

## JOURNAL OF THE SENATE

## Sixty-seventh Legislative Assembly

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Bismarck, April 13, 2021

The Senate convened at 8:00 a.m., with President Sanford presiding.

The prayer was offered by Reverend Canon Zann Ness, Ministry on the Margins, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

## MOTION

**SEN. KLEIN MOVED** that HB 1253 be moved to the bottom of the calendar, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**HB 1016, as engrossed: SEN. KREBSBACH (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

## SECOND READING OF HOUSE BILL

**HB 1016:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the adjutant general; to provide an exemption; to provide a report; to provide legislative intent; to provide for a transfer; 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 45 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Heitkamp; Larsen, O.

Engrossed HB 1016, as amended, passed and the emergency clause was declared carried.

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## CONSIDERATION OF AMENDMENTS

**HB 1012, as engrossed: SEN. DEVER (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a verification vote.

## SECOND READING OF HOUSE BILL

**HB 1012:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of human services; to provide an appropriation to the state department of health; to create and enact two new sections to chapter 50-06 and a new section to chapter 50-24.1 of the North Dakota Century Code, relating to substance use disorder treatment voucher system grants, a behavioral health bed management system, and medical assistance coverage of interpreter services; to create and enact a new paragraph to subdivision I of subsection 1 of section 50-11.1-22 of the North Dakota Century Code as created by section 8 of House Bill No. 1416, as approved by the sixty-seventh legislative assembly, relating to the North Dakota early childhood council membership; to amend and reenact sections 50-06-42, 50-11.1-14, and 50-24.1-37 of the North Dakota Century Code, relating to the

substance use disorder voucher program, the early childhood workforce development fees, and the Medicaid expansion program; to repeal section 50-24.1-18.1 of the North Dakota Century Code, relating to consumer-directed health maintenance services; to provide an exemption; to provide a statement of legislative intent; to provide for a report; to provide for a study; to provide for a transfer; to provide for the conveyance of land; to provide an application; to provide for retroactive application; to provide an effective date; to provide an expiration 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 34 YEAS, 13 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bakke; Bekkedahl; Bell; Burckhard; Davison; Dever; Dwyer; Erbele; Heckaman; Hogan; Hogue; Holmberg; Klein; Krebsbach; Kreun; Larson, D.; Lee; Marcellais; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber

**NAYS:** Anderson; Clemens; Conley; Elkin; Fors; Heitkamp; Kannianen; Larsen, D.; Larsen, O.; Lemm; Luick; Myrdal; Wobbema

Engrossed HB 1012, as amended, passed and the emergency clause was declared carried.

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#### MOTION

**SEN. KLEIN MOVED** that pursuant to rule 509, the Sixty-third day be replaced with the Sixty-seventh day, which motion prevailed on a voice vote.

#### MOTION

**SEN. KLEIN MOVED** that the Senate stand in recess until 1:00 p.m., which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with President Sanford presiding.

#### REPORT OF STANDING COMMITTEE

**HB 1380, as engrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1380, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on pages 1033 through 1037 of the Senate Journal, Engrossed House Bill No. 1380 is amended as follows:

Page 1, line 1, after "enact" insert "a new section to chapter 6-09,"

Page 1, line 1, after "6-09.4" insert ", a new section to chapter 15-20.1"

Page 1, line 1, replace the second "a" with "four"

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

Page 1, line 2, replace "57-38" with "54-60"

Page 1, line 2, after the second "to" insert "an economic diversification research fund,"

Page 1, line 3, after the first "fund" insert ", a workforce development and enrichment fund"

Page 1, line 3, after the second "fund" insert ", a legacy infrastructure fund, a legacy project fund, a legacy project advisory board"

Page 1, line 3, replace "income tax relief" with "innovative research and economic development"

Page 1, line 4, after "reenact" insert "subsection 1 of section 21-10-06 and"

Page 1, line 4, after "to" insert "funds invested by the state investment board and"

Page 1, line 5, remove "and"

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

Page 1, after line 6, insert:

"**SECTION 1.** A new section to chapter 6-09 of the North Dakota Century Code is created and enacted as follows:

**Economic diversification research fund - Economic diversification research committee - Legislative management report.**

1. There is created in the state treasury the economic diversification research fund. The fund consists of all moneys deposited in the fund under section 6 of this Act. Moneys in the fund may be spent by the Bank of North Dakota pursuant to legislative appropriations to provide grants to institutions under the control of the state board of higher education for economic diversification research.
2. The economic diversification research committee consists of:
  - a. The president of the Bank of North Dakota, as chairman;
  - b. Four members with experience in research or venture capital appointed by the president of the Bank of North Dakota;
  - c. The state commissioner of higher education, or a designee; and
  - d. The president of North Dakota state university and the president of the university of North Dakota.
3. In consultation with representatives of North Dakota state university and the university of North Dakota, the committee shall award grants to institutions under the control of the state board of higher education. Up to ninety percent of the funding must be awarded to North Dakota state university and the university of North Dakota with equal amounts awarded to each institution. The remaining funding must be awarded to the other institutions under the control of the state board of higher education, as determined by the committee. The committee may not award more than fifty percent of the available funding during the first year of the biennium. The Bank of North Dakota shall distribute the grant funding as awarded by the committee.
4. The committee shall develop guidelines for the economic diversification research grants. The purpose of the grants is to stimulate economic activity across the state through innovation of new technology, concepts, and products; to promote job creation and career and wage growth; to enhance health care outcomes; to address loss of revenue and jobs in communities with economies that depend primarily on the fossil fuel industry; and to provide experiential learning opportunities for students. Research projects may be initiated by an institution under the control of the state board of higher education or by the private sector. The guidelines must include consideration for research projects with matching funds and provisions for grant oversight by an internal advisory committee and an external advisory committee.
5. The committee shall develop reporting requirements for the institutions under the control of the state board of higher education. The reporting requirements must include criteria for assessing performance outcomes related to the grants. The committee shall compile the reports and shall submit a comprehensive report annually to the legislative management.

