

## JOURNAL OF THE HOUSE

## Sixty-seventh Legislative Assembly

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Bismarck, April 23, 2021

The House convened at 8:00 a.m., with Speaker K. Koppelman presiding.

The prayer was offered by Rep. Meier, District 32.

The roll was called and all members were present except Representatives Ostlie and M. Ruby.

A quorum was declared by the Speaker.

## COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 22, 2021, I have signed the following: HB 1412.

## MOTION

**REP. LOUSER MOVED** that SB 2161, which is on the Seventh order, be laid over one legislative day, which motion prevailed on a voice vote.

## SIXTH ORDER OF BUSINESS

**SPEAKER K. KOPPELMAN DEEMED** approval of the amendments to Engrossed SB 2046.

Engrossed SB 2046, as amended, was placed on the Fourteenth order of business on the calendar.

## APPOINTMENT OF CONFERENCE COMMITTEE

**REP. LOUSER MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2139, which motion prevailed.

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

**Engrossed SB 2139:** Reps. Steiner, Headland, Dockter

## CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. NATHE MOVED** that the conference committee report on Engrossed HB 1021 as printed on HJ pages 1886-1887 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1021, as amended, was placed on the Eleventh order of business.

## SECOND READING OF HOUSE BILL

**HB 1021:** A BILL for an Act to provide an appropriation for defraying the expenses of workforce safety and insurance; and to provide for a report.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellow; 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; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; 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:** Magrum; Nelson, M.

**ABSENT AND NOT VOTING:** Ostlie; Ruby, M.

Reengrossed HB 1021 passed.

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#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. HOWE MOVED** that the conference committee report on Engrossed HB 1006 as printed on HJ pages 1884-1886 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1006, as amended, was placed on the Eleventh order of business.

#### **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, 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; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hager; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; 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:** Ostlie; Ruby, M.

Reengrossed HB 1006 passed.

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

**SB 2046:** A BILL for an Act to create and enact a new section to chapter 6-09.4, a new section to chapter 21-10, sections 54-52-02.15, 54-52-02.16, and 54-52.6-02.1, and a new section to chapter 57-38 of the North Dakota Century Code, relating to a legacy sinking and interest fund, a legacy earnings fund, the public employees retirement system main system, membership in the public employees retirement system defined contribution plan, and an income tax relief fund; to amend and reenact section 21-10-12, subsection 4 of section 54-52-01, section 54-52-02.5, subsection 1 of section 54-52-02.9, section 54-52-02.9, subsection 2 of section 54-52-05, subsection 1 of section 54-52-06, and sections 54-52.6-01, 54-52.6-02, and 54-52.6-03 of the North Dakota Century Code, relating to legacy fund definitions and the public employees retirement system retirement plans; to provide for a legislative management study; to provide an appropriation; to provide for a transfer; to provide a statement of legislative intent; to provide for application; to provide an effective date; and to declare an emergency.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 76 YEAS, 16 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Boe; Bosch; Brandenburg;

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

**NAYS:** Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Heinert; Ista; Karls; Martinson; Mitskog; Mock; Nelson, M.; Schneider

**ABSENT AND NOT VOTING:** Ostlie; Ruby, M.

Reengrossed SB 2046 passed and the emergency clause was declared carried.

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#### **ANNOUNCEMENT**

**SPEAKER K. KOPPELMAN ANNOUNCED** that the House stand in recess until 12:30 p.m.

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

#### **COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on April 22, 2021, I have signed the following: HB 1103, HB 1116, HB 1232, HB 1246, HB 1276, HB 1297, HB 1375, and HB 1383.

#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. LOUSER MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1380 as printed on HJ pages 1689-1695 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

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

**THE SPEAKER APPOINTED** as a Conference Committee on:  
**Engrossed HB 1380:** Reps. Delzer, Vigasaa, Boe.

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

**REP. LOUSER MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2245, which motion prevailed.

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

**Engrossed SB 2245:** Reps. J. Nelson, Kempenich, Brandenburg

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2002, SB 2043.

#### **REPORT OF CONFERENCE COMMITTEE**

**SB 2043:** Your conference committee (Sens. Vedaa, Meyer, Marcellais and Reps. Steiner, Louser, B. Koppelman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1220, adopt amendments as follows, and place SB 2043 on the Seventh order:

That the House recede from its amendments as printed on page 1220 of the Senate Journal and pages 1285 and 1286 of the House Journal and that Senate Bill No. 2043 be amended as follows:

Page 1, line 1, after "reenact" insert "subsection 1 of section 39-03.1-09 and"

Page 1, line 2, after "by" insert "members and"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Subsection 1 of section 39-03.1-09 of the North Dakota Century Code is amended and reenacted as follows:

1. Every member, except as provided in section 39-03.1-07, shall contribute into the fund ten and thirty-hundredths percent of the member's monthly salary, which sum must be deducted from the member's salary and credited to the member's account in the fund. Member contributions increase by one percent of the member's monthly salary beginning with the monthly reporting period of January 2012; with an additional increase of one percent, beginning with the monthly reporting period of January 2013; and; with an additional increase of one percent, beginning with the monthly reporting period of January 2014; with an additional increase of one-half of one percent, beginning with the monthly reporting period of January 2022; with an additional increase of one-half of one percent, beginning with the monthly reporting period of January 2023; with an additional increase of one-half of one percent, beginning with the monthly reporting period of January 2024; and with an additional increase of one-half of one percent, beginning with the monthly reporting period of January 2025."

Page 1, line 13, replace "two" with "one-half of one"

Page 1, line 13, remove "and"

Page 1, line 14, replace "two" with "one-half of one"

Page 1, line 14, after "2023" insert "; with an additional increase of one-half of one percent, beginning with the monthly reporting period of January 2024; and with an additional increase of one-half of one percent, beginning with the monthly reporting period of January 2025"

Renumber accordingly

SB 2043 was placed on the Seventh order of business on the calendar.

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. STEINER MOVED** that the conference committee report on SB 2043 be adopted, which motion prevailed on a voice vote.

SB 2043, as amended, was placed on the Fourteenth order of business.

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

**SB 2043:** A BILL for an Act to amend and reenact subsection 1 of section 39-03.1-09 and section 39-03.1-10 of the North Dakota Century Code, relating to contributions to the highway patrolmen's retirement system by members and the state.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; 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:** Bellew; Delzer

**ABSENT AND NOT VOTING:** Johnson, M.; Ostlie; Ruby, M.; Toman

SB 2043, as amended, passed.

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### REPORT OF CONFERENCE COMMITTEE

**SB 2002, as engrossed:** Your conference committee (Sens. Hogue, Dever, Heckaman and Reps. Bellew, Kempenich, Brandenburg) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1149-1153, adopt amendments as follows, and place SB 2002 on the Seventh order:

That the House recede from its amendments as printed on pages 1149-1153 of the Senate Journal and pages 1365-1369 of the House Journal and that Engrossed Senate Bill No. 2002 be amended as follows:

Page 1, line 3, remove the first "and"

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

Page 1, line 3, after "50-09-02.1" insert "and section 50-25.1-11.1, as amended in section 2 of Senate Bill No. 2131, as approved by the sixty-seventh legislative assembly,"

Page 1, line 5, remove "and"

Page 1, line 5, after "judges" insert ", and criminal history record checks for children's advocacy centers"

Page 1, replace lines 17 through 23 with:

"Salaries and wages	\$11,338,720	(\$135,814)	\$11,202,906
Operating expenses	2,705,762	(355,668)	2,350,094
Guardianship monitoring program	<u>283,042</u>	<u>3,055</u>	<u>286,097</u>
Total all funds	\$14,327,524	(\$488,427)	\$13,839,097
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
Total general fund	\$14,327,524	(\$488,427)	\$13,839,097"

Page 2, replace lines 4 through 10 with:

"Salaries and wages	\$73,242,268	\$2,853,541	\$76,095,809
Operating expenses	20,396,902	(449,529)	19,947,373
Capital assets	0	2,000,000	2,000,000
Judges' retirement	<u>280,332</u>	<u>(143,086)</u>	<u>137,246</u>
Total all funds	\$93,919,502	\$4,260,926	\$98,180,428
Less estimated income	<u>1,659,596</u>	<u>(902,633)</u>	<u>756,963</u>
Total general fund	\$92,259,906	\$5,163,559	\$97,423,465"

Page 2, replace lines 15 through 19 with:

"Judicial conduct commission and disciplinary board	<u>\$1,250,962</u>	<u>\$66,519</u>	<u>\$1,317,481</u>
Total all funds	\$1,250,962	\$66,519	\$1,317,481
Less estimated income	<u>482,701</u>	<u>19,799</u>	<u>502,500</u>
Total general fund	\$768,261	\$46,720	\$814,981"

Page 2, replace lines 24 through 27 with:

"Grand total general fund	\$107,355,691	\$4,721,852	\$112,077,543
Grand total special funds	<u>2,142,297</u>	<u>(882,834)</u>	<u>1,259,463</u>
Grand total all funds	\$109,497,988	\$3,839,018	\$113,337,006
Full-time equivalent positions	363.00	(1.00)	362.00"

Page 3, replace lines 2 through 5 with:

"Juvenile case management system		\$0	\$2,000,000"
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Page 3, replace line 9 with:

"Total all funds	\$1,117,352	\$2,000,000"
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Page 3, replace line 11 with:

"Total general fund	\$147,352	\$2,000,000"
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Page 7, line 21, remove "one hundred sixty-six thousand six hundred"

Page 7, line 22, replace "sixty-two" with "one hundred sixty-five thousand eight hundred forty-five"

Page 7, line 23, replace "one hundred sixty-nine thousand nine hundred ninety-five" with "one hundred sixty-nine thousand one hundred sixty-two"

Page 7, line 25, replace "four thousand seven hundred thirteen" with "four thousand six hundred ninety"

Page 7, line 26, remove "four thousand eight"

Page 7, line 27, replace "hundred seven" with "four thousand seven hundred eighty-four"

Page 8, line 3, remove "one hundred fifty-two thousand nine hundred"

Page 8, line 4, replace "twenty-five" with "one hundred fifty-two thousand one hundred seventy-five"

Page 8, line 5, replace "one hundred fifty-five thousand nine hundred eighty-four" with "one hundred fifty-five thousand two hundred nineteen"

Page 8, line 10, replace "four thousand three hundred forty-five" with "four thousand three hundred twenty-four"

