

JOURNAL OF THE HOUSE

Sixty-seventh Legislative Assembly

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Bismarck, April 6, 2021

The House convened at 1:00 p.m., with Speaker K. Koppelman presiding.

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

The roll was called and all members were present except Representatives Fegley, Hagert, and Kempenich.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

SPEAKER K. KOPPELMAN DEEMED approval of the amendments to Engrossed SB 2016, Reengrossed SB 2030, Engrossed SB 2065, Engrossed SB 2145, Engrossed SB 2212, Engrossed SB 2213, Engrossed SB 2256, Engrossed SB 2271, Engrossed SB 2282, Engrossed SB 2313, and Engrossed SCR 4007.

Engrossed SB 2016, Reengrossed SB 2030, Engrossed SB 2065, Engrossed SB 2145, Engrossed SB 2212, Engrossed SB 2213, Engrossed SB 2256, Engrossed SB 2271, Engrossed SB 2282, Engrossed SB 2313, and Engrossed SCR 4007, as amended, were placed on the Fourteenth order of business on the calendar.

CONSIDERATION OF MESSAGES FROM THE SENATE

REP. LOUSER MOVED that the House do not concur in the Senate amendments to HB 1074 as printed on HJ page 1121, in the Senate amendments to Engrossed HB 1096 as printed on HJ page 1314, in the Senate amendments to Engrossed HB 1183 as printed on HJ page 1265, and in the Senate amendments to HB 1371 as printed on HJ page 1184 and that a conference committee be appointed to meet with a like committee from the Senate on each of these measures, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER APPOINTED as a Conference Committee on:

HB 1074: Reps. Zubke, D. Anderson, Ista.

Engrossed HB 1096: Reps. M. Ruby, Marschall, Zubke.

Engrossed HB 1183: Reps. Ertelt, Toman, M. Nelson.

HB 1371: Reps. Pyle, Cory, M. Nelson.

SECOND READING OF SENATE BILL

SB 2232: A BILL for an Act to create and enact a new section to chapter 1-03 of the North Dakota Century Code, relating to the annual observance of Juneteenth; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 70 YEAS, 22 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Becker; Damschen; Ertelt; Hatlestad; Hauck; Hoverson; Jones; Karls; Klemin;

Magrum; Monson; Nehring; Owens; Paulson; Paur; Richter; Rohr; Ruby, D.; Schatz; Skroch; Toman; Vigesaa

ABSENT AND NOT VOTING: Bellew; Kempenich

Engrossed SB 2232 passed and the emergency clause was declared carried.

MOTION

REP. LOUSER MOVED that SB 2304 be moved to the top of the Fourteenth order, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2304: A BILL for an Act to amend and reenact subsection 3 of section 15.1-21-01, subsection 1 of section 15.1-21-02, and subsection 4 of section 15.1-21-02.2 of the North Dakota Century Code, relating to requiring all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history; and to provide an effective date.

REQUEST

REP. B. KOPPELMAN REQUESTED that the House divide Engrossed SB 2304, as amended, which request was granted.

DIVISION A: Section 1 of the bill

DIVISION B: Sections 2, 3, and 4 of the bill

ROLL CALL

The question being on the final adoption of Division A of Engrossed SB 2304, as amended, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Kempenich

Division A of Engrossed SB 2304, as amended, was adopted on a recorded roll call vote.

ROLL CALL

The question being on the final adoption of Division B of Engrossed SB 2304, as amended, the roll was called and there were 52 YEAS, 41 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, D.; Anderson, P.; Beltz; Boe; Boschee; Brandenburg; Buffalo; Cory; Devlin; Dobervich; Fegley; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Heinert; Howe; Ista; Johnson, D.; Jones; Keiser; Klemin; Kreidt; Longmuir; Louser; Martinson; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Pollert; Pyle; Richter; Roers Jones; Sanford; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Trottier; Vetter; Vigesaa; Weisz; Zubke

NAYS: Anderson, B.; Becker; Bellew; Bosch; Christensen; Damschen; Delzer; Dockter; Ertelt; Fisher; Hauck; Headland; Hoverson; Johnson, M.; Kading; Karls; Kasper; Kiefert; Koppelman, B.; Lefor; Magrum; Marschall; Meier; Monson; Nehring; Paulson; Paur; Porter; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schmidt; Skroch;

Steiner; Thomas; Toman; Tveit; Westlind; Speaker Koppelman, K.

ABSENT AND NOT VOTING: Kempenich

Division B of Engrossed SB 2304, as amended, was adopted on a recorded roll call vote.

ROLL CALL

The question being on the final passage of the amended bill, which includes Division A and Division B, which have been read, the roll was called and there were 72 YEAS, 21 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Becker; Bellew; Damschen; Delzer; Ertelt; Hauck; Hoverson; Johnson, M.; Kading; Karls; Koppelman, B.; Magrum; Marschall; Meier; Paulson; Paur; Rohr; Ruby, D.; Ruby, M.; Schatz; Toman

ABSENT AND NOT VOTING: Kempenich

Engrossed SB 2304, as amended, passed.

MOTION

REP. LOUSER MOVED that a committee of two be appointed to escort the Honorable Kelly M. Armstrong, United States House of Representatives, to the podium, which motion prevailed on a voice vote.

SPEAKER K. KOPPELMAN APPOINTED Reps. Schatz and Nathe.

REMARKS OF REPRESENTATIVE KELLY M. ARMSTRONG

United States Congress

Thank you Mr. Speaker and thank you to Majority Leader Pollert and Minority Leader Boschee. I miss you all a lot. Regardless of what side of the issue you are on, it goes to what we try to do in Washington, D.C. and that is to keep the federal government out of the way. It is fun to watch a citizen legislature do what they do best. My favorite part about North Dakota is how much access your constituents have to you and how you deal with it. You are getting into the last three weeks and getting lots of constituent interaction. Too often it is negative. Thank you. It is a lot easier to argue for state control and local control in North Dakota because you all serve here. I would rather have each of you making decisions for North Dakota regardless of what is going on in Washington, D.C. As you get through your last policy bills, I want you to know we do this a lot. My favorite thing to do in Washington, D.C. is to explain to people why what we do in North Dakota is not important to us but is important to them. I don't think there is a better place to talk about how it impacts us than the current conversation regarding climate. And I don't mean that because we don't want clean air and clean water. We do. I don't mean that because we don't want to lower carbon emissions. We do. But fundamentally, I don't know where it happened and whether it's the "chicken or the egg conversation", we have more information at the touch of our fingertips than at any time in history. When I had to write a report as a senior in high school, we would have to go to a library and actually pull like an Encyclopedia Britannica or a day old copy of the Washington Post or the Wall Street Journal and now that information is immediately available to everybody whether you're a representative of the North Dakota House or you're a senior in high school. But also at the same time I don't think our country's ever been more divided between producing and consuming states and districts. Urban areas are getting more blue. Rural areas are getting more red. Those are the facts that actually bear out. But fundamentally what we try and do is explain why what we do here is important to them. I think too often with our North Dakota sensibilities, Midwest sensibilities, where people who