The comprehensive report must include information on how the research efforts by each institution align with the state's priorities, how the institutions collaborate when appropriate, and how the outcomes of the research meet established performance expectations."

Page 1, line 12, replace "3" with "6"

Page 1, line 14, after "authority" insert "for transfer to the Bank of North Dakota for allocations to infrastructure projects and programs and the clean sustainable energy fund"

Page 1, line 15 replace "necessary" with "appropriated from the fund"

Page 1, line 15, remove the underscored comma

Page 1, after line 16, insert:

**"SECTION 3.** A new section to chapter 15-20.1 of the North Dakota Century Code is created and enacted as follows:

**Workforce development and enrichment fund.**

1. There is created in the state treasury the workforce development and enrichment fund. The fund consists of all moneys deposited in the fund under section 6 of this Act. Moneys in the fund may be spent pursuant to legislative appropriations to provide grants to support:
  - a. Strategic workforce development;
  - b. Technical education;
  - c. Workforce diversification initiatives; and
  - d. Workforce guidance and support.
2. Grant funding may be awarded only for one-time projects and initiatives.
3. Grants awarded for capital projects must have a matching requirement.
4. Thirty percent of the moneys in the fund must be designated to support workforce initiatives in cities located in oil-producing counties that receive five million dollars or more of allocations per fiscal year under subsection 2 of section 57-51-15 with priority given to cities that have:
  - a. The highest percent of mining, quarrying, and oil and gas extraction employment relative to the total employment of all industries in the city;
  - b. The highest number of employees in the mining, quarrying, and oil and gas extraction sector relative to the other cities located in oil-producing counties that receive five million dollars or more of allocations per fiscal year under subsection 2 of section 57-51-15; and
  - c. The highest total taxable sales and purchases relative to the total taxable sales and purchases of all the cities located in oil-producing counties that receive five million dollars or more of allocations per fiscal year under subsection 2 of section 57-51-15.

**SECTION 4. AMENDMENT.** Subsection 1 of section 21-10-06 of the North Dakota Century Code is amended and reenacted as follows:

1. Subject to the provisions of section 21-10-02, the board shall invest the following funds:

- a. State bonding fund.
- b. Teachers' fund for retirement.
- c. State fire and tornado fund.
- d. Workforce safety and insurance fund.
- e. Public employees retirement system.
- f. Insurance regulatory trust fund.
- g. State risk management fund.
- h. Budget stabilization fund.
- i. Health care trust fund.
- j. Cultural endowment fund.
- k. Petroleum tank release compensation fund.
- l. Legacy fund.
- m. Legacy earnings fund.
- n. A fund under contract with the board pursuant to subsection 3."

Page 2, line 12, remove "If the amounts transferred under subsection 2 exceed the amount available for"

Page 2, remove lines 13 through 18

Page 2, line 19, remove "4."

Page 2, line 21, replace "six" with "eight"

Page 2, line 25, replace "5." with "4."

Page 2, remove lines 28 through 30

Page 3, replace lines 1 through 11 with:

- "a. Twenty percent, with a minimum of one hundred million dollars, to a sinking and interest fund, of which:
  - (1) An amount equal to any bond payments appropriated by the most recently adjourned special or regular session of the legislative assembly from the legacy sinking and interest fund, with a minimum of one hundred million dollars, must be transferred to the legacy sinking and interest fund under section 2 of this Act; and
  - (2) Any remaining amounts under this subdivision are available for other purposes designated by the legislative assembly;
- b. Twenty-five percent to infrastructure funds, of which:
  - (1) Forty-five percent must be transferred to the highway tax distribution fund for allocations under section 54-27-19;
  - (2) Five percent to the state park fund under section 55-08-07 for state park construction and improvement projects and other state park initiatives designated by the legislative assembly; and

- (3) The remaining amount to the legacy infrastructure fund under section 7 of this Act;
- c. Twenty-five percent to research and economic development funds, of which:
  - (1) Thirty percent must be transferred to the clean sustainable energy fund;
  - (2) Thirty percent must be transferred to the economic diversification research fund under section 1 of this Act;
  - (3) Thirty percent must be transferred to the innovation loan fund to support technology advancement under section 6-09.18-05; and
  - (4) The remaining amount must be transferred to the innovative research and economic diversification fund;
- d. Ten percent to the legacy project fund under section 8 of this Act;
- e. Eight percent to the workforce development and enrichment fund under section 3 of this Act; and
- f. The remaining amount for other purposes designated by the legislative assembly.

**SECTION 7.** A new section to chapter 21-10 of the North Dakota Century Code is created and enacted as follows:

**Legacy infrastructure fund.**

- 1. There is created in the state treasury the legacy infrastructure fund. The fund consists of all moneys deposited in the fund under section 6 of this Act. Moneys in the fund may be spent pursuant to legislative appropriations to support one-time infrastructure projects, including road and bridge projects, airport projects, and water projects.
- 2. If a political subdivision receives funding from the legacy project fund, the political subdivision shall provide a report to the state treasurer by May thirtieth of each even-numbered year on the use of the funding. The state treasurer shall determine the format of the report. The state treasurer shall make the reports available to the public on the state treasurer's website.

**SECTION 8.** A new section to chapter 21-10 of the North Dakota Century Code is created and enacted as follows:

**Legacy project fund.**

- 1. There is created in the state treasury the legacy project fund. The fund consists of all moneys deposited in the fund under section 6 of this Act. Moneys in the fund may be spent pursuant to legislative appropriations for projects and infrastructure. Funding designated for projects must be used to support statewide economic diversification and growth. Funding designated for infrastructure must be used to support one-time infrastructure with a statewide benefit.
- 2. If a political subdivision receives funding from the legacy project fund, the political subdivision shall provide a report to the state treasurer by May thirtieth of each even-numbered year on the use of the funding. The state treasurer shall determine the format of the report. The state treasurer shall make the reports available to the public on the state treasurer's website.