Page 8, line 11, replace "four thousand four hundred thirty-two" with "four thousand four hundred ten"

Page 8, after line 25, insert:

**"SECTION 13. AMENDMENT.** Section 50-25.1-11.1 of the North Dakota Century Code, as amended in section 2 of Senate Bill No. 2131, as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

**50-25.1-11.1. Children's advocacy centers - Confidentiality of records - Criminal history record checks.**

1. Records and digital media in the possession of a children's advocacy center relating to a forensic medical examination, forensic interview, or therapy are confidential and may be released only to a person other than a law enforcement agency, the department or the department's authorized agent, or a medical or mental health professional when the child comes before the medical or mental health professional in that person's professional capacity, upon service of a subpoena signed by a judge.
2. ~~Upon receipt of a request by a children's advocacy center, the~~The department may submit a request for a criminal history record check under section 12-60-24. ~~Under this subsection, a children's advocacy center may require the following individuals to submit to a criminal history record check:~~
  - a. ~~An on an~~ employee, final applicant for employment, contractor, multidisciplinary team member, or volunteer; of a children's advocacy center who has contact with a child at or through a children's advocacy center; and

- b. ~~An individual a children's advocacy center determines requires a criminal history record check to participate in services at a center."~~

Renumber accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

### Senate Bill No. 2002 - Summary of Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Supreme Court						
Total all funds	\$14,327,524	\$15,905,355	(\$2,066,258)	\$13,839,097	\$15,839,097	(\$2,000,000)
Less estimated income	0	0	0	0	0	0
General fund	\$14,327,524	\$15,905,355	(\$2,066,258)	\$13,839,097	\$15,839,097	(\$2,000,000)
FTE	43.50	43.50	0.00	43.50	43.50	0.00
District Courts						
Total all funds	\$93,919,502	\$100,771,191	(\$2,590,763)	\$98,180,428	\$95,820,799	\$2,359,629
Less estimated income	1,659,596	1,691,910	(934,947)	756,963	756,963	0
General fund	\$92,259,906	\$99,079,281	(\$1,655,816)	\$97,423,465	\$95,063,836	\$2,359,629
FTE	315.00	313.50	0.50	314.00	315.00	(1.00)
Judicial Conduct Commission						
Total all funds	\$1,250,962	\$1,320,197	(\$2,716)	\$1,317,481	\$1,317,481	\$0
Less estimated income	482,701	502,500	0	502,500	502,500	0
General fund	\$768,261	\$817,697	(\$2,716)	\$814,981	\$814,981	\$0
FTE	4.50	4.50	0.00	4.50	4.50	0.00
Department of Corrections and Rehab.						
Total all funds	\$0	\$0	\$0	\$0	\$0	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Bill total						
Total all funds	\$109,497,988	\$117,996,743	(\$4,659,737)	\$113,337,006	\$112,977,377	\$359,629
Less estimated income	2,142,297	2,194,410	(934,947)	1,259,463	1,259,463	0
General fund	\$107,355,691	\$115,802,333	(\$3,724,790)	\$112,077,543	\$111,717,914	\$359,629
FTE	363.00	361.50	0.50	362.00	363.00	(1.00)

### Senate Bill No. 2002 - Supreme Court - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$11,338,720	\$11,236,107	(\$33,201)	\$11,202,906	\$11,202,906	
Operating expenses	2,705,762	2,350,094		2,350,094	2,350,094	
Capital assets		2,032,000	(2,032,000)		2,000,000	(\$2,000,000)
Guardianship monitoring program	283,042	287,154	(1,057)	286,097	286,097	
Total all funds	\$14,327,524	\$15,905,355	(\$2,066,258)	\$13,839,097	\$15,839,097	(\$2,000,000)
Less estimated income	0	0	0	0	0	0
General fund	\$14,327,524	\$15,905,355	(\$2,066,258)	\$13,839,097	\$15,839,097	(\$2,000,000)
FTE	43.50	43.50	0.00	43.50	43.50	0.00

### Department 181 - Supreme Court - Detail of Conference Committee Changes

	Adjusts Funding for Salary Increases <sup>1</sup>	Removes One-Time Funding <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	(\$33,201)		(\$33,201)
Operating expenses			
Capital assets		(\$2,032,000)	(2,032,000)
Guardianship monitoring program	(1,057)		(1,057)
Total all funds	(\$34,258)	(\$2,032,000)	(\$2,066,258)
Less estimated income	0	0	0
General fund	(\$34,258)	(\$2,032,000)	(\$2,066,258)
FTE	0.00	0.00	0.00

<sup>1</sup> 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 same as the House version. 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.

<sup>2</sup> One-time funding from the general fund is removed as follows:

	<b>General Fund</b>
Zoom remote video equipment (same as House version)	(\$32,000)
Docket management system (the House and Senate versions included this funding)	(2,000,000)
Total	(\$2,032,000)

### Senate Bill No. 2002 - District Courts - Conference Committee Action

	<b>Base Budget</b>	<b>Senate Version</b>	<b>Conference Committee Changes</b>	<b>Conference Committee Version</b>	<b>House Version</b>	<b>Comparison to House</b>
Salaries and wages	\$73,242,268	\$77,153,703	(\$1,057,894)	\$76,095,809	\$76,196,548	(\$100,739)
Operating expenses	20,396,902	21,152,242	(1,204,869)	19,947,373	19,487,005	460,368
Capital assets		2,328,000	(328,000)	2,000,000		2,000,000
Judges' retirement	280,332	137,246		137,246	137,246	
Total all funds	\$93,919,502	\$100,771,191	(\$2,590,763)	\$98,180,428	\$95,820,799	\$2,359,629
Less estimated income	1,659,596	1,691,910	(934,947)	756,963	756,963	0
General fund	\$92,259,906	\$99,079,281	(\$1,655,816)	\$97,423,465	\$95,063,836	\$2,359,629
FTE	315.00	313.50	0.50	314.00	315.00	(1.00)

### Department 182 - District Courts - Detail of Conference Committee Changes

	<b>Adjusts Funding for Salary Increases<sup>1</sup></b>	<b>Adjusts Funding for the Transfer of Child Support Services<sup>2</sup></b>	<b>Removes Funding for a Veterans' Treatment Court<sup>3</sup></b>	<b>Reduces Funding for Juvenile Intensive In-Home Services<sup>4</sup></b>	<b>Removes Funding for Youth Cultural Achievement Programs<sup>5</sup></b>	<b>Adjusts Funding for Information Technology Equipment<sup>6</sup></b>
Salaries and wages	(\$166,969)	(\$790,186)	(\$100,739)			
Operating expenses		(144,761)	(44,508)	(\$200,000)	(\$455,000)	(\$203,000)
Capital assets						
Judges' retirement						
Total all funds	(\$166,969)	(\$934,947)	(\$145,247)	(\$200,000)	(\$455,000)	(\$203,000)
Less estimated income	0	(934,947)	0	0	0	0
General fund	(\$166,969)	\$0	(\$145,247)	(\$200,000)	(\$455,000)	(\$203,000)
FTE	0.00	0.50	0.00	0.00	0.00	0.00

	<b>Removes One-Time Funding<sup>7</sup></b>	<b>Total Conference Committee Changes</b>
Salaries and wages		(\$1,057,894)
Operating expenses	(\$157,600)	(1,204,869)
Capital assets	(328,000)	(328,000)
Judges' retirement		
Total all funds	(\$485,600)	(\$2,590,763)
Less estimated income	0	(934,947)
General fund	(\$485,600)	(\$1,655,816)
FTE	0.00	0.50

<sup>1</sup> 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 same as the House version. 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.

<sup>2</sup> Funding of \$934,947 from federal funds is removed to reflect the transfer of certain child support duties to the Department of Human Services, the same as the House version. This amendment also restores a 0.5 FTE position removed by the Senate for child support duties. The House version restored 1.5 FTE positions removed by the Senate.



<sup>3</sup> Funding of \$145,247 from the general fund added by the Senate and included in the House version for a veterans' treatment court is removed by the Conference Committee.

<sup>4</sup> Funding of \$200,000 from the general fund for juvenile intensive in-home services is removed to provide a total of \$300,000 from the general fund for juvenile intensive in-home services. The Senate version included \$500,000 for juvenile intensive in-home services and the House version included \$0 for the services.

<sup>5</sup> Funding of \$455,000 from the general fund for youth cultural achievement programs is removed, the same as the House version.

<sup>6</sup> Funding to lease information technology equipment is reduced by \$203,000, to provide for a total increase from the base budget of \$912,008 from the general fund to lease information technology equipment. The Senate version provided \$1,115,008 from the general fund and the House version provided \$707,132 from the general fund to lease information technology equipment.

<sup>7</sup> One-time funding from the general fund removed by the House is also removed by the Conference Committee as follows:

	General Fund
Zoom remote video equipment	(\$328,000)
Wi-Fi access points	(157,600)
Total	(\$485,600)

The Conference Committee included \$2 million for a new juvenile case management system which was added by the Senate, but removed by the House.

#### Senate Bill No. 2002 - Judicial Conduct Commission - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Judicial Conduct Commission	\$1,250,962	\$1,320,197	(\$2,716)	\$1,317,481	\$1,317,481	
Total all funds	\$1,250,962	\$1,320,197	(\$2,716)	\$1,317,481	\$1,317,481	\$0
Less estimated income	482,701	502,500	0	502,500	502,500	0
General fund	\$768,261	\$817,697	(\$2,716)	\$814,981	\$814,981	\$0
FTE	4.50	4.50	0.00	4.50	4.50	0.00

#### Department 183 - Judicial Conduct Commission - Detail of Conference Committee Changes

	Adjusts Funding for Salary Increases <sup>1</sup>	Total Conference Committee Changes
Judicial Conduct Commission	(\$2,716)	(\$2,716)
Total all funds	(\$2,716)	(\$2,716)
Less estimated income	0	0
General fund	(\$2,716)	(\$2,716)
FTE	0.00	0.00

<sup>1</sup> 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 same as the House version. 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.

#### Senate Bill No. 2002 - Other Changes - Conference Committee Action

This amendment also:

- Amends North Dakota Century Code Sections 27-02-02 and 27-05-03 to increase the salaries of Supreme Court justices and district court judges by 1.5 percent beginning July 1, 2021, and by 2 percent beginning July 1, 2022.
- Amends Section 50-25.1-11.1, as amended in Section 2 of Senate Bill No. 2131, as

approved by the 67th Legislative Assembly, relating to criminal history record checks for children's advocacy centers.