don't like to brag, where people who work hard play hard -all of these things. Michael Howe is probably smiling right now because these are all things he helped me formulate running my first campaign and I used to get really grouchy about repeating things a hundred times in a row. What I've realized is, there's a lot of them that need to be repeated ten thousand times more and the reason is because what we do. We care. It doesn't matter if you're a farmer in the Red River Valley, or a rancher in southwestern North Dakota, or you work in the oil patch in Watford City or Williston. Your kids go to school there. You participate in the community there. We care about the environment. We love to hunt. We love to fish. We love all of those things. The problem is that we have this conversation and too many people driving it have never gotten dirt under their fingernails before. They've never produced something. They've never done those things and we're dealing with it on emotion instead of fact. What I mean by that is, often times this conversation really moves towards outsourcing our guilt. And that is in just getting the US fleet from one percent electric to ten percent electric which will create a rare earth metal gold rush that will deforest other places in the country. We mine zero lithium in the United States. We mine zero cobalt in the United States. We simply don't produce those things so we're going to have to import those things from our strategic adversaries. I can promise you this. A lithium mine in a developing country is not good for the environment. It is not good for the air. It's not good for the water. It's actually run mostly on diesel fuel which is somewhat counter intuitive. So how do we do this. We do it like we do it here. We actually do all of the above. We produce oil. We produced natural gas. We produce coal. We produce ethanol. We have grain farmers. We have livestock people and we do all of those things here and we do it really, really well. It's up to you to determine. You're going to continue to have those debates. We've seen it. We saw it in Texas. We saw it here. We continue to have those conversations. But the argument is better here. And it's better in a place that produces those things as opposed to coming from consuming districts who want to tell us how we live our lives, how we participate in our rural economies or how we participate in Fargo or how we participate in Bismarck. We're going to continue to fight for those things. We're going to continue to tell people and so every day when you're here and when you're frustrated and when you're grouchy and when you are sick of this place, remember it is still way better that you're touching things that are important to the North Dakota citizens as for anybody in DC, Republican or Democrat, to do that because you actually have to go back and live and work in this. --Applause-- I don't get applause breaks very often. I forgot how to pause for them. This isn't related just to the energy sector right? This is a criticism I have and I've reached out and told them this. We have an entire climate day from a new White House and they don't mention biofuels once. This isn't all Democrats by the way. I want to make sure. But there are too many on the environmental left that failed to recognize that we actually need these things. Under current technology, the technology doesn't exist to do what they want to do. The natural resources don't exist and the reality it doesn't exist and what I mean by that is the world will burn more coal next year whether we shut down every coal plant in North Dakota or not. Developing countries across the world need energy as they continue to develop and if we shrink back from that environment and we shrink back from being the statue on the hill and a shining beacon, it's not that it doesn't happen. It's that our strategic adversaries do it. Make no mistake. That's exactly what is going on. Small town western North Dakota lawyer and oil and gas guy--I've learned a lot about foreign policy and about our relationship in the world in the last two years. But I'm just telling you that if we continue to put pressure on American companies not to finance these projects, they're getting built anyway, and they're getting built by our strategic adversaries and I'm telling you our strategic adversaries do not have either our best interests at heart or those developing nations' interests at heart. Because what they do is they loan them money at loan shark rates and when they can't pay it back hey take over their ports. That is exactly how this works. That's where we're moving. That's why we're moving forward. So when we talk about those policies, I talk about energies because I can actually kind of talk about it and talk about what I know something about. But also because it's so important how we live right? You guys, are walking into a budget cycle and outside of the vast majority of the money that you are allowed to appropriate and that you have the responsibility of appropriating on behalf of North Dakotans comes from agriculture and energy. We continue to talk about diversifying our economy and we need to. But I will argue we have one of the best aviation tech industries in the country starting in Dickinson, North Dakota moving to Grand Sky in Grand Forks and Drone Focus in Fargo. Microsoft obviously has their second largest campus in the United States is in Fargo. I got to tour Al-Devron last week. Talk about a facility that has been relevant and what is going on in the world, and so as we continue to move through what can only can be described as a very trying year we need to remember that we are always better off when we are allowing you all to make the decisions for North Dakota, for the North Dakotan citizenry. We're way better for that. And I end with something, and I always do this, and I know you all are busy and I appreciate it because we understand

how to work with people with opposing viewpoints and it doesn't always feel that way. When I was here it didn't always feel that way as well. It's just so much better and closer, and you deal with issues in a way where you're actually touching legislation. I haven't touched a piece of legislation in two years. Like I have staff that helps me do this, and we go through things and what it effectuates is you lose that. By the way if you're ever trying to talk to somebody about a regulatory thing that is affecting one of your constituents would you rather call a North Dakota regulatory agency or DC regulatory agency? If you get somebody on the phone in DC on Tuesday and you call them back on Thursday, the likelihood of talking to the same person is almost zero. Here you might live next to them. You can bug them while they are mowing their lawn. It's just fundamentally easier to deal with and it's not just energy policy right, but it is how we deliver criminal justice in rural America, how we deliver addiction treatment in rural America, how we do those things. This body has been a leader on those issues at a time where it wasn't always politically popular to do those things. But how we do it and how we effectuate really good policy depends on understanding the place and where that policy is going to be delivered. And I am just telling you the vast majority of people in Washington DC, regardless of party affiliation, have no idea how we live. They have no idea how we work and they have no idea how we recreate and how we interact with our communities. So what we can do is help provide resources in a way that allows you to deliver those resources in the way that is best suited for rural western North Dakota or running between Grand Forks and Fargo in eastern North Dakota. We're going to do it and we're going to keep arguing about it and we're going to keep telling them that what we do here is really important. It's really important now because you're going to have fights about how we reopen the economy coming out of this pandemic. I want every corner store to be open and functioning and not go out of business. I want students to go to school in person. But the simple fact is our economy in North Dakota doesn't work right unless the rest of the world economy is working. We just simply produce way too many things we don't consume here whether it's corn or soybeans or sugar beets in the Red River Valley, or its oil and natural gas in western North Dakota. We need the world to open up and we're going to continue to fight for smart policy that gets us where we need to go as quickly as possible because that's what we can do to help you do what you do best. So as you finish up this legislative session, I just want you to know that you all make my job a lot easier because it's a lot easier to argue for local control and it's a lot easier to argue for a limited federal government because I know the work you all do. I know better than most. I still get very sentimental when I walk into this building and I miss you all a lot and I'm going to continue to do what I can do to make your life easier. Thank you for having me and go back to work.

MOTION

REP. LOUSER MOVED that the remarks of U.S. Representative Kelly M. Armstrong be printed in the journal, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2218: A BILL for an Act to create and enact section 54-03-02.2 and a new section to chapter 54-35 of the North Dakota Century Code, relating to introduction of bills and interim committees; to amend and reenact section 54-03-02, subsection 1 of section 54-03-20, subsection 2 of section 54-03.2-14, subsection 3 of section 54-35-02.4, sections 54-35-02.7 and 54-35-16, subsection 1 of section 54-35-22, and sections 54-35-26 and 54-44.1-07 of the North Dakota Century Code, relating to annually reconvened sessions of the legislative assembly and interim committee meetings; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 25 YEAS, 68 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, P.; Boe; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Howe; Ista; Mitskog; Mock; Nelson, J.; Nelson, M.; O'Brien; Richter; Roers Jones; Satrom; Schauer; Schneider; Schreiber-Beck; Zubke

NAYS: Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hauck; Headland; Heinert; Hoverson; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Monson; Nathe; Nehring; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Rohr; Ruby, D.; Ruby, M.; Sanford;

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

ABSENT AND NOT VOTING: Kempenich

Engrossed SB 2218 failed.

SECOND READING OF SENATE BILL

SB 2215: A BILL for an Act to amend and reenact sections 15.1-16-06 and 15.1-16-10, subsection 1 of section 15.1-16-11, section 15.1-16-13, subsection 1 of section 15.1-16-14, and sections 15.1-16-15 and 15.1-16-18 of the North Dakota Century Code, relating to deadlines for teacher negotiations between school districts and representative organizations.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 63 YEAS, 29 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Becker; Beltz; Bosch; Brandenburg; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hauck; Headland; Heinert; Hoverson; Howe; Johnson, D.; Jones; Karls; Kasper; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Meier; Nehring; Nelson, J.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Satrom; Schauer; Schmidt; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Adams; Anderson, P.; Boe; Boschee; Buffalo; Christensen; Cory; Damschen; Dobervich; Guggisberg; Hager; Hanson; Hatlestad; Ista; Johnson, M.; Kading; Keiser; Martinson; Mitskog; Mock; Monson; Nathe; Nelson, M.; Ostlie; Sanford; Schatz; Schneider; Schobinger; Vetter

ABSENT AND NOT VOTING: Bellew; Kempenich

Engrossed SB 2215 passed.

SECOND READING OF SENATE BILL

SB 2032: A BILL for an Act to amend and reenact section 15-18.2-05 of the North Dakota Century Code, relating to the base funding rate of the higher education funding formula.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Magrum; Ruby, D.; Trottier

ABSENT AND NOT VOTING: Kempenich

SB 2032 passed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4002: A concurrent resolution declaring September 23, 2021, as Fourth Trimester Care Day in North Dakota.