3. Up to one hundred thousand dollars per biennium may be appropriated to the office of management and budget for administrative expenses related to the legacy project advisory board.

**SECTION 9.** A new section to chapter 21-10 of the North Dakota Century Code is created and enacted as follows:

**Legacy project advisory board - Report to legislative assembly.**

1. The legacy project advisory board consists of:
  - a. The governor or the the governor's designee, to serve as chairman;
  - b. The majority and minority leaders of the house of representatives and senate, or their legislative designees;
  - c. The chairmen of the appropriations committees of the house of representatives and the senate, or their legislative designees;
  - d. The chairmen of the finance and taxation standing committees of the house of representatives and the senate, or their legislative designees;
  - e. One member appointed by the North Dakota petroleum council;
  - f. One member appointed by the greater North Dakota chamber of commerce;
  - g. One member appointed by the agriculture commissioner; and
  - h. Three members appointed by the governor.
2. The advisory board shall meet at least once per biennium. The office of management and budget shall provide administrative services to the advisory board.
3. The advisory board shall submit a report to the legislative assembly regarding recommendations for projects and infrastructure under the legacy project fund.
4. The advisory board may not include a recommendation in the report to the legislative assembly unless the recommendation fulfills the purposes of the legacy project fund under section 8 of this Act and is approved by a majority of the members of the advisory board.

**SECTION 10.** A new section to chapter 54-60 of the North Dakota Century Code is created and enacted as follows:

**Innovative research and economic diversification fund.**

There is created in the state treasury the innovative research and economic diversification fund. The fund consists of all moneys deposited in the fund under section 6 of this Act. Moneys in the fund may be spent pursuant to legislative appropriations with seventy percent designated for the lignite research council, the oil and gas research council, and other research councils and thirty percent designated for tourism initiatives."

Page 3, line 14, remove "the highway tax distribution fund,"

Page 3, line 15, remove "the innovation loan fund to support technology advancement,"

Page 3, line 17, after the comma insert "and"

Page 3, line 18, remove ", and to reduce ongoing general fund appropriations of state"

Page 3, line 19, remove "agencies"

Page 3, after line 19, insert:

**"SECTION 12. EFFECTIVE DATE.** This section becomes effective on August 1, 2021."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Compared to the previous amendment adopted by the Senate, this amendment:

- Clarifies the bond payments designated for repayment from a newly created legacy sinking and interest fund;
- Designates 30 percent from a newly created workforce development and enrichment fund to cities with economies that depend primarily on the oil and gas industry;
- Authorizes the State Investment Board to invest money in the newly created legacy earnings fund;
- Decreases the allocation to a legacy sinking and interest fund by 10 percent, from 30 to 20 percent;
- Removes an allocation to the Public Employee Retirement System main system plan;
- Designates, from an allocation for research and economic development, 30 percent to a clean sustainable energy fund, 30 percent to an economic diversification research fund, and 30 percent to the innovation loan fund to support technology advancement;
- Increases the allocation to a workforce development and enrichment fund by 3 percent, from 5 to 8 percent; and
- Designates, from an innovative research and economic diversification fund, 70 percent for research councils and 30 percent for tourism initiatives.

**CORRECTION AND REVISION OF THE JOURNAL**

**MR. PRESIDENT:** Your **Committee on Correction and Revision of the Journal (Sen. Anderson, Chairman)** has carefully examined the Journal of the Sixty-first, Sixty-second, and Sixty-third Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1271, line 39, insert "Engrossed HB 1248, as amended,"

Page 1274, line 43, replace "Reengrossed" with "Engrossed"

Page 1274, line 45, replace "Reengrossed" with "Engrossed"

Page 1304, line 30, replace "asdf" with "on the adoption of the Rules Committee report"

Page 1350, replace lines 18-24 with "A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to the creation of a charitable gaming operating fund; to amend and reenact section 53-06.1-12 of the North Dakota Century Code, relating to charitable gaming tax; to provide a continuing appropriation; to provide for a transfer; and to provide an effective date."

Page 1393, line 36, replace "(5 YEAS, 2 NAYS," with "(7 YEAS, 0 NAYS,"

Page 1375, after line 10 insert: **MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY) MR. SPEAKER:** The President has signed: SCR 4011

**SEN. ANDERSON MOVED** that the report be adopted, which motion prevailed.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

**SEN. KLEIN MOVED** that the Senate do not concur in the House amendments to



Engrossed SB 2004, in the House amendments to Engrossed SB 2006, in the House amendments to Engrossed SB 2012, in the House amendments to Engrossed SB 2015, in the House amendments to Engrossed SB 2019, in the House amendments to Engrossed SB 2145, in the House amendments to Engrossed SB 2212, in the House amendments to Engrossed SB 2256, in the House amendments to Engrossed SB 2271, in the House amendments to Engrossed SB 2290, and in the House amendments to Reengrossed SB 2319 and that a conference committee be appointed to meet with a like committee from the House on each of these measures, which motion prevailed on a voice vote.

#### **APPOINTMENT OF CONFERENCE COMMITTEES**

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

**Engrossed SB 2004:** Sens. Sorvaag, Bekkedahl, Mathern.

**Engrossed SB 2006:** Sens. Bekkedahl, Holmberg, Davison.

**Engrossed SB 2012:** Sens. Oehlke, Rust, Heckaman.

**Engrossed SB 2015:** Sens. Wanzek, Poolman, Mathern.

**Engrossed SB 2019:** Sens. Poolman, Erbele, Heckaman.

**Engrossed SB 2145:** Sens. K. Roers, O. Larsen, Hogan.

**Engrossed SB 2212:** Sens. Anderson, Lee, Hogan.

**Engrossed SB 2256:** Sens. Lee, Clemens, Hogan.

**Engrossed SB 2271:** Sens. Meyer, Vedaa, Marcellais.

**Engrossed SB 2290:** Sens. Meyer, Elkin, Marcellais.

**Reengrossed SB 2319:** Sens. Kannianen, Patten, Bell.

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

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1001, Engrossed HB 1003, Engrossed HB 1004, Engrossed HB 1006, Engrossed HB 1008, Engrossed HB 1009, Engrossed HB 1010, Engrossed HB 1017, Engrossed HB 1018, Engrossed HB 1019, Engrossed HB 1021, Reengrossed HB 1022, Engrossed HB 1023, Engrossed HB 1024, Engrossed HB 1035, Engrossed HB 1209, Engrossed HB 1246, Reengrossed HB 1383, HB 1493, and HCR 3021, which motion prevailed.

