1395 was placed on the Eleventh order on the calendar.

### REPORT OF STANDING COMMITTEE

**HB 1419: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11

YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1419 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "a new subsection to section 40-05-01 and"

Page 1, line 2, remove "county or"

Page 2, line 8, replace "in lieu of" with ". The fee must replace a"

Page 2, line 8, replace "assessments" with "assessment"

Page 2, line 9, remove "residential and commercial"

Page 2, line 10, after the underscored period insert "The money collected under this subsection may not be used for any purpose other than infrastructure maintenance costs."

Page 5, remove lines 20 through 30

Page 6, remove lines 1 through 3

Page 6, line 25, replace "in lieu of" with ". The fee must replace a"

Page 6, line 25, replace "assessments" with "assessment"

Page 6, line 26, remove "residential and commercial"

Page 6, line 27, after the underscored period insert "The money collected under this subsection may not be used for any purpose other than infrastructure maintenance costs."

Page 10, line 5, replace "in lieu of" with ". The fee must replace a"

Page 10, line 5, replace "assessments" with "assessment"

Page 10, line 5, remove "residential and commercial"

Page 10, line 7, after the underscored period insert "The money collected under this subsection may not be used for any purpose other than infrastructure maintenance costs."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1425, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1425 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "program" with "fund"

Page 1, line 9, replace "**program**" with "**fund**"

Page 1, line 10, replace "program" with "fund"

Page 1, line 10, replace "created" with "a special fund in the state treasury"

Page 1, line 15, replace "program" with "fund"

Page 1, line 16, replace "program" with "fund"

Page 1, line 18, replace "subsections 7 and 9" with "this section"

Page 1, line 18, replace "forty" with "the lesser of thirty"

Page 1, line 20, replace "program" with "fund"

Page 2, line 10, remove "and are in the interest of the public"

Page 2, line 11, after "projects" insert "exclude routine maintenance and repair projects, but"

Page 2, line 31, remove "and are in the best interest of the"

Page 3, line 1, remove "public"

Page 3, line 2, after the second "projects" insert "exclude routine maintenance and repair projects, but"

Page 3, remove lines 8 and 9

Renumber accordingly

#### STATEMENT OF PURPOSES OF AMENDMENT:

This amendment creates a fund for the legacy infrastructure revolving loans, limits the term of the loans to 30 years rather than 40 years, and clarifies that routine maintenance and repair projects are not eligible for loans.

#### REPORT OF STANDING COMMITTEE

**HB 1430, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (17 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1430 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1447: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1447 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "identification cards" with "voting documents"

Page 1, line 8, replace "**Student identification cards - Address required**" with "**Student voting documents**"

Page 1, remove lines 9 and 10

Page 1, line 11, replace "of birth and residential address of the student to whom the card is issued" with "An institution of higher education under the control of the state board of higher education may issue students enrolled at the institution a printable document containing the institution's letterhead or seal using a self-service process. The document must contain the student's legal name, current residential address in the state, the date the residential address was established, and date of birth"

Page 1, line 12, replace "identification cards" with "the document"

Page 2, line 2, remove the overstrike over "or"

Page 2, line 4, remove ";or"

Page 2, remove line 5

Page 2, line 6, remove "education"

Page 2, line 14, overstrike "or"

Page 2, line 15, after "government" insert ";or"

- (6) A printed document containing all of the information required by subsection 2 issued by an institution of higher education for an enrolled student residing in the state and containing the

institution's letterhead or seal, along with a student photo identification card issued by the institution and containing the student's photograph and legal name"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1450: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1450 was placed on the Sixth order on the calendar.

Page 1, line 2, after "concealed" insert "; and to provide an expiration date"

Page 2, line 2, remove the overstrike over "~~Has not been convicted of an offense involving the use of alcohol within~~"

Page 2, line 2, after "ten" insert "three"

Page 2, remove the overstrike over line 3

Page 2, line 4, remove the overstrike over "{4}"

Page 2, line 7, remove the overstrike over "{5}"

Page 2, line 7, remove "(4)"

Page 2, line 8, remove the overstrike over "{6}"

Page 2, line 8, remove "(5)"

Page 2, line 9, remove the overstrike over "{7}"

Page 2, line 9, remove "(6)"

Page 2, line 11, remove the overstrike over "{8}"