REQUEST

REP. BOSCHEE REQUESTED a recorded roll call vote on the adoption of SCR 4002, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 20 YEAS, 73 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, D.; Anderson, P.; Boe; Boschee; Buffalo; Cory; Dobervich; Guggisberg; Hager; Hanson; Hatlestad; Ista; Mitskog; Mock; Nelson, M.; O'Brien; Roers Jones; Schauer; Schneider

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

ABSENT AND NOT VOTING: Kempenich

SCR 4002 was declared lost on a recorded roll call vote.

SECOND READING OF SENATE BILL

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

ROLL CALL

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

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; 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; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Becker; Christensen; Devlin; Howe; Magrum; Nelson, M.; Toman

ABSENT AND NOT VOTING: Kempenich

Engrossed SB 2009 passed.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, unchanged: SB 2009, SB 2032, SB 2215.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2232.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2304.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass, unchanged: SB 2218.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass, unchanged: SCR 4002.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, unchanged: HB 1067, HB 1263, HB 1302, HB 1344, HB 1427.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, unchanged: HB 1231, HB 1356, HB 1466.

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

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1295.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1009, HB 1017, HB 1035, HB 1116, HB 1246.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1009

Page 1, line 2, replace the second "and" with a comma

Page 1, line 2, after "4.1-01-17" insert ", and 54-12-08"

Page 1, line 3, replace "and" with a comma

Page 1, line 4, after "program" insert ", and the ability of state agencies to employ attorney positions"

Page 1, remove lines 15 through 24

Page 2, replace lines 1 through 7 with:

| | | | |
|--------------------------------------|---------------|-------------|---------------|
| "Salaries and wages | \$14,232,746 | \$1,484,380 | \$15,717,126 |
| Operating expenses | 6,592,780 | 255,272 | 6,848,052 |
| Capital assets | 15,000 | 0 | 15,000 |
| Grants | 8,823,774 | 908,000 | 9,731,774 |
| Environmental impact mitigation | 5,000,000 | (5,000,000) | 0 |
| Agricultural products utilization | 1,760,417 | 2,700,000 | 4,460,417 |
| commission | | | |
| North Dakota trade office | 0 | 1,600,000 | 1,600,000 |
| Board of animal health | 865,718 | 0 | 865,718 |
| Wildlife services | 1,457,400 | 0 | 1,457,400 |
| Pipeline restoration and reclamation | 200,000 | 0 | 200,000 |
| oversight program | | | |
| Crop harmonization board | <u>75,000</u> | <u>0</u> | <u>75,000</u> |
| Total all funds | \$39,022,835 | \$1,947,652 | \$40,970,487 |

| | | | |
|--------------------------------|--------------|-------------|--------------|
| Less estimated income | 28,322,406 | (811,631) | 27,510,775 |
| Total general fund | \$10,700,429 | \$2,759,283 | \$13,459,712 |
| Full-time equivalent positions | 78.00 | 1.00 | 79.00" |

Page 2, replace lines 16 through 19 with:

| | | |
|-----------------------|-------------|-------------|
| "Soil health grants | 0 | 700,000 |
| Total all funds | \$2,210,000 | \$3,400,000 |
| Less estimated income | 2,000,000 | 3,400,000 |
| Total general fund | \$210,000 | \$0" |

Page 3, line 19, replace "- **OUTDOOR HERITAGE FUND**" with "**ADDITIONAL INCOME**"

Page 3, line 21, replace "\$500,000" with "\$700,000"

Page 3, line 22, remove "and the industrial commission shall transfer"

Page 3, line 23, remove "\$200,000 from the outdoor heritage fund"

Page 3, line 24, after "fund" insert "and \$400,000 is from federal or other funds available to the agriculture commissioner"

Page 4, line 6, replace "\$6,900,301" with "\$6,899,395"

Page 4, line 28, replace "three" with "nine"

Page 4, line 28, replace "seventy-six" with "eighty-four"

Page 5, after line 16, insert:

"SECTION 14. AMENDMENT. Section 54-12-08 of the North Dakota Century Code is amended and reenacted as follows:

54-12-08. Assistant and special assistant attorneys general - Appointment - Revocation - Compensation.

1. After consultation with the head of the state department or institution or with the state board, commission, committee, or agency affected, the attorney general may appoint assistant or special assistant attorneys general to represent the state board, commission, committee, or agency. A state officer, head of any state department, whether elected or appointed, or state department, board, commission, committee, or agency may not employ legal counsel, and no person may act as legal counsel in any matter, action, or proceeding in which the state or any state department, board, commission, committee, or agency is interested or is a party, except upon written appointment by the attorney general. Workforce safety and insurance, the department of transportation, the state tax commissioner, the public service commission, the insurance commissioner, ~~the agriculture commissioner~~, and the securities commissioner may employ attorneys to represent them. These entities shall pay the salaries and expenses of the attorneys they employ within the limits of legislative appropriations. The attorneys that represent these entities must be special assistant attorneys general appointed by the attorney general pursuant to this section. Absent good cause, the attorney general shall appoint as special assistant attorneys general licensed attorneys selected by these entities. The attorney general may revoke the appointment only for good cause or upon the request of the entity. Good cause means an inadequate level of experience, competence, or ethical standards.
2. The powers conferred upon special assistant attorneys general are the same as are exercised by the regular assistant attorneys general, unless the powers are limited specifically by the terms of the appointment. Except as otherwise provided by this section, an appointment is revocable at the pleasure of the attorney general. The appointment may

be made with or without compensation, and when compensation is allowed by the attorney general for services performed, the compensation must be paid out of the funds appropriated therefor.

3. The attorney general may require payment for legal services rendered by any assistant or special assistant attorney general to any state official, board, department, agency, or commission and those entities shall make the required payment to the attorney general. Moneys received by the attorney general in payment for legal services rendered must be deposited into the attorney general's operating fund. General fund moneys may not be utilized for the payment of legal services provided by the attorneys employed by the attorney general, except for those payments required of the department of human services, state department of health, department of environmental quality, and the state hospital.
4. An assistant or special assistant attorney general appointed to represent the state board of higher education or an institution under the control of the state board of higher education may access and examine any record under the control of the state board of higher education. For purposes of reviewing records under the Family Educational Rights and Privacy Act [20 U.S.C. 1232g; 34 CFR 99] or any other federal privacy law, the assistant or special assistant attorney general is considered a state educational official authorized to access student records."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

| | Base Budget | House Version | Senate Changes | Senate Version |
|--------------------------------------|----------------|------------------|-------------------|-------------------|
| Salaries and wages | \$14,232,746 | \$15,720,301 | (\$3,175) | \$15,717,126 |
| Operating expenses | 6,592,780 | 6,848,052 | | 6,848,052 |
| Capital assets | 15,000 | 15,000 | | 15,000 |
| Grants | 8,823,774 | 9,531,774 | 200,000 | 9,731,774 |
| State Board of Animal Health | 865,718 | 865,718 | | 865,718 |
| Wildlife services | 1,457,400 | 1,457,400 | | 1,457,400 |
| Crop Harmonization Board | 75,000 | 75,000 | | 75,000 |
| Pipeline restoration and reclamation | 200,000 | 200,000 | | 200,000 |
| Ag. Products Utilization Commission | 1,760,417 | 4,460,417 | | 4,460,417 |
| Mitigation of environmental impacts | 5,000,000 | | | |
| Bioscience innovation grants | | 5,500,000 | | 5,500,000 |
| Environmental law impact review | | 5,000,000 | | 5,000,000 |
| North Dakota Trade Office | | 1,600,000 | | 1,600,000 |
| Total all funds | \$39,022,835 | \$51,273,662 | \$196,825 | \$51,470,487 |
| Less estimated income | 28,322,406 | 27,314,838 | 195,937 | 27,510,775 |
| General fund | \$10,700,429 | \$23,958,824 | \$888 | \$23,959,712 |
| FTE | 78.00 | 79.00 | 0.00 | 79.00 |

Department 602 - Department of Agriculture - Detail of Senate Changes

| | Adjusts Funding for Salary and Benefit Increases ¹ | Adjusts One-Time Funding for a Soil Health Grant Program ² | Total Senate Changes |
|--------------------------------------|---|---|----------------------|
| Salaries and wages | (\$3,175) | | (\$3,175) |
| Operating expenses | | | |
| Capital assets | | | |
| Grants | | \$200,000 | 200,000 |
| State Board of Animal Health | | | |
| Wildlife services | | | |
| Crop Harmonization Board | | | |
| Pipeline restoration and reclamation | | | |
| Ag. Products Utilization Commission | | | |
| Mitigation of environmental impacts | | | |
| Bioscience innovation grants | | | |
| Environmental law impact review | | | |
| North Dakota Trade Office | | | |
| Total all funds | (\$3,175) | \$200,000 | \$196,825 |
| Less estimated income | (4,063) | 200,000 | 195,937 |
| General fund | \$888 | \$0 | \$888 |
| FTE | 0.00 | 0.00 | 0.00 |

¹ Salaries and wages funding is adjusted for 2021-23 biennium salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100 and 2 percent on July 1, 2022. The House provided 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.