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

**Engrossed HB 1001:** Sens. Hogue, Sorvaag, Mathern

**Engrossed HB 1003:** Sens. Bekkedahl, Holmberg, Mathern

**Engrossed HB 1004:** Sens. Oehlke, Dever, Poolman

**Engrossed HB 1006:** Sens. Wanzek, Bekkedahl, Rust

**Engrossed HB 1008:** Sens. Wanzek, Poolman, Krebsbach

**Engrossed HB 1009:** Sens. Wanzek, Erbele, Heckaman

**Engrossed HB 1010:** Sens. Oehlke, Erbele, Davison

**Engrossed HB 1017:** Sens. Oehlke, Wanzek, Erbele

**Engrossed HB 1018:** Sens. Erbele, Krebsbach, Davison

**Engrossed HB 1019:** Sens. Sorvaag, Bekkedahl, Mathern

**Engrossed HB 1021:** Sens. Hogue, Oehlke, Heckaman

**Reengrossed HB 1022:** Sens. Bekkedahl, Poolman, Rust

**Engrossed HB 1023:** Sens. Krebsbach, Dever, Heckaman

**Engrossed HB 1024:** Sens. Hogue, Rust, Davison

**Engrossed HB 1035:** Sens. Larson, Heitkamp, Bakke

**Engrossed HB 1209:** Sens. Vedaa, Weber, Marcellais

**Engrossed HB 1246:** Sens. Schaible, Wobbema, Oban

**Reengrossed HB 1383:** Sens. Dwyer, Luick, Bakke

**HB 1493:** Sens. Lee, K. Roers, O. Larsen

**HCR 3021:** Sens. Heitkamp, Dwyer, Bakke

#### **CONSIDERATION OF AMENDMENTS**

**HB 1452, as reengrossed and amended: SEN. DAVISON (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### **SECOND READING OF HOUSE BILL**

**HB 1452:** A BILL for an Act to create and enact a new chapter to title 54 of the North Dakota Century Code, relating to a clean sustainable energy authority and a clean sustainable energy fund; to amend and reenact sections 17-01-01 and 17-07-01 and subsection 5 of section 54-44.4-02 of the North Dakota Century Code, relating to

low-emission technology, the energy policy commission, and an exemption from procurement services for energy programs; to provide a continuing appropriation; to provide an appropriation; to provide a transfer; and to provide a report.

### MOTION

**SEN. MATHERN MOVED** that Reengrossed HB 1452, as amended, be amended as follows.

In addition to the amendments adopted by the Senate as printed on pages 1004 through 1006 and \_\_\_\_ of the Senate Journal, Reengrossed House Bill No. 1452 is further amended as follows:

Page 1, line 23, after "gas" insert ", battery storage technologies"

Page 4, line 27, replace "Two members" with "One member"

Page 4, line 28, replace "Two members" with "One member"

Page 4, line 29, replace "Two members" with "One member"

Page 4, line 29, remove "and"

Page 4, line 30, after "association" insert ":

- f. One member representing the wind energy industry appointed by the governor;
- g. One member representing the solar energy industry appointed by the governor; and
- h. One member appointed by the North Dakota Indian affairs commission"

ReNUMBER accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment:

- Adds batteries to low-emission technology; and
- Replaces 1 member appointed by the Lignite Research Council, 1 member appointed by the Oil and Gas Research Council, and 1 member appointed by the Renewable Energy Council with 1 member representing the wind energy industry appointed by the Governor, 1 member representing the solar energy industry appointed by the Governor, and 1 member appointed by the Indian Affairs Commission as voting members on the Clean Sustainable Energy Authority.

### REQUEST

**SEN. MATHERN REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to Reengrossed HB 1452, as amended, which request was granted.

### ROLL CALL

The question being on the motion to adopt the proposed amendments to Reengrossed HB 1452, as amended, the roll was called and there were 8 YEAS, 39 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bakke; Heckaman; Hogan; Marcellais; Mathern; Oban; Piepkorn; Weber

**NAYS:** Anderson; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heitkamp; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Meyer; Myrdal; Oehlke; Patten; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Wobbema

The proposed amendments to Reengrossed HB 1452, as amended, failed on a recorded roll

call vote.

#### 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 41 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larson, D.; Lee; Lemm; Luick; Meyer; Myrdal; Oban; Oehlke; Patten; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Bakke; Hogan; Larsen, O.; Marcellais; Mathern; Piepkorn

Reengrossed HB 1452, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1380, as engrossed and amended: SEN. SORVAAG (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1380:** A BILL for an Act to create and enact a new section to chapter 6-09, a new section to chapter 6-09.4, a new section to chapter 15-20.1, four new sections to chapter 21-10, and a new section to chapter 54-60 of the North Dakota Century Code, relating to an economic diversification research fund, a legacy sinking and interest fund, a workforce development and enrichment fund, a legacy earnings fund, a legacy infrastructure fund, a legacy project fund, a legacy project advisory board, and an innovative research and economic development fund; to amend and reenact subsection 1 of section 21-10-06 and section 21-10-12 of the North Dakota Century Code, relating to funds invested by the state investment board and legacy fund definitions; to provide for a transfer; to provide a statement of legislative intent; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

Engrossed HB 1380, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1253, as engrossed: SEN. VEDAA (Government and Veterans Affairs Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1452.