Engrossed SB 2002 was placed on the Seventh order of business on the calendar.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. BELLEW MOVED** that the conference committee report on Engrossed SB 2002 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2002, as amended, was placed on the Fourteenth order of business.

#### SECOND READING OF SENATE BILL

**SB 2002:** A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to amend and reenact sections 14-08.1-08, 14-09-08.1, 14-09-08.2, 14-09-09.29, 14-09-26, 27-02-02, 27-05-03, subsection 2 of section 50-09-02.1, and section 50-25.1-11.1 as amended in section 2 of Senate Bill No. 2131, as approved by the sixty-seventh legislative assembly, of the North Dakota Century Code, relating to clerk of court responsibilities regarding child support, salaries of justices of the supreme court, salaries of district court judges, and criminal history record checks for children's advocacy centers; to provide for a report; to provide a statement of legislative intent; and to provide an exemption.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 3 NAYS, 0 EXCUSED, 3 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.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; 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:** Magrum; Nelson, M.; Paur

**ABSENT AND NOT VOTING:** Johnson, M.; Ostlie; Ruby, M.

Engrossed SB 2002, as amended, passed.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2006, SB 2008.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2008, as engrossed:** Your conference committee (Sens. Krebsbach, Rust, Mathern and Reps. Meier, Bellew, Brandenburg) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1153-1154, adopt amendments as follows, and place SB 2008 on the Seventh order:

That the House recede from its amendments as printed on pages 1153 and 1154 of the Senate Journal and pages 1370 and 1371 of the House Journal and that Engrossed Senate Bill No. 2008 be amended as follows:

Page 1, line 2, after institutions insert a semicolon

Page 1, line 2, replace "for a transfer" with "an exemption"

Page 1, replace line 11 with:

"Salaries and wages \$7,022,655 \$392,443 \$7,415,098"

Page 1, replace line 14 with:

"Total special funds \$8,684,567 \$421,940 \$9,106,507"

Page 2, line 1, after the first "institutions" insert "during the biennium beginning July 1, 2021, and ending June 30, 2023"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2008 - Department of Financial Institutions - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$7,022,655	\$7,436,406	(\$21,308)	\$7,415,098	\$7,415,098	
Operating expenses	1,641,912	1,671,409		1,671,409	1,671,409	
Contingency	20,000	20,000		20,000	20,000	
Total all funds	\$8,684,567	\$9,127,815	(\$21,308)	\$9,106,507	\$9,106,507	\$0
Less estimated income	8,684,567	9,127,815	(21,308)	9,106,507	9,106,507	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	31.00	31.00	0.00	31.00	31.00	0.00

#### Department 413 - Department of Financial Institutions - Detail of Conference Committee Changes

	Adds Funding for Salary Increases <sup>1</sup>	Total Conference Committee Changes
Salaries and wages	(\$21,308)	(\$21,308)
Operating expenses		
Contingency		
Total all funds	(\$21,308)	(\$21,308)
Less estimated income	(21,308)	(21,308)
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> 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 same as the House. 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.

This amendment also authorizes the Department of Financial Institutions to transfer appropriation authority between line items without Emergency Commission approval for the 2021-23 biennium. The Senate included the line item transfer authority without specifying the biennium, but the House removed the line item transfer authority. Engrossed SB 2008 was placed on the Seventh order of business on the calendar.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. MEIER MOVED** that the conference committee report on Engrossed SB 2008 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2008, as amended, was placed on the Fourteenth order of business.

#### SECOND READING OF SENATE BILL

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

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll

was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Hager; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; 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.

**ABSENT AND NOT VOTING:** Johnson, M.; Ostlie; Ruby, M.

Engrossed SB 2008, as amended, passed.

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#### REPORT OF CONFERENCE COMMITTEE

**SB 2006, as engrossed:** Your conference committee (Sens. Bekkedahl, Holmberg, Davison and Reps. Kempenich, Meier, Mock) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1363-1365, adopt amendments as follows, and place SB 2006 on the Seventh order:

That the House recede from its amendments as printed on pages 1363-1365 of the Senate Journal and pages 1468-1470 of the House Journal and that Engrossed Senate Bill No. 2006 be amended as follows:

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"
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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, line 19, remove **"EFFECT ON BASE BUDGET - REPORT TO THE"**

Page 1, line 20, remove **"SIXTY-EIGHTH LEGISLATIVE ASSEMBLY"**

Page 1 line 21, remove "and the"

Page 1 line 22, remove "2021-23 one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 2 and 3 with:

"Airport grants	<u>\$20,000,000</u>	<u>\$0</u>
Total special funds	\$20,000,000	\$0"

Page 2, remove lines 4 through 7

Page 2, remove lines 15 through 17

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2006 - Summary of Conference Committee Action**

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

**Senate Bill No. 2006 - Aeronautics Commission - Conference Committee Action**

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

**Department 412 - Aeronautics Commission - Detail of Conference Committee Changes**

	Adds Funding for Salary and Benefit Increases <sup>1</sup>	Removes One-Time Funding for Airport Grants <sup>2</sup>	Total Conference Committee 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

<sup>1</sup> 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 same as the House. 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.

<sup>2</sup> Funding of \$5 million from the strategic investment and improvements fund added by the Senate for airport grants is removed. The House also removed the funding, but provided \$5 million from federal funds to the University System office for the UND apron at the Grand Forks airport. The Conference Committee did not include the \$5 million from federal funds to the University System office.

Engrossed SB 2006 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. KEMPENICH MOVED** that the conference committee report on Engrossed SB 2006 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2006, as amended, was placed on the Fourteenth order of business.

## SECOND READING OF SENATE BILL

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

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Hager; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; 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.

**ABSENT AND NOT VOTING:** Johnson, M.; Ostlie; Ruby, M.

Engrossed SB 2006, as amended, passed.

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## REPORT OF CONFERENCE COMMITTEE

**HB 1253, as engrossed:** Your conference committee (Sens. Vedaa, Meyer, Marcellais and Reps. Kasper, Louser, Schneider) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1687-1689, adopt amendments as follows, and place HB 1253 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1687-1689 of the House Journal and pages 1393-1395 of the Senate Journal and that Engrossed House Bill No. 1253 be amended as follows:

Page 1, line 4, after "reenact" insert "section 15.1-09-15,"

Page 1, line 4, replace "sections" with "section"

Page 1, line 4, after the second comma insert "subsection 5 of section 16.1-01-04.1, sections"

Page 1, line 6, after the third comma insert "and"

Page 1, line 6, after the fourth comma insert "the new section to chapter 16.1-01 of the North Dakota Century Code, as created by section 1 of House Bill No. 1256, as approved by the sixty-seventh legislative assembly, sections"

Page 1, line 14, after the third comma insert "16.1-11.1-02,"

Page 1, line 18, after the seventh comma insert "16.1-15-17,"

Page 2, after line 6, insert:

**"SECTION 2. AMENDMENT.** Section 15.1-09-15 of the North Dakota Century Code is amended and reenacted as follows:

### 15.1-09-15. School district election - Declaration of winner.

On the ~~sixth~~<sup>thirteenth</sup> day after the election, the school board shall meet to canvass all election returns and shall declare the result of an election and, in the case of a tie, within three days from the determination of a winner. However, if the

election is held under an agreement with a city or county pursuant to sections 15.1-09-22 and 15.1-09-24, the returns must be canvassed and the winners declared as set out in the agreement. The individual receiving the highest number of votes for an office must be declared elected. The board shall record the result of the election."

Page 3, after line 30, insert:

**"SECTION 6. AMENDMENT.** Subsection 5 of section 16.1-01-04.1 of the North Dakota Century Code is amended and reenacted as follows:

5. If an individual is not able to show a valid form of identification but asserts qualifications as an elector in the precinct in which the individual desires to vote, the individual may mark a ballot that must be securely set aside in a sealed envelope designed by the secretary of state. After the ballot is set aside, the individual may show a valid form of identification to either a polling place election board member if the individual returns to the polling place before the polls close, or to an employee of the office of the election official responsible for the administration of the election before the meeting of the canvassing board occurring on the ~~sixth~~thirteenth day after the election. Each ballot set aside under this subsection must be presented to the members of the canvassing board for proper inclusion or exclusion from the tally."

Page 10, after line 26, insert:

**"SECTION 16. AMENDMENT.** Section 1 of House Bill No. 1256, as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

**SECTION 1.** A new section to chapter 16.1-01 of the North Dakota Century Code is created and enacted as follows:

**Use of nonpublic funds prohibited - Penalty.**

1. The state and political subdivisions may not solicit, accept, or use any grants or donations from private persons for elections operations or administration except:
  - a. The use of privately owned facilities for polling places;
  - b. Food for poll workers; and
  - c. Other nonmonetary donations that are not used to prepare, process, mark, collect, or tabulate ballots or votes.
2. An individual who knowingly violates subsection 1 is guilty of a class A misdemeanor."

Page 17, line 12, remove "Have printed on the ballot 'The word 'endorsed' following or under a candidate's'"

Page 17, remove lines 13 through 15

Page 17, line 18, replace "g." with "f."

Page 17, line 22, replace "h." with "g."

Page 25, line 8, after "signature" insert ", a notification the signature on this affidavit will be compared to the signature on the affidavit on the envelope in which the absentee ballot must be placed"

Page 27, line 21, replace "voter who is blind, visually impaired, or print disabled" with "qualified elector living with a disability that prevents the elector from reading or marking the ballot without assistance"

Page 27, line 21, after "and" insert "who"

Page 28, after line 17, insert "The signature on this affidavit will be compared to the signature on the affidavit included in the application for the absentee ballot."

Page 50, line 9, after the period insert "The word 'endorsed' or 'petition' will appear after or under the name of a candidate for statewide or legislative district office. The word 'endorsed' in this context means the candidate was endorsed by the political party indicated. The word 'petition' in this context means the candidate circulated a petition for signatures to be included on the ballot."