² One-time funding is increased by \$200,000 for a soil health cover crop grant program to provide a total of \$700,000 for the program, of which \$300,000 is from Bank of North Dakota profits and \$400,000 is from other funds derived from federal and special funds the Agriculture Commissioner may receive during the biennium for the program. The House approved a total of \$500,000 for the program, of which \$300,000 was from Bank profits and \$200,000 was from the outdoor heritage fund.

This amendment also:

- Amends a section related to the Agriculture Commissioner's salary provided for in statute to reflect salary increases of 1.5 percent and 2 percent approved for the 2021-23 biennium.
- Adds a section to amend North Dakota Century Code Section 54-12-08 to add the Agriculture Commissioner to the list of agencies allowed to employ an attorney position.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1017

Page 1, line 2, remove "and"

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

Page 1, replace line 12 with:

| | | | |
|---------------------|--------------|-------------|---------------|
| "Salaries and wages | \$31,497,736 | \$2,407,884 | \$33,905,620" |
|---------------------|--------------|-------------|---------------|

Page 1, replace line 14 with:

| | | | |
|-----------------|-----------|-----------|------------|
| "Capital assets | 5,917,891 | 1,658,379 | 7,576,270" |
|-----------------|-----------|-----------|------------|

Page 1, replace line 16 with:

| | | | |
|------------------------------------|------------|-----------|-------------|
| "Land habitat and deer depredation | 17,660,009 | 2,320,588 | 19,980,597" |
|------------------------------------|------------|-----------|-------------|

Page 1, replace lines 18 and 19 with:

| | | | |
|------------------------------|---------|---------|----------|
| "Missouri River enforcement | 288,068 | 8,931 | 296,999 |
| Grants, gifts, and donations | 533,732 | 136,401 | 670,133" |

Page 1, replace line 21 with:

| | | | |
|---------------------|-----------|----------|------------|
| "Lonetree reservoir | 1,834,862 | (16,453) | 1,818,409" |
|---------------------|-----------|----------|------------|

Page 1, remove line 24

Page 2, replace line 1 with:

| | | | |
|-----------------------------------|--------------|-------------|---------------|
| "Aquatic nuisance species program | 1,500,000 | 9,009 | 1,509,009 |
| Total special funds | \$85,303,632 | \$7,064,502 | \$92,368,134" |

Page 2, replace lines 9 and 10 with:

| | | |
|---|-----|--------------|
| "Red River basin wildlife and water quality program | 0 | 500,000 |
| State radio equipment | 0 | 801,500 |
| Total special funds | \$0 | \$2,786,500" |

Page 2, after line 18, insert:

"SECTION 4. EXEMPTION - LINE ITEM TRANSFERS. Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer up to \$3,261,237 of appropriation authority between the operating expenses, capital assets, and grants - game and fish line items in section 1 of this Act as requested by the game and fish department during the biennium beginning July 1, 2021, and ending June 30, 2023. The game and fish department shall notify the legislative council of any transfers made pursuant to this section."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1017 - Game and Fish Department - Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|------------------------------------|----------------|------------------|-------------------|-------------------|
| Salaries and wages | \$31,497,736 | \$33,868,356 | \$37,264 | \$33,905,620 |
| Operating expenses | 15,949,169 | 16,112,754 | | 16,112,754 |
| Capital assets | 5,917,891 | 6,774,770 | 801,500 | 7,576,270 |
| Grants - Game and fish | 8,547,165 | 8,923,343 | | 8,923,343 |
| Land habitat and deer depredation | 17,660,009 | 19,979,876 | 721 | 19,980,597 |
| Noxious weed control | 725,000 | 725,000 | | 725,000 |
| Missouri River enforcement | 288,068 | 296,825 | 174 | 296,999 |
| Grants - Gifts - Donations | 533,732 | 670,090 | 43 | 670,133 |
| Nongame wildlife conservation | 100,000 | 100,000 | | 100,000 |
| Lonetree Reservoir | 1,834,862 | 1,818,290 | 119 | 1,818,409 |
| Wildlife services | 500,000 | 500,000 | | 500,000 |
| Shooting sports grant program | 250,000 | 250,000 | | 250,000 |
| Aquatic nuisance species education | 1,500,000 | 1,509,144 | (135) | 1,509,009 |
| Total all funds | \$85,303,632 | \$91,528,448 | \$839,686 | \$92,368,134 |
| Less estimated income | 85,303,632 | 91,528,448 | 839,686 | 92,368,134 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 165.00 | 165.00 | 0.00 | 165.00 |

Department 720 - Game and Fish Department - Detail of Senate Changes

| | Adds Funding for Salary Increases ¹ | Adds One-Time Funding for Radio Equipment ² | Total Senate Changes |
|------------------------------------|---|---|----------------------|
| Salaries and wages | \$37,264 | | \$37,264 |
| Operating expenses | | | |
| Capital assets | | \$801,500 | 801,500 |
| Grants - Game and fish | | | |
| Land habitat and deer depredation | 721 | | 721 |
| Noxious weed control | | | |
| Missouri River enforcement | 174 | | 174 |
| Grants - Gifts - Donations | 43 | | 43 |
| Nongame wildlife conservation | | | |
| Lonetree Reservoir | 119 | | 119 |
| Wildlife services | | | |
| Shooting sports grant program | | | |
| Aquatic nuisance species education | (135) | | (135) |
| Total all funds | \$38,186 | \$801,500 | \$839,686 |
| Less estimated income | 38,186 | 801,500 | 839,686 |
| General fund | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 |

¹ Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The House provided 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.

² One-time funding of \$801,500 from the game and fish fund is added for replacement of radio equipment. The House did not include this funding.

This amendment also authorizes the Game and Fish Department to transfer up to \$3,261,237 between the operating expenses, capital assets, and grants - game and fish line items, during the 2021-23 biennium. The department must report any transfers to the Legislative Council. The House did not include this section.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1035

In addition to the amendments adopted by the Senate as printed on pages 977 and 978 of the Senate Journal, Engrossed House Bill No. 1035 is further amended as follows:

Page 1, line 19, after the second semicolon insert "to provide an appropriation;"

Page 124, after line 14, insert:

"SECTION 46. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$450,000, or so much of the sum as may be necessary, to the commission on legal counsel for indigents for the purpose of providing legal counsel for juveniles, for the biennium beginning July 1, 2021, and ending June 30, 2023."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1035 - Comm. on Legal Counsel for Indigents - Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|--------------------------------------|----------------|------------------|-------------------|-------------------|
| Comm. on Legal Counsel for Indigents | | | \$450,000 | \$450,000 |
| Total all funds | \$0 | \$0 | \$450,000 | \$450,000 |
| Less estimated income | 0 | 0 | 0 | 0 |
| General fund | \$0 | \$0 | \$450,000 | \$450,000 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |

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

| | Adds Funding for Legal Counsel for Juveniles ¹ | Total Senate Changes |
|--------------------------------------|--|----------------------|
| Comm. on Legal Counsel for Indigents | \$450,000 | \$450,000 |
| Total all funds | \$450,000 | \$450,000 |
| Less estimated income | 0 | 0 |
| General fund | \$450,000 | \$450,000 |
| FTE | 0.00 | 0.00 |

¹ Funding of \$450,000 from the general fund is added for the Commission on Legal Counsel for Indigents to provide legal counsel for juveniles. The House did not provide funding for this purpose.