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

**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1012, HB 1016.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2014, SB 2020.

**AMENDMENTS TO ENGROSSED SENATE BILL NO. 2014**

Page 1, line 2, remove "a new section to chapter"

Page 1, line 3, remove "6-09.4 and"

Page 1, line 4, remove "bonded debt repayments and"

Page 1, line 5, remove "sections 6-09-49, 6-09.4-06, 6-09.4-10, 6-09.16-02, 6-09.16-03, 6-09.16-05, 15-11-40,"

Page 1, line 6, replace "50-30-04, 54-17-40, and 57-51.1-07.9" with "section 6-09.4-05.1, subsection 6 of section 17-05-08, subsection 1 of section 38-22-14, and subsection 1 of section 38-22-15"

Page 1, line 6, remove the second "the"

Page 1, remove lines 7 and 8

Page 1, line 9, replace "energy research center, and the housing incentive fund; to provide a continuing appropriation" with "to transmission authority projects and carbon dioxide storage fees"

Page 2, replace line 1 with:

"Salaries and wages	\$23,409,450	\$288,669	\$23,698,119"
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Page 2, replace lines 6 through 8 with:

"Total all funds	\$39,977,988	\$10,987,070	\$50,965,058
Less estimated income	<u>12,723,790</u>	<u>11,645,395</u>	<u>24,369,185</u>
Total general fund	\$27,254,198	(\$658,325)	\$26,595,873"

Page 2, replace lines 14 through 17 with:

"Bank of North Dakota operations	\$62,847,799	\$2,955,453	\$65,803,252
Capital assets	<u>1,510,000</u>	<u>0</u>	<u>1,510,000</u>
Total special funds	\$64,357,799	\$2,955,453	\$67,313,252
Full-time equivalent positions	181.50	(12.00)	169.50"

Page 2, replace line 22 with:

"Salaries and wages	\$8,509,015	\$972,680	\$9,481,695"
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Page 2, replace lines 27 and 28 with:

"Total special funds	\$47,421,891	\$11,429,064	\$58,850,955
Full-time equivalent positions	44.00	4.00	48.00"

Page 3, replace lines 13 through 15 with:

"Grand total general fund	\$27,254,198	(\$658,325)	\$26,595,873
Grand total special funds	<u>201,498,304</u>	<u>37,412,297</u>	<u>238,910,601</u>
Grand total all funds	\$228,752,502	\$36,753,972	\$265,506,474"

Page 3, after line 26 insert:

"Housing finance agency - housing assessment	0	35,000"
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Page 3, replace lines 28 through 30 with:

"Total all funds	\$12,965,000	\$141,206
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Less estimated income	5,270,000	35,000
Total general fund	\$7,695,000	\$106,206

Page 4, remove lines 28 through 30

Page 5, remove lines 1 and 2

Page 5, line 3, remove "APPROPRIATION - GENERAL FUND -"

Page 5, line 3, after "TRANSFER" insert "STRATEGIC INVESTMENT AND IMPROVEMENTS FUND"

Page 5, line 4, remove "- INTENT"

Page 5, line 4, remove "There is appropriated out of any moneys in the general fund in"

Page 5, remove line 5

Page 5, line 6, replace "as may be necessary, which the office of management and budget shall transfer" with "The office of management and budget shall transfer the sum of \$9,500,000 from the strategic investment and improvements fund"

Page 5, line 7, remove "The"

Page 5, remove lines 8 through 26

Page 5, line 28, replace "\$1,215,980" with "\$1,214,768"

Page 7, line 19, replace "\$14,000,000" with "\$9,500,000"

Page 8, remove lines 1 through 31

Page 9, remove lines 1 through 31

Page 10, remove lines 1 through 31

Page 11, remove lines 1 through 31

Page 12, remove lines 1 through 31

Page 13, remove lines 1 through 31

Page 14, remove lines 1 through 30

Page 15, remove lines 1 through 29

Page 16, remove lines 1 through 31

Page 17, replace lines 1 through 11 with:

**"SECTION 14. AMENDMENT.** Section 6-09.4-05.1 of the North Dakota Century Code is amended and reenacted as follows:

**6-09.4-05.1. Administrative agreements with state agencies.**

The public finance authority and any state agency authorized by state or federal law to make an allocation of bonds or bonding authority or to make loans, or to issue bonds to obtain funds for the purpose of making loans, ~~to political subdivisions or grants,~~ may enter into an administrative agreement, which may authorize the public finance authority to administer the loan or bond program for the state agency. The agreement may delegate to the public finance authority the authority to make loans, or to issue bonds to obtain funds for the purpose of making loans, ~~to political subdivisions or grants.~~

**SECTION 15. AMENDMENT.** Subsection 6 of section 17-05-08 of the North Dakota Century Code is amended and reenacted as follows:

6. The commission may approve a resolution for the issuance of bonds as provided in this section which states in substance that this subsection is applicable to any required debt service reserve for bonds issued under that resolution in an aggregate amount not to exceed two hundred forty million dollars plus costs of issuance, credit enhancement, and any reserve funds required by agreements with or for the benefit of holders of the evidences of indebtedness for the purposes for which the authority is created under this chapter. The amount of any refinancing, however, may not be counted toward the two hundred forty million dollar limitation to the extent the amount does not exceed the outstanding amount of the obligations being refinanced. No more than thirty percent of the total project costs or the appraised value, whichever is greater, for any single transmission facility project may be financed by bonds issued under this section which are supported by the debt service reserve fund approved by the commission under this subsection. To ensure the maintenance of the required debt service reserve fund approved by the commission under this subsection, the legislative assembly shall appropriate and pay to the authority for deposit in the reserve fund any sum, certified by the commission as necessary to restore the reserve fund to an amount equal to the required debt service reserve fund approved by the commission.

