

## JOURNAL OF THE HOUSE

## Sixty-seventh Legislative Assembly

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Bismarck, February 19, 2021

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

The prayer was offered by Pastor Jenny Hallenbek Orr, McCabe United Methodist Church, Bismarck.

The roll was called and all members were present except Representatives Boe and Marschall.

A quorum was declared by the Speaker.

## MOTION

**REP. LOUSER MOVED** that House Rule 329(4) be temporarily suspended and HB 1420 not be rereferred to the **Appropriations Committee**, which motion prevailed on a voice vote.

## SIXTH ORDER OF BUSINESS

**SPEAKER K. KOPPELMAN DEEMED** approval of the amendments to HB 1001, HB 1002, HB 1014, HB 1017, HB 1018, HB 1022, HB 1024, HB 1043, HB 1114, HB 1144, HB 1154, HB 1183, HB 1207, HB 1234, HB 1285, HB 1389, HB 1416, HB 1420, HB 1448, HB 1449, Engrossed HB 1464, HB 1466, HB 1470, HB 1501, HB 1503, HCR 3023, and HCR 3031.

HB 1001, HB 1002, HB 1014, HB 1017, HB 1018, HB 1022, HB 1024, HB 1043, HB 1114, HB 1144, HB 1154, HB 1183, HB 1207, HB 1234, HB 1285, HB 1389, HB 1416, HB 1420, HB 1448, HB 1449, Engrossed HB 1464, HB 1466, HB 1470, HB 1501, HB 1503, HCR 3023, and HCR 3031, as amended, were placed on the Eleventh order of business on the calendar.

## SIXTH ORDER OF BUSINESS

**HB 1311: REP. CHRISTENSEN (Judiciary Committee) MOVED** that the amendments on HJ page 733 be adopted and then be placed on the Eleventh order with **DO PASS**.

## REQUEST

**REP. B. KOPPELMAN REQUESTED** that the House divide the amendments to HB 1311, which request was granted.

## DIVISION A:

Page 1, line 12, after "a" insert "property or facility owned or leased by a school."

Page 1, line 12, after the first "or" insert "a"

Page 1, line 12, remove "athletic"

Page 1, line 12, replace "sporting" with "school-sanctioned"

Renumber accordingly

## DIVISION B:

Page 3, line 19, after "personnel" insert "or to the life skills and transition center, the North Dakota state hospital, or the regional human service centers' buildings, including satellite locations"

Renumber accordingly

## ANNOUNCEMENT

**SPEAKER K. KOPPELMAN ANNOUNCED** a recorded roll call vote on Division A of the

proposed amendments to HB 1311.

#### ROLL CALL

The question being the adoption of Division A of the proposed amendments to HB 1311, the roll was called and there were 30 YEAS, 62 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Howe; Ista; Jones; Keiser; Klemin; Longmuir; Mitskog; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paur; Pollert; Pyle; Richter; Sanford; Schauer; Schneider; Schreiber-Beck; Vetter

**NAYS:** Adams; Becker; Bellew; Beltz; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Headland; Heinert; Hoverson; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Kreidt; Lefor; Louser; Magrum; Martinson; Meier; Mock; Monson; Nathe; Nehring; Paulson; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schmidt; Schobinger; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe; Marschall

Division A of the proposed amendments to HB 1311 failed on a recorded roll call vote.

The question being the adoption of Division B of the proposed amendments to HB 1311, the motion passed on a voice vote.

Division B of the proposed amendments to HB 1311 was adopted on a voice vote.

Therefore, the question being on the motion to adopt the amendments to HB 1311, which consists of Division B only, the proposed amendments were adopted on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1311:** A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to possession of a firearm or dangerous weapon at a public gathering.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 49 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Becker; Bellew; Brandenburg; Christensen; Delzer; Dockter; Ertelt; Fisher; Headland; Hoverson; Johnson, M.; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Louser; Magrum; Meier; Nehring; Owens; Paulson; Paur; Pollert; Porter; Rohr; Ruby, D.; Ruby, M.; Schatz; Schmidt; Schobinger; Simons; Skroch; Steiner; Stemen; Toman; Trottier; Tveit; Vetter; Vigasaa; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Bosch; Boschee; Buffalo; Cory; Damschen; Devlin; Dobervich; Fegley; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Heinert; Howe; Ista; Johnson, D.; Keiser; Klemin; Kreidt; Lefor; Longmuir; Martinson; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Strinden; Thomas; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Boe; Marschall

Engrossed HB 1311 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1185:** A BILL for an Act to amend and reenact sections 39-06-09 and 39-08-13 of the North Dakota Century Code, relating to liability for negligence of a minor driver and

accident report forms; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; 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; 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; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe; Marschall

Engrossed HB 1185 passed.

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#### MOTION

**REP. LOUSER MOVED** that HB 1431 be moved to the top of the calendar, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1431:** A BILL for an Act to create and enact a new section to chapter 6-09 and a new section to chapter 6-09.4 of the North Dakota Century Code, relating to a water infrastructure revolving loan fund and bonded debt repayments; to amend and reenact subsection 1 of section 6-09-49, and sections 6-09.4-06 and 6-09.4-10 of the North Dakota Century Code, relating to interest rates for infrastructure revolving loans, borrowing and lending authority of the public finance authority, and reserve funds associated with bonds; to repeal chapter 6-09.5 and section 61-02-78 of the North Dakota Century Code, relating to a community water development fund and an infrastructure revolving loan fund within the resources trust fund; to provide an appropriation; to provide a continuing appropriation; to provide for a transfer; to provide for a contingent transfer; to provide a bond issue limit; and to provide a loan repayment.

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Boschee; Brandenburg; Buffalo; Cory; Damschen; Dobervich; Dockter; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; 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; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Trottier; Vetter; Weisz; Westlind; Zubke

**NAYS:** Becker; Christensen; Delzer; Devlin; Ertelt; Fegley; Headland; Kading; Magrum; Paur; Schatz; Simons; Skroch; Toman; Tveit; Vigasaa; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe; Bosch; Marschall

Engrossed HB 1431 passed.

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**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 HB 1289 be returned to the House floor from the **Government and Veterans Affairs Committee** for the purpose of withdrawal, which motion prevailed on a voice vote.

**REQUEST**

**REP. MAGRUM REQUESTED** the unanimous consent of the House to withdraw HB 1289. There being no objection, it was so ordered by the Speaker.

**MOTION**

**REP. LOUSER MOVED** that HB 1323, HB 1342, HB 1410, and HB 1452, which are on the Eleventh order, be laid over one legislative day, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1142:** A BILL for an Act to provide an appropriation to the department of commerce for health care workforce needs in rural areas of 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 PASS, the roll was called and there were 83 YEAS, 7 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Louser; Magrum; 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; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Bellew; Ertelt; Hoverson; Kading; Simons; Toman

**ABSENT AND NOT VOTING:** Boe; Christensen; Longmuir; Marschall

Engrossed HB 1142 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1442:** A BILL for an Act to amend and reenact section 47-16-20 of the North Dakota Century Code, relating to late fees on rents under a rental agreement.

**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 71 YEAS, 19 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Delzer; Devlin; Dobervich; Dockter; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Owens; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider;

Schobinger; Schreiber-Beck; Skroch; Stemen; Strinden; Trottier; Vetter; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Bellew; Damschen; Ertelt; Fegley; Hoverson; Kading; Magrum; Paulson; Paur; Ruby, D.; Ruby, M.; Simons; Steiner; Thomas; Toman; Tveit; Vigasaa; Weisz

**ABSENT AND NOT VOTING:** Boe; Longmuir; Marschall; Ostlie

Engrossed HB 1442 passed.

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### SECOND READING OF HOUSE BILL

**HB 1278:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 52-06-02 of the North Dakota Century Code, relating to eligibility for unemployment compensation for military spouses; and to amend and reenact subdivision b of subsection 2 of section 52-04-07 of the North Dakota Century Code, relating to benefits paid chargeable to accounts of base-period employers.

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; 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; Louser; Magrum; 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; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Ertelt; Paur; Simons

**ABSENT AND NOT VOTING:** Boe; Longmuir; Marschall

Engrossed HB 1278 passed.

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### SECOND READING OF HOUSE BILL

**HB 1465:** A BILL for an Act to create and enact section 26.1-36-12.7 of the North Dakota Century Code, relating to freedom of choice for health care services.

### 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 70 YEAS, 22 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Becker; Bellew; Christensen; Delzer; Devlin; Ertelt; Hatlestad; Hoverson; Kading; Keiser; Klemin; Koppelman, B.; Magrum; Nelson, M.; Paulson; Paur; Pyle; Ruby, D.;

Schatz; Schauer; Simons; Thomas

**ABSENT AND NOT VOTING:** Boe; Marshall

Engrossed HB 1465 passed.

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### SECOND READING OF HOUSE BILL

**HB 1032:** A BILL for an Act to create and enact a new chapter to title 19 of the North Dakota Century Code, relating to prescription drug cost transparency; 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 NOT PASS, the roll was called and there were 63 YEAS, 29 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, D.; Anderson, P.; Bellew; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Dobervich; Dockter; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Ista; Johnson, M.; Jones; Kasper; Keiser; Kempenich; Klemin; Koppelman, B.; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; Ostlie; Owens; Paulson; Paur; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schmidt; Schneider; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Vetter; Speaker Koppelman, K.

**NAYS:** Anderson, B.; Becker; Beltz; Damschen; Delzer; Devlin; Ertelt; Fegley; Fisher; Howe; Johnson, D.; Kading; Karls; Kiefert; Kreidt; O'Brien; Pollert; Rohr; Ruby, D.; Ruby, M.; Schatz; Schobinger; Simons; Skroch; Tveit; Vigesaa; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Boe; Marshall

Engrossed HB 1032 passed.

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### SECOND READING OF HOUSE BILL

**HB 1006:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the tax commissioner and for payment of state reimbursement under the homestead tax credit and disabled veterans' tax credit; to amend and reenact section 57-01-04 of the North Dakota Century Code, relating to the salary of the state tax commissioner; to provide an exemption; and to provide for a transfer.

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; 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; 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; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Ertelt; Magrum

**ABSENT AND NOT VOTING:** Boe; Marshall

Engrossed HB 1006 passed.

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### SECOND READING OF HOUSE BILL

**HB 1007:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of labor and human rights; 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, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; 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; Martinson; Meier; Mitskog; 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; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Christensen; Ertelt; Magrum; Nelson, M.; Simons; Tveit

**ABSENT AND NOT VOTING:** Boe; Marschall

Engrossed HB 1007 passed.

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### SECOND READING OF HOUSE BILL

**HB 1010:** A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; to provide an appropriation for the distribution of funds from the insurance tax distribution fund; to amend and reenact section 26.1-01-09 of the North Dakota Century Code, relating to the salary of the insurance commissioner; 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 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; 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; 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; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Magrum

**ABSENT AND NOT VOTING:** Boe; Marschall

Engrossed HB 1010 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1023:** A BILL for an Act to provide an appropriation for defraying the expenses of the public employees retirement system.

**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, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; 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; 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; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

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

**ABSENT AND NOT VOTING:** Boe; Marschall

Engrossed HB 1023 passed.

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**MOTION**

**REP. LOUSER MOVED** that HCR 3022, which is on the Eleventh order, be laid over one legislative day, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1005:** A BILL for an Act to provide an appropriation for defraying the expenses of the state treasurer; and to amend and reenact section 54-11-13 of the North Dakota Century Code, relating to the salary of the state treasurer.

**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 85 YEAS, 6 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Cory; 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; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Christensen; Ertelt; Magrum; Rohr; Skroch; Tveit

**ABSENT AND NOT VOTING:** Boe; Damschen; Marschall

Engrossed HB 1005 passed.

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**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 1134, HB 1287, HB 1314, HB 1332, HB 1345, HB 1359, HB 1393, HB 1413, HB 1429, HB 1441, HB 1478, HB 1479, HB 1493, HCR 3021.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1316, HB 1391.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2002, SB 2020, SB 2030, SB 2137, SB 2258.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2146.

**MOTION**

**REP. LOUSER MOVED** that the absent members 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 12:30 p.m., Monday, February 22, 2021, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**HB 1004: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1004 was placed on the Sixth order on the calendar.