SENATE AMENDMENTS TO HOUSE BILL NO. 1116

Page 1, line 1, remove the comma

Page 1, line 2, remove "21-03-08, 21-03-19,"

Page 1, line 2, remove the third comma

Page 1, line 3, remove "and maximum term"

Page 1, line 4, remove "and"

Page 1, line 4, after "date" insert "; and to provide a contingent effective date"

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 21

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

Page 4, line 7, remove "twenty"

Page 4, line 7, after the comma insert "or twenty years for loans issued under section 6-09-49."

Page 4, after line 13, insert:

"SECTION 4. AMENDMENT. Section 57-47-02 of the North Dakota Century Code is amended and reenacted as follows:

57-47-02. County authorized to borrow - Term - Interest rate.

Whenever in the judgment of the board of county commissioners all taxes authorized to be levied in any one year for general or special county purposes are insufficient to carry on the primary governmental functions, or to pay the mandatory obligations imposed by law upon a county, then such a county may borrow money in an amount the board determines necessary to meet the deficiencies existing in its general or special funds, or to carry on primary governmental functions, and to pay mandatory obligations. For the purpose of borrowing, a county may issue evidences of indebtedness, which must consist of an agreement by the county to pay a stated sum on a specified date, or on or before a specified date, not more than five years in the future, or twenty years for loans issued under section 6-09-49 or 6-09-49.1, together with interest at a rate or rates resulting in an average annual net interest cost not to exceed twelve percent per annum if sold privately, or with no interest rate ceiling if sold at a public sale or to the state of North Dakota or any of its agencies or instrumentalities. A public sale must comply with the procedures set out in chapter 21-03. There is no requirement for an advertisement for bids if an evidence of indebtedness is sold privately or to the state of North Dakota or any of its agencies or instrumentalities."

Page 4, line 14, replace "4" with "2"

Page 4, line 14, replace "5" with "3"

Page 4, after line 15, insert:

"SECTION 6. CONTINGENT EFFECTIVE DATE. Section 4 of this Act is effective at the time provided in Section 5 of this Act if section 6-09-49.1, as created by House Bill No. 1425, is approved by the sixty-seventh legislative assembly."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1246

Page 2, line 10, after "students" insert "from a nonoperating school district on an air force base"

Page 2, line 12, after "students" insert "from a nonoperating school district on an air force base"

Page 2, line 15, after "students" insert "from a nonoperating school district on an air force base"

Page 5, line 23, after "students" insert "from a nonoperating school district on an air force base"

Page 7, line 20, after "students" insert "from a nonoperating school district on an air force base"

Page 7, line 23, after "students" insert "from a nonoperating school district on an air force base"

Page 10, line 29, after "students" insert "from a nonoperating school district on an air force base"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment clarifies that tuition exempt from deduction in the state school aid formula is only for tuition received through federal impact aid under an agreement to educate students from a nonoperating school district on an Air Force base.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1021, HB 1099, HB 1199, HB 1232, HB 1285, HB 1419, HB 1455.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1021

Page 1, replace lines 10 through 13 with:

| | | | |
|--|---------------------|---------------------|---------------------|
| "Workforce safety and insurance operations | <u>\$60,887,842</u> | <u>\$12,299,086</u> | <u>\$73,186,928</u> |
| Total special funds | \$60,887,842 | \$12,299,086 | \$73,186,928 |
| Full-time equivalent positions | 260.14 | (12.00) | 248.14" |

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

| | | | | |
|----------------|---------------------|---------------------|-------------------|---------------------|
| | Base Budget | House Version | Senate Changes | Senate Version |
| WSI operations | <u>\$60,887,842</u> | <u>\$73,159,652</u> | <u>\$27,276</u> | <u>\$73,186,928</u> |

| | | | | |
|-----------------------|--------------|--------------|----------|--------------|
| Total all funds | \$60,887,842 | \$73,159,652 | \$27,276 | \$73,186,928 |
| Less estimated income | 60,887,842 | 73,159,652 | 27,276 | 73,186,928 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 260.14 | 260.14 | (12.00) | 248.14 |

Department 485 - Workforce Safety and Insurance - Detail of Senate Changes

| | Adjusts Funding for Salary and Benefit Increases ¹ | Transfers Positions to ITD for IT Unification ² | Total Senate Changes |
|-----------------------|---|---|----------------------|
| WSI operations | (\$33,235) | \$60,511 | \$27,276 |
| Total all funds | (\$33,235) | \$60,511 | \$27,276 |
| Less estimated income | (33,235) | 60,511 | 27,276 |
| General fund | \$0 | \$0 | \$0 |
| FTE | 0.00 | (12.00) | (12.00) |

¹ Salaries and wages funding is adjusted for 2021-23 biennium salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100 and 2 percent on July 1, 2022. The House provided 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.

² Twelve FTE information technology positions and related funding are transferred to the Information Technology Department for the information technology unification initiative. The House did not transfer these positions.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1099

Page 1, line 1, after "reenact" insert "subsection 3 of section 5-01-01,"

Page 1, line 2, after "to" insert "the definition of beer;"

Page 1, line 3, replace the comma with a semicolon

Page 1, line 5, after "body" insert "; and to provide an effective date"

Page 1, after line 6, insert:

"SECTION 1. AMENDMENT. Subsection 3 of section 5-01-01 of the North Dakota Century Code is amended and reenacted as follows:

3. "Beer" means any malt beverage containing one-half of one percent or more of alcohol by volume and includes an alcoholic beverage made by the fermentation of malt substitutes, including rice, grain of any kind, glucose, sugar, or molasses, which has not undergone distillation."

Page 2, after line 20, insert:

"SECTION 5. EFFECTIVE DATE. Section 1 of this Act is effective for taxable periods beginning after June 30, 2021."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1199

Page 1, line 12, overstrike "original"

Page 1, line 14, after the first underscored comma insert "interest."

Page 1, line 17, remove "decedent's estate if the owner of the record title of"

Page 1, line 18, replace "the real estate is deceased" with "general fund of the county if the owner of the record title of the real estate did not respond to the notice of foreclosure of tax lien"

Page 1, line 18, after "order" insert "within thirty days after the sale"

Page 1, line 23, overstrike "without" and insert immediately thereafter "with"

Page 2, line 4, remove "decendent's estate if the owner of the record title of the"

Page 2, line 5, replace "real estate is deceased" with "general fund of the county if the owner of the record title of the real estate did not respond to the notice of foreclosure of tax lien"

Page 2, line 5, after "order" insert "within thirty days after the sale"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1232

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to school district virtual learning policies; to"

Page 1, line 3, after "instruction" insert "; and to provide for a legislative management report"

Page 2, line 10, remove ", except a school district may submit and"

Page 2, remove lines 11 and 12

Page 2, line 13, remove "subsection 6"

Page 2, line 13, after the period insert "A school district may satisfy the requirements of this section by providing virtual instruction pursuant to section 2 of this Act."

Page 2, remove lines 23 through 31

Page 3, replace lines 1 and 2 with:

"SECTION 2. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School districts - Policy - Virtual learning - Report to legislative management.

The board of a school district or governing board of a nonpublic school that operates a physical school plant may adopt a policy to allow students to engage in virtual instruction and qualify for average daily membership in the district. The superintendent of public instruction shall adopt rules governing policies under this section. A policy adopted by a school district under this section must comply with the rules adopted by the superintendent of public instruction. The superintendent of public instruction shall provide biennial reports to the legislative management regarding the academic performance metrics of students participating in virtual instruction under this section.

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1285

Page 2, line 8, replace "American" with "America"

Page 2, line 9, replace "American" with "America"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1419

Page 1, line 4, remove "40-12-02,"

Page 9, remove lines 1 through 17

Page 10, line 14, replace "5" with "4"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1455

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

Page 2, after line 25, insert:

"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - COAL CONVERSION FACILITIES. During the 2021-22 interim, the legislative management shall consider studying the need, cost, effect, and appropriate process for bonding and ensuring reclamation of coal conversion facilities. The study must include an examination and assessment of the methods and amounts of financial assurance and schedules, the interaction of economics and the statutes, rules, and policies relating to the remaining useful life and early retirement of coal conversion facilities, the role of the public service commission in all electrical generation retirement, and the appropriate involvement of the public and local communities and political subdivisions in the retirement process. The study also must evaluate the effectiveness of government programs and incentives relating to energy production, reliability, and the state's role in that process. 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

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HCR 3006.