**SECTION 16. AMENDMENT.** Subsection 1 of section 38-22-14 of the North Dakota Century Code is amended and reenacted as follows:

1. Storage operators shall pay the commission a fee on each ton of carbon dioxide injected for storage. The fee must be in the amount set by commission rule. The amount must be based on the contribution of the storage facility and the source of the carbon dioxide to the energy and agriculture production economy of North Dakota and the commission's anticipated expenses that it will incur in regulating storage facilities during their construction, operational, and preclosure phases.

**SECTION 17. AMENDMENT.** Subsection 1 of section 38-22-15 of the North Dakota Century Code is amended and reenacted as follows:

1. Storage operators shall pay the commission a fee on each ton of carbon dioxide injected for storage. The fee must be in the amount set by commission rule. The amount must be based on the contribution of the storage facility and the source of the carbon dioxide to the energy and agriculture production economy of North Dakota and the commission's anticipated expenses associated with the long-term monitoring and management of a closed storage facility."

Page 17, remove lines 29 and 30

Page 18, remove lines 1 through 31

Page 19, remove lines 1 through 25

Page 20, replace lines 4 through 9 with:

**"SECTION 21. EXEMPTION - SCHOOL CONSTRUCTION ASSISTANCE REVOLVING LOAN FUND.** Notwithstanding the requirements under section 15.1-36-08 to use the moneys in the fund for loan disbursements and administrative expenses and pursuant to the continuing appropriation authority under section 15.1-36-08, \$2,500,000, or so much of the sum as may be necessary, is available from the school construction assistance revolving loan fund to the Bank of North Dakota to provide interest rate buydowns associated with loans issued under section 15.1-36-06, for the biennium beginning July 1, 2021, and ending June 30, 2023. In addition, subject to sufficient funding being available for loans to local school districts, the Bank of North Dakota may utilize funding from the school construction assistance revolving loan fund to repay a portion of the outstanding principal balance

of loans issued under section 15.1-36-06 for the purpose of transferring a portion of the loans issued under that section from the Bank of North Dakota to the school construction assistance revolving loan fund, for the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 20, after line 23, insert:

**"SECTION 24. STATE ENERGY RESEARCH CENTER - STUDY OF HYDROGEN.** In addition to the duties under section 15-11-40, the state energy research center shall consider studying the development and implementation of hydrogen energy in the state during the biennium beginning July 1, 2021, and ending June 30, 2023. The study must include a plan for the development and implementation of hydrogen energy and must include consideration of existing resources, methods of production and delivery, and potential uses of hydrogen. The study may include estimates of the cost and timeline to develop infrastructure for hydrogen energy and the use of public and private partnerships to assist in the development of infrastructure for hydrogen energy. During the 2021-22 interim, the state energy research center shall provide at least one report to the legislative management regarding the study."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2014 - Summary of House Action

	Base Budget	Senate Version	House Changes	House Version
Industrial Commission				
Total all funds	\$39,977,988	\$65,212,937	(\$14,247,879)	\$50,965,058
Less estimated income	12,723,790	24,371,687	(2,502)	24,369,185
General fund	<u>\$27,254,198</u>	<u>\$40,841,250</u>	<u>(\$14,245,377)</u>	<u>\$26,595,873</u>
FTE	112.25	108.25	0.00	108.25
Bank of North Dakota				
Total all funds	\$64,357,799	\$167,604,371	(\$100,291,119)	\$67,313,252
Less estimated income	64,357,799	167,604,371	(100,291,119)	67,313,252
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FTE	181.50	171.50	(2.00)	169.50
Housing Finance Agency				
Total all funds	\$47,421,891	\$74,006,784	(\$15,155,829)	\$58,850,955
Less estimated income	47,421,891	59,006,784	(155,829)	58,850,955
General fund	<u>\$0</u>	<u>\$15,000,000</u>	<u>(\$15,000,000)</u>	<u>\$0</u>
FTE	44.00	49.00	(1.00)	48.00
Mill and Elevator				
Total all funds	\$76,994,824	\$88,377,209	\$0	\$88,377,209
Less estimated income	76,994,824	88,377,209	0	88,377,209
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FTE	156.00	156.00	0.00	156.00
Bill total				
Total all funds	\$228,752,502	\$395,201,301	(\$129,694,827)	\$265,506,474
Less estimated income	201,498,304	339,360,051	(100,449,450)	238,910,601
General fund	<u>\$27,254,198</u>	<u>\$55,841,250</u>	<u>(\$29,245,377)</u>	<u>\$26,595,873</u>
FTE	493.75	484.75	(3.00)	481.75

**Senate Bill No. 2014 - Industrial Commission - House Action**

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$23,409,450	\$23,945,998	(\$247,879)	\$23,698,119
Operating expenses	5,830,227	5,125,558		5,125,558
Capital assets		100,660		100,660
Grants - Bond payments	10,508,767	22,040,721		22,040,721
Contingencies	229,544			
Oil and gas research fund		14,000,000	(14,000,000)	
Total all funds	\$39,977,988	\$65,212,937	(\$14,247,879)	\$50,965,058
Less estimated income	12,723,790	24,371,687	(2,502)	24,369,185
General fund	\$27,254,198	\$40,841,250	(\$14,245,377)	\$26,595,873
FTE	112.25	108.25	0.00	108.25

**Department 405 - Industrial Commission - Detail of House Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Underfunds Salaries and Wages <sup>2</sup>	Adjusts Oil and Gas Research Transfer <sup>3</sup>	Total House Changes
Salaries and wages	(\$33,519)	(\$214,360)		(\$247,879)
Operating expenses				
Capital assets				
Grants - Bond payments				
Contingencies				
Oil and gas research fund			(\$14,000,000)	(14,000,000)
Total all funds	(\$33,519)	(\$214,360)	(\$14,000,000)	(\$14,247,879)
Less estimated income	(2,502)	0	0	(2,502)
General fund	(\$31,017)	(\$214,360)	(\$14,000,000)	(\$14,245,377)
FTE	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 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 for salaries and wages is reduced for anticipated savings from vacant positions and employee turnover.