Page 1, line 1, after "auditor" insert "and to amend and reenact section 54-10-10 of the North Dakota Century Code, relating to the salary of the state auditor"

Page 1, replace lines 8 through 16 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$12,668,218	(\$787,730)	\$11,880,488
Operating expenses	1,161,820	100,727	1,262,547
Information technology consultants	<u>450,000</u>	<u>0</u>	<u>450,000</u>
Total all funds	\$14,280,038	(\$687,003)	\$13,593,035
Less estimated income	<u>4,173,178</u>	<u>494,607</u>	<u>4,667,785</u>
Total general fund	\$10,106,860	(\$1,181,610)	\$8,925,250
Full-time equivalent positions	58.00	(4.00)	54.00"

Page 1, after line 21, insert:

**"SECTION 3. AMENDMENT.** Section 54-10-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-10-10. Salary of state auditor.**

The annual salary of the state auditor is one hundred ~~seventy-two~~ thousand ~~eight-hundred eighty-five~~ eighty-two thousand ~~four-hundred forty-one~~ four-hundred dollars through June 30, ~~2020~~ 2022, and one hundred ~~thirteen~~ thousand ~~five-hundred eighty-two~~ thirty thousand dollars thereafter."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1004 - State Auditor - House Action**

	<u>Base Budget</u>	<u>House Changes</u>	<u>House Version</u>
Salaries and wages	\$12,668,218	(\$787,730)	\$11,880,488

Operating expenses	1,161,820	100,727	1,262,547
Information technology consultants	450,000		450,000
Total all funds	\$14,280,038	(\$687,003)	\$13,593,035
Less estimated income	4,173,178	494,607	4,667,785
General fund	\$10,106,860	(\$1,181,610)	\$8,925,250
FTE	58.00	(4.00)	54.00

### Department 117 - State Auditor - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Removes Higher Education Division Audit Positions <sup>3</sup>	Adds Local Government Division Audit Positions <sup>4</sup>	Removes Auditor IV Positions <sup>5</sup>	Adjusts Funding for Operating Expenses <sup>6</sup>
Salaries and wages	(\$217,304)	\$272,392	(\$854,231)	\$351,385	(\$339,972)	\$92,723
Operating expenses				20,844	(20,000)	
Information technology consultants						
Total all funds	(\$217,304)	\$272,392	(\$854,231)	\$372,229	(\$359,972)	\$92,723
Less estimated income	(90,826)	89,101	0	372,229	0	122,700
General fund	(\$126,478)	\$183,291	(\$854,231)	\$0	(\$359,972)	(\$29,977)
FTE	0.00	0.00	(4.00)	2.00	(2.00)	0.00

	Adds Funding for Microsoft Office 365 License Expenses <sup>7</sup>	Total House Changes
Salaries and wages		(\$787,730)
Operating expenses	\$7,160	100,727
Information technology consultants		
Total all funds	\$7,160	(\$687,003)
Less estimated income	1,403	494,607
General fund	\$5,757	(\$1,181,610)
FTE	0.00	(4.00)

<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	\$181,401	\$88,169	\$269,570
Health insurance increase	1,890	932	2,822
Total	\$183,291	\$89,101	\$272,392

<sup>3</sup> Four FTE Higher Education Division audit positions are removed.

<sup>4</sup> Two FTE Local Government Division audit positions, including salaries and wages and operating expenses, are added.

<sup>5</sup> Two vacant FTE auditor IV positions and related salaries and wages and operating expenses are removed.

<sup>6</sup> Funding is adjusted for various operating expenses, including a general fund reduction of \$79,368 related to the elimination of the Higher Education Division.

<sup>7</sup> Funding is added for Microsoft Office 365 licensing expenses.

This amendment also adds a section to provide the statutory changes necessary to increase the State Auditor's salary from the current salary of \$110,582 to \$112,241 (1.5 percent) in fiscal year 2022 and to \$113,925 (1.5 percent) in fiscal year 2023.

### REPORT OF STANDING COMMITTEE

**HB 1008: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). HB 1008 was placed on the Sixth

order on the calendar.

Page 1, line 2, after the semicolon insert "to create and enact two new sections to chapter 49-01, subsection 4 of section 49-22-22, subsection 4 of section 49-22.1-21, and a new section to chapter 64-02 of the North Dakota Century Code, relating to a public service commission program fund, a public utility assessment, siting process administrative fees, and fees for registered service companies and to license and test a registered service person; to amend and reenact sections 49-01-05, 57-43.2-19, 64-02-10, and 64-02-12 of the North Dakota Century Code, relating to the salary of the commissioners, the transfer and distribution of funds in the highway tax distribution fund, fees to test or calibrate weighing and measuring devices, and the deposit of fees; to provide a report;"

Page 1, replace lines 10 through 24 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$9,495,560	\$199,086	\$9,694,646
Operating expenses	1,763,826	2,744	1,766,570
Capital assets	25,000	120,000	145,000
Grants	20,000	0	20,000
Abandoned mined lands contractual services	6,000,000	0	6,000,000
Rail rate complaint case	900,000	0	900,000
Railroad safety program	589,018	24,608	613,626
Specialized legal services	<u>94,000</u>	<u>326,000</u>	<u>420,000</u>
Total all funds	\$18,887,404	\$672,438	\$19,559,842
Less estimated income	<u>12,172,476</u>	<u>1,206,850</u>	<u>13,379,326</u>
Total general fund	\$6,714,928	(\$534,412)	\$6,180,516
Full-time equivalent positions	43.00	0.00	43.00"

Page 2, line 1, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-EIGHTH LEGISLATIVE ASSEMBLY"

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

Page 2, lines 5 and 6 with:

"Grain insolvency litigation	100,000	0
Real-time kinematic equipment	<u>0</u>	<u>120,000</u>
Total all funds	\$436,000	\$120,000
Less estimated income	<u>436,000</u>	<u>114,600</u>
Total general fund	\$0	\$5,400

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The public service commission shall report to the appropriation 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, after line 15, insert:

"**SECTION 4.** A new section to chapter 49-01 of the North Dakota Century Code is created and enacted as follows:

**Public service commission program fund - Transfer to general fund.**

1. A special fund is established in the state treasury and designated as the public service commission program fund. Moneys deposited in the fund may be spent by the public service commission pursuant to legislative appropriation to defray the expenses of the commission.
2. Revenue from the following sources must be deposited in the public service commission program fund:

- a. Any fees collected to test or calibrate weighing and measuring devices and licensing of registered service companies and persons;
  - b. All money received from the public utility assessment;
  - c. All money received from the siting administrative fee; and
  - d. All interest and investment income earned on the balance of the fund.
3. The office of management and budget shall transfer any balance in the public service commission program fund that exceeds twice the amount of the current biennium's appropriation to the general fund at the end of each biennium.

**SECTION 5.** A new section to chapter 49-01 of the North Dakota Century Code is created and enacted as follows:

**Public utility fee.**

- 1. The commission shall assess each electric and gas utility a fee in proportion to the utility's respective gross operating revenues from the retail sale of gas and electric service within the state during the preceding calendar year. The total public utility fee may not exceed two hundred twenty-five thousand dollars per biennium. The fee must be paid quarterly and deposited in the public service commission program fund.
- 2. In January of each year, each electric and gas public utility shall file with the public service commission the amount of gross receipts derived from the company's customers within the state during the preceding calendar year. The commission shall review the gross receipts annually and adjust the fee for each utility in proportion to the gross operating revenues.

**SECTION 6. AMENDMENT.** Section 49-01-05 of the North Dakota Century Code is amended and reenacted as follows:

**49-01-05. Salary of commissioners.**

The annual salary of a commissioner is one hundred ~~ten~~<sup>fifteen</sup> thousand ~~eight~~<sup>thirteen</sup> hundred ~~twenty-nine~~<sup>four</sup> dollars through June 30, ~~2020~~<sup>2022</sup>, and one hundred ~~thirteen~~<sup>seventeen</sup> thousand six hundred ~~thirty-four~~ dollars thereafter. All fees received or charged by any commissioner for any act or service rendered in any official capacity must be accounted for and paid over by the commissioner monthly to the state treasurer and must be credited to the general fund of the state.

**SECTION 7.** Subsection 4 of section 49-22-22 of the North Dakota Century Code is created and enacted as follows:

- 4. Every applicant under this chapter shall pay to the commission an administrative fee equal to one hundred dollars for each one million dollars of original investment, not to exceed twenty-five thousand dollars. The administrative fee must be deposited in the public service commission fund.

**SECTION 8.** Subsection 4 of section 49-22.1-21 of the North Dakota Century Code is created and enacted as follows:

- 4. Every applicant under this chapter shall pay to the commission an administrative fee equal to one hundred dollars for each one million dollars of original investment, not to exceed twenty-five thousand dollars. The administrative fee must be deposited into the public service commission program fund.

**SECTION 9. AMENDMENT.** Section 57-43.2-19 of the North Dakota Century Code is amended and reenacted as follows:

**57-43.2-19. Transfer, deposit, and distribution of funds. (Effective through June 30, ~~2021~~2025)**

All taxes, license fees, penalties, and interest collected under this chapter must be transferred to the state treasurer who shall deposit moneys in a highway tax distribution fund, except all special fuels excise taxes collected on sales of diesel fuel to a railroad under section 57-43.2-03 of up to two hundred ~~ninety-four~~ninety-six thousand ~~five~~eight hundred ~~nineteenthirteen dollars per year must be transferred to the state treasurer who shall deposit the moneys in the rail safety fund. The highway tax distribution fund must be distributed in the manner as prescribed by section 54-27-19.~~

**Transfer, deposit, and distribution of funds. (Effective after June 30, ~~2021~~2025)** All taxes, license fees, penalties, and interest collected under this chapter must be transferred to the state treasurer who shall deposit moneys in the highway tax distribution fund. The highway tax distribution fund must be distributed in the manner as prescribed by section 54-27-19.

**SECTION 10.** A new section to chapter 64-02 of the North Dakota Century Code is created and enacted as follows:

**Fees for registered service companies and to license and test a registered service person.**

1. Annually, each registered service company shall pay a registration fee of one hundred dollars and a licensing fee of fifty dollars for each registered service person.
2. The commission may assess a registered service person testing fee not to exceed twenty-five dollars per test.

**SECTION 11. AMENDMENT.** Section 64-02-10 of the North Dakota Century Code is amended and reenacted as follows:

**64-02-10. Fees to test or calibrate weighing and measuring devices.**

The commission shall collect the following fees to:

- |   |                                     |
|---|-------------------------------------|
| 1. Test overhead monorail, track, dormant, deck, and hanging scale of one thousand pounds [453 kilograms] or less capacity                              | <del>53.00</del> <u>95.00</u>       |
| 2. Test movable platform scale  | <del>41.00</del> <u>20.00</u>       |
| 3. Test counter or computing scale  | <del>41.00</del> <u>20.00</u>       |
| 4. Test hanging scale of fifty pound [22.68 kilogram] capacity or less  | <del>41.00</del> <u>20.00</u>       |
| 5. Test a retail motor fuel device  | <del>41.00</del> <u>20.00</u>       |
| 6. Test or calibrate weighing and measuring standards, per metrologist, per quarter hour or fraction thereof  | 17.00                               |
| 7. Test mobile delivery gasoline and fuel oil meter   | <del>24.00</del> <u>45.00</u>       |
| 8. Test gasoline, LPG, or fuel oil meter on common carrier pipelines, or any other meter used in loading railway cars, transports, or other conveyances | <del>53.00</del> <u>95.00</u>       |
| 9. Test propane, ag chemical, or liquid fertilizer meter  | <del>39.00</del> <u>70.00</u>       |
| 10. Test or calibrate weighing and measuring devices other than the above and those set by rule, per inspector per quarter hour or fraction thereof     | <del>41.00</del> <u>20.00</u>       |
| 11. Witnessing any of the above tests   | Fifty percent of the applicable fee |

When a rejected weighing or measuring device has been reconditioned or replaced by new equipment, it must be retested and certified before being put into use except as otherwise provided by rule. The fee for retest and certification is the same as for the first test and certification.

When a test of a weighing or measuring device is required in addition to the regularly scheduled test, the commission shall charge a fee equal to the cost of operating the motor vehicle used in conducting the test. The mileage charges, as determined by the commission, must be in addition to the regular test fee and calculated to cover the costs of the additional travel. If a test has been requested and the person requesting it fails to appear or to have the weighing or measuring device ready for testing at the arranged time, there is a charge of ten dollars a quarter hour for the time between the arranged time and the time at which the test can begin.