Page 50, line 23, after the first "a" insert "statewide or legislative district"

Page 50, line 26, after "a" insert "statewide or legislative district"

Page 53, after line 17, insert:

**"SECTION 66. AMENDMENT.** Section 16.1-11.1-02 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-11.1-02. Application for mail ballots.**

The county auditor shall mail an application form for a mail ballot to each ~~individual~~active voter listed in the central voter file for the county and each qualified individual eligible to vote in the state for the first time on one date no sooner than the fiftieth day before the election and no later than the fortieth day before the election. The county auditor, for two consecutive weeks after the date on which the mail ballot applications are mailed, shall publish in the official newspaper of the county an application form for a mail ballot and a notice that additional mail ballot applications may be obtained from the election official. The application form for a mail ballot must be in substantially the form provided in section 16.1-07-06."

Page 53, line 28, replace "individual" with "active voter"

Page 53, line 29, after "mail" insert "and each qualified individual eligible to vote in the state for the first time"

Page 64, line 11, remove "A voter may take up to thirty minutes to mark and cast the ballot after"

Page 64, remove lines 12 through 20

Page 66, line 6, overstrike "shall" and insert immediately thereafter "must"

Page 70, after line 17, insert:

**"SECTION 97. AMENDMENT.** Section 16.1-15-17 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-15-17. Time of county canvassing board meeting - Oath required - Reconsideration of canvass.**

On the ~~sixth~~thirteenth day following each election, the county canvassing board shall meet and, after taking the oath of office, shall proceed to open and publicly canvass the returns. After the initial meeting of the board as provided in this section, any two or more members may call a meeting of the board and upon approval of a majority of the members, the board shall recanvass the results of the election or any portion thereof and may correct any previous canvass or certification or both in regard to the election. Any correction of any previous certification of election results as provided in this section must be immediately dispatched to the secretary of state who shall call a meeting of the state canvassing board as provided in section 16.1-15-35 for the purpose of recanvassing and, if necessary, correcting any previous certification of the election results."

Renumber accordingly



Engrossed HB 1253 was placed on the Seventh order of business on the calendar.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. LOUSER MOVED** that the conference committee report on Engrossed HB 1253 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1253, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1253:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24, a new section to chapter 16.1-01, sections 16.1-07-13.1 and 16.1-12-10, and a new section to chapter 54-09 of the North Dakota Century Code, relating to election administration; to amend and reenact section 15.1-09-15, subsection 1 of section 16.1-01-01, section 16.1-01-03, subsection 5 of section 16.1-01-04.1, sections 16.1-01-05.1, 16.1-01-06, 16.1-01-07, and 16.1-01-08, subsection 5 of section 16.1-01-09, subsection 7 of section 16.1-01-09.1, sections 16.1-01-12, 16.1-01-16, and 16.1-01-17, the new section to chapter 16.1-01 of the North Dakota Century Code, as created by section 1 of House Bill No. 1256, as approved by the sixty-seventh legislative assembly, sections 16.1-02-01, 16.1-02-02, 16.1-02-05, 16.1-02-06, 16.1-02-07, 16.1-02-10, 16.1-02-11, and 16.1-02-13, subsection 2 of section 16.1-05-01, sections 16.1-06-02, 16.1-06-04, 16.1-06-11, 16.1-06-12, 16.1-06-14, 16.1-06-17, 16.1-06-18, 16.1-06-19, 16.1-06-25, and 16.1-06-26, subsection 1 of section 16.1-07-05, sections 16.1-07-06, 16.1-07-07, 16.1-07-08, 16.1-07-09, and 16.1-07-10, subsection 1 of section 16.1-07-12.1, sections 16.1-07-15, 16.1-08.1-01, 16.1-08.1-03.1, 16.1-10-07, 16.1-11-05.1, 16.1-11-06, 16.1-11-10, 16.1-11-11, 16.1-11-12, 16.1-11-16, 16.1-11-18, 16.1-11-19, 16.1-11-20, 16.1-11-21, 16.1-11-22, 16.1-11-31, 16.1-11-32, 16.1-11-33, 16.1-11-35, 16.1-11-36, 16.1-11-37, 16.1-11-39, 16.1-11.1-02, 16.1-11.1-03, 16.1-11.1-08, 16.1-12-01, 16.1-12-02.1, 16.1-12-03, 16.1-12-06, 16.1-12-07, 16.1-12-09, 16.1-13-05, 16.1-13-09, 16.1-13-14, 16.1-13-17, 16.1-13-18, 16.1-13-19, 16.1-13-23, 16.1-13-25, 16.1-13-27, 16.1-13-28, 16.1-13-29, 16.1-13-30, and 16.1-13-31, subsection 1 of section 16.1-15-01, and sections 16.1-15-01.1, 16.1-15-02, 16.1-15-08, 16.1-15-09, 16.1-15-10, 16.1-15-13, 16.1-15-15, 16.1-15-17, 16.1-15-19, 16.1-15-20, 16.1-15-21, 16.1-15-25, 16.1-15-30, 16.1-15-37, 16.1-15-42, 16.1-15-43, 16.1-15-45, 16.1-15-47, 16.1-16-01, 16.1-16-02, 16.1-16-04, 16.1-16-05, and 16.1-16-07 of the North Dakota Century Code, relating to election administration; to repeal sections 16.1-06-10.1, 16.1-07-11, 16.1-07-13, and 16.1-13-24 of the North Dakota Century Code, relating to election administration and the removal of obsolete language; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 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.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; 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.

**ABSENT AND NOT VOTING:** Johnson, M.; Ostlie; Ruby, M.

Reengrossed HB 1253 passed.

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#### REPORT OF CONFERENCE COMMITTEE

**HB 1010, as engrossed:** Your conference committee (Sens. Oehlke, Erbele, Davison and Reps. Meier, Mock, Bellew) recommends that the **SENATE RECEDE** from the

Senate amendments as printed on HJ pages 1054-1059, adopt amendments as follows, and place HB 1010 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1054-1059 of the Senate Journal and pages 1354-1359 of the House Journal and that Engrossed House Bill No. 1010 be amended as follows:

Page 1, line 3, after the semicolon insert "to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to examinations of health carriers;"

Page 1, line 4, after the semicolon insert "to provide for a legislative management study;"

Page 1, replace lines 13 through 16 with:

"Salaries and wages	\$8,149,998	(\$73,717)	\$8,076,281
Operating expenses	1,566,675	802,684	2,369,359
Capital assets	0	100,000	100,000
Total special funds	\$9,716,673	\$828,967	\$10,545,640"

Page 2, replace lines 1 and 2 with:

"State flexibility to stabilize the market grant	0	662,000
Coal and fossil fuel industry insurance study	0	200,000
Health care analysis	200,000	0
Total special funds	\$200,000	\$962,000"

Page 2, line 8, replace "\$18,818,030" with "\$20,728,540"

Page 2, line 11, replace "\$17,989,505" with "\$19,588,470"

Page 2, line 12, replace "\$828,525" with "\$1,140,070"

Page 2, line 14, replace "\$26,344" with "\$26,610"

Page 2, after line 16, insert:

**"SECTION 5. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - COAL AND FOSSIL FUEL INDUSTRY INSURANCE STUDY.** The appropriation in section 1 of this Act includes the sum of \$200,000 from the strategic investment and improvements fund for the insurance commissioner to study the availability, cost, and risks associated with insurance coverage in the lignite coal industry.

Page 2, line 22, remove "one"

Page 2, line 23, replace "hundred thirteen thousand nine hundred twenty-five" with "one hundred fourteen thousand four hundred eighty-six"

Page 2, after line 23, insert:

**"SECTION 7.** A new section to chapter 26.1-36 of the North Dakota Century Code is created and enacted as follows:

**Examinations.**

1. As used in this section, the terms "health carrier" and "health benefit plan" have the same meaning as provided under section 26.1-36.3-01.
2. Whenever the commissioner, in the commissioner's sole discretion, deems it appropriate, but at least once every five years, the commissioner or any of the commissioner's examiners shall conduct a comprehensive examination of a health carrier with a market share of twenty-five percent or more of health benefit plan covered lives in this state. The examination must be conducted in accordance with an examination conducted under chapter 26.1-03. In determining the scope

of the comprehensive examination, the commissioner shall consider the criteria set forth in the market conduct handbook adopted by the national association of insurance commissioners and adopted by the commissioner which is in effect when the examination is initiated and any other matters deemed appropriate by the commissioner.

#### SECTION 8. LEGISLATIVE MANAGEMENT STUDY - MEDICATION

**OPTIMIZATION.** During the 2021-22 interim, the legislative management shall consider studying medication optimization. The study must include a review of the implementation of clinical pharmacist-led medication optimization programs in individual, large group, and small group plans, including provider credentialing, billing standards and procedures, providing standards of care, patient monitoring, consistent documentation of outcomes and efforts related to de-prescribing, and structuring an outcome reporting system for medication optimization programs. The study also must include a review of changes necessary to state laws and administrative rules to implement effective medication optimization. The insurance commissioner shall assist the legislative management with the study and identify and request the participation of stakeholders needed to complete this study. The insurance commissioner shall collect and provide to the legislative management the data needed to complete the study. The data provided by stakeholders, not otherwise publicly disclosed, must be considered confidential pursuant to section 44-04-18.4. 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 9. LEGISLATIVE MANAGEMENT STUDY - FIRE-RELATED

**INSURANCE LINES.** During the 2021-22 interim, the legislative management shall consider studying fire-related lines of insurance, including the insurance premium tax revenue generated from fire-related lines of insurance and the appropriate amounts to be distributed to fire departments and the North Dakota firefighter's association pursuant to section 18-04-05. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1010 - Insurance Department - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$8,149,998	\$7,816,841	\$259,440	\$8,076,281	\$8,010,678	\$65,603
Operating expenses	1,566,675	1,507,359	862,000	2,369,359	2,414,359	(45,000)
Capital assets		100,000		100,000	100,000	
Fire department grants	18,818,030	18,818,030	1,910,510	20,728,540		20,728,540
Total all funds	\$28,534,703	\$28,242,230	\$3,031,950	\$31,274,180	\$10,525,037	\$20,749,143
Less estimated income	28,534,703	28,242,230	3,031,950	31,274,180	10,525,037	20,749,143
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	41.00	38.00	0.00	38.00	38.00	0.00

#### Department 401 - Insurance Department - Detail of Conference Committee Changes

	Adjusts Funding for Salary Increases <sup>1</sup>	Adds Funding for Salaries <sup>2</sup>	Increases Funding for Fire District Payments <sup>3</sup>	Adds One-Time Funding for a Study <sup>4</sup>	Adds Funding for the State Flexibility to Stabilize the Market Grant <sup>5</sup>	Total Conference Committee Changes
Salaries and wages	\$6,633	\$252,807				\$259,440
Operating expenses				\$200,000	\$662,000	862,000
Capital assets						
Fire department grants			\$1,910,510			1,910,510
Total all funds	\$6,633	\$252,807	\$1,910,510	\$200,000	\$662,000	\$3,031,950
Less estimated income	6,633	252,807	1,910,510	200,000	662,000	3,031,950
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> 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 increases 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.