Page 2, line 11, remove "(7)"

Page 3, after line 4, insert:

**"SECTION 2. EXPIRATION DATE.** This Act is effective until the date the attorney general certifies to the legislative council that the enactment of section 1 impacts the reciprocity of class 1 firearm and dangerous weapons licenseholders carrying a concealed firearm or dangerous weapon in the state of Minnesota, and after that date is ineffective."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1453: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1453 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 54-10 and a new section to chapter 54-35 of the North Dakota Century Code, relating to protections for individuals who report potential violations of law and the legislative audit and fiscal review committee; and to"

Page 1, line 1, after "reenact" insert "subsection 1 of section 34-11.1-04,"

Page 1, line 1, after "54-10-01" insert ", 54-10-26, and section 54-35-02.2"

Page 1, line 2, after "to" insert "protections for public employees who report potential violations of law,"

Page 1, line 2, after "auditor" insert ", state auditor working papers, and the legislative audit and fiscal review committee"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Subsection 1 of section 34-11.1-04 of the North Dakota Century Code is amended and reenacted as follows:

1. An employee ~~may~~, without fear of reprisal, may report in writing to the employee's respective agency head, a state's attorney, the attorney general, the state auditor, or an employee organization the existence of:
  - a. A job-related violation of local, state, or federal law, rule, regulation, or ordinance.
  - b. The job-related misuse of public resources."

Page 3, line 8, remove the first "financial"

Page 3, line 10, after "state" insert "in accordance with government auditing standards"

Page 3, line 11, remove "financial"

Page 3, line 11, after "agencies" insert "in accordance with government auditing standards and legislative audit and fiscal review committee guidelines developed under section 6 of this Act"

Page 4, line 27, replace "The" with "Except for performance audits conducted under subdivision d of subsection 1 of this section or subdivision b of this subsection and except for audits of occupational or professional boards, the state auditor shall execute the contract and any executive branch agency, including higher education institutions, shall pay the fees of the contractor. For performance audits conducted under subdivision d of subsection 1 of this section or subdivision b of this subsection, the"

Page 5, replace lines 5 through 13 with:

**"SECTION 3.** A new section to chapter 54-10 of the North Dakota Century Code is created and enacted as follows:

**Reporting noncompliance - Confidentiality.**

Information that reasonably may be used to identify an individual who reported suspected or potential violations of law or other irregularities to the state auditor is a confidential record under section 44-04-17.1.

**SECTION 4. AMENDMENT.** Section 54-10-26 of the North Dakota Century Code is amended and reenacted as follows:

**54-10-26. State auditor's working papers.**

Working papers of the state auditor are not public records and are exempt from section 44-04-18. Working papers include records kept by the auditor of the procedures applied, the tests performed, the information obtained, draft audit reports, and the pertinent conclusions reached in the engagement. Working papers may be, at the discretion of the state auditor and unless otherwise prohibited by law, made available for inspection. A draft audit report associated with an audit completed using government auditing standards applicable to financial audits which is released to the governing body or management of the audited entity is confidential until the final audit report is issued or work ceases on the audit. The issued audit report is public information at which time the audit report becomes public information. Any other draft audit report released to the governing body or management of the audited

entity is confidential until the final audit report is presented to the legislative audit and fiscal review committee at which time the audit report becomes public information. The respective working papers of an issued audit report or an audit report presented to the legislative audit and fiscal review committee are public. At the discretion of the state auditor, all or a portion of the working papers of an issued a publicly available audit report may be declared confidential. The declaration of confidentiality must state the reason for the confidentiality and the date, as can best be reasonably determined at the time, when the working papers will be made public.