**SECTION 12. AMENDMENT.** Section 64-02-12 of the North Dakota Century Code is amended and reenacted as follows:

**64-02-12. Fees collected - Paid into state treasury public service commission program fund.**

All fees and charges collected by the commission under ~~section 64-02-10~~ this chapter must be paid into the ~~general fund of the state treasury~~ public service commission program fund."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1008 - Public Service Commission - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$9,495,560	\$199,086	\$9,694,646
Operating expenses	1,763,826	2,744	1,766,570
Capital assets	25,000	120,000	145,000
Grants	20,000		20,000
Abandoned mined lands contractual	6,000,000		6,000,000
Rail rate complaint case	900,000		900,000
Railroad safety program	589,018	24,608	613,626
Specialized legal services	94,000	326,000	420,000
Total all funds	\$18,887,404	\$672,438	\$19,559,842
Less estimated income	12,172,476	1,206,850	13,379,326
General fund	\$6,714,928	(\$534,412)	\$6,180,516
FTE	43.00	0.00	43.00

**Department 408 - Public Service Commission - Detail of House Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Underfunds Salaries and Wages <sup>3</sup>	Provides Funding for Pipeline Inspector <sup>4</sup>	Increases Funding for Specialized Legal Services <sup>5</sup>	Reduces Funding for Operating Expenses <sup>6</sup>
Salaries and wages	\$15,404	\$201,134	(\$150,000)	\$132,548		
Operating expenses				35,000		(\$32,256)
Capital assets						
Grants						
Abandoned mined lands contractual						
Rail rate complaint case						
Railroad safety program	(5,289)	9,897				
Specialized legal services					\$326,000	
Total all funds	\$10,115	\$211,031	(\$150,000)	\$167,548	\$326,000	(\$32,256)
Less estimated income	(65,384)	84,086	550,000	167,548	336,000	0
General fund	\$75,499	\$126,945	(\$700,000)	\$0	(\$10,000)	(\$32,256)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds Funding for Railroad Inspector Training <sup>7</sup>	Adds One-time Funding for Equipment <sup>8</sup>	Total House Changes
Salaries and wages			\$199,086
Operating expenses			2,744
Capital assets		\$120,000	120,000
Grants			
Abandoned mined lands contractual			
Rail rate complaint case			
Railroad safety program	\$20,000		24,608
Specialized legal services			326,000
Total all funds	\$20,000	\$120,000	\$672,438
Less estimated income	20,000	114,600	1,206,850
General fund	\$0	\$5,400	(\$534,412)
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; and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	General Funds	Other Funds	Total
Salary increase	\$125,687	\$83,201	\$208,888
Health insurance increase	1,258	885	2,143
Total	\$126,945	\$84,086	\$211,031

<sup>3</sup> Underfunds salaries and wages by reducing funding from the general fund (\$700,000) and increasing funding from other funds \$550,000 received from a public utility assessment, increased weights and measures fees, and the addition of an administrative fee charged to an applicant in the siting process.

<sup>4</sup> Funding from federal funds is added for the reclassification of an unfunded administrative support FTE position to a natural gas pipeline inspector position (\$132,548) and related operating expenses (\$35,000).

<sup>5</sup> Funding from the general fund for specialized legal services is reduced by \$10,000 and federal funding is increased by \$336,000.

<sup>6</sup> Funding from the general fund is reduced for travel (\$20,000) and professional development (\$16,993) and increased for Microsoft Office 365 license expenses (\$4,737).

<sup>7</sup> Funding of \$20,000 from federal funds is added for annual railroad inspector training.

<sup>8</sup> One-time funding is added from the general fund (\$5,400) and federal funds (\$114,600) to purchase surveying equipment.

This amendment also:

- Creates a new section in Chapter 49-01 to establish the Public Service Commission program fund for the purpose of defraying the expenses of the commission. This section also requires fees collected from weights and measures, public utility assessment, and siting administrative fees, and investment income to be deposited in the Public Service Commission program fund. This section also requires the Office of Management and Budget to transfer any balance in excess of twice the current biennium self-funding appropriation to the general fund at the end of each biennium.
- Creates a new section in Chapter 49-01 to create a fee to be assessed to each electric and gas utility. The assessment may not exceed \$225,000 per biennium. This section requires electric and gas public utilities to file gross receipts each year with the commission, from which the assessment is applied.
- Provides the statutory changes to increase the Public Service Commissioners' salaries. The Public Service Commissioners' annual salaries are increased from the current level of \$113,600 to \$115,304, effective July 1, 2021, and to \$117,034, effective July 1, 2022, to reflect the 1.5 percent annual salary increase.
- Creates new subsections to Section 49-22-22 and 49-22.1-22 relating to siting

process expense recovery. These provisions establish an administrative fee, on every applicant of \$100 for every \$1 million of original investment, not to exceed \$25,000. The fee must be deposited in the Public Service Commission program fund.

- Amends North Dakota Century Code Section 57-43.2-19 relating to the distribution of funds in the highway tax distribution fund to continue the allocation to the rail safety fund and to increase the allocation amount from \$294,509 per year to \$296,813 per year.
- Amends Section 64-02-10 to increase all fees to test or calibrate weighing and measuring devices.
- Amends Section 64-02-12 to deposit fees collected by the commission in the Public Service Commission program fund rather than the general fund, resulting in an estimated general fund revenue reduction of \$90,000 for the 2021-23 biennium.

#### REPORT OF STANDING COMMITTEE

**HB 1020: 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 1020 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "and" with "to create and enact a new section to chapter 61-02 and a new section to chapter 61-40, relating to reporting requirements for carryover projects and bonding authority of the western area water supply; to amend and reenact section 61-02-79 of the North Dakota Century Code, relating to the authorization of a Bank of North Dakota line of credit; to provide for an exemption; to provide for legislative management studies; to provide for a report to legislative management; to provide statements of legislative intent; to provide for a pilot project;"

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

Page 1, line 7, replace "biennium" with "period"

Page 1, line 7, replace "July 1, 2021" with "with the effective date of this Act"

Page 1, remove lines 9 through 23

Page 2, replace lines 1 and 2 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$19,831,986	\$682,761	\$20,514,747
Operating expenses	43,855,753	(489,203)	43,366,550
Capital assets	105,938,758	57,528,679	163,467,437
Project carryover	308,333,818	(308,333,818)	0
Water supply - grants	128,000,000	(32,000,000)	96,000,000
Rural water supply - grants	37,200,000	3,400,000	40,600,000
Flood control projects	0	38,000,000	38,000,000
Fargo area flood control, including the Fargo-Moorhead diversion	66,500,000	(66,500,000)	0
Mouse River flood control	82,500,000	(82,500,000)	0
Flood control projects other than Fargo area flood control, including the Fargo-Moorhead diversion	48,000,000	(48,000,000)	0
General water - grants	27,093,776	(12,866,501)	14,227,275
Basinwide plan implementation	0	1,100,000	1,100,000
Total special funds	\$867,254,091	(\$449,978,082)	\$417,276,009
Full-time equivalent positions	90.00	0.00	90.00"

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

Page 2, line 4, after "biennium" insert "and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 6 through 8 with:

"Line of credit - Bank of North Dakota	\$75,000,000	\$75,000,000
Basinwide plan implementation	0	1,100,000
Payoff of outstanding debt	<u>25,900,000</u>	<u>0</u>
Total special funds	\$100,900,000	\$76,100,000

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The state water commission 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. ADDITIONAL INCOME - APPROPRIATION - BUDGET**

**SECTION APPROVAL.** In addition to the amounts appropriated in section 1 of this Act, any additional amounts in the resources trust fund which become available are appropriated, subject to budget section approval, to the state water commission for the purpose of defraying the expenses of that agency, for the period beginning with the effective date of this Act, and ending June 30, 2023. Before approving any request, the budget section shall determine:

1. Approving additional appropriations will not negatively affect the sixty-seventh legislative assembly's ability to address water-related needs;
2. The proposed use of the additional income complies with legislative intent; and
3. The proposed use of the additional income will not result in future funding commitments."

Page 2, line 9, after the boldface period insert "**EXEMPTION -**"

Page 2, line 10, remove "for grants or water-related projects"

Page 2, remove line 11

Page 2, line 12, replace "this exclusion is only in effect for two years after June 30, 2023" with "of \$22,000,000 in the capital assets line item relating to state-owned projects and \$295,363,183 in the project carryover line item in section 1 of chapter 45 of the 2019 Session Laws. Any unspent funds from these appropriations may be continued into the 2021-23 biennium. Any funds continued may be expended only for the purpose for which it was originally appropriated. The state water commission may seek emergency commission and budget section approval under section 54-16-04.2 to increase carryover spending authority of funds appropriated in the 2019-21 biennium into the 2021-23 biennium"

Page 2, line 12, remove "Any unexpended funds"

Page 2, replace lines 13 and 14 with:

**"SECTION 5.** A new section to chapter 61-02 of the North Dakota Century Code is created and enacted as follows:

#### **Carryover projects - Reporting requirements to the legislative management.**

1. The state water commission shall report quarterly to a legislative committee designated by the legislative management:
  - a. Each project the state water commission has designated as a carryover project for at least three years;
  - b. The amount of funds still committed for each carryover project included in the report;

- c. The total amount of funds reallocated or made available from carryover projects included in a previous report to other projects since the commission's preceding report; and
  - d. The status of each carryover project for which the committee has made a recommendation under subsection 2 since the commission's preceding report.
2. The legislative committee designated by the legislative management to receive the state water commission's reports may make a recommendation to the state water commission that a carryover project included in a report be terminated under section 61-02-14.3 and any funds remaining for the carryover project be reallocated and made available for projects with the same general purpose as the carryover project.

**SECTION 6. AMENDMENT.** Section 61-02-79 of the North Dakota Century Code is amended and reenacted as follows:

**61-02-79. Bank of North Dakota - Line of credit.**

The Bank of North Dakota shall extend a line of credit not to exceed seventy-five million dollars at a rate of one and one-half percent over the three month London interbank offered rate, but may not exceed three percent to the state water commission. The state water commission shall repay the line of credit from funds available in the resources trust fund, water development trust fund, or other funds, as appropriated by the legislative assembly. The state water commission may access the line of credit, as necessary, to provide funding as authorized by the legislative assembly for water supply projects approved before June 30, 2024~~2023~~, and flood control projects that have approval for funding before June 30, 2024~~2023~~.

**SECTION 7.** A new section to chapter 61-40 of the North Dakota Century Code is created and enacted as follows:

**Revenue bonds and bonds exemption from taxation.**

- 1. The authority shall have the power and authority to issue revenue bonds, to include refunding bonds, for the purpose of financing construction of projects and incidental facilities authorized by this chapter. Revenue bonds issued under this section must be issued as provided in chapter 61-35, and are not subject to section 61-35-15.
- 2. Issuance of revenue bonds must be approved by a majority of the members of the board of directors of the authority.
- 3. The authority shall pledge sufficient revenue from any revenue-producing facility or other revenue sources, excluding industrial water sales, for the payment of principal and interest on the bonds and shall establish rates for the facilities at a sufficient level, together with any other available funds, to provide for the operation of the facilities and for the bond payments in the manner provided by section 61-40-11.
- 4. Revenue bonds may not be a general obligation of any participating member entity or the state and may not be secured by property taxes.
- 5. The revenue bonds may be issued and sold at public or private sale on the terms and conditions determined by the board of directors.
- 6. Bonds issued under this section and their income are exempt from taxation by the state.

**SECTION 8. PILOT PROJECT - BASINWIDE WATER PLAN IMPLEMENTATION - REPORT TO LEGISLATIVE MANAGEMENT.** Of the \$1,100,000 in the basinwide plan implementation line item in section 1 of this Act, up to \$100,000 may be provided as a grant to reimburse water resource districts for

costs incurred in the development of a basinwide water plan, and up to \$1,000,000 may be used to provide grants for the pilot project authorized in this section, for the period beginning with the effective date of this Act, and ending June 30, 2023. These funds are not subject to state water commission cost-share policies. Water resource districts and joint water resource districts in a basin may develop a basinwide water plan identifying water conveyance, flood control, and other water projects to be undertaken in the basin, and may jointly apply to the state water commission for a grant of up to \$1,000,000 for implementation of the plan. The state water commission may select a basinwide plan submitted under this section for funding and enter into one cooperative agreement with the water resource districts and joint water resource districts that submitted the plan. The cooperative agreement must include the amount of funding the state water commission will provide, the applicable cost-share requirements, a prohibition on using funds granted for implementation of the plan for planning or any purpose other than implementation of the basinwide plan, and the obligations of the state water commission and each water resource district and joint water resource district in implementing the basinwide plan. The agreement also must provide for monitoring and oversight of the basinwide plan's implementation. The state water commission shall report to the legislative management on the results of this pilot project no later than August 1, 2022.

**SECTION 9. STATE WATER COMMISSION - FARGO FLOOD CONTROL PROJECT FUNDING LIMIT - LEGISLATIVE INTENT.** The state water commission may not approve state funding for Fargo flood control projects, including constructing a federally authorized Fargo flood control project, in excess of a total of \$850,000,000, which includes \$414,500,000 provided through June 30, 2021, without legislative approval. It is the intent of the sixty-seventh legislative assembly that the remaining \$435,500,000 is provided from bond proceeds during the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 10. STATE WATER COMMISSION - MOUSE RIVER FLOOD CONTROL PROJECT FUNDING - LEGISLATIVE INTENT.** Excluding the funding provided for Mouse River flood control projects prior to the 2021-23 biennium, the state water commission may not approve state funding for the Mouse River flood control project in excess of a total of \$604,000,000 without legislative approval. It is the intent of the sixty-seventh legislative assembly that of the \$604,000,000, \$74,500,000 is provided from the resources trust fund through bond proceeds used to repay outstanding loans of the resources trust fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 11. LEGISLATIVE INTENT - RURAL WATER SUPPLY.** It is the intent of the sixty-seventh legislative assembly that, in addition to any funds approved for the project by the state water commission in previous bienniums, up to \$1,600,000 of the funding appropriated in the rural water supply - grants line item be made available during the 2021-23 biennium to the system 4 connection to system 1 rural water supply project sponsored by all seasons water district.