<sup>2</sup> Funding of \$252,807 from other funds is added for salary equity and workload adjustments. Neither the House version nor the Senate version included this funding. The Senate version added \$79,204 to convert a position to an attorney, \$108,000 for temporary salaries, and \$45,000 for travel. Those increases are not included in this amendment.

<sup>3</sup> Funding of \$1,910,510 is added from the insurance tax distribution fund to provide a total of \$20,728,540 for payments to fire departments (\$19,588,470) and the North Dakota Firefighter's Association (\$1,140,070). The House provided \$18,818,030 for payments to fire departments and the North Dakota Firefighter's Association and the Senate provided continuing appropriation authority for the payments. This increase will result in a general fund revenue reduction of \$1,910,510.

<sup>4</sup> One-time funding of \$200,000 from the strategic investment and improvements fund is added for the Insurance Commissioner to conduct a study of the availability, cost, and risks associated with insurance coverage in the lignite coal industry, as provided in Senate Bill No. 2287. The Senate also added \$200,000 from other funds for the study, but did not specify the source of funds.

<sup>5</sup> One-time funding of \$662,000 from federal funds is added for the state flexibility to stabilize the market grant program, which is intended to provide added flexibility in the private health insurance market through the implementation of market reforms, the same as provided by the Senate. The House did not provide funding for this purpose.

This amendment also:

- Adds a section to provide for examinations of health carriers by the Insurance Commissioner or any of the Insurance Commissioner's examiners, the same as the Senate version.
- Changes the section adjusting the Insurance Commissioner's annual salary to provide for a 1.5 percent increase on July 1, 2021, and a 2 percent increase on July 1, 2022, the same as the Senate version. The House had increased the Insurance Commissioner's salary by 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and maximum monthly increase of \$250.
- Adds a section to provide for a Legislative Management study of medication optimization, the same as the Senate version.
- Adds a section to provide for a Legislative Management study of fire-related insurance lines. The Senate did not include this section.

Engrossed HB 1010 was placed on the Seventh order of business on the calendar.

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. MEIER MOVED** that the conference committee report on Engrossed HB 1010 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1010, as amended, was placed on the Eleventh order of business.

#### **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 create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to examinations of health carriers; to amend and reenact section 26.1-01-09 of the North Dakota Century Code, relating to the salary of the insurance commissioner; to provide for a legislative management study; and to provide for a report.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 1 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; 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.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; 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:** Bellew

**ABSENT AND NOT VOTING:** Johnson, M.; Kading; Ostlie; Ruby, M.

Reengrossed HB 1010 passed.

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### REPORT OF CONFERENCE COMMITTEE

**HB 1018, as engrossed:** Your conference committee (Sens. Erbele, Krebsbach, Davison and Reps. Schatz, Monson, Schmidt) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1566-1568, adopt amendments as follows, and place HB 1018 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1566-1568 of the House Journal and pages 1293 and 1294 of the Senate Journal and that Engrossed House Bill No. 1018 be amended as follows:

Page 1, line 2, replace "and" with "to create and enact a new section to chapter 55-01 of the North Dakota Century Code, relating to artifacts located at the Lewis and Clark interpretive center; to provide for a legislative management study;"

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

Page 1, replace lines 12 through 14 with:

"Salaries and wages	\$14,295,816	\$1,495,808	\$15,791,624
Operating expenses	3,941,585	557,078	4,498,663
Capital assets	1,225,542	4,225,473	5,451,015"

Page 1, replace lines 17 through 20 with:

"Total all funds	\$20,562,943	\$6,278,359	\$26,841,302
Less estimated income	<u>3,194,252</u>	<u>4,235,700</u>	<u>7,429,952</u>
Total general fund	\$17,368,691	\$2,042,659	\$19,411,350
Full-time equivalent positions	75.00	3.75	78.75"

Page 2, replace line 2 with:

"Historical site and extraordinary repairs	\$1,000,000	\$4,200,000"
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Page 2, replace lines 7 through 9 with:

"Total all funds	\$1,682,000	\$4,225,000
Total special funds	<u>85,000</u>	<u>4,200,000</u>
Total general fund	\$1,597,000	\$25,000"

Page 2, line 23, remove **"STRATEGIC INVESTMENT AND IMPROVEMENTS"**

Page 2, line 24, replace **"FUND"** with **"FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND - ONE-TIME FUNDING"**

Page 2, line 24, replace "\$1,400,000" with "\$4,200,000"

Page 2, line 25, replace "the strategic investment and improvements fund" with "federal funds derived from the federal coronavirus capital projects fund"

Page 2, line 25, after the second "for" insert "capital project planning and"

Page 2, line 26, after the period insert "The federal funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund."

**SECTION 6. ESTIMATED INCOME - DEPARTMENT OF TRANSPORTATION GRANT.** The estimated income line item in section 1 of this Act includes \$100,000 of grant funding from the department of transportation for the purpose of defraying expenses for the Lewis and Clark interpretive center.

**SECTION 7.** A new section to chapter 55-01 of the North Dakota Century Code is created and enacted as follows:

**State historical society responsible for the Lewis and Clark interpretive center.**

The society shall display, maintain, and protect the Lewis and Clark artifacts included in the transfer of the Lewis and Clark interpretive center from the parks and recreation department to the society at the Lewis and Clark interpretive center. A climate-controlled environment must be maintained to protect the artifacts as necessary.

**SECTION 8. LEGISLATIVE MANAGEMENT STUDY - ADVISORY BOARDS.** During the 2021-22 interim, the legislative management shall consider studying the feasibility and desirability of creating local advisory boards to the state historical society. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-eighth legislative assembly.

**SECTION 9. EMERGENCY.** The \$4,200,000 from the federal coronavirus capital projects fund included in the capital assets line item in section 1 of this Act is declared to be an emergency measure."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1018 - State Historical Society - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$14,295,816	\$14,548,481	\$1,243,143	\$15,791,624	\$15,983,049	(\$191,425)
Operating expenses	3,941,585	3,899,163	599,500	4,498,663	4,498,663	
Capital assets	1,225,542	2,651,015	2,800,000	5,451,015	5,601,015	(150,000)
Grants	600,000	600,000		600,000	600,000	
Cultural heritage grants	500,000	500,000		500,000	500,000	
Total all funds	\$20,562,943	\$22,198,659	\$4,642,643	\$26,841,302	\$27,182,727	(\$341,425)
Less estimated income	3,194,252	4,533,036	2,896,916	7,429,952	7,429,952	0
General fund	\$17,368,691	\$17,665,623	\$1,745,727	\$19,411,350	\$19,752,775	(\$341,425)
FTE	75.00	75.00	3.75	78.75	78.75	0.00

**Department 701 - State Historical Society - Detail of Conference Committee Changes**

	Adds Funding for Salary Increases <sup>1</sup>	Transfers the Lewis and Clark Interpretive Center Operations <sup>2</sup>	Increases Funding for Temporary Salaries <sup>3</sup>	Restores Funding for Operating Expenses <sup>4</sup>	Increases One-Time Funding for Historic Site and Repairs <sup>5</sup>	Total Conference Committee Changes
Salaries and wages	\$5,474	\$1,029,094	\$208,575			\$1,243,143
Operating expenses		399,500		\$200,000		599,500
Capital assets					\$2,800,000	2,800,000
Grants						
Cultural heritage grants						
Total all funds	\$5,474	\$1,428,594	\$208,575	\$200,000	\$2,800,000	\$4,642,643
Less estimated income	342	287,999	(191,425)	0	2,800,000	2,896,916
General fund	\$5,132	\$1,140,595	\$400,000	\$200,000	\$0	\$1,745,727
FTE	0.00	3.75	0.00	0.00	0.00	3.75

<sup>1</sup> 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 same as the Senate. 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.

<sup>2</sup> Funding and 3.75 FTE positions are added to transfer the Lewis and Clark Interpretive Center from the Parks and Recreation Department to the State Historical Society, the same as the Senate. The House did not provide for this transfer.

<sup>3</sup> Increases funding for temporary employees by \$400,000 from the general fund and removes \$191,425 of funding from other funds for temporary employees provided by the House. The Senate provided \$591,425 from the general fund.

<sup>4</sup> Restores \$200,000 from the general fund removed by the House for operating expenses. The Senate also restored this funding.

<sup>5</sup> Changes the funding source from the strategic investment and improvements fund to the federal Coronavirus Capital Projects Fund to provide a total of \$4.2 million for capital project planning and historic site and extraordinary repairs. The Senate provided \$4.2 million from the strategic investment and improvements fund. The House provided \$1.4 million from the strategic investment and improvements fund.

This amendment also:

- Adds a section to identify that \$100,000 of funding in the estimated income line item is from the Department of Transportation for defraying the expenses of the Lewis and Clark Interpretive Center for the 2021-23 biennium, the same as the Senate. The House did not include this section.
- Creates a new section to North Dakota Century Code Chapter 55-01 requiring the State Historical Society to continue to display, maintain, and protect the Lewis and Clark artifacts included in the transfer of the Lewis and Clark Interpretive Center from the Parks and Recreation Department to the society at the Lewis and Clark Interpretive Center. The artifacts are to be protected in a climate-controlled environment as necessary. Neither the Senate nor the House included this section.
- Provides for a Legislative Management study of the feasibility and desirability of creating local advisory boards to the State Historical Society. Neither the Senate nor the House included this section.
- Declares the \$4.2 million from the federal Coronavirus Capital Projects Fund to be an emergency. Neither the Senate nor the House included this section.

Engrossed HB 1018 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. SCHATZ MOVED** that the conference committee report on Engrossed HB 1018 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1018, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1018:** A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society; to create and enact a new section to chapter 55-01 of the North Dakota Century Code, relating to artifacts located at the Lewis and Clark interpretive center; to provide for a legislative management study; to provide for a report; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 83 YEAS, 8 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; 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; Bellevue; Christensen; Ertelt; Koppelman, B.; Magrum; Marschall; Ruby, D.