SENATE AMENDMENTS TO ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 3006

Page 1, line 12, after "fees" insert "by the federal government"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HCR 3035.

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3035

Page 1, line 3, replace "higher" with "career and technical"

Page 1, line 18, replace "higher" with "career and technical"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1019.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1019

Page 1, line 5, after the first semicolon insert "to provide for the conveyance of real property; to provide for a legislative management study; to provide for application;"

Page 1, line 5, after the second "provide" insert "for"

Page 1, replace lines 17 through 23 with:

| | | | |
|---------------------------------|-------------------|-------------------|-------------------|
| "Administration | \$2,604,999 | \$410,071 | \$3,015,070 |
| Park operations and maintenance | 20,914,593 | 7,740,930 | 28,655,523 |
| Recreation | <u>9,023,560</u> | <u>4,102,602</u> | <u>13,126,162</u> |
| Total all funds | \$32,543,152 | \$12,253,603 | \$44,796,755 |
| Less estimated income | <u>20,046,609</u> | <u>12,052,984</u> | <u>32,099,593</u> |

| | | | |
|--------------------------------|--------------|-----------|--------------|
| Total general fund | \$12,496,543 | \$200,619 | \$12,697,162 |
| Full-time equivalent positions | 61.50 | (3.75) | 57.75" |

Page 2, replace lines 11 through 14 with:

| | | | |
|--------------------------------------|-------------|---------------|------|
| "Lewis and Clark interpretive center | \$1,304,375 | (\$1,304,375) | \$0 |
| Total all funds | \$1,304,375 | (\$1,304,375) | \$0 |
| Less estimated income | 334,118 | (334,118) | 0 |
| Total general fund | \$970,257 | (\$970,257) | \$0" |

Page 2, replace lines 18 through 20 with:

| | | | |
|---------------------------|--------------|--------------|---------------|
| "Grand total general fund | \$14,343,129 | (\$769,638) | \$13,573,491 |
| Grand total special funds | 20,380,727 | 14,718,866 | 35,099,593 |
| Grand total all funds | \$34,723,856 | \$13,949,228 | \$48,673,084" |

Page 2, after line 28 insert:

| | |
|-------------------------------|------------|
| "Parks matching grant program | 2,000,000" |
|-------------------------------|------------|

Page 3, replace lines 5 through 7 with:

| | | |
|-----------------------|-------------|--------------|
| "Total all funds | \$8,311,126 | \$12,750,000 |
| Less estimated income | 8,311,126 | 12,500,000 |
| Total general fund | \$0 | \$250,000" |

Page 3, replace lines 25 through 28 with:

"SECTION 5. CONVEYANCE OF LAND AND BUILDINGS - LEWIS AND CLARK INTERPRETIVE CENTER - APPLICATION. The State of North Dakota, by and through the parks and recreation department, shall convey ownership of the Lewis and Clark interpretive center and surrounding real property to the state historical society. Sections 54-01-05.2 and 54-01-05.5 do not apply to this conveyance."

Page 4, after line 2, insert:

"SECTION 7. PARKS MATCHING GRANT PROGRAM - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The recreation line item in subdivision 1 of section 1 of this Act includes \$1,000,000 from the strategic investment and improvements fund for a matching grant program for the biennium beginning July 1, 2021, and ending June 30, 2023. The parks and recreation department may spend these funds for capital project improvements at state parks, subject to the department obtaining matching funds from nonstate sources for each project on a dollar-for-dollar basis."

Page 5, after line 16, insert:

"SECTION 14. LEGISLATIVE MANAGEMENT STUDY - PARKS MATCHING GRANT PROGRAM. During the 2021-22 interim, the legislative management shall consider studying the effectiveness of the parks matching grant program created in section 7 of this Act and the feasibility and desirability of creating a parks and recreation foundation. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Page 5, line 19, replace "7" with "8"

Page 5, line 19, replace "8" with "9"

Page 5, line 19, replace "9" with "10"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1019 - Parks and Recreation Department - Senate Action**

| | Base Budget | House Version | Senate Changes | Senate Version |
|-------------------------------------|----------------|------------------|-------------------|-------------------|
| Administration | \$2,604,999 | \$3,013,439 | \$1,631 | \$3,015,070 |
| Park operations and maintenance | 20,914,593 | 28,652,175 | 3,348 | 28,655,523 |
| Recreation | 9,023,560 | 11,124,958 | 2,001,204 | 13,126,162 |
| International Peace Garden | 876,329 | 3,876,329 | | 3,876,329 |
| Lewis and Clark Interpretive Center | 1,304,375 | 1,440,912 | (1,440,912) | |
| Total all funds | \$34,723,856 | \$48,107,813 | \$565,271 | \$48,673,084 |
| Less estimated income | 20,380,727 | 33,687,692 | 1,411,901 | 35,099,593 |
| General fund | \$14,343,129 | \$14,420,121 | (\$846,630) | \$13,573,491 |
| FTE | 61.50 | 61.50 | (3.75) | 57.75 |

Department 750 - Parks and Recreation Department - Detail of Senate Changes

| | Adjusts Funding for Salary Increases ¹ | Transfers the Lewis and Clark Interpretive Center Operations ² | One-Time Funding for Parks Matching Program ³ | Total Senate Changes |
|-------------------------------------|--|--|--|-------------------------|
| Administration | \$1,631 | | | \$1,631 |
| Park operations and maintenance | 3,348 | | | 3,348 |
| Recreation | 1,204 | | \$2,000,000 | 2,001,204 |
| International Peace Garden | | | | |
| Lewis and Clark Interpretive Center | (12,121) | (\$1,428,791) | | (1,440,912) |
| Total all funds | (\$5,938) | (\$1,428,791) | \$2,000,000 | \$565,271 |
| Less estimated income | 96 | (588,195) | 2,000,000 | 1,411,901 |
| General fund | (\$6,034) | (\$840,596) | \$0 | (\$846,630) |
| FTE | 0.00 | (3.75) | 0.00 | (3.75) |

¹ Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The House provided 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.

² Funding and 3.75 FTEs are removed to transfer the Lewis and Clark Interpretive Center to the State Historical Society. The House did not provide for this transfer.

³ One-time funding of \$2 million is provided from the strategic investment and improvements fund (\$1 million) and from other funds (\$1 million) derived from matching funds for a parks matching grant program. The House did not include this funding.

This amendment also:

- Conveys ownership of the Lewis and Clark Interpretive Center and surrounding real property to the State Historical Society. The section exempts the conveyance from North Dakota Century Code Sections 54-01-05.2 and 54-01-05.5 relating to the sale of state-owned land and the preparation of an assessment of the property. The House did not include this section.
- Creates a parks matching grant program requiring dollar-for-dollar matching funds provided from nonstate sources and includes \$1 million from the strategic investment and improvements fund. The House did not include this section.
- Provides for a Legislative Management study of the parks matching grant program and the feasibility and desirability of creating a parks and recreation foundation. The House did not include this section.
- Removes a section providing for a \$100,000 transfer from the Department of Transportation for defraying expenses of the Lewis and Clark Interpretive Center. The House included this section.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1397.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1397

Page 1, line 3, after the comma insert "to provide for public access to plans that are distributed or reported,"

Page 1, line 23, after "management" insert ", a legislative management committee,"

Page 1, line 24, after "assembly" insert ", at which time the presented or distributed draft is an open record. If possible, the presented or distributed draft must be made accessible to the public on the legislative branch website such as through the use of hyperlinks in the online meeting agenda"

Page 1, line 24, remove "created before the"

Page 2, line 1, replace "completion of the plan" with "other than the version presented or distributed at a meeting of the legislative management, a legislative management committee, or the legislative assembly"

Page 2, line 1, remove "regardless of whether the completed plan"

Page 2, line 2, remove "is presented or distributed subsequently at a meeting"

ReNUMBER accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1245.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1358.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1129, HB 1191, HB 1334, HB 1496.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has failed to pass, unchanged: HCR 3024, HCR 3030, HCR 3044.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1074, HB 1096, HB 1183, and HB 1371, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1074: Reps. Zubke; D. Anderson; Ista
HB 1096: Reps. M. Ruby; Marschall; Zubke
HB 1183: Reps. Ertelt; Toman; M. Nelson
HB 1371: Reps. Pyle; Cory; M. Nelson

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has appointed as a conference committee to act with a like committee from the House on:

HB 1045: Sens. Myrdal; O. Larsen; Lemm
HB 1103: Sens. Anderson; Kannianen; Oban
HB 1117: Sens. Dwyer; Fors; Bakke
HB 1164: Sens. Myrdal; Luick; Dwyer
HB 1175: Sens. Klein; Vedaa; Marcellais
HB 1254: Sens. K. Roers; O. Larsen; Hogan
HB 1298: Sens. Dwyer; Myrdal; Bakke
HB 1437: Sens. Luick; Myrdal; Hogan

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has appointed Rep. Becker to replace Rep. Paur on the

Conference Committee on HB 1148.