**SECTION 5. AMENDMENT.** Section 54-35-02.2 of the North Dakota Century Code is amended and reenacted as follows:

**54-35-02.2. Powers and duties of the legislative audit and fiscal review committee.**

The legislative audit and fiscal review committee shall study and review audit reports as selected by the committee from those submitted by the state auditor, confer with the auditor and deputy auditors in regard to such reports, and when necessary, confer with representatives of the department, agency, or institution audited in order to obtain full and complete information in regard to any and all fiscal transactions and governmental operations of any department, agency, or institution of the state. The committee shall meet at least once each calendar quarter during each interim. Each department, agency, or institution shall furnish to the committee such aid, information, and assistance in regard to fiscal transactions and governmental operations as it may from time to time request. Whenever the committee may determine or have reason to believe that there may have been a violation of law relating to the receipt, custody, or expenditure of public funds by any state officer or employee, the committee shall present such evidence or information as may be in its possession to the attorney general. The attorney general shall receive and accept such evidence or information and shall immediately commence such additional investigation as the attorney general determines necessary. Upon completion of the investigation, if the evidence supplied by the committee and through the investigation indicates the probability of a violation of law by any state official or employee, the attorney general immediately shall prosecute such official or employee as provided by law. Whenever the committee may determine that a state agency, department, or institution has failed to correct an audit finding within two bienniums which the committee determines critically important, the committee may recommend the legislative assembly reduce the state agency, department, or institution's appropriation as compared with the amount appropriated to the agency, department, or institution for the previous biennium. The legislative management, through its committee on legislative audit and fiscal review, or such persons as may be directed or employed by the legislative council, is authorized, within the limits of legislative appropriations, to make such audits, examinations, or studies of the fiscal transactions or governmental operations of departments, agencies, or institutions of the state as the legislative management may determine necessary.

**SECTION 6.** A new section to chapter 54-35 of the North Dakota Century Code is created and enacted as follows:

**Legislative audit and fiscal review committee - Auditing guidelines.**

Each biennium, the legislative audit and fiscal review committee, in consultation with the state auditor, shall review updates to government auditing standards and develop guidelines for the contents of state agency audit reports. The legislative audit and fiscal review committee shall consider the following when developing the guidelines:

1. Applicable auditing standards;
2. Sound financial practices;
3. Compliance with laws and legislative intent;
4. Data analyses; and



5. The opportunity to improve the efficient and effective operations of state agencies."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1463: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1463 was placed on the Sixth order on the calendar.

Page 1, line 1, after "enact" insert "a new subsection to section 43-30-16 and"

Page 1, line 2, after "to" insert "application and renewal fees for armed first responder course instructor certification and"

Page 1, line 3, after "weapon" insert "; and to amend and reenact subsection 7 of section 62.1-02-14 of the North Dakota Century Code, relating to licensing of instructors of armed first responders in schools"

Page 1, after line 4, insert:

**"SECTION 1.** A new subsection to section 43-30-16 of the North Dakota Century Code is created and enacted as follows:

The initial application fee for a certified course instructor for an armed first responder training certification may not exceed four hundred dollars. A fee for renewal of a course instructor certification for an armed first responder program may not exceed three hundred dollars."

Page 1, after line 18, insert:

**"SECTION 3. AMENDMENT.** Subsection 7 of section 62.1-02-14 of the North Dakota Century Code is amended and reenacted as follows:

7. The plan submitted by the school to the superintendent of public instruction must require the selected individual to complete ~~training equivalent to the South Dakota school sentinel program as established on August 1, 2019, or complete the course established by the private~~ investigative and security board. The private investigative and security board shall establish standards equivalent to the South Dakota school sentinel program and may license and certify course instructors, audit the course, and set administrative fees for licensure and certification."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1489: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1489 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "create and enact a new section to chapter 54-12 and subsection 20 to" with "amend and reenact"

Page 1, line 3, remove "and enforce state"

Page 1, line 4, remove "laws"

Page 1, replace lines 6 through 15 with:

**"SECTION 1. AMENDMENT.** Section 54-12-01 of the North Dakota Century Code is amended and reenacted as follows:

**54-12-01. Attorney general - Duties.**

The attorney general shall:

1. Appear for and represent the state before the supreme court in all cases in which the state is interested as a party.
2. Institute and prosecute all actions and proceedings in favor or for the use of the state which may be necessary in the execution of the duties of any state officer.
3. Appear and defend all actions and proceedings against any state officer in the attorney general's official capacity in any of the courts of this state or of the United States. If both parties to an action are state officers, the attorney general may determine which officer the attorney general will represent and the other officer may employ counsel to represent that other officer.
4. Consult with and advise the several state's attorneys in matters relating to the duties of their office.
5. Attend the trial of any party accused of crime and assist in the prosecution when in the attorney general's judgment the interests of the state require it.
6. Consult with and advise the governor and all other state officers and when requested give written opinions on all legal or constitutional questions relating to the duties of such officers respectively.
7. Prepare, when necessary, proper drafts for contracts and other writings relating to subjects in which the state is interested.
8.
  - a. Give written opinions, within a reasonable time, when requested by either branch a member of the legislative assembly, in writing, upon legal questions unless the request:
    - (1) Is one of only fact, rather than of fact and law, or of law;
    - (2) Involves the constitutionality of a statute;
    - (3) Concerns the internal operation or management of the judicial branch of government; or
    - (4) Is likely to be or presently is pending before a court or a court already has ruled on the issue.
  - b. If the attorney general declines to issue an opinion for a reason in subdivision a, the attorney general shall inform the individual who requested the opinion in a written response.
9. Enforce the proper application of funds appropriated to the public institutions of the state and prosecute breaches of trust in the administration of such funds.
10. Prosecute corporations and limited liability companies, when necessary, for failure or refusal to make the reports required by law.
11. Keep in proper books a register of all cases prosecuted or defended by the attorney general or the attorney general's assistants, in behalf of this state or its officers, and of all proceedings had in relation thereto, including a record of all actions wherein the state is a party, or is interested, prosecuted by the state's attorneys of the several counties and reported to the attorney general as provided by law, and deliver the same to the attorney general's successor in office.

12. Keep in the attorney general's office a book in which the attorney general shall record all the official opinions given by the attorney general during the attorney general's term of office, such book to be delivered by the attorney general to the attorney general's successor in office.
13. Pay into the state treasury all moneys received by the attorney general for the use of the state.
14. Serve as superintendent of the bureau of criminal investigation and perform all duties incident to the proper and efficient conduct of that office.
15. Attend to and perform any other duties which from time to time may be required by law.
16. Appoint the state fire marshal and supervise the operation of the state fire marshal department.
17. Give written opinions, when requested by the governing body or city attorney of a city in the state of North Dakota.
18. Repealed by S.L. 1991, ch. 637, § 9.
19. Give written opinions to public entities as defined in subdivision a or b of subsection 13 of section 44-04-17.1, when requested by an interested person under section 44-04-21.1."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1495: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1495 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to virtual sessions of the legislative assembly; to"

Page 1, line 9, remove "for no"

Page 1, line 10, remove "longer than thirty days"

Page 1, line 11, after "disease" insert "during an emergency or disaster declared by the governor or as otherwise specifically authorized in this title"

Page 1, line 21, after the period insert "An order issued under this section during an emergency or disaster may not exceed in duration or scope the authority of the governor under chapter 37-17.1."

Page 5, line 9, remove the overstrike over "~~A disaster or emergency must be declared by executive order or proclamation of the~~"

Page 5, line 10, remove the overstrike over "governor"

Page 5, line 10, after "if" insert ".

4."

Page 5, line 10, after the first "a" insert "statewide, natural"

Page 5, line 11, after "of" insert "statewide, natural"

Page 5, line 27, replace "may" with "shall"

Page 6, line 16, overstrike "4." and insert immediately thereafter "5."

Page 6, line 23, overstrike "5." and insert immediately thereafter "6."

Page 7, line 1, overstrike "6." and insert immediately thereafter "7."

Page 7, line 4, remove the overstrike over "Suspend"

Page 7, line 4, remove "With the consent of the legislative assembly, suspend"

Page 7, line 9, replace "(1) The" with "However, the"

Page 7, line 10, replace "(a)" with "(1)"

Page 7, line 11, replace "(b)" with "(2)"

Page 7, remove lines 12 through 31

Page 8, after line 24, insert:

"8. During a declared state of disaster or emergency, a public official or executive branch employee may not withhold, direct, or require the use or expenditure of any money in a manner or for a purpose other than the manner or purpose for which the money was appropriated by the legislative assembly, emergency commission, or budget section."

Page 8, line 25, overstrike "7." and insert immediately thereafter "9."

Page 8, line 27, overstrike "8." and insert immediately thereafter "10."

Page 11, after line 6, insert:

**"SECTION 8.** A new section to chapter 54-03 of the North Dakota Century Code is created and enacted as follows:

**Virtual session of the legislative assembly during emergency or disaster.**

1. If the governor calls a special session of the legislative assembly to address a state of emergency or disaster or if the legislative assembly reconvenes to address a state of emergency or disaster, the legislative assembly may use any technology or electronic means available to conduct meetings and transact legislative business.
2. For purposes of section 7 of article IV of the Constitution of North Dakota, a meeting of the legislative assembly which occurs under this section is deemed to have occurred at the seat of the government, and all actions taken during the meeting have the same legal effect as if the members of the legislative assembly were physically present at the seat of government."