**SECTION 12. LEGISLATIVE MANAGEMENT STUDY - RED RIVER VALLEY WATER SUPPLY MANAGEMENT STUDY - REPORT TO LEGISLATIVE MANAGEMENT.** During the 2021-22 interim, the legislative management, with input from the state water commission and from stakeholders of the Red River valley water supply project, shall consider studying the management and operation of the Red River valley water supply project. The study must include consideration of the appropriate entity to own, manage, and operate the project. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

**SECTION 13. LEGISLATIVE MANAGEMENT STUDY - NORTHWEST AREA WATER SUPPLY.** During the 2021-23 interim, the legislative management with input from the state water commission shall consider studying the northwest area water supply project. The study must include consideration of an entity, other than the state, to own, manage, and operate the project. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

**SECTION 14. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1020 - State Water Commission - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$19,831,986	\$682,761	\$20,514,747
Operating expenses	43,855,753	(489,203)	43,366,550
Capital assets	105,938,758	57,528,679	163,467,437
Project carryover	308,333,818	(308,333,818)	
Water supply - Grants	128,000,000	(32,000,000)	96,000,000
Rural water supply - Grants	37,200,000	3,400,000	40,600,000
Fargo area flood control	66,500,000	(66,500,000)	
Mouse River flood control	82,500,000	(82,500,000)	
Other flood control projects	48,000,000	(48,000,000)	
General water - Grants	27,093,776	(12,866,501)	14,227,275
Basinwide plan implementation		1,100,000	1,100,000
Flood control - grants		38,000,000	38,000,000
Total all funds	\$867,254,091	(\$449,978,082)	\$417,276,009
Less estimated income	867,254,091	(449,978,082)	417,276,009
General fund	\$0	\$0	\$0
FTE	90.00	0.00	90.00

**Department 770 - State Water Commission - Detail of House Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adjusts FTE Positions <sup>3</sup>	Adjusts Funding for Operating Expenses <sup>4</sup>	Reduces Funding for Capital Assets <sup>5</sup>	Removes Funding for Project Carryover <sup>6</sup>
Salaries and wages	\$230,410	\$424,639	\$27,712			
Operating expenses				(\$4,889,203)		
Capital assets					(\$13,081,566)	
Project carryover						(\$308,333,818)
Water supply - Grants						
Rural water supply - Grants						
Fargo area flood control						
Mouse River flood control						
Other flood control projects						
General water - Grants						
Basinwide plan implementation						
Flood control - grants						
Total all funds	\$230,410	\$424,639	\$27,712	(\$4,889,203)	(\$13,081,566)	(\$308,333,818)
Less estimated income	230,410	424,639	27,712	(4,889,203)	(13,081,566)	(308,333,818)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adjusts Funding for New Water Projects <sup>7</sup>	Adds Funding from Bank of North Dakota Line of Credit <sup>8</sup>	Adds Funding for Basinwide Plan Implementation <sup>9</sup>	Adds Funding for Microsoft Office 365 License Expenses <sup>10</sup>	Total House Changes
Salaries and wages					\$682,761
Operating expenses		\$4,400,000			(489,203)
Capital assets		70,600,000		\$10,245	57,528,679
Project carryover					(308,333,818)
Water supply - Grants	(\$32,000,000)				(32,000,000)
Rural water supply - Grants	3,400,000				3,400,000
Fargo area flood control	(66,500,000)				(66,500,000)
Mouse River flood control	(82,500,000)				(82,500,000)
Other flood control projects	(48,000,000)				(48,000,000)
General water - Grants	(12,866,501)				(12,866,501)
Basinwide plan implementation			\$1,100,000		1,100,000
Flood control - grants	38,000,000				38,000,000
Total all funds	(\$200,466,501)	\$75,000,000	\$1,100,000	\$10,245	(\$449,978,082)
Less estimated income	(200,466,501)	75,000,000	1,100,000	10,245	(449,978,082)
General fund	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	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 1.5 percent on 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>Other Funds</u>
Salary increase	\$420,224
Health insurance increase	4,415
Total	\$424,639

<sup>3</sup> FTE positions are adjusted as follows:

<u>Description</u>	<u>Other Funds</u>
Removes 1 FTE risk mapping position and related federal funds	(\$183,884)
Adds 1 FTE regulatory position	211,596
Total	\$27,712

<sup>4</sup> Funding for operating expenses is adjusted as follows:

	<u>Other Funds</u>
Debt payment to Bank of North Dakota	(\$7,236,750)
Professional services	1,713,735
Utility expenses	101,700
Repairs	497,250
IT and equipment over \$5,000	14,009
Other operating expenses	20,853
Total	(\$4,889,203)

<sup>5</sup> Funding is reduced for state water projects in the capital assets line item to provide a total of \$163,467,437.

<sup>6</sup> The funding for carryover projects is removed and a section is added providing that the remaining \$22,000,000 in the capital assets line item and \$295,363,183 in the project carryover line item are exempt from North Dakota Century Code Section 54-44.1-11 for 2 years after June 30, 2023. The section also authorizes the State Water Commission to obtain approval from the Emergency Commission and Budget Section to increase carryover authority of funding from previous bienniums.

<sup>7</sup> Funding for grants for new water projects is adjusted as follows:

	<u>Other Funds</u>
Water supply - grants	(\$32,000,000)
Rural water supply - grants	3,400,000
Fargo area flood control	(66,500,000)
Mouse River flood control	(82,500,000)
Other flood control projects	(48,000,000)
Flood control - grants	38,000,000
General water - grants	(12,866,501)
Total	(\$200,466,501)

<sup>8</sup> Funding from proceeds received from a Bank of North Dakota line of credit is added to provide funding for the Northwest Area Water Supply Project. A section is also added to amend Section 61-02-79 relating to a Bank line of credit, to continue authorization for a \$75 million Bank line of credit for the 2021-23 biennium.

<sup>9</sup> Section 8 provides that one-time funding of \$1.1 million is provided for implementation of basinwide water plans, of which up to \$100,000 may be used to reimburse administrative and planning costs incurred by the water resource districts in the development of basinwide water plans.

<sup>10</sup> Funding is added for Microsoft Office 365 license expenses.

This amendment also adds sections to:

- Appropriate any additional amounts in the resources trust fund and water development trust fund which become available to the State Water Commission, subject to Budget Section approval.
- Provide that the remaining \$22,000,000 in the capital assets line item and

\$295,363,183 in the project carryover line item are exempt from Section 54-44.1-11 and may be continued into the 2021-23 biennium. This section also authorizes the State Water Commission to obtain approval from the Emergency Commission and Budget Section to increase carryover authority of funding from previous bienniums.

- Create a new section to Chapter 61-02 to require the State Water Commission to report on carryover projects to the Legislative Management on a quarterly basis.
- Amend Section 61-02-79 to extend the \$75 million line of credit authorization from the Bank of North Dakota into the 2021-23 biennium.
- Create a new section to Chapter 61-40 authorizing the Western Area Water Supply Authority to issue revenue bonds.
- Provide a limit on total state funds approved by the State Water Commission for the Fargo flood control project to \$850 million and provides legislative intent the state provide a portion of the local cost-share of the Fargo flood control project not to exceed \$850 million. The section provides legislative intent that of the \$850 million, the state has provided \$414.5 million and the remaining \$435.5 million is to be provided from bond proceeds during the 2021-23 biennium.
- Provide that excluding funding provided for Mouse River flood control projects prior to the 2021-23 biennium, the total state funds approved by the State Water Commission may not exceed a total of \$604 million. The section provides legislative intent that of the \$604 million, \$74.5 million is provided from the resources trust fund through bond proceeds used to repay outstanding loans of the resources trust fund during the 2021-23 biennium.
- Provide legislative intent that the state provide up to \$1.6 million to the system 4 connection to system 1, a rural water supply project sponsored by All Seasons Water District, in addition to any funds approved for the project by the State Water Commission in previous bienniums, during the 2021-23 biennium.
- Provide a Legislative Management study with input from the State Water Commission and stakeholders of the Red River Valley Water Supply Project of an entity to own, manage, and operate the Red River Valley Water Supply Project.
- Provide a Legislative Management study with input from the State Water Commission, of an entity, other than the state, to own, manage, and operate the Northwest Area Water Supply Project.
- Declare an emergency.

#### REPORT OF STANDING COMMITTEE

**HB 1021: 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 1021 was placed on the Sixth order on the calendar.

Page 1, line 2, after "insurance" insert "; and to provide for a report"

Page 1, replace lines 8 through 13 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Workforce safety and insurance operations	\$60,887,842	\$12,271,810	\$73,159,652
Total special funds	\$60,887,842	\$12,271,810	\$73,159,652
Full-time equivalent positions	260.14	0.00	260.14"

Page 1, line 14, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY**"

Page 1, line 15, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace lines 17 through 19 with:

"Claims and policy system replacement project	\$7,010,000	\$7,500,000
MyWSI extranet enhancement project	850,000	3,050,000

Building upgrades	0	514,000
Total special funds	\$7,860,000	\$11,064,000

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. Workforce safety and insurance 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."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1021 - Workforce Safety and Insurance - House Action

	Base Budget	House Changes	House Version
WSI operations	\$60,887,842	\$12,271,810	\$73,159,652
Total all funds	\$60,887,842	\$12,271,810	\$73,159,652
Less estimated income	60,887,842	12,271,810	73,159,652
General fund	\$0	\$0	\$0
FTE	260.14	0.00	260.14

#### Department 485 - Workforce Safety and Insurance - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Reduces Funding for Operating Expenses <sup>3</sup>	Adds Funding for Microsoft Office 365 Licenses <sup>4</sup>	Adds One-Time Funding for the CAPS Replacement Project <sup>5</sup>	Adds One-Time Funding for the MyWSI Enhancement Project <sup>6</sup>
WSI operations	\$1,332,010	\$1,175,753	(\$1,332,010)	\$32,057	\$7,500,000	\$3,050,000
Total all funds	\$1,332,010	\$1,175,753	(\$1,332,010)	\$32,057	\$7,500,000	\$3,050,000
Less estimated income	1,332,010	1,175,753	(1,332,010)	32,057	7,500,000	3,050,000
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for Building Upgrades <sup>7</sup>	Total House Changes
WSI operations	\$514,000	\$12,271,810
Total all funds	\$514,000	\$12,271,810
Less estimated income	514,000	12,271,810
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> Funding of \$1,332,010 is added from the Workforce Safety and Insurance fund for base payroll changes, primarily to restore salaries and wages funding for 6 FTE positions which were unfunded during the 2019-21 biennium.

<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	\$0	\$1,163,466	\$1,163,466
Health insurance increase	0	12,287	12,287
Total	\$0	\$1,175,753	\$1,175,753

<sup>3</sup> Funding of \$1,332,010 is reduced from the Workforce Safety and Insurance fund for operating expenses, primarily related to travel, information technology software supplies, rent, information technology data processing, information technology contractual services and repairs, and professional development.

<sup>4</sup> Funding of \$32,057 is added from the Workforce Safety and Insurance fund for Microsoft Office 365 license expenses.

<sup>5</sup> One-time funding of \$7.5 million is added from the Workforce Safety and Insurance fund for Releases 9 through 13 of the claims and policy system replacement project. The estimated total amount that will be spent on the project during the 2015-17, 2017-19, and 2019-21 bienniums is \$15 million. The entire 20-release project is estimated to cost \$29.6 million and is estimated to be completed during the 2025-27 biennium.

<sup>6</sup> One-time funding of \$3.05 million is added from the Workforce Safety and Insurance fund for Releases 5 through 8 of the myWSI enhancement project. Workforce Safety and Insurance spent \$945,121 on the project during the 2017-19 biennium. The 2019-21 biennium appropriation for the project was \$850,000. It is anticipated the project will be completed during the 2023-25 biennium.

<sup>7</sup> One-time funding of \$514,000 is added from the Workforce Safety and Insurance fund for building upgrades, including costs related to lighting, elevator door operators, and geothermal heat pump replacements.

#### REPORT OF STANDING COMMITTEE

**HB 1063: 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 1063 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the second "and" with ", 61-24.6-03, 61-24.6-04, 61-24.6-06, 61-24.6-07, 61-24.6-08, 61-24.6-09,"

Page 1, line 1, after "61-24.6-10" insert ", and 61-24.6-11"

Page 1, line 2, remove "the membership on"

Page 1, line 3, after "project" insert "; to provide for legislative management reports; and to declare an emergency"

Page 1, line 17, after "5-" insert "4."