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

MR. PRESIDENT: The Speaker has appointed Rep. Paur to replace Rep. Becker on the Conference Committee on HB 1502.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1043, HB 1195, HB 1309, HB 1435, HB 1470, HB 1503, HCR 3014, HCR 3029, HCR 3046.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1256.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2054, SB 2259.

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

MR. SPEAKER: The President has signed: HB 1043, HB 1195, HB 1309, HB 1435, HB 1470, HB 1503.

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

MR. SPEAKER: The President has signed: HCR 3014, HCR 3029, HCR 3046.

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

MR. PRESIDENT: The Speaker has signed: HB 1425.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on April 6, 2021: HB 1425.

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, Seventh, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, April 7, 2021, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

SB 2006, as engrossed: 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). Engrossed SB 2006 was placed on the Sixth order on the calendar.

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

Page 1, replace line 12 with:

| | | | |
|---------------------|-------------|----------|--------------|
| "Salaries and wages | \$1,526,328 | \$72,982 | \$1,599,310" |
|---------------------|-------------|----------|--------------|

Page 1, replace lines 14 through 16 with:

| | | | |
|-----------------------|-------------------|------------------|--------------------|
| "Grants | <u>25,800,000</u> | <u>1,750,000</u> | <u>27,550,000</u> |
| Total all funds | \$29,331,082 | \$1,885,905 | \$31,216,987 |
| Less estimated income | <u>28,831,082</u> | <u>1,910,905</u> | <u>30,741,987"</u> |

Page 1, remove lines 19 through 22

Page 2, remove lines 1 through 7

Page 2, replace lines 15 through 17 with:

"SECTION 3. APPROPRIATION. There is appropriated from federal funds, the sum of \$5,000,000, or so much of the sum as may be necessary, to the state board of higher education for the purpose of reconstructing the university of North

Dakota's apron at the Grand Forks airport, for the biennium beginning July 1, 2021, and ending June 30, 2023. This funding is considered to be a one-time funding item."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2006 - Summary of House Action

| | Base Budget | Senate Version | House Changes | House Version |
|------------------------|----------------|-------------------|------------------|------------------|
| University System | | | | |
| Total all funds | \$0 | \$0 | \$5,000,000 | \$5,000,000 |
| Less estimated income | 0 | 0 | 5,000,000 | 5,000,000 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |
| Aeronautics Commission | | | | |
| Total all funds | \$29,331,082 | \$36,220,647 | (\$5,003,660) | \$31,216,987 |
| Less estimated income | 28,831,082 | 35,745,647 | (5,003,660) | 30,741,987 |
| General fund | \$500,000 | \$475,000 | \$0 | \$475,000 |
| FTE | 7.00 | 7.00 | 0.00 | 7.00 |
| Bill total | | | | |
| Total all funds | \$29,331,082 | \$36,220,647 | (\$3,660) | \$36,216,987 |
| Less estimated income | 28,831,082 | 35,745,647 | (3,660) | 35,741,987 |
| General fund | \$500,000 | \$475,000 | \$0 | \$475,000 |
| FTE | 7.00 | 7.00 | 0.00 | 7.00 |

Senate Bill No. 2006 - University System - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-----------------------|----------------|-------------------|------------------|------------------|
| Capital assets | | | \$5,000,000 | \$5,000,000 |
| Total all funds | \$0 | \$0 | \$5,000,000 | \$5,000,000 |
| Less estimated income | 0 | 0 | 5,000,000 | 5,000,000 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 |

Department 214 - University System - Detail of House Changes

| | Adds One-time Funding for Airport Apron ¹ | Total House Changes |
|-----------------------|---|---------------------|
| Capital assets | \$5,000,000 | \$5,000,000 |
| Total all funds | \$5,000,000 | \$5,000,000 |
| Less estimated income | 5,000,000 | 5,000,000 |
| General fund | \$0 | \$0 |
| FTE | 0.00 | 0.00 |

¹ A section is added appropriating \$5 million from federal funds to the State Board of Higher Education for reconstructing the University of North Dakota's apron at the Grand Forks airport. The Senate did not include this appropriation to the State Board of Higher Education.

Senate Bill No. 2006 - Aeronautics Commission - House Action

| | Base Budget | Senate Version | House Changes | House Version |
|-----------------------|----------------|-------------------|------------------|------------------|
| Salaries and wages | \$1,526,328 | \$1,602,970 | (\$3,660) | \$1,599,310 |
| Operating expenses | 2,004,754 | 2,067,677 | | 2,067,677 |
| Grants | 25,800,000 | 32,550,000 | (5,000,000) | 27,550,000 |
| Total all funds | \$29,331,082 | \$36,220,647 | (\$5,003,660) | \$31,216,987 |
| Less estimated income | 28,831,082 | 35,745,647 | (5,003,660) | 30,741,987 |
| General fund | \$500,000 | \$475,000 | \$0 | \$475,000 |
| FTE | 7.00 | 7.00 | 0.00 | 7.00 |

Department 412 - Aeronautics Commission - Detail of House Changes

| | Adds Funding for Salary and Benefit Increases ¹ | Removes One-time Funding for Airport Grants ² | Total House Changes |
|-----------------------|---|--|---------------------|
| Salaries and wages | (\$3,660) | | (\$3,660) |
| Operating expenses | | | |
| Grants | | (\$5,000,000) | (5,000,000) |
| Total all funds | (\$3,660) | (\$5,000,000) | (\$5,003,660) |
| Less estimated income | (3,660) | (5,000,000) | (5,003,660) |
| General fund | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 |

¹ Funding is adjusted to provide salary adjustments of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The Senate provided salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300, and 2 percent on July 1, 2022.

² Funding of \$5 million from the strategic investment and improvements fund for airport grants is removed. The Senate provided one-time funding of \$5 million from the strategic investment and improvements fund for airport grants.

REPORT OF STANDING COMMITTEE

SB 2012, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2012 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first semicolon, insert "to create and enact section 24-02-02.5 of the North Dakota Century Code, relating to cooperative agreements for rest areas;"

Page 1, line 3, after "exemption" insert "; to provide a statement of legislative intent"

Page 1, line 3, remove the fourth "to"

Page 1, line 4, remove "provide for a legislative management study;"

Page 1, replace lines 13 through 17 with:

| | | | |
|---------------------|-------------------|-------------------|--------------------|
| "Salaries and wages | \$197,827,038 | \$6,282,547 | \$204,109,585 |
| Operating expenses | 235,037,785 | 45,510,403 | 280,548,188 |
| Capital assets | 859,725,944 | 87,705,400 | 947,431,344 |
| Grants | <u>95,854,637</u> | <u>22,230,973</u> | <u>118,085,610</u> |
| Total special funds | \$1,388,445,404 | \$161,729,323 | \$1,550,174,727" |

Page 2, line 22, replace "\$500,000" with "\$750,000"

Page 2, line 26, after "any" insert "local"

Page 2, after line 28, insert:

"SECTION 5. FEDERAL FUNDS - TRAFFIC MANAGEMENT CENTER - AVAILABLE STATE FUNDS. Section 1 of this Act includes \$5,000,000 of federal funds for the creation of a traffic management center during the biennium beginning July 1, 2021, and ending June 30, 2023. If available, the department of transportation may use up to \$5,000,000 of state funds appropriated in section 1 of this Act for the creation of a traffic management center and to match the federal funds identified in this section."