ReNUMBER accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1496: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1496 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact section 16.1-08.1-02.5 of the North Dakota Century Code, relating to statewide political parties' campaign finance disclosures;"

Page 1, line 1, after "reenact" insert "subsection 8 of section 16.1-08.1-01 and"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Subsection 8 of section 16.1-08.1-01 of the North Dakota Century Code is amended and reenacted as follows:

8. "Expenditure categories" means the categories into which expenditures must be grouped for reports under this chapter. The expenditure categories are:
- a. Advertising;
  - b. Campaign loan repayment;
  - c. Operations;
  - d. Travel; ~~and~~
  - e. Miscellaneous; and
  - f. Contributions."

Page 1, line 16, remove "to."

Page 1, line 16, remove the second underscored comma

Page 1, line 17, replace "political party" with "ballot measure"

Page 2, line 12, remove "to."

Page 2, line 12, remove the second underscored comma

Page 2, line 13, replace "political party" with "ballot measure"

Page 2, line 15, remove "and mailing address of the recipient and, if applicable, the person"

Page 2, line 16, replace "in support of or in opposition to whom the expenditure was made" with "of the candidate, political committee, or ballot measure the expenditure was intended to support or oppose"

Page 2, line 17, remove "and"

Page 2, line 18, remove "to the recipient"

Page 2, line 18, after "made" insert "; and

- (4) Whether the expenditure was made in support of or in opposition to the candidate, political committee, or ballot measure"

Page 2, line 23, remove "to"

Page 2, line 24, replace "a recipient" with "in support of or in opposition to a candidate, political committee, or ballot measure"

Page 2, line 26, remove "and mailing address of the recipient and, if applicable, the"

Page 2, line 27, replace "person in support of or in opposition to whom the expenditure was made" with "of the candidate, political committee, or ballot measure the expenditure was intended to support or oppose"

Page 2, line 29, overstrike "and"

Page 2, line 31, after "made" insert "; and

- d. For an expenditure, whether the expenditure was made in support of or in opposition to the candidate, political committee, or ballot measure"

Page 3, line 21, remove "to."

Page 3, line 21, remove the second underscored comma

Page 3, line 22, replace "political party" with "ballot measure"

Page 3, line 24, remove "and mailing address of the recipient and, if applicable, the person"

Page 3, line 25, replace "in support of or in opposition to whom the expenditure was made" with "of the candidate, political committee, or ballot measure the expenditure was intended to support or oppose"

Page 3, line 26, remove "and"

Page 3, line 27, remove "to the recipient"

Page 3, line 27, after "made" insert "; and

- (4) Whether the expenditure was made in support of or in opposition to the candidate, political committee, or ballot measure"

Page 4, line 19, overstrike "**statewide political parties and**"

Page 4, line 20, overstrike "a statewide"

Page 4, line 21, overstrike "political party or"

Page 4, line 24, overstrike "A political party that has"

Page 4, overstrike line 25

Page 4, line 26, overstrike "statement under this subsection."

Page 5, line 12, after "candidate" insert ", ballot measure."

Page 5, line 13, remove "and mailing address of the person in support"

Page 5, line 14, replace "of or in opposition to whom the expenditure was made" with "of the candidate, ballot measure, or political committee, and whether the expenditure was made in support of or in opposition to the candidate, ballot measure, or political committee"

Page 5, line 25, remove "to."

Page 5, line 26, remove the underscored comma

Page 5, line 26, after "candidate" insert ", ballot measure."

Page 5, line 29, remove "and mailing address of the recipient and, if applicable, the"

Page 5, line 30, replace "person in support of or in opposition to whom the expenditure was made" with "of the candidate, ballot measure, or political committee the expenditure was intended to support or oppose"

Page 6, line 2, overstrike "and"

Page 6, line 4, after "made" insert "; and

- d. For an expenditure, whether the expenditure was made in support of or in opposition to the candidate, ballot measure, or political committee"

Page 6, line 24, after "candidate" insert ", ballot measure."