Page 1, line 17, remove the overstrike over "One representative of the"

Page 1, line 18, after "Sakakawea" insert "Turtle Mountain Band of Chippewa Indians"

Page 1, line 19, remove the overstrike over "recommended by the tribal council" and insert immediately thereafter "who will serve as a nonvoting member"

Page 1, line 19, remove the overstrike over the overstruck period

Page 1, line 20, replace "4." with "5."

Page 2, line 1, replace "5." with "6."

Page 2, line 4, replace "6." with "7."

Page 2, line 6, replace "7." with "8."

Page 2, after line 6, insert:

**"SECTION 2. AMENDMENT.** Section 61-24.6-03 of the North Dakota Century Code is amended and reenacted as follows:

#### **61-24.6-03. Advisory committee - Duty - Officers - Meetings - Compensation - Staffing.**

The northwest area water supply advisory committee shall develop recommendations for the legislative management regarding the transition of long-term operations and management of the northwest area water supply project. The advisory committee shall elect a chairman and vice chairman. ~~The advisory committee shall and meet~~ no less than once per quarter at the times and places necessary to carry out the purposes of this chapter. The advisory committee

members may be reimbursed for their mileage and expenses in the amount provided for by sections 44-08-04 and 54-06-09. The advisory committee members serve at the pleasure of the state engineer. Vacancies must be filled in the same manner as original appointments are made. The state water commission shall provide staffing and support for the advisory committee.

**SECTION 3. AMENDMENT.** Section 61-24.6-04 of the North Dakota Century Code is amended and reenacted as follows:

**61-24.6-04. Powers of the state water commission in consultation with the northwest area water supply advisory committee.**

The state water commission ~~may, in consultation~~shall consult with the northwest area water supply advisory committee regarding the following duties of the commission:

1. Accept funds, property, services, or other assistance, financial or otherwise, from federal, state, tribal, and other public or private sources for the purpose of aiding and promoting the development of a project to deliver water to northwestern North Dakota.
2. Cooperate and contract with the state, its agencies, or its political subdivisions, the Three Affiliated Tribes, or any agency of the United States, in research and investigation or other activities promoting the development of a project to deliver water to northwestern North Dakota.
3. Appoint and procure the services of engineers, attorneys, and others to assist in developing a project to deliver water to northwestern North Dakota.
4. Exercise such other powers as may be necessary for, or incidental to, the achievement of the purposes of this chapter.
5. Construct, operate, and manage a project to deliver water throughout ~~northwestern North Dakota~~the project area.

**SECTION 4. AMENDMENT.** Section 61-24.6-06 of the North Dakota Century Code is amended and reenacted as follows:

**61-24.6-06. Commission to fix water rates for the northwest area water supply project.**

The state water commission, after consulting with the northwest area water supply advisory committee, shall establish the payments for water service to be paid by water user entities for purchase of water from the northwest area water supply project. The payments for water service must include each water user entity's proportionate share of the operation, maintenance, and replacement costs, and also include a component for payment for capital costs. The commission shall include in its determination of each water user entity's share of operation, maintenance, and replacement costs an amount to be deposited in the northwest area water supply project reserve fund for replacement, as established by section 61-24.6-07, for replacement and extraordinary maintenance of northwest area water supply project works. The amount of the reserve fund for replacement must be determined by the commission.

**SECTION 5. AMENDMENT.** Section 61-24.6-07 of the North Dakota Century Code is amended and reenacted as follows:

**61-24.6-07. Operation and maintenance fund - Deposit - Use.**

Revenues received by the state water commission from water user entities or otherwise for operation and maintenance of the northwest area water supply project must be maintained, as a part of the moneys of the state received and kept by the state treasurer in a fund to be designated as the northwest area water supply project operation and maintenance fund. All moneys received by the state treasurer

for operation and maintenance of the northwest area water supply project and the interest on moneys in the fund must be kept by the state treasurer in the fund distinct from all other moneys and must be disbursed by the state treasurer and used only for paying for costs and expenditures for operation and maintenance of the northwest area water supply project.

**SECTION 6. AMENDMENT.** Section 61-24.6-08 of the North Dakota Century Code is amended and reenacted as follows:

**61-24.6-08. Reserve fund for replacement - Deposit - Use.**

Revenues received by the state water commission from water user entities or otherwise for replacement and extraordinary maintenance of the northwest area water supply project may be held pursuant to the terms of a resolution or trust indenture adopted by the commission. Any money not held pursuant to the terms of a resolution or trust indenture must be deposited by the commission and maintained, as a part of the moneys of the state received and kept by the state treasurer, in a fund designated as the northwest area water supply project reserve fund for replacement. All moneys received by the state treasurer for replacement and extraordinary maintenance of the northwest area water supply project and the interest on the moneys must be kept by the state treasurer in the fund distinct from all other moneys and must be disbursed by the state treasurer and used only for replacement and extraordinary maintenance of the northwest area water supply project.

**SECTION 7. AMENDMENT.** Section 61-24.6-09 of the North Dakota Century Code is amended and reenacted as follows:

**61-24.6-09. Capital costs - Deposit - Use.**

Money derived and received from water user entities or otherwise for capital costs or construction of the northwest area water supply project may be held pursuant to the terms of a resolution or trust indenture adopted by the state water commission. Any money not held pursuant to the terms of a resolution or trust indenture must be deposited by the commission and maintained, as part of the moneys of the state received and kept by the state treasurer, in a fund designated as the northwest area water supply project fund for capital costs and construction. All moneys received by the state treasurer for capital costs and construction of the northwest area water supply project, and all interest on the moneys, must be kept by the state treasurer in the fund distinct from all other moneys and must be disbursed by the state treasurer and used only for capital costs and construction of the northwest area water supply project."

Page 2, after line 14, insert:

**"SECTION 9. AMENDMENT.** Section 61-24.6-11 of the North Dakota Century Code is amended and reenacted as follows:

**61-24.6-11. Commission has authority to sell property.**

If the state water commission determines property acquired for the northwest area water supply project is no longer necessary for project purposes and the unnecessary parcel is five contiguous acres [2.03 hectares] or less, sections 54-01-05.2 and 54-01-05.5 do not apply. The commission shall have the authority to sell, transfer, or exchange the unnecessary parcel to the current owner of the parent parcel from which the unnecessary parcel was taken. If the parent parcel's current owner does not accept the commission's offer within sixty days, the commission may offer the property to any other adjacent property owner for a period of sixty days. If no offers are accepted within sixty days, the property sale will be governed by sections 54-01-05.2 and 54-01-05.5.

**SECTION 10. LEGISLATIVE MANAGEMENT REPORT - NORTHWEST AREA WATER SUPPLY TRANSITION.** Before August 1, 2022, the northwest area water supply advisory committee shall provide a report to the legislative

management regarding recommendations for transition of the long-term operation and management of the northwest area water supply project.

**SECTION 11. LEGISLATIVE MANAGEMENT REPORT - INTERIM STATUS OF NORTHWEST AREA WATER SUPPLY ADVISORY COMMITTEE.** During the 2021-22 interim, the northwest area water supply advisory committee shall provide a report to an interim committee designated by the legislative management regarding the status of the advisory committee's responsibilities under section 2 of this Act.

**SECTION 12. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1090, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1090 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1147, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (17 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1147 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1165: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **DO NOT PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1165 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1186: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1186 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first "to" insert "rural"

Page 1, line 3, remove "11-28.3-04,"

Page 1, line 3, remove "and"

Page 1, line 4, remove "subsection 1 of section 11-28.3-08, sections"

Page 1, remove line 5

Page 1, line 6, replace "subsection 1 of section 54-10-14, sections" with "and"

Page 1, line 6, remove ", 57-15-50, 57-15-51.1, 57-39.2-26.1, and"

Page 1, line 7, remove "subsection 21 of section 58-03-07"

Page 1, line 7, after "to" insert "rural"

Page 1, line 15, remove the overstrike over "rural"

Page 1, line 15, after the comma insert "as defined by the state department of health."

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

Page 1, line 17, remove "an"

Page 1, line 23, remove the overstrike over "rural"

Page 2, line 4, remove the overstrike over "rural"

Page 2, line 19, remove the overstrike over "rural"

Page 2, line 29, remove the overstrike over "rural"

Page 3, remove lines 3 through 14

Page 3, line 18, remove the overstrike over "a-rural"

Page 3, line 18, remove "an"

Page 3, line 20, remove the overstrike over "rural"

Page 4, remove lines 30 and 31

Page 5, remove lines 1 through 4

Page 5, line 12, remove the overstrike over "a-rural"

Page 5, line 12, remove "an"

Page 5, line 14, remove the overstrike over "rural"

Page 5, line 16, remove the overstrike over "rural"

Page 5, line 24, remove the overstrike over "rural"

Page 5, line 25, remove the overstrike over "A-rural"

Page 5, line 25, remove "An"

Page 5, line 27, remove the overstrike over "a-rural"

Page 5, line 27, remove "an"

Page 5, line 29, remove the overstrike over "rural"

Page 6, line 20, remove the overstrike over "**Rural-ambulance**"

Page 6, line 20, remove "**Ambulance**"

Page 6, line 21, remove the overstrike over the first "rural"

Page 6, line 21, remove the overstrike over the second "rural"

Page 6, line 28, remove the overstrike over "rural"

Page 6, line 28, remove "an"

Page 6, line 30, remove the overstrike over "rural"

Page 7, line 8, remove the overstrike over "a-rural"

Page 7, line 8, remove "an"

Page 7, line 10, remove the overstrike over "rural"

Page 7, line 11, remove the overstrike over "a-rural"

Page 7, line 11, remove "an"

Page 7, line 13, remove the overstrike over "a"

Page 7, line 14, remove the overstrike over "rural"

Page 7, line 14, remove "an"

Page 7, line 28, remove the overstrike over "a-rural"

Page 7, line 28, remove "an"

Page 10, remove lines 25 through 31

Page 11, remove lines 1 through 21

Page 11, line 26, remove the overstrike over "rural"

Page 12, remove lines 3 through 31

Page 13, remove lines 1 through 31

Page 14, remove lines 1 through 30

Page 15, remove lines 1 through 30

Page 16, remove lines 1 through 12

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1189: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1189 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "ninety minutes" with "three hours"

Page 2, line 23, replace "ninety minutes" with "three hours"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1212, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (12 YEAS, 8 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1212 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1222: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1222 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "A" with "An application for a"

Page 1, line 11, replace "obtained" with "submitted"

Page 1, line 17, remove the second "or"

Page 1, line 19, after "damage" insert "; or

(5) Violate existing building and fire codes"

Page 2, line 5, remove "maintenance."

Page 2, line 5, after the third underscored comma insert "maintenance, restoration, rebuilding."

Page 2, line 12, remove "If a property owner is not authorized to repair, replace, improve, maintain, restore, or"

Page 2, replace lines 13 and 14 with "Unless the county determines the repair, replacement, improvement, maintenance, rebuilding, or restoration of a structure will violate

subdivision c of subsection 1, the county shall issue a building permit to a property owner that meets the qualifications under subsection 1."

Page 2, line 22, replace "A" with "An application for a"

Page 2, line 22, replace "obtained" with "submitted"

Page 2, line 28, remove the second "or"

Page 2, line 30, after "damage" insert "; or"

(5) Violate existing building and fire codes"

Page 3, line 8, remove "maintenance."

Page 3, line 8, after the third underscored comma insert "maintenance, restoration, rebuilding."

Page 3, line 15, remove "If a property owner is not authorized to repair, replace, improve, maintain, restore, or"

Page 3, replace lines 16 and 17 with "Unless the city determines that the repair, replacement, improvement, maintenance, rebuilding, or restoration of a structure will violate subdivision c of subsection 1, the city shall issue a building permit to a property owner that meets the qualifications under subsection 1."

Page 3, line 25, replace "A" with "An application for a"

Page 3, line 25, replace "obtained" with "submitted"

Page 3, line 31, remove the second "or"

Page 4, line 2, after "damage" insert "; or"

(5) Violate existing building and fire codes"

Page 4, line 10, remove "maintenance."

Page 4, line 10, after the third underscored comma insert "maintenance, restoration, rebuilding."

Page 4, line 17, remove "If a property owner is not authorized to repair, replace, improve, maintain, restore, or"

Page 4, replace lines 18 and 19 with "Unless the township determines that the repair, replacement, improvement, maintenance, rebuilding, or restoration of a structure will violate subdivision c of subsection 1, the township shall issue a building permit to a property owner that meets the qualifications under subsection 1."

Renumber accordingly

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

**HB 1246, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (16 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). Engrossed HB 1246 was placed on the Eleventh order on the calendar.

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

**HB 1248: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1248 was placed on the Sixth order on the calendar.

Page 2, line 20, after "weapons" insert "- Civil action"

Page 2, after line 20 insert:

"1."