Page 3, remove lines 22 through 31

Page 4, replace lines 1 through 7 with:

"SECTION 9. Section 24-02-02.5 of the North Dakota Century Code is created and enacted as follows:

24-02-02.5. Rest area cooperative agreement.

Notwithstanding any other provision of law, the director may enter a cooperative agreement with the Theodore Roosevelt national park painted canyon visitor center for the joint administration and operation of a rest area facility for use by the traveling public. The director may expend moneys from the state highway fund within the limits of legislative appropriations for administration and operational support of the rest area facility.

SECTION 10. LEGISLATIVE INTENT - DEPARTMENT OF TRANSPORTATION - BIOLOGICAL AND OTHER RENEWABLE PRODUCTS. It is the intent of the sixty-seventh legislative assembly that the department of transportation use gasoline fuel with fifteen percent ethanol and the highest compatible percentage of biodiesel or renewable diesel for all department and state fleet vehicles when these products are available and result in cost-savings. It is further the intent of the sixty-seventh legislative assembly that state fleet vehicles refueling at nonstate fuel sites use renewable fuels when available."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2012 - Department of Transportation - House Action**

| | Base Budget | Senate Version | House Changes | House Version |
|--------------------------------------|-----------------|-----------------|---------------|-----------------|
| Salaries and wages | \$197,827,038 | \$204,202,914 | (\$93,329) | \$204,109,585 |
| Operating expenses | 235,037,785 | 279,508,238 | 1,039,950 | 280,548,188 |
| Capital assets | 859,725,944 | 920,072,370 | 27,358,974 | 947,431,344 |
| Grants | 95,854,637 | 112,808,637 | 5,276,973 | 118,085,610 |
| Contingent Bank of North Dakota Loan | | 50,000,000 | | 50,000,000 |
| Emergency road repair grants | | 500,000 | 250,000 | 750,000 |
| Total all funds | \$1,388,445,404 | \$1,567,092,159 | \$33,832,568 | \$1,600,924,727 |
| Less estimated income | 1,388,445,404 | 1,567,092,159 | 33,832,568 | 1,600,924,727 |
| General fund | \$0 | \$0 | \$0 | \$0 |
| FTE | 982.00 | 982.00 | 0.00 | 982.00 |

Department 801 - Department of Transportation - Detail of House Changes

| | Adds Funding for Salary Increases ¹ | Increases Funding for Operating Expenses ² | Adds Funding for a Traffic Management Center ³ | Increases Funding for Bridge Rehabilitation and Replacement ⁴ | Adds Funding for Electric Charging Infrastructure Grants ⁵ | Adds Funding for Emergency Road Repair Grants ⁶ |
|--------------------------------------|--|---|---|--|---|--|
| Salaries and wages | (\$93,329) | | | | | |
| Operating expenses | | \$1,000,000 | \$39,950 | | | |
| Capital assets | | | 4,700,050 | \$22,658,924 | | |
| Grants | | | 260,000 | | \$5,016,973 | |
| Contingent Bank of North Dakota Loan | | | | | | |
| Emergency road repair grants | | | | | | \$250,000 |
| Total all funds | (\$93,329) | \$1,000,000 | \$5,000,000 | \$22,658,924 | \$5,016,973 | \$250,000 |
| Less estimated income | (93,329) | 1,000,000 | 5,000,000 | 22,658,924 | 5,016,973 | 250,000 |
| General fund | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

| | Total House Changes |
|--------------------------------------|---------------------|
| Salaries and wages | (\$93,329) |
| Operating expenses | 1,039,950 |
| Capital assets | 27,358,974 |
| Grants | 5,276,973 |
| Contingent Bank of North Dakota Loan | |
| Emergency road repair grants | 250,000 |
| Total all funds | \$33,832,568 |
| Less estimated income | 33,832,568 |
| General fund | \$0 |
| FTE | 0.00 |

¹ Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The House provided 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.

² Funding for operating expenses is increased by \$1 million from the highway fund for implementation of an electronic driver's license. The Senate did not include this funding.

³ Funding of \$5 million from federal funds is added for the creation of a traffic management center. The Senate did not include this funding.

⁴ Funding from federal funds (\$18,127,139) and the highway fund (\$4,531,785) are increased for bridge rehabilitation and replacement. The Senate did not include this funding increase.

⁵ Funding is added from federal funds (\$4,013,578) and other funds (\$1,003,395) to provide grants for electric charging infrastructure. The Senate did not include this funding.

⁶ Funding for emergency road repair grants is increased by \$250,000, from \$500,000 to \$750,000, from the state disaster relief fund. The Senate provided \$500,000 from the state disaster relief fund.

This amendment also:

- Changes the requirements for emergency road repair grants to townships to preclude townships that have sufficient local funds from receiving a grant. The Senate precluded townships that have sufficient funds from any source from receiving a grant.
- Adds a section identifying \$5 million from federal funds for the creation of a traffic management center and authorizes the Department of Transportation to use state funds available during the 2021-23 biennium within its appropriation to match the federal funds. The Senate did not include funding for a traffic management center, but provided for a legislative study. The study section is removed.
- Creates a new section to North Dakota Century Code Chapter 24-02 relating to cooperative agreements for rest areas. The Senate did not include this section.
- Provides legislative intent that the Department of Transportation use gasoline fuel with 15 percent ethanol and the highest compatible percentage of biodiesel or renewable diesel for all department and State Fleet vehicles when these products are available and result in cost-savings. It also provides intent that State Fleet vehicles refueling at nonstate fuel sites use renewable fuels when available. The Senate did not include this section.

REPORT OF STANDING COMMITTEE

SB 2146: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2146 was placed on the Sixth order on the calendar.

In lieu of the amendments as printed on pages 1234 and 1235 of the House Journal, Senate Bill No. 2146 is amended as follows:

Page 1, line 2, after the semicolon insert "to provide a statement of legislative intent;"

Page 1, line 8, after "to" insert "improvements for"

Page 1, line 9, after the first "the" insert "2010 standards for accessible design adopted by the United States department of justice pursuant to the"

Page 1, line 9, replace "improvements" with a comma

Page 1, after line 16, insert:

"SECTION 2. LEGISLATIVE INTENT. It is the intent of the sixty-seventh legislative assembly that the office of management and budget complete all accessibility improvements on the state capitol grounds as provided for in section 1 of this Act as soon as possible."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2230, as engrossed and amended: 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). Engrossed SB 2230, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 1155 and 1156 of the House Journal, Engrossed Senate Bill No. 2230 is amended as follows:

Page 1, line 13, replace "seventy-five" with "eighty"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2272, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2272, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 1253 of the House Journal, Engrossed Senate Bill No. 2272 is amended as follows:

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

Page 1, line 4, remove "and 4 of chapter 136 of the 2019 Session Laws"

Page 1, line 5, after the semicolon insert "to repeal sections 15-10-38.1 and 15-10-38.2 of the North Dakota Century Code, relating to the skilled workforce student loan repayment program and the skilled workforce scholarship program;"

Page 1, line 6, remove "and"

Page 1, line 7, after "date" insert "; and to declare an emergency"

Page 4, line 5, after the underscored comma insert "state-approved educator training programs."

Page 5, line 17, after "education" insert ", in conjunction with the Bank of North Dakota."

Page 6, remove lines 23 through 30

Page 7, replace lines 1 through 8 with:

"SECTION 5. REPEAL. Sections 15-10-38.1 and 15-10-38.2 of the North Dakota Century Code are repealed.

SECTION 6. TRANSFER - BANK OF NORTH DAKOTA - SKILLED WORKFORCE STUDENT LOAN REPAYMENT PROGRAM FUND. The Bank of North Dakota shall transfer the sum of \$3,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the skilled workforce student loan repayment fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 7. TRANSFER - BANK OF NORTH DAKOTA - SKILLED WORKFORCE SCHOLARSHIP FUND. The Bank of North Dakota shall transfer the sum of \$3,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the skilled workforce scholarship fund during the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 8. EFFECTIVE DATE. Sections 1, 2, 3, 6, and 7 of this Act become effective on July 1, 2021.

SECTION 9. EFFECTIVE DATE. Sections 5 of this Act becomes effective on July 1, 2023."

Page 7, after line 11, insert:

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

Renumber accordingly

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

Buell J. Reich, Chief Clerk