**ABSENT AND NOT VOTING:** Johnson, M.; Ostlie; Ruby, M.

Reengrossed HB 1018 passed and the emergency clause was declared carried.

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**REPORT OF CONFERENCE COMMITTEE**

**HB 1003, as engrossed:** Your conference committee (Sens. Bekkedahl, Holmberg, Mathern and Reps. Kempenich, Howe, Mock) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1484-1492, adopt amendments as follows, and place HB 1003 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1484-1492 of the House Journal and pages 1192-1201 of the Senate Journal and that Engrossed House Bill No. 1003 be amended as follows:

Page 1, line 1, after "general" insert "; to provide an appropriation to the department of human services"

Page 1, line 2, after "reenact" insert "the new section to chapter 53-06.1, as created by section 1 of House Bill No. 1212, as approved by the sixty-seventh legislative assembly and"

Page 1, line 3, after "general" insert "and charitable gaming tax revenue distributions"

Page 1, line 4, remove "and"

Page 1, line 4, after "report" insert "; to provide for a legislative management study; and to declare an emergency"

Page 1, remove lines 13 through 24

Page 2, replace lines 1 through 7 with:

"Salaries and wages	\$45,954,981	\$4,340,368	\$50,295,349
Operating expenses	15,588,646	844,392	16,433,038
Capital assets	804,380	934,841	1,739,221
Grants	4,418,440	(515,000)	3,903,440
Human trafficking victims grants	1,400,000	(298,121)	1,101,879
Forensic nurse examiners grants	250,000	691	250,691
Statewide litigation funding pool	0	4,650,000	4,650,000



Litigation fees	150,000	(22,500)	127,500
Intellectual property attorney	442,085	(442,085)	0
Medical examinations	660,000	0	660,000
North Dakota lottery	5,191,454	63,390	5,254,844
Arrest and return of fugitives	10,000	(1,500)	8,500
Gaming commission	7,489	0	7,489
Criminal justice information sharing	3,631,121	443,847	4,074,968
Law enforcement	<u>2,982,284</u>	<u>66,643</u>	<u>3,048,927</u>
Total all funds	\$81,490,880	\$10,064,966	\$91,555,846
Less estimated income	<u>35,886,284</u>	<u>13,022,844</u>	<u>48,909,128</u>
Total general fund	\$45,604,596	(\$2,957,878)	\$42,646,718
Full-time equivalent positions	245.00	8.00	253.00"

Page 2, replace lines 18 through 22 with:

"Statewide litigation funding pool	0	4,650,000
Additional income	<u>250,000</u>	<u>0</u>
Total all funds	\$3,417,956	\$6,936,706
Total other funds	<u>3,217,956</u>	<u>6,936,706</u>
Total general fund	\$200,000	\$0"

Page 2, after line 29, insert:

**"SECTION 4. APPROPRIATION - 2019-21 BIENNIUM - SEXUAL ASSAULT EVIDENCE COLLECTION KIT TRACKING SYSTEM - DRUG ANALYZERS - EXEMPTION - ONE-TIME FUNDING.** There is appropriated from federal funds, not otherwise appropriated, the sum of \$355,000, or so much as the sum as may be necessary, to the attorney general, of which \$255,000 is for the development and implementation of a sexual assault evidence collection kit tracking system and \$100,000 is for drug analyzers with federal funding received from the department of transportation, for the period beginning with the effective date of this Act, and ending June 30, 2021. The funding provided under this section is not subject to section 54-44.1-11 and any unexpended funds may be continued and are available for the program during the biennium beginning July 1, 2021, and ending June 30, 2023. This funding is considered a one-time funding item.

**SECTION 5. TRANSFER - LAWSUIT SETTLEMENT PROCEEDS - OPIOID ADDICTION PREVENTION AND TREATMENT PROGRAM - APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - ONE-TIME FUNDING - REPORT.** The office of management and budget shall transfer up to \$2,000,000 from opioid-related lawsuit settlement proceeds deposited in the attorney general refund fund to the department of human services which is appropriated to the department of human services for the purpose of defraying the expenses of an opioid addiction prevention and treatment program during the biennium beginning July 1, 2021, and ending June 30, 2023. The department of human services shall consult with the attorney general on the use of funding for the program. The attorney general shall notify the legislative council and office of management and budget of any lawsuit settlement proceeds that become available for transfer to the department of human services for this program. This funding is considered a one-time funding item."

Page 3, after line 5, insert:

**"SECTION 7. ESTIMATED INCOME - EXEMPTION - USE OF GAMING TAX ALLOCATION FUND - TRANSFER - LITIGATION POOL TO STATE AGENCIES - ONE-TIME FUNDING.** The statewide litigation funding pool line item in section 1 of this Act includes \$1,650,000 from the gaming tax allocation fund. Notwithstanding section 53-06.1-12, the attorney general shall transfer this funding to eligible state agencies for litigation expenses during the biennium beginning July 1, 2021, and ending June 30, 2023, after the distribution of gaming tax revenue grants provided for in section 17 of this Act. The attorney general may not use funding from the litigation pool to pay judgments under section 32-12-04. This funding is considered a one-time funding item.

**SECTION 8. ESTIMATED INCOME - CHARITABLE GAMING TECHNOLOGY SYSTEM - CHARITABLE GAMING OPERATING FUND.** The

estimated income line item in section 1 of this Act includes \$475,000 from the charitable gaming operating fund for defraying expenses related to the continued development and implementation of the charitable gaming technology system."

Page 3, line 8, replace "\$1,101,834" with "\$1,101,879"

Page 3, line 19, replace "\$250,674" with "\$250,691"

Page 3, line 31, after "FUND" insert "- REDUCED CIGARETTE IGNITION PROPENSITY AND FIREFIGHTER PROTECTION ACT ENFORCEMENT FUND"

Page 4, line 1, replace "\$1,133,232 from the attorney general refund fund" with "\$1,374,989"

Page 4, line 2, replace "\$1,007,326 is" with "\$1,249,083 is from the attorney general refund fund"

Page 4, line 3, after "is" insert "from the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund"

Page 4, line 7, replace "\$2,266,464" with "\$2,577,624"

Page 4, line 9, after "proceeds" insert "and \$1,416,728 is derived from March 2021 lawsuit settlement proceeds, and \$251,812 of funding in the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund"

Page 4, line 11, replace "\$2,266,464" with "\$2,577,624"

Page 4, line 12, after "fund" insert "and \$251,812 in the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund and any investment earnings on the funding be retained in the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund,"

Page 4, line 13, replace "7" with "11"

Page 4, after line 14, insert:

**"SECTION 13. AMENDMENT.** The new section to chapter 53-06.1 of the North Dakota Century Code, as created by section 1 of House Bill No. 1212, as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

**Charitable gaming operating fund - Attorney general - State treasurer--  
Continuing appropriation - Allocations - Transfer to the general fund.**

1. There is created in the state treasury the charitable gaming operating fund. The fund consists of all gaming taxes, monetary fines, and interest and penalties collected under this chapter.
2. Excluding moneys in the charitable gaming operating fund appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming, all other the attorney general shall allocate remaining moneys in the charitable gaming operating fund ~~are appropriated to the attorney general on a continuing basis for quarterly allocations~~ as follows:
  - a. Ten thousand dollars to the gambling disorder prevention and treatment fund.
  - b. ~~Five~~ Subject to legislative appropriations, five percent of the total moneys deposited in the charitable gaming operating fund to cities and counties in proportion to the taxes collected under section 53-06.1-12 from licensed organizations conducting games within each city, for sites within city limits, or within each county, for sites outside city limits. If a city or county allocation is less than two hundred dollars, that city or county is not entitled to receive a

payment for the quarter and the undistributed amount must be included in the total amount to be distributed to other cities and counties for the quarter.

3. On or before June thirtieth of each odd-numbered year, the attorney general shall certify to the state treasurer the amount of accumulated funds in the charitable gaming operating fund which exceed the amount appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming for the subsequent biennium. The state treasurer shall transfer the certified amount from the charitable gaming operating fund to the general fund prior to the end of each biennium."

Page 4, line 20, replace "sixty-eight" with "sixty-nine"

Page 4, line 20, overstrike "three" and insert immediately thereafter "one"

Page 4, line 20, replace "thirty-three" with "sixty-two"

Page 4, after line 25, insert:

**"SECTION 16. EXEMPTION - CONTINGENT FEE ARRANGEMENT.**

Notwithstanding section 54-12-08.1, the attorney general may contract for legal services compensated by a contingent fee arrangement for ongoing multistate technology litigation during the period beginning with the effective date of this Act and ending June 30, 2023.

**SECTION 17. EXEMPTION - GAMING TAX REVENUE GRANTS.**

Notwithstanding section 53-06.1-12, the attorney general may distribute gaming tax revenue grants to cities and counties relating to the seventh and eighth quarters of the 2019-21 biennium through October 31, 2021."

Page 4, after line 28, insert:

**"SECTION 19. EXEMPTION - REDUCED CIGARETTE IGNITION PROPENSITY AND FIREFIGHTER PROTECTION ACT ENFORCEMENT FUND.**

Notwithstanding subsection 6 of section 18-13-03, the attorney general may invest \$125,906 from the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund, for the purpose of providing salary equity increases to fire marshal office positions during the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 5, after line 4, insert:

**"SECTION 21. EXEMPTION - STATEWIDE AUTOMATED VICTIM INFORMATION AND NOTIFICATION PROGRAM.** The amount appropriated to the attorney general from other funds for the statewide automated victim information and notification system as contained in sections 1 and 8 of chapter 3 of the 2017 Session Laws and continued into the 2019-21 biennium, is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the attorney general for the legal case management system during the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 22. EXEMPTION - INFORMATION TECHNOLOGY EQUIPMENT.**

The amount appropriated to the attorney general from the general fund for the purchase of information technology equipment as contained in section 1 of chapter 28 of the 2019 Session Laws, is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the attorney general for the purchase of information technology equipment, during the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 23. LEGISLATIVE INTENT - GAMING DIVISION.** It is the intent of the sixty-seventh legislative assembly that the expenses of the attorney general's gaming division be paid from gaming tax revenues.