Page 2, after line 24, insert:

"2. A person aggrieved under subsection 1 may bring a civil action against a political subdivision for damages as a result of an unlawful ordinance. In a successful action brought by a person under this subsection, the court shall order the political subdivision to pay the reasonable attorney's fees and costs of the aggrieved person."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1304: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1304 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1305: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1305 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsection" with "subsections 8 and"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Subsection 8 of section 54-12-01 of the North Dakota Century Code is amended and reenacted as follows:

8. Give written opinions, when requested by ~~either branch~~any member of the legislative assembly, upon legal questions."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1324: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1324 was placed on the Sixth order on the calendar.

Page 1, line 23, replace "reasonable" with "fair market"

Page 2, line 1, replace "reasonable" with "fair market"

Page 2, line 5, replace "reasonable" with "fair market"

Page 2, line 7, replace "reasonable" with "fair market"

Page 2, line 9, after "section" insert "for right of way"

Page 4, line 8, replace "reasonable" with "fair market"

Page 4, line 9, after the first "the" insert "fair market"

Page 4, line 12, replace "reasonable" with "fair market"

Page 4, line 12, remove "plus punitive"

Page 4, line 13, remove "damages"

Page 4, line 14, replace "reasonable" with "fair market"

Page 4, line 16, after "section" insert "for right of way"

Page 6, line 25, replace "reasonable" with "fair market"

Page 6, line 26, after the first "the" insert "fair market"

Page 6, line 29, replace "reasonable" with "fair market"

Page 6, line 30, remove "plus punitive damages"

Page 6, line 31, replace "reasonable" with "fair market"

Page 7, line 4, after "subsection" insert "for right of way"

Page 8, line 26, replace "reasonable" with "fair market"

Page 8, line 27, after the first "the" insert "fair market"

Page 8, line 30, replace "reasonable" with "fair market"

Page 8, line 30, remove "plus punitive damages"

Page 9, line 1, replace "reasonable" with "fair market"

Page 9, line 3, after "section" insert "for right of way"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1358, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 9 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1358 was placed on the Sixth order on the calendar.

Page 2, line 11, after "any" insert "potential"

Page 2, line 15, after "put" insert "and call"

Page 2, line 15, remove ". swap agreements."

Page 2, line 16, after the underscored period insert "The committee may recommend to the Bank that hedging strategies not be implemented."

Page 2, line 26, remove "- **LEGACY FUND EARNINGS**"

Page 2, line 28, replace "\$20,000,000" with "\$10,000,000"

Page 2, line 30, remove "It is the intent of the sixty-seventh"

Page 2, remove line 31

Page 3, remove line 1

Page 3, line 2, replace "2021" with "It is the intent of the sixty-seventh legislative assembly that excess amounts generated from hedging strategies, which are transferred to the strategic investment and improvements fund, be used to repay the general fund before being appropriated for other purposes"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment clarifies the use of hedging strategies, decreases the amount appropriated from \$20 million to \$10 million, removes intent for the appropriation to be derived from legacy fund earnings, and adds intent that excess proceeds generated from the hedging strategies be used to repay the general fund before being appropriated for other purposes.

**REPORT OF STANDING COMMITTEE**

**HB 1366: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1366 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "two" with "a"

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

Page 1, line 2, replace "sale of property subject to a repairman's lien and sale proceeds" with "nonjudicial disposition of property by lienholders"

Page 1, line 3, after the first comma insert "35-13-04,"

Page 1, line 4, after the second comma insert "priority of liens,"

Page 1, line 16, remove the overstrike over "would exceed"

Page 1, line 16, remove "exceeds"

Page 1, line 16, overstrike "four" and insert immediately thereafter "six"

Page 1, line 16, overstrike "nine" and insert immediately thereafter "fifteen"

Page 1, line 19, overstrike "the mortgage or financing statement" and insert immediately thereafter "any liens"

Page 1, line 20, overstrike "recordholder of the"

Page 1, line 21, overstrike "mortgage or financing statement" and insert immediately thereafter "lienholders of record"

Page 1, line 22, after the period insert "Storage fees under this chapter may not begin to accrue until fifteen days after the owner is requested to take possession of the property."

**SECTION 2. AMENDMENT.** Section 35-13-04 of the North Dakota Century Code is amended and reenacted as follows:

**35-13-04. Priority of lien.**

A lien obtained under this chapter has priority over all other liens, chattel mortgages, or encumbrances against the personal property upon which the lien is secured, but if the repairman has failed to notify the ~~recordholder of the mortgage or financing statement~~ lienholder of record as provided in section 35-13-01, or if such notice was given and the ~~holder of the mortgage or financing statement~~ lienholder of record, within five days after receiving such notice, communicated in writing to the repairman an objection to all the proposed repair costs becoming a lien against the property with priority over the ~~mortgage or financing statement~~ existing liens of record, then only that portion of the repairman's lien up to ~~four~~ six thousand dollars or thirty percent, or ~~nine~~ fifteen thousand dollars or thirty percent for property used for agricultural or construction purposes, of the retail value, whichever is greater, in the property's repaired condition, has priority over the ~~mortgage or financing statement~~ existing lien of record."

Page 2, line 1, overstrike " to prior mortgagee"

Page 2, line 3, overstrike "previously by mortgage," and insert immediately thereafter "by prior liens of record or"

Page 2, line 4, remove "or for sale of the property under sections 3 and 4 of this Act."

Page 2, line 5, overstrike "twenty" and insert immediately thereafter "ten"

Page 2, line 5, remove ".or"

Page 2, line 6, remove "intention to initiate a sale of the property under sections 3 and 4 of this Act."

Page 2, line 7, overstrike "recordholder of the mortgage" and insert immediately thereafter "lienholders of record"

Page 2, line 8, overstrike "recordholder" and insert immediately thereafter "lienholders of record"

Page 2, line 9, overstrike "recordholder's" and insert immediately thereafter "lienholders"

Page 2, line 10, after "notice" insert "before foreclosure"

Page 2, line 16, replace "recordholder" with "lienholder of record"

Page 2, line 21, overstrike "**Mortgagee**" and insert immediately thereafter "**Lienholder**"

Page 2, line 22, remove "recordholder"

Page 2, line 22, overstrike "of any mortgage" and insert immediately thereafter "record lienholder of any lien"

Page 2, line 25, replace "recordholder" with "lienholder"

Page 2, line 25, remove "the"

Page 2, line 26, replace the first "recordholder" with "the lienholder"

Page 2, line 26, replace the second "recordholder" with "lienholder"

Page 2, remove lines 28 and 29

Page 3, replace lines 1 through 30 with:

**"SECTION 5.** A new section to chapter 35-13 of the North Dakota Century Code is created and enacted as follows:

**Nonjudicial disposition of property.**

The person holding a lien under this chapter has the rights of a secured party under article nine of the Uniform Commercial Code for purposes of nonjudicial disposition of the property. A person holding a lien under this chapter who chooses to use nonjudicial disposition of the property shall dispose of the property in the manner prescribed for security interests under article nine of the Uniform Commercial Code."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1367: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1367 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 regarding referral of political subdivision budgets.

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - REFERRAL OF POLITICAL SUBDIVISION BUDGETS.** During the 2021-22 interim, the legislative management shall consider studying the feasibility and desirability of allowing the qualified electors of a political subdivision to disapprove the preliminary budget adopted by the local governing body by voting on the question in a referral election.

The study must consider the deadlines by which a political subdivision's preliminary budget must be complete and the petition requirements for placing the question on the ballot. 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 1397: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1397 was placed on the Sixth order on the calendar.

Page 1, line 20, replace "October 31" with "November 30"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1437: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1437 was placed on the Sixth order on the calendar.

Page 1, line 2, after "reenact" insert "subsection 3 of section 61-02-01.4 and"

Page 1, line 4, after "permits" insert " and the state water commission cost-share policy"

Page 1, after line 5, insert:

**"SECTION 1. AMENDMENT.** Subsection 3 of section 61-02-01.4 of the North Dakota Century Code is amended and reenacted as follows:

3. Must consider all project costs potentially eligible for reimbursement, except the commission shall exclude operations expense, regular maintenance, and removal of vegetative materials and sediment, for assessment drains, and may exclude operations expense and regular maintenance for other projects. Snagging and clearing of watercourses are not regular maintenance and deepening or widening of existing drains are not eligible for reimbursement. The commission shall require a water project sponsor to maintain a capital improvement fund from the rates charged customers for future extraordinary maintenance projects as condition of funding an extraordinary maintenance project."

Page 1, line 8, remove the overstrike over "~~Penalty~~"

Page 5, line 26, replace "A public official may not disclose knowingly and willfully a project design" with "Project designs"

Page 5, line 28, remove ", and acquired by the public servant in an official"

Page 5, remove lines 29 and 30

Page 5, line 31, replace "disclosures prohibited under this subdivision" with "are exempt records under section 44-04-18 and may be provided to individuals only as necessary to make a decision whether to approve the permit"

Page 6, line 26, after "repair" insert "erosion and scour"

Page 6, line 31, after "or" insert "erosion and scour"

Page 7, line 11, replace "or" with an underscored comma

Page 7, line 12, replace "or other damages" with "erosion, or scouring"

Page 7, line 13, after the second "the" insert "erosion and scour"

Page 7, line 21, replace "copies" with "notice"

Page 7, line 21, remove ". any"

Page 7, line 22, remove "notice of decision containing the conditions attached to the approved permit."

Page 7, line 22, after "and" insert "of"

Page 8, line 16, after "conditions" insert "- Penalty"

Page 8, line 28, remove "and"

Page 8, line 29, replace "Control" with "Proper erosion controls are installed and maintained at all outlets; and"

c. Pumps and control"

Page 8, line 29, remove "installed and capable of being"

Page 9, line 9, after "4." insert "The board of the water resource district within which the subsurface water management system is located may order the system's owner or operator to bring the system into compliance with subsection 2 if the board finds the system violates that subsection."

5."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1451: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **DO NOT PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1451 was placed on the Eleventh order on the calendar.

#### FIRST READING OF SENATE BILLS

**SB 2001:** A BILL for an Act to provide an appropriation for defraying the expenses of the legislative branch of state government; to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to provide for a report; to provide for application, transfer, and cancellation of unexpended appropriations; and to declare an emergency.

Was read the first time and referred to the **Appropriations Committee**.

**SB 2005:** A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission.

Was read the first time and referred to the **Appropriations Committee**.

**SB 2006:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota aeronautics commission; to provide for a report; and to provide an exemption.

Was read the first time and referred to the **Appropriations Committee**.

**SB 2007:** A BILL for an Act to provide an appropriation for defraying the expenses of the veterans' home; to provide an exemption; and to provide for a report.

Was read the first time and referred to the **Appropriations Committee**.

**SB 2008:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of financial institutions; and to provide for a transfer.

Was read the first time and referred to the **Appropriations Committee**.

**SB 2009:** A BILL for an Act to provide an appropriation for defraying the expenses of the state fair association.

Was read the first time and referred to the **Appropriations Committee**.

**SB 2010:** A BILL for an Act to provide an appropriation for defraying the expenses of the council on the arts.

Was read the first time and referred to the **Appropriations Committee**.

**SB 2012:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of transportation; to provide for a contingent loan authorization; to provide a contingent appropriation; to provide for transfers; to provide an exemption; to provide for a report; to provide for a legislative management study; and to declare an emergency.

Was read the first time and referred to the **Appropriations Committee**.

**SB 2013:** A BILL for an Act to provide an appropriation for defraying the expenses of the commissioner of university and school lands; to provide for distributions from permanent funds; to provide a report; and to provide an exemption.

Was read the first time and referred to the **Appropriations Committee**.

**SB 2016:** A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota.

Was read the first time and referred to the **Appropriations Committee**.

**SB 2034:** A BILL for an Act to create and enact a new section to chapter 54-66 of the North Dakota Century Code, relating to written advisory opinions regarding ethics.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2035:** A BILL for an Act to amend and reenact section 4.1-01-19, paragraph 6 of subdivision b of subsection 2 of section 10-19.1-115, subsection 1 of section 15.1-07-33, subsection 6 of section 23-02.1-27, sections 23-07-07.6, 43-17-06, 43-17-14, 43-17-17, 43-17-24, 43-17-25, and 43-17-30, subsection 1 of section 54-07-01.2, and sections 57-51-16 and 61-04-06.2 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to repeal section 61-03-05.1 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2039:** A BILL for an Act to amend and reenact subsection 1 of section 50-06.4-10 of the North Dakota Century Code, relating to membership of the brain injury advisory council; and to provide for application.

Was read the first time and referred to the **Human Services Committee**.

**SB 2055:** A BILL for an Act to amend and reenact section 27-08.1-02 of the North Dakota Century Code, relating to commencement of a small claims action.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2056:** A BILL for an Act to amend and reenact subsection 2 of section 39-08-20 of the North Dakota Century Code, relating to driving without liability insurance.