<sup>3</sup> A transfer of \$14 million from the general fund to the oil and gas research fund, which was added by the Senate, is removed and replaced with a transfer of \$9.5 million from the strategic investment and improvements fund to the oil and gas research fund.

This amendment also:

- Removes authorization added by the Senate for the Public Finance Authority to issue up to \$100 million of bonds to support the long-term care facility loan fund.
- Provides a transfer of \$9.5 million from the strategic investment and improvements fund to the oil and gas research fund. The Senate provided a transfer of \$14 million from the general fund.
- Adjusts the transfer for administrative services related to salary increases to provide \$1,214,768. The Senate provided \$1,215,980.
- Clarifies the Public Finance Authority may make administrative agreements when distributing bond proceeds for loans or grants.
- Allows the Industrial Commission to issue bonds to support North Dakota Transmission Authority projects with a limit of 30 percent of the total project cost or 30 percent of the appraised value, whichever is greater.
- Clarifies the fees for the carbon dioxide storage facility fund and the carbon dioxide trust fund to reflect the impact of a storage facility and the source of carbon dioxide. The Senate did not include the clarification related to carbon dioxide storage fees.
- Retains the June 30, 2023, expiration date on the State Energy Research Center by removing sections added by the Senate, which removed the expiration date.
- Removes an increase of \$6 million related to oil and gas tax revenue allocations to the oil and gas research fund and maintains the current level of \$10 million of oil allocations per biennium. The senate increased the allocations to the oil and gas research fund by \$6 million, from \$10 million to \$16 million.



- Provides for the State Energy Research Center to conduct a study of hydrogen during the 2021-23 biennium. The Senate did not include this study.

**Senate Bill No. 2014 - Bank of North Dakota - House Action**

	Base Budget	Senate Version	House Changes	House Version
Capital assets	\$1,510,000	\$1,510,000		\$1,510,000
Bank of North Dakota operations	62,847,799	66,094,371	(\$291,119)	65,803,252
Bond proceeds		100,000,000	(100,000,000)	
Total all funds	\$64,357,799	\$167,604,371	(\$100,291,119)	\$67,313,252
Less estimated income	64,357,799	167,604,371	(100,291,119)	67,313,252
General fund	\$0	\$0	\$0	\$0
FTE	181.50	171.50	(2.00)	169.50

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

	Adjusts Funding for Salary Increases <sup>1</sup>	Removes FTE Positions <sup>2</sup>	Removes Bonding Proceeds <sup>3</sup>	Total House Changes
Capital assets				
Bank of North Dakota operations	(\$18,018)	(\$273,101)		(\$291,119)
Bond proceeds			(\$100,000,000)	(100,000,000)
Total all funds	(\$18,018)	(\$273,101)	(\$100,000,000)	(\$100,291,119)
Less estimated income	(18,018)	(273,101)	(100,000,000)	(100,291,119)
General fund	\$0	\$0	\$0	\$0
FTE	0.00	(2.00)	0.00	(2.00)

<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 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> Two new undesignated FTE positions and \$273,101 are removed to provide a total of 4 new undesignated FTE positions and \$546,201. The Senate added 6 new undesignated FTE positions and \$819,302 to support future growth in the Bank of North Dakota's operations.

<sup>3</sup> Funding of \$100 million from bond proceeds is removed. The Senate authorized bonds to be issued for transfer to the long-term care facility loan fund to support loans for long-term care facility construction projects.

This amendment also:

- Removes a section added by the Senate to expand the infrastructure revolving loan fund, which included additional eligible projects, longer loan terms, increases in the loan amounts, and approval by the Department of Transportation and the State Water Commission for road and water projects, respectively; and
- Authorizes up to \$2.5 million from the school construction assistance revolving loan fund to continue interest rate buydowns on school construction loans held by the Bank of North Dakota.

- Senate Bill No. 2014 - Housing Finance Agency - House Action**

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$8,509,015	\$9,637,524	(\$155,829)	\$9,481,695
Operating expenses	5,346,276	6,144,060		6,144,060
Capital assets		150,000		150,000
Grants	33,466,600	42,975,200		42,975,200
HFA contingencies	100,000	100,000		100,000
Housing incentive fund		15,000,000	(15,000,000)	
Total all funds	\$47,421,891	\$74,006,784	(\$15,155,829)	\$58,850,955
Less estimated income	47,421,891	59,006,784	(155,829)	58,850,955
General fund	\$0	\$15,000,000	(\$15,000,000)	\$0
FTE	44.00	49.00	(1.00)	48.00

## Department 473 - Housing Finance Agency - Detail of House Changes

	Adjusts Funding for Salary Increases <sup>1</sup>	Removes FTE Positions <sup>2</sup>	Removes a Housing Incentive Fund Transfer <sup>3</sup>	Total House Changes
Salaries and wages	(\$6,675)	(\$149,154)		(\$155,829)
Operating expenses				
Capital assets				
Grants				
HFA contingencies				
Housing incentive fund			(\$15,000,000)	(15,000,000)
Total all funds	(\$6,675)	(\$149,154)	(\$15,000,000)	(\$15,155,829)
Less estimated income	(6,675)	(149,154)	0	(155,829)
General fund	\$0	\$0	(\$15,000,000)	(\$15,000,000)
FTE	0.00	(1.00)	0.00	(1.00)

<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 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 new FTE position and \$149,154 are removed to provide a total of 2 new FTE positions and \$566,962 to manage the residential mortgage loan program, which is being transferred from the Bank of North Dakota. The Senate added 3 new FTE positions and \$716,116 to manage the residential mortgage loan program.

<sup>3</sup> A section transferring \$15 million from the general fund to the housing incentive fund is removed. The Senate provided the transfer to support the housing incentive fund.