Page 6, line 25, remove "and mailing address"

Page 6, line 25, after "candidate" insert ", ballot measure."

Page 6, line 26, after "committee" insert "and whether the expenditure was made in support of or in opposition to the candidate, ballot measure, or political committee"

Page 6, line 28, after the semicolon insert "and"

Page 6, line 30, overstrike "; and"

Page 6, line 31, overstrike "g. The balance of the campaign fund on January first and December thirty-first"

Page 7, after line 7, insert:

"**SECTION 4.** Section 16.1-08.1-02.5 of the North Dakota Century Code is created and enacted as follows:

**16.1-08.1-02.5. Pre-election, supplemental, and year-end campaign disclosure statement requirements for statewide political parties.**

1. Prior to the thirty-first day before a primary, general, or special election, a statewide political party soliciting or accepting contributions shall file a campaign disclosure statement that includes all contributions received and expenditures made from January first through the fortieth day before the election. A political party that has not endorsed or nominated a candidate in an election is not required to file a statement under this subsection. A statement required to be filed under this subsection may be submitted for filing beginning on the thirty-ninth day before the election. The statement must include:
  - a. For each aggregated contribution from a contributor which totals in excess of two hundred dollars received during the reporting period:
    - (1) The name and mailing address of the contributor;
    - (2) The total amount of the contribution; and
    - (3) The date the last contributed amount was received;
  - b. The total of all aggregated contributions from contributors which total in excess of two hundred dollars during the reporting period;
  - c. The total of all contributions received from contributors that contributed two hundred dollars or less each during the reporting period;
  - d. For each recipient of an expenditure from campaign funds in excess of two hundred dollars in the aggregate:
    - (1) The name and mailing address of the recipient;
    - (2) The total amount of the expenditure made to the recipient; and
    - (3) The date the last expended amount was made to the recipient;
  - e. The aggregate total of all expenditures from campaign funds in excess of two hundred dollars;
  - f. The aggregate total of all expenditures from campaign funds of two hundred dollars or less; and

- g. The balance of the campaign fund on the fortieth day before the election and balance of the campaign fund on January first.
    2. Beginning on the thirty-ninth day before the election through the day before the election, a person that files a statement under subsection 1 must file a supplemental statement within forty-eight hours of the start of the day following the receipt of a contribution or aggregate contribution from a contributor which is in excess of five hundred dollars. The statement must include:
      - a. The name and mailing address of the contributor;
      - b. The total amount of the contribution received during the reporting period; and
      - c. The date the last contributed amount was received.
    3. Prior to February first, a statewide political party shall file a campaign disclosure statement that includes all contributions received and expenditures made from January first through December thirty-first of the previous year. The statement may be submitted for filing beginning on January first. The statement must include:
      - a. For each aggregated contribution from a contributor which totals in excess of two hundred dollars received during the reporting period:
        - (1) The name and mailing address of the contributor;
        - (2) The total amount of the contribution; and
        - (3) The date the last contributed amount was received;
      - b. The total of all aggregated contributions from contributors which total in excess of two hundred dollars during the reporting period;
      - c. The total of all contributions received from contributors that contributed two hundred dollars or less each during the reporting period;
      - d. For each recipient of an expenditure from campaign funds in excess of two hundred dollars in the aggregate:
        - (1) The name and mailing address of the recipient;
        - (2) The total amount of the expenditure made to the recipient; and
        - (3) The date the last expended amount was made to the recipient;
      - e. The aggregate total of all expenditures from campaign funds in excess of two hundred dollars;
      - f. The aggregate total of all expenditures from campaign funds of two hundred dollars or less; and
      - g. The balance of the campaign fund on January first and December thirty-first.
    4. A political party required to file a statement under this section shall disclose each aggregated contribution from a contributor which totals five thousand dollars or more during the reporting period. For these contributions from individuals, the statement must include the contributor's occupation, employer, and the employer's principal place of business.
    5. Statements under this section must be filed with the secretary of state.



6. The secretary of state shall assess and collect fees for any reports filed after the filing deadline."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3005: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HCR 3005 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3010: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3010 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3020: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HCR 3020 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3029: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3029 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3033: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HCR 3033 was placed on the Eleventh order on the calendar.

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

**Buell J. Reich, Chief Clerk**