Was read the first time and referred to the **Transportation Committee**.

**SB 2057:** A BILL for an Act to create and enact a new section to chapter 30.1-28 and a new subsection to section 30.1-29-09 of the North Dakota Century Code, relating to the sale of real or personal property of a ward and protective arrangements and single transactions; and to amend and reenact subsection 7 of section 30.1-28-12 of the North Dakota Century Code, relating to powers and duties of a guardian.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2059:** A BILL for an Act to amend and reenact subsection 18 of section 19-03.1-01 and sections 19-03.1-05, 19-03.1-07, 19-03.1-11 and 19-03.1-13 of the North Dakota Century Code, relating to the definition of marijuana and the scheduling of controlled substances; and to declare an emergency.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2067:** A BILL for an Act to create and enact a new subsection to section 32-12.1-03 and a new subsection to section 32-12.2-11 of the North Dakota Century Code, relating to compliance with rules of civil procedure in actions brought against political subdivisions, employees of political subdivisions, the state, or a state employee.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2076:** A BILL for an Act to amend and reenact section 26.1-31.2-01 of the North Dakota Century Code, relating to reinsurance credit of insurers.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2077:** A BILL for an Act to amend and reenact sections 18-04-04 and 26.1-03-11 of the North Dakota Century Code, relating to the imposition of a monetary penalty on insurance companies failing to report certain data to the insurance commissioner; and to provide a penalty.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2078:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 26.1-01-07 and a new subsection to section 26.1-26.7-02 of the North Dakota Century Code, relating to the licensing of insurance producers; and to amend and reenact subsection 2 of section 26.1-02.1-01, section 26.1-02.1-02.1, subdivision c of subsection 1 of section 26.1-26-13.3, section 26.1-26-33, subsection 5 of section 26.1-26-42 and section 26.1-26-42.1, subdivision c of subsection 1 of section 26.1-26.9-03, and subsection 2 of section 26.1-26.9-05 of the North Dakota Century Code, relating to the licensing of insurance producers.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2083:** A BILL for an Act to amend and reenact sections 50-25.1-02, 50-25.1-03, 50-25.1-03.1, 50-25.1-04, 50-25.1-04.1, 50-25.1-04.2, 50-25.1-04.3, 50-25.1-05, 50-25.1-05.1, 50-25.1-05.2, 50-25.1-05.3, 50-25.1-05.4, 50-25.1-05.5, 50-25.1-05.6, 50-25.1-06, 50-25.1-07, 50-25.1-09.1, 50-25.1-11, 50-25.1-13, 50-25.1-14, 50-25.1-15, 50-25.1-16, 50-25.1-18, 50-25.1-19, 50-25.1-20, 50-25.1-21, 50-25.1-22, and 50-25.1-23 of the North Dakota Century Code, relating to child abuse and neglect; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2085:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to the use of an automated clearing house to facilitate payment to medical assistance providers and provider applicants; to amend and reenact sections 50-24.1-26 and 50-24.1-32 of the North Dakota Century Code, relating to Medicaid waivers to provide in-home services and medical assistance and advanced practice registered nurses; and to repeal section 50-24.1-06 of the North Dakota Century Code, relating to medical assistance remedial eye care.

Was read the first time and referred to the **Human Services Committee**.

**SB 2087:** A BILL for an Act to amend and reenact subsection 3 of section 50-24.6-04 of the North Dakota Century Code, relating to the medical assistance prior authorization program.

Was read the first time and referred to the **Human Services Committee**.

**SB 2088:** A BILL for an Act to create and enact a new subsection to section 50-28-02 of the North Dakota Century Code, relating to the use of an automated clearing house to facilitate payment to adoptive parents, to amend and reenact section 50-09-02.2 of the North Dakota Century Code, relating to adoption assistance; and to provide an effective date.

Was read the first time and referred to the **Human Services Committee**.

**SB 2089:** A BILL for an Act to amend and reenact subsection 17 of section 50-06-05.1 of the North Dakota Century Code, relating to financing of welfare programs and housing stabilization supports and rental assistance; to repeal sections 1-02-35 and 50-06-14 of the North Dakota Century Code, relating to obsolete effective date language and financing of welfare programs; to provide a statement of legislative intent; to provide for a legislative management study; and to declare an emergency.

Was read the first time and referred to the **Human Services Committee**.

**SB 2092:** A BILL for an Act to create and enact section 43-11-16.1 and section 43-11-25.1 of the North Dakota Century Code, relating to internships and apprenticeship programs and international applicants for licensure; to amend and reenact sections 43-11-01, 43-11-02, 43-11-11, 43-11-11.1, 43-11-12, 43-11-13, 43-11-14, 43-11-15, 43-11-16, 43-11-17, 43-11-19, 43-11-20.1, 43-11-20.4, 43-11-21, 43-11-22, 43-11-23, 43-11-24, 43-11-25, 43-11-26, 43-11-27, 43-11-27.1, 43-11-28, 43-11-29, 43-11-30, 43-11-31, 43-11-33, 43-11-34, and 43-11-35 of the North Dakota Century Code, relating to the

practice and licensure of cosmetologists, estheticians, and manicurists; to repeal sections 43-11-13.1, 43-11-13.2, and 43-11-20 of the North Dakota Century Code, relating to master esthetician and master manicurist licensure, homebound licensure, and student practice; and to provide a penalty.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2095:** A BILL for an Act to amend and reenact sections 43-30-01 and 43-30-10, subsection 6 of section 43-30-10.1, and section 43-30-16 of the North Dakota Century Code, relating to the private investigative security board's executive director and the board's authority to impose penalties and injunctions for unlicensed activity, issue citations for unauthorized practice, and impose administrative fees; and to provide a penalty.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2096:** A BILL for an Act to create and enact a new subsection to section 43-30-16 of the North Dakota Century Code, relating to application and renewal fees for armed first responder course instructor certification; 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.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2098:** A BILL for an Act to amend and reenact subsections 1 and 2 of section 23.1-15-05, subsection 1 of section 23.1-15-07, and sections 23.1-15-08 and 23.1-15-09 of the North Dakota Century Code, relating to abandoned vehicles.

Was read the first time and referred to the **Transportation Committee**.

**SB 2101:** A BILL for an Act to create and enact section 6-06-14.1 of the North Dakota Century Code, relating to credit union loans; to amend and reenact subsection 3 of section 6-01-01.1, sections 6-01-04.3, 6-01-09, and 6-01-17, subsection 1 of section 6-03-05, sections 6-03-11, 6-03-13.3, and 6-03-15.1, subsection 1 of section 6-03-47.2, sections 6-03-49.1, 6-05-15.4, and 6-06-06, subsection 4 of section 6-06-08, and sections 6-06-11 and 6-08-08.1 of the North Dakota Century Code, relating to the regulatory fund, assessment of civil money penalties, appointment of receivers, supervision and examinations, assessments, real estate loans, bank mergers, bank branches, bank investments, trust branches, credit union powers, credit union board notice, and sale or purchase of banking institutions or holding companies; to repeal section 6-06-14 of the North Dakota Century Code, relating to credit union loans; and to provide a penalty.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2102:** A BILL for an Act to create and enact chapter 6-07.2 of the North Dakota Century Code, relating to dissolution, insolvency, suspension, emergency receivership, and liquidation of institutions under the department of financial institutions' supervision; to amend and reenact subsection 4 of section 6-01-04.2 and sections 6-01-04.4, 6-02-05, 6-03-12, 6-03-57, 6-03-67, 6-05-34, and 6-06-08.4 of the North Dakota Century Code, relating to financial institutions cross references, cease and desist orders, and prompt corrective action; and to repeal chapter 6-07 of the North Dakota Century Code, relating to dissolution, insolvency, suspension, emergency receivership, and liquidation of institutions under the department of financial institutions' supervision.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2103:** A BILL for an Act to create and enact section 13-04.1-09.3 of the North Dakota Century Code, relating to money broker charges; to amend and reenact sections 13-04.1-02.1, 13-05-02.3, and 13-08-12 of the North Dakota Century Code, relating to money broker exemptions, collection agency exemptions, and deferred presentment service transaction procedures; to repeal section 13-04.1-09.2 of the North Dakota Century Code, relating to money broker charges; and to provide a penalty.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2105:** A BILL for an Act to amend and reenact section 12-65-02 of the North Dakota Century Code, relating to warrant and probable cause requirements.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2106:** A BILL for an Act to amend and reenact section 12-65-08 of the North Dakota Century Code, relating to transfer fees and travel fees for adults under supervision.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2107:** A BILL for an Act to create and enact a new section to chapter 54-23.3 of the North Dakota Century Code, relating to an exemption of certain internal investigation records of the department of corrections and rehabilitation.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2108:** A BILL for an Act to amend and reenact subsection 3 of section 12-47-36 of the North Dakota Century Code, relating to exceptions to exempt and confidential records.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2119:** A BILL for an Act to create and enact section 23-09-16.1 of the North Dakota Century Code, relating to food and lodging establishment license renewals; and to amend and reenact sections 23-09-16 and 23-09-18 of the North Dakota Century Code, relating to food and lodging establishment licenses.

Was read the first time and referred to the **Human Services Committee**.

**SB 2122:** A BILL for an Act to create and enact a new section to chapter 43-26.1 of the North Dakota Century Code, relating to permitting physical therapists to order musculoskeletal medical imaging; and to amend and reenact subsection 14 of section 43-26.1-01 of the North Dakota Century Code, relating to the scope of practice of physical therapists.

Was read the first time and referred to the **Human Services Committee**.

**SB 2123:** A BILL for an Act to amend and reenact subsection 2 of section 23-02.1-27 of the North Dakota Century Code, relating to access to death records.

Was read the first time and referred to the **Human Services Committee**.

**SB 2124:** A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to permitting a virtual session of the legislative assembly during an emergency or disaster; to amend and reenact subsection 12 of section 23-01-05 and section 37-17.1-05 of the North Dakota Century Code, relating to the state health officer's and governor's authority during a declared disaster or emergency; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2125:** A BILL for an Act to amend and reenact subsection 1 of section 43-12.3-06 of the North Dakota Century Code, relating to the health care professional student loan repayment program.

Was read the first time and referred to the **Education Committee**.

**SB 2126:** A BILL for an Act to amend and reenact section 43-30-03 of the North Dakota Century Code, relating to the membership of the private investigative and security board; and to provide for application.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2128:** A BILL for an Act to amend and reenact section 43-17-42 of the North Dakota Century Code, relating to the corporate practice of medicine by nonprofit entities and charitable trusts; and to declare an emergency.

Was read the first time and referred to the **Human Services Committee**.

**SB 2130:** A BILL for an Act to amend and reenact section 54-03-28 of the North Dakota Century Code, relating to a cost-benefit analysis for mandated health insurance coverage measures.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2131:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks requested by the department of human services; to amend and reenact section 50-25.1-11.1 of the North Dakota Century Code, relating to powers of the department of human services regarding requests for criminal history record checks made by children's advocacy centers; and to declare an emergency.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2132:** A BILL for an Act to amend and reenact section 14-09-09.38 of the North Dakota Century Code, relating to the child support obligation of an incarcerated parent.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2133:** A BILL for an Act to amend and reenact subsection 2 of section 23-27-02, subsection 2 of section 23-27-04, and sections 23-27-04.3, 23-27-04.9, and 50-24.1-38 of the North Dakota Century Code, relating to services provided by emergency medical services operations and emergency medical services personnel; and to provide a penalty.

Was read the first time and referred to the **Human Services Committee**.

**SB 2134:** A BILL for an Act to amend and reenact sections 25-01.3-01, 25-01.3-06, and 25-01.3-08 of the North Dakota Century Code, relating to duties of the protection and advocacy project.

Was read the first time and referred to the **Human Services Committee**.

**SB 2135:** A BILL for an Act to provide for a department of human services report to the legislative management regarding department quality.

Was read the first time and referred to the **Human Services Committee**.

**SB 2148:** A BILL for an Act to amend and reenact subsection 21 of section 65-01-02 of the North Dakota Century Code, relating to defining health care provider to include a physical therapist.

Was read the first time and referred to the **Human Services Committee**.

**SB 2150:** A BILL for an Act to amend and reenact section 9-01-21 of the North Dakota Century Code, relating to vehicle theft protection product warranties.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2151:** A BILL for an Act to provide for a legislative management study related to uninsured drivers.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2154:** A BILL for an Act to amend and reenact section 51-05.1-05 of the North Dakota Century Code, relating to handling of funds by a clerk of an auction sale.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2156:** A BILL for an Act to amend and reenact sections 12.1-31-03, 12.1-31-03.1, 12.1-31-03.3, and 51-32-01 of the North Dakota Century Code, relating to the prohibition of an individual under twenty-one years of age from purchasing, possessing, or using tobacco products or electronic smoking devices; to provide a penalty; and to declare an emergency.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2159:** A BILL for an Act to create and enact two new sections to chapter 47-10 of the North Dakota Century Code, relating to mobile home park tenant rights; to provide a penalty; and to provide an effective date.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2161:** A BILL for an Act to create and enact two new sections to chapter 50-06 of the North Dakota Century Code, relating to a mental health provider registry and a behavioral health bed management system; and to provide for a legislative management study.