**SECTION 24. LEGISLATIVE MANAGEMENT STUDY - STATE GOVERNMENT ATTORNEYS.** During the 2021-22 interim, the legislative management shall consider studying the feasibility and desirability of consolidating attorney and legal-related positions in state government. The study must include an analysis of the number of attorney and legal-related positions in state government, the agency to which the positions are assigned, the type of work performed by the positions, and any efficiencies that may be gained through the consolidation of these positions into the attorney general's office. The study must include consultation with the attorney general and any agency with attorney and legal-related positions in state government for the 2021-23 biennium. 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 25. LEGISLATIVE MANAGEMENT STUDY - STATE GOVERNMENT LITIGATION FUNDING.** During the 2021-22 interim, the legislative management shall consider studying the feasibility and desirability of consolidating litigation-related funding in state government. The study must include an analysis of litigation-related funding in state government agency budgets, including the purpose and source of funding for the litigation and any efficiencies that may be gained through the consolidation of the litigation funding into the attorney general's office. The study must include consultation with the attorney general and any agency with litigation-related funding appropriated for the 2021-23 biennium. 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 26. LEGISLATIVE MANAGEMENT STUDY - CHARITABLE GAMING LAWS.** During the 2021-22 interim, the legislative management shall consider studying laws regarding the state's charitable gaming taxation and use of net proceeds for eligible organizations. 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 27. LEGISLATIVE MANAGEMENT STUDY - GAMING ADDICTION AND SUPPORT.** During the 2021-22 interim, the legislative management shall consider studying the economic and societal impacts of gambling addiction in the state. The study must include a review of the trend of gambling addiction since the expansion of electronic pull tab gambling in the state, state funding provided for gambling addiction and disorder prevention and treatment, and support programs for individuals and families affected by gambling addiction. 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 28. EMERGENCY.** Sections 4 and 16 of this Act are declared to be an emergency measure."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1003 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Attorney General						
Total all funds	\$81,490,880	\$87,025,682	\$4,780,164	\$91,805,846	\$90,913,114	\$892,732
Less estimated income	35,886,284	43,350,046	5,809,082	49,159,128	48,509,128	650,000
General fund	\$45,604,596	\$43,675,636	(\$1,028,918)	\$42,646,718	\$42,403,986	\$242,732
FTE	245.00	248.00	5.00	253.00	252.00	1.00
DHS - Other						
Total all funds	\$0	\$0	\$2,000,000	\$2,000,000	\$2,000,000	\$0
Less estimated income	0	0	2,000,000	2,000,000	2,000,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Bill total						
Total all funds	\$81,490,880	\$87,025,682	\$6,780,164	\$93,805,846	\$92,913,114	\$892,732
Less estimated income	35,886,284	43,350,046	7,809,082	51,159,128	50,509,128	650,000
General fund	\$45,604,596	\$43,675,636	(\$1,028,918)	\$42,646,718	\$42,403,986	\$242,732
FTE	245.00	248.00	5.00	253.00	252.00	1.00

**House Bill No. 1003 - Attorney General - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$45,954,981	\$48,782,813	\$1,512,536	\$50,295,349	\$50,095,187	\$200,162
Operating expenses	15,588,646	15,675,772	757,266	16,433,038	16,390,468	42,570
Capital assets	804,380	1,739,221		1,739,221	1,739,221	
Grants	4,418,440	3,663,440	240,000	3,903,440	3,903,440	
Litigation fees	150,000	127,500		127,500	127,500	
Intellectual property attorney	442,085					
Medical examinations	660,000	660,000		660,000	660,000	
North Dakota lottery	5,191,454	5,253,531	1,313	5,254,844	5,254,844	
Arrest and return of fugitives	10,000	8,500		8,500	8,500	
Gaming commission	7,489	7,489		7,489	7,489	
Criminal justice information sharing	3,631,121	3,801,923	273,045	4,074,968	4,074,968	
Law enforcement	2,982,284	2,702,985	345,942	3,048,927	3,048,927	
Human trafficking victims grants	1,400,000	1,101,834	45	1,101,879	1,101,879	
Forensic nurse examiners grants	250,000	250,674	17	250,691	250,691	
Additional income		250,000		250,000	250,000	
Statewide litigation funding pool		3,000,000	1,650,000	4,650,000	4,000,000	650,000
Total all funds	\$81,490,880	\$87,025,682	\$4,780,164	\$91,805,846	\$90,913,114	\$892,732
Less estimated income	35,886,284	43,350,046	5,809,082	49,159,128	48,509,128	650,000
General fund	\$45,604,596	\$43,675,636	(\$1,028,918)	\$42,646,718	\$42,403,986	\$242,732
FTE	245.00	248.00	5.00	253.00	252.00	1.00

**Department 125 - Attorney General - Detail of Conference Committee Changes**

	Adjusts Funding for Salary and Benefit Increases <sup>1</sup>	Adds Funding for Salary Equity Increases <sup>2</sup>	Adjusts Funding for the Gaming Division <sup>3</sup>	Adds Funding for Gaming Grants to Political Subdivisions <sup>4</sup>	Adds Funding for Gaming Division Positions <sup>5</sup>	Adds Funding for a Data Scientist Position <sup>6</sup>
Salaries and wages	\$33,376	\$241,757			\$611,147	\$200,162
Operating expenses					108,627	42,570
Capital assets						
Grants				\$240,000		
Litigation fees						
Intellectual property attorney						
Medical examinations						
North Dakota lottery	1,313					
Arrest and return of fugitives						
Gaming commission						
Criminal justice information sharing	1,156					
Law enforcement	2,204					
Human trafficking victims grants	45					
Forensic nurse examiners grants	17					
Additional income						
Statewide litigation funding pool						
Total all funds	\$38,111	\$241,757	\$0	\$240,000	\$719,774	\$242,732
Less estimated income	47,509	241,757	1,710,042	240,000	719,774	0
General fund	(\$9,398)	\$0	(\$1,710,042)	\$0	\$0	\$242,732
FTE	0.00	0.00	0.00	0.00	3.00	1.00

	Adjusts Funding for Salaries and Operating Expenses <sup>1</sup>	Restores Intellectual Property Attorney <sup>2</sup>	Adds One-Time Funding for Statewide Litigation <sup>3</sup>	Total Conference Committee Changes
Salaries and wages		\$426,094		\$1,512,536
Operating expenses	\$584,373	21,696		757,266
Capital assets				
Grants				240,000
Litigation fees				
Intellectual property attorney				
Medical examinations				
North Dakota lottery				1,313
Arrest and return of fugitives				
Gaming commission				
Criminal justice information sharing	271,889			273,045
Law enforcement	343,738			345,942
Human trafficking victims grants				45
Forensic nurse examiners grants				17
Additional income				
Statewide litigation funding pool			\$1,650,000	1,650,000
Total all funds	\$1,200,000	\$447,790	\$1,650,000	\$4,780,164
Less estimated income	1,200,000	0	1,650,000	5,809,082
General fund	\$0	\$447,790	\$0	(\$1,028,918)
FTE	0.00	1.00	0.00	5.00

<sup>1</sup> 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 same as provided by the Senate. 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. Of these amounts, \$50,000 is reduced from the general fund and \$50,000 is added from gaming tax revenues deposited in the charitable gaming operating fund for salary increases related to Gaming Division positions.

<sup>2</sup> Funding of \$241,757 is added from the Attorney General refund fund for salary equity increases for 55 FTE Bureau of Criminal Investigation (BCI) positions and 2 FTE Medicaid Fraud Control Unit (MFCU) positions to provide a total of \$1,249,083 of salary equity increases for these FTE positions from the Attorney General refund fund, which is derived from lawsuit settlement proceeds, the same as provided by the Senate. The House provided \$1,007,326 from the Attorney General refund fund for these FTE positions.

An additional \$125,906 of salary equity funding is provided for 8 FTE Fire Marshal office positions from the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund, the same as provided by the Senate. The House provided the \$125,906 for the Fire Marshal office positions from the Attorney General refund fund.

<sup>3</sup> Funding from the general fund of \$1,710,042 is replaced with funding from gaming tax revenues deposited in the charitable gaming operating fund for Gaming Division expenses, including \$1,669,103 in the salaries and wages line item, \$37,599 in the operating expenses line item, and \$3,340 in the gaming commission line item. The Senate provided the funding would be from the gaming tax allocation fund. The House did not adjust funding for the Gaming Division.

<sup>4</sup> Funding of \$240,000 is added from the charitable gaming operating fund to provide a total of \$750,000 for grants to political subdivisions. The Senate added this funding from the gaming tax allocation fund. The House did not add funding for gaming grants.

<sup>5</sup> Funding of \$719,774 is added from the gaming tax revenues deposited in the charitable gaming operating fund for 3 FTE Gaming Division positions to address increased workloads related to increased electronic pull tabs activity in the state, of which \$611,147 is for salaries and wages and \$108,627 is for related operating expenses. The Senate provided this funding from the gaming tax allocation fund.

The Conference Committee amendments also adjust the funding source for \$959,699 approved by the House, of which \$814,863 is for salaries and wages of 4 FTE Gaming Division positions and \$144,836 is for related operating expenses, from the Attorney General operating fund to gaming tax revenues deposited in the charitable gaming operating fund to provide a total of 7 new FTE Gaming Division positions at a cost of \$1,679,473, of which

\$1,426,010 is for salaries and wages and \$253,463 is for related operating expenses. The Senate provided this funding from the gaming tax allocation fund.

The Conference Committee amendments also replace funding of \$1,113,993 from the Attorney General refund fund, of which \$956,356 is for salaries and wages, \$153,488 is for operating expenses and \$4,149 is for the Gaming Commission, and \$147,560 from the Attorney General operating fund, of which \$24,000 is for salaries and wages and \$123,560 is for operating expenses, with funding from the charitable gaming operating fund. The Senate provided this funding from the gaming tax allocation fund.

Total Gaming Division funding provided by the Conference Committee from the charitable gaming operating fund is \$5,926,068, of which \$4,125,469 is for salaries and wages, \$1,043,110 is for operating expenses, \$750,000 is for grants to cities and counties, and \$7,489 is for the Gaming Commission. The Senate provided this funding from the gaming tax allocation fund.

A section of legislative intent is added to the bill that the Attorney General's Gaming Division be paid from gaming tax revenues, the same as the Senate.

<sup>6</sup> Funding of \$242,732 is added from the general fund for 1 FTE data scientist position for the State Crime Laboratory, of which \$200,162 is for salaries and wages and \$42,570 is for related operating expenses. The House and Senate did not previously approve this item.