Was read the first time and referred to the **Human Services Committee**.

**SB 2166:** A BILL for an Act to amend and reenact sections 12.1-23-05 and 12.1-23-10 of the North Dakota Century Code, relating to theft offenses; to provide a penalty; and to declare an emergency.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2167:** A BILL for an Act to amend and reenact subsection 2 of section 15-10-17 of the North Dakota Century Code, relating to jurisdiction of law enforcement officers employed by Bismarck state college.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2168:** A BILL for an Act to amend and reenact subsection 2 of section 15-10-17 of the North Dakota Century Code, relating to jurisdiction and authority of law enforcement officers employed by institutions of higher education.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2174:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 and a new section to chapter 54-61 of the North Dakota Century Code, relating to criminal history record checks by the commission on legal counsel for indigents.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2178:** A BILL for an Act to amend and reenact subsection 2 of section 12-48.1-02 and section 12-59-02 of the North Dakota Century Code, relating to eligibility for release programs and parole board compensation.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2179:** A BILL for an Act to provide for a legislative management study relating to coverage of telehealth.

Was read the first time and referred to the **Human Services Committee**.

**SB 2181:** A BILL for an Act to amend and reenact subsection 12 of section 23-01-05 and section 37-17.1-05 of the North Dakota Century Code, relating to the state health officer's authority and the governor's authority during a declared disaster or emergency; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2182:** A BILL for an Act to amend and reenact section 29-05-20 of the North Dakota Century Code, relating to attorney visitation.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2187:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 and sections 43-44-09.1, 43-44-09.2, 43-44-10.1, 43-44-18, 43-44-19, 43-44-20, and 43-44-21, relating to criminal history background checks and licensure and regulation of nutritionists and dietitians; to amend and reenact sections 43-44-01, 43-44-02, 43-44-03, 43-44-05, 43-44-06, 43-44-07, 43-44-08, 43-44-09, 43-44-10, 43-44-12, 43-44-13, 43-44-15, 43-44-16, and 43-44-17 of the North Dakota Century Code, relating to the regulation and licensure of nutritionists and dietitians; and to provide a penalty.

Was read the first time and referred to the **Human Services Committee**.

**SB 2197:** A BILL for an Act to amend and reenact sections 6-01-07.1 and 54-10-22.1 of the North Dakota Century Code, relating to confidentiality of facts and information obtained or created by the commissioner of financial institutions and the department of financial institutions.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2199:** A BILL for an Act to amend and reenact subsection 5 of section 25-03.1-34.2 of the North Dakota Century Code, relating to interstate contracts for the treatment of mental illness or substance use disorders.

Was read the first time and referred to the **Human Services Committee**.

**SB 2204:** A BILL for an Act to amend and reenact subsection 6 of section 12.1-32-07 of the North Dakota Century Code, relating to the authority of district court judges to revoke and modify criminal sentences.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2205:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to medical assistance coverage of interpreter services.

Was read the first time and referred to the **Human Services Committee**.

**SB 2209:** A BILL for an Act to create and enact a new section to chapter 19-02.1 and a new chapter to title 19 of the North Dakota Century Code, relating to increased access to

low-cost prescription drugs; to amend section 43-15.3-12 of the North Dakota Century Code, relating to drug wholesaler fees; to provide for a report; to provide a continuing appropriation; to provide for a transfer; and to provide a contingent effective date.

Was read the first time and referred to the **Human Services Committee**.

**SB 2210:** A BILL for an Act to create and enact subsection 5 of section 10-06.1-01 of the North Dakota Century Code, relating to filing requirements with the secretary of state; and to amend and reenact subsection 1 of section 10-01.1-08, sections 10-06.1-04, 10-06.1-05, 10-06.1-12, 10-06.1-15, 10-06.1-17, and 10-06.1-23, subsection 1 of section 10-15-42, subsection 4 of section 10-15-53.1, subsection 3 of section 10-32.1-89, subsections 1 and 2 of section 10-32.1-102, subdivision a of subsection 3 of section 10-33-01, section 10-33-13, subsection 3 of section 10-33-139, subsection 3 of section 10-36-07, sections 26.1-12.1-13, 40-04-06, and 43-54-03, subsection 3 of section 45-10.2-108, section 45-11-08.2, subsection 3 of section 45-22-21.1, sections 47-22-08 and 47-25-07, and subsection 1 of section 50-22-04 of the North Dakota Century Code, relating to filing requirements with the secretary of state.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2212:** A BILL for an Act to provide for a legislative management study of prescription drug pricing, importation, and reference pricing.

Was read the first time and referred to the **Human Services Committee**.

**SB 2220:** A BILL for an Act to amend and reenact subsection 2 of section 5-01-17, subsection 2 of section 5-01-19, and section 5-02-05 of the North Dakota Century Code, relating to the dispensing and selling of alcoholic beverages on Sunday; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2221:** A BILL for an Act to create and enact a new subsection to section 43-15-10 of the North Dakota Century Code, relating to the powers of the state board of pharmacy; to amend and reenact section 43-15-01 of the North Dakota Century Code, relating to the practice of pharmacy; and to declare an emergency.

Was read the first time and referred to the **Human Services Committee**.

**SB 2226:** A BILL for an Act to create and enact chapter 23-17.7 of the North Dakota Century Code, relating to regulation of residential end-of-life facilities; to amend and reenact subsection 1 of section 23-09-01, subsection 1 of section 50-32-01, and subdivision a of subsection 24 of section 57-39.2-04 of the North Dakota Century Code, relating to the definition of assisted living facility and to a sales tax exemption for sales made to an eligible facility; and to provide an effective date.

Was read the first time and referred to the **Human Services Committee**.

**SB 2233:** A BILL for an Act to create and enact chapter 27-02.2 of the North Dakota Century Code, relating to attorney recruitment in rural counties and municipalities; to provide for a report to the legislative management; and to provide a continuing appropriation.

Was read the first time and referred to the **Political Subdivisions Committee**.

**SB 2242:** A BILL for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to the sale or purchase of a catalytic converter; and to provide a penalty.

Was read the first time and referred to the **Transportation Committee**.

**SB 2243:** A BILL for an Act to amend and reenact subsection 4 of section 47-20.1-02 of the North Dakota Century Code, relating to the definition of the practice of land surveying.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2244:** A BILL for an Act to amend and reenact sections 11-15-07, 11-15-08, and 14-08.1-04 of the North Dakota Century Code, relating to civil process fees and commissions on collections and to sheriff's fees from the child support agency.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2246:** A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-02 and

sections 19-03.1-23 and 39-08-01.5 of the North Dakota Century Code, relating to drug court and the creation of a veterans treatment docket.

Was read the first time and referred to the **Transportation Committee**.

**SB 2248:** A BILL for an Act to amend and reenact section 23-01-05.2 of the North Dakota Century Code, relating to administration of epinephrine.

Was read the first time and referred to the **Human Services Committee**.

**SB 2252:** A BILL for an Act to create and enact a new section to chapter 23-09 of the North Dakota Century Code, relating to the regulation of purified water dispensers.

Was read the first time and referred to the **Human Services Committee**.

**SB 2253:** A BILL for an Act to provide for a legislative management study relating to the long-term care insurance market.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2256:** A BILL for an Act to provide for a legislative management study of the state's developmental services; and to provide an appropriation.

Was read the first time and referred to the **Human Services Committee**.

**SB 2259:** A BILL for an Act to create and enact chapter 51-25.1 of the North Dakota Century Code, relating to tobacco product manufacturer certification, service, and reporting requirements; and to provide a penalty.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2261:** A BILL for an Act to amend and reenact sections 43-10.1-01 and 43-10.1-03.1 of the North Dakota Century Code, relating to irrevocable itemized funeral contracts and Medicaid assets exempt for funeral expenses; and to declare an emergency.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2264:** A BILL for an Act to create and enact a new subsection to section 19-03.1-23 of the North Dakota Century Code, relating to penalties for the possession of marijuana by an individual under the age of twenty-one; and to amend and reenact section 5-01-08 of the North Dakota Century Code, relating to prohibiting an individual under the age of twenty-one from using alcoholic beverages; and to provide a penalty.

Was read the first time and referred to the **Transportation Committee**.

**SB 2265:** A BILL for an Act to create and enact a new section to chapter 14-10 of the North Dakota Century Code, relating to allowing unaccompanied homeless minors to access health care without parental consent.

Was read the first time and referred to the **Human Services Committee**.

**SB 2273:** A BILL for an Act to amend and reenact section 19-03.1-22.1 of the North Dakota Century Code, relating to the inhalation of vapors; and to provide a penalty.

Was read the first time and referred to the **Transportation Committee**.

**SB 2274:** A BILL for an Act to amend and reenact section 43-58-08 of the North Dakota Century Code, relating to the scope of practice of a naturopath.

Was read the first time and referred to the **Human Services Committee**.

**SB 2276:** A BILL for an Act to amend and reenact section 44-04-18.3 of the North Dakota Century Code, relating to confidentiality of law enforcement personnel records.

Was read the first time and referred to the **Transportation Committee**.

**SB 2278:** A BILL for an Act to create and enact a new section to chapter 15.1-19 of the North Dakota Century Code, relating to school district and employee immunity regarding COVID-19; to provide for application; and to declare an emergency.

Was read the first time and referred to the **Transportation Committee**.

**SB 2279:** A BILL for an Act to amend and reenact section 43-15-31.5 of the North Dakota Century Code, relating to permitting pharmacy technician to administer drugs under the authority of a pharmacist; and to declare an emergency.

Was read the first time and referred to the **Human Services Committee**.

**SB 2281:** A BILL for an Act to create and enact a new section to chapter 54-12 of the North

Dakota Century Code, relating to a statewide sexual assault evidence collection kit tracking system; to amend and reenact subsection 5 of section 31-13-03 of the North Dakota Century Code, relating to the collection of samples of blood or body fluids for DNA testing; and to declare an emergency.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2287:** A BILL for an Act to provide for an insurance commissioner study of lignite coal industry insurance; and to provide for a report to the legislative management.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2294:** A BILL for an Act to amend and reenact subsection 1 of section 19-03.4-08 of the North Dakota Century Code, relating to the sale of scheduled listed chemical products.

Was read the first time and referred to the **Human Services Committee**.

**SB 2303:** A BILL for an Act to amend and reenact section 23-35-02.1 of the North Dakota Century Code, relating to tribal health units.

Was read the first time and referred to the **Human Services Committee**.

**SB 2308:** A BILL for an Act to create and enact a new section to chapter 15.1-09 and two new subsections to section 15.1-09-33 of the North Dakota Century Code, relating to school board authority regarding the posting of the ten commandments and the recitation of the pledge of allegiance.

Was read the first time and referred to the **Transportation Committee**.

**SB 2311:** A BILL for an Act to provide for a review of North Dakota health education content standards and curriculum; and to provide for a legislative management report.

Was read the first time and referred to the **Education Committee**.

**SB 2321:** A BILL for an Act to amend and reenact sections 5-01-14 and 5-01-21 of the North Dakota Century Code, relating to microbrew pubs and brewer taprooms.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2330:** A BILL for an Act to create and enact a new section to chapter 35-33 of the North Dakota Century Code, relating to the rights of owners of self-service storage facilities; and to amend and reenact sections 35-33-01, 35-33-02, 35-33-03, 35-33-04, 35-33-05, 35-33-07, 35-33-09, and 35-33-10 of the North Dakota Century Code, relating to self-service storage facility liens.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2334:** A BILL for an Act to create and enact chapter 23-17.6 of the North Dakota Century Code, relating to the registration of extended stay centers.

Was read the first time and referred to the **Human Services Committee**.

**SB 2336:** A BILL for an Act to provide for a legislative management study of occupational boards that address mental health and behavioral health.

Was read the first time and referred to the **Human Services Committee**.

**SB 2338:** A BILL for an Act to create and enact subdivision yy of subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks; and to amend and reenact sections 51-05.1-01.1 and 51-05.1-02 of the North Dakota Century Code, relating to auctioneer's and clerk's licenses and standards.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2340:** A BILL for an Act to amend and reenact subsection 1 of section 14-15-01 of the North Dakota Century Code, relating to termination of parental rights.

Was read the first time and referred to the **Transportation Committee**.

**SB 2341:** A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to access to public employees retirement system uniform group insurance data; and to amend and reenact section 54-52.1-05.1 of the North Dakota Century Code, relating to access to insured and provider health insurance benefits coverage data.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

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

**Buell J. Reich, Chief Clerk**