<sup>7</sup> Funding of \$1.2 million is added from the Attorney General refund fund for salaries and wages and operating expenses reduced from the general fund by the House. Of the total, \$283,227 is for salaries and wages of a BCI agent and a BCI administrative assistant, \$34,377 is for operating expenses of the State Crime Laboratory, \$271,889 is for operating expenses of the criminal justice information sharing system, and \$610,507 is for other operating expenses of the Attorney General's office, primarily related to information technology-related expenses. The Senate also provided \$1.2 million from the Attorney General refund fund for this purpose.

<sup>8</sup> Funding of \$447,790 from the general fund is restored for 1 FTE assistant attorney general position for the intellectual property attorney program, the same as provided by the Senate. The House removed this position and eliminated the program.

<sup>9</sup> One-time funding of \$1.65 million is added from the gaming tax allocation fund for a statewide litigation funding pool, to provide a total of \$4.65 million, of which \$3 million is from the strategic investment and improvements fund. The House provided a total of \$3 million from the strategic investment and improvements fund. The Senate provided a total of \$4 million from the strategic investment and improvements fund. A separate section of the bill is added to identify the \$1.65 million in Section 1 and to provide an exemption from North Dakota Century Code Section 53-06.1-12 to authorize the Attorney General to use the funding for litigation expenses.

The Conference Committee did not approve a section added by the Senate that would have amended Section 53-06.1-12 to authorize the Attorney General to use gaming tax revenues from the gaming tax allocation fund for the administration and operating costs of the Gaming Division. Due to the passage of House Bill No. 1212 (2021), the Attorney General is authorized to use gaming tax revenues deposited in the newly created charitable gaming operating fund for the administration and operating costs of the Gaming Division.

This amendment also:

- Adds a section to provide a 2019-21 biennium supplemental appropriation of \$355,000 to the Attorney General from federal funds, of which \$255,000 is for the development and implementation of a sexual assault evidence collection kit tracking system and \$100,000 is for drug analyzers to be received from the Department of Transportation. The section includes an exemption to allow the Attorney General to continue the funding into the 2021-23 biennium. This section is declared an emergency measure. The Senate included this section.
- Adds a section to provide a transfer of \$2 million from lawsuit settlement proceeds deposited in the Attorney General refund fund to the Department of Human

Services, which is appropriated to the Department of Human Services for defraying the expenses of an opioid addiction prevention and treatment program during the 2021-23 biennium. The Department of Human Services is required to consult with the Attorney General regarding the use of this funding. The Attorney General is required to notify the Legislative Council and the Office of Management and Budget of any lawsuit settlement proceeds that become available for transfer to the Department of Human Services for this program. The Senate included this section.

- Adds a section to identify \$475,000 appropriated in Section 1 for the continued development and implementation of the charitable gaming technology system is from the charitable gaming operating fund. The House provided this funding from the Attorney General operating fund. The Senate provided this funding from the gaming tax allocation fund.
- Amends a section to identify \$1,374,989 in the estimated income line item in Section 1 is for providing salary equity increases to Attorney General staff during the 2021-23 biennium, of which \$1,249,083 is from the Attorney General refund fund for BCI and MFCU positions and \$125,906 is from the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund for Fire Marshal office positions. The Senate included this section.
- Amends a section to allow the Attorney General to invest up to \$2,577,624 of funding in the Attorney General refund fund, which is derived from lawsuit settlement proceeds received by the Attorney General and was deposited in the Attorney General refund fund in January 2021 (\$1,160,896) and March 2021 (\$1,416,728) and any investment earnings on the settlement amount, and \$251,812 of funding in the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund, under the supervision of the State Investment Board for the 2021-23 and 2023-25 bienniums. Legislative intent is provided that this funding and any investment earnings on the funding be retained in the Attorney General refund fund and Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund for the purpose of providing salary equity increases for the 2021-23 biennium and for the cost to continue the salary equity increases during the 2023-25 biennium. The Senate included this section.
- Amends a section increasing the Attorney General's statutory salary to reflect salary increases of 1.5 percent and 2 percent approved for the 2021-23 biennium. The Senate included this section.
- Adds a section to amend House Bill No. 1212 (2021) to provide gaming tax revenue grants distributed to cities and counties are subject to legislative appropriations. This change will result in an estimated additional \$34,373 of gaming tax revenues being deposited in the general fund during the 2021-23 biennium.
- Adds a section to provide, notwithstanding Section 54-12-08.1, the Attorney General may contract for legal services that are compensated by a contingent fee arrangement, relating to ongoing multistate technology litigation, during the period beginning with the effective date of this Act and ending June 30, 2023. This section is declared an emergency measure. The Senate included this section.
- Adds a section to provide, notwithstanding Section 53-06.1-12, the Attorney General may distribute quarters seven and eight of 2019-21 biennium gaming tax revenue grants to cities and counties through October 31, 2021. The Senate included this section.
- Adds a section to provide, notwithstanding subsection 6 of Section 18-13-03, the Attorney General may invest \$125,906 from the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund, for the purpose of providing salary equity increases to Fire Marshal office positions during the 2021-23 biennium. The Senate included this section.
- Adds a section to allow the Attorney General to continue any remaining funding appropriated from other funds for the 2017-19 biennium and continued into the 2019-21 biennium for the statewide automated victim information and notification system into the 2021-23 biennium for the legal case management system, which is used to track attorney time and billing within the agency. The Senate included this section.



- Adds a section to allow the Attorney General to continue any remaining funding appropriated from the general fund for the 2019-21 biennium for the purchase of information technology equipment into the 2021-23 biennium. The Senate included this section.
- Adds a section to provide for a Legislative Management study regarding the feasibility and desirability of consolidating attorney and legal-related positions in state government. The Senate included this section.
- Adds a section to provide for a Legislative Management study regarding the feasibility and desirability of consolidating litigation-related funding in state government. The Senate included this section.
- Adds a section to provide for a Legislative Management study regarding the state's charitable gaming tax laws and the use of net proceeds for eligible organizations. The Senate included this section.
- Adds a section to provide for a Legislative Management study of gaming addiction and support. Neither the Senate nor the House included this section.

#### House Bill No. 1003 - DHS - Other - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Operating expenses			\$2,000,000	\$2,000,000	\$2,000,000	
Total all funds	\$0	\$0	\$2,000,000	\$2,000,000	\$2,000,000	\$0
Less estimated income	0	0	2,000,000	2,000,000	2,000,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

#### Department 325 - DHS - Other - Detail of Conference Committee Changes

	Adds One-Time Funding for Opioid Addiction Prevention Program <sup>1</sup>	Total Conference Committee Changes
Operating expenses	\$2,000,000	\$2,000,000
Total all funds	\$2,000,000	\$2,000,000
Less estimated income	2,000,000	2,000,000
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> One-time funding of \$2 million is added from lawsuit settlement proceeds received by the Attorney General and transferred to the Department of Human Services for defraying the expenses of an opioid addiction prevention and treatment program during the 2021-23 biennium. The Senate also included this appropriation.

Engrossed HB 1003 was placed on the Seventh order of business on the calendar.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. KEMPENICH MOVED** that the conference committee report on Engrossed HB 1003 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1003, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1003:** A BILL for an Act to provide an appropriation for defraying the expenses of the attorney general; to provide an appropriation to the department of human services; to amend and reenact the new section to chapter 53-06.1, as created by section 1 of House Bill No. 1212, as approved by the sixty-seventh legislative assembly and section 54-12-11 of the North Dakota Century Code, relating to the salary of the attorney general and charitable gaming tax revenue distributions; to provide for a transfer; to provide an exemption; to provide for a statement of legislative intent; to provide for a report; to provide for a legislative management study; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 86 YEAS, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Becker; Ertelt; Hoverson; Magrum; Toman

**ABSENT AND NOT VOTING:** Johnson, M.; Ostlie; Ruby, M.

Reengrossed HB 1003 passed and the emergency clause was declared carried.

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2046.

**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 1380, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1380:** Reps. Delzer; Vigesaa; Boe

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2046, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2046:** Sens. K. Roers; Meyer; Vedaa

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

**MR. PRESIDENT:** The House has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2139:** Reps. Steiner; Headland; Dockter

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

**MR. PRESIDENT:** The House has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2245:** Reps. J. Nelson; Kempenich; Brandenburg

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

**MR. SPEAKER:** The Senate has not adopted the conference committee report on: HB 1465.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1006, HB 1021.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1010, HB 1253.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2002, SB 2006, SB 2008, SB 2043.

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

**MR. PRESIDENT:** The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1003, HB 1018.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report on: HB 1024.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2213.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1006, HB 1021.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1035.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2016.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1020.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2015, SB 2019, SB 2144, SB 2247, SB 2272, SB 2319.

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

**MR. SPEAKER:** The President has signed: SB 2015, SB 2019, SB 2144, SB 2247, SB 2272, SB 2319.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bill was delivered to the Governor for approval on April 23, 2021: HB 1020.

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

**MR. SPEAKER:** The Senate has overridden the Governor's veto on HB 1323. The vote was 32 YEAS, 15 NAYS, 0 ABSENT AND NOT VOTING.

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

**MR. SPEAKER:** The Senate has sustained the Governor's veto on HB 1298. The vote was 28 YEAS, 19 NAYS, 0 ABSENT AND NOT VOTING.

**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 8:00 a.m., Monday, April 26, 2021, which motion prevailed on a voice vote.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2213, as engrossed:** Your conference committee (Sens. Patten, Dever, Piepkorn and Reps. B. Koppelman, Bellew, Kempenich) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1312-1313, adopt

amendments as follows, and place SB 2213 on the Seventh order:

That the House recede from its amendments as printed on page 1313 of the Senate Journal and page 1437 of the House Journal and that Engrossed Senate Bill No. 2213 be amended as follows:

Page 1, line 14, replace "nine" with "eight"

Page 1, line 14, after "thousand" insert "one hundred"

Page 1, line 22, replace "nine" with "eight"

Page 1, line 23, after "thousand" insert "one hundred"

Page 2, line 2, replace "nine" with "eight"

Page 2, line 2, after "thousand" insert "one hundred"

Renumber accordingly

Engrossed SB 2213 was placed on the Seventh order of business on the calendar.

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

**Buell J. Reich, Chief Clerk**