This amendment also removes a section that adjusted the amount of funding in the housing incentive fund designated for developing communities and projects to prevent homelessness.

## AMENDMENTS TO ENGROSSED SENATE BILL NO. 2020

Page 1, remove lines 20 through 23

Page 2, replace line 1 with:

"Extension service	\$54,396,305	\$2,133,919	\$56,530,224
Soil conservation committee	<u>1,091,520</u>	<u>0</u>	<u>1,091,520</u>
Total all funds	\$55,487,825	\$2,133,919	\$57,621,744
Less estimated income	<u>27,778,159</u>	<u>525,762</u>	<u>28,303,921</u>
Total general fund	\$27,709,666	\$1,608,157	\$29,317,823"

Page 2, replace lines 7 through 10 with:

"Northern crops institute	<u>\$3,840,027</u>	<u>\$69,733</u>	<u>\$3,909,760</u>
Total all funds	\$3,840,027	\$69,733	\$3,909,760
Less estimated income	<u>1,896,217</u>	<u>26,401</u>	<u>1,922,618</u>
Total general fund	\$1,943,810	\$43,332	\$1,987,142"

Page 2, replace lines 16 through 20 with:

"Upper great plains transportation institute	<u>\$23,292,223</u>	<u>\$2,460,734</u>	<u>\$25,752,957</u>
Total all funds	\$23,292,223	\$2,460,734	\$25,752,957
Less estimated income	<u>18,895,894</u>	<u>2,371,456</u>	<u>21,267,350</u>
Total general fund	\$4,396,329	\$89,278	\$4,485,607"

Page 2, replace lines 26 through 29 with:

"Main research center	<u>\$109,170,101</u>	<u>\$4,254,087</u>	<u>\$113,424,188</u>
Total all funds	\$109,170,101	\$4,254,087	\$113,424,188

Less estimated income	56,502,775	1,333,181	57,835,956
Total general fund	\$52,667,326	\$2,920,906	\$55,588,232"

Page 3, replace lines 4 through 13 with:

"Dickinson research center	\$7,015,862	\$62,976	\$7,078,838
Central grasslands research center	3,510,825	42,495	3,553,320
Hettinger research center	5,112,403	62,482	5,174,885
Langdon research center	3,052,060	39,250	3,091,310
North Central research center	5,137,570	65,681	5,203,251
Williston research center	5,286,833	75,901	5,362,734
Carrington research center	<u>9,685,861</u>	<u>142,102</u>	<u>9,827,963</u>
Total all funds	\$38,801,414	\$490,887	\$39,292,301
Less estimated income	<u>20,600,388</u>	<u>122,430</u>	<u>20,722,818</u>
Total general fund	\$18,201,026	\$368,457	\$18,569,483"

Page 3, replace lines 19 and 20 with:

"Agronomy seed farm	<u>\$1,565,975</u>	<u>\$13,680</u>	<u>\$1,579,655</u>
Total special funds	\$1,565,975	\$13,680	\$1,579,655"

Page 3, replace lines 26 through 28 with:

"Grand total general fund	\$104,918,157	\$5,030,130	\$109,948,287
Grand total other funds	<u>127,239,408</u>	<u>4,392,910</u>	<u>131,632,318</u>
Grand total all funds	\$232,157,565	\$9,423,040	\$241,580,605"

Page 4, replace lines 6 through 13 with:

"Langdon research extension center capital project	0	473,000
Remote sensing of infrastructure	0	2,225,000
Seed cleaning plant	750,000	0
Extraordinary repairs	940,465	0
Greenhouse	<u>500,000</u>	<u>0</u>
Total all funds	\$2,190,465	\$3,973,000
Total other funds	<u>1,440,465</u>	<u>2,973,000</u>
Total general fund	\$750,000	\$1,000,000"

Page 5, after line 4, insert:

**"SECTION 6. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - UPPER GREAT PLAINS TRANSPORTATION INSTITUTE - LANGDON RESEARCH CENTER.** The appropriation in subdivision 3 of section 1 of this Act includes the sum of \$225,000 from the strategic investment and improvements fund for remote sensing of infrastructure for the upper great plains transportation institute. The appropriation in subdivision 4 of section 1 of this Act includes the sum of \$473,000 from the strategic investment and improvements fund for a greenhouse at the Langdon research center."

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2020 - Summary of House Action

	Base Budget	Senate Version	House Changes	House Version
Transportation Institute				
Total all funds	\$23,292,223	\$23,550,387	\$2,202,570	\$25,752,957
Less estimated income	<u>18,895,894</u>	<u>19,054,738</u>	<u>2,212,612</u>	<u>21,267,350</u>
General fund	\$4,396,329	\$4,495,649	(\$10,042)	\$4,485,607
FTE	43.88	43.88	0.00	43.88
Branch Research Centers				
Total all funds	\$38,801,414	\$39,293,023	(\$722)	\$39,292,301
Less estimated income	<u>20,600,388</u>	<u>20,709,687</u>	<u>13,131</u>	<u>20,722,818</u>
General fund	\$18,201,026	\$18,583,336	(\$13,853)	\$18,569,483

FTE	109.81	108.21	0.00	108.21
NDSU Extension Service				
Total all funds	\$55,487,825	\$57,401,246	\$220,498	\$57,621,744
Less estimated income	27,778,159	28,290,804	13,117	28,303,921
General fund	\$27,709,666	\$29,110,442	\$207,381	\$29,317,823
FTE	242.51	241.77	0.00	241.77
Northern Crops Institute				
Total all funds	\$3,840,027	\$3,915,252	(\$5,492)	\$3,909,760
Less estimated income	1,896,217	1,923,702	(1,084)	1,922,618
General fund	\$1,943,810	\$1,991,550	(\$4,408)	\$1,987,142
FTE	12.80	13.55	0.00	13.55
Main Research Center				
Total all funds	\$109,170,101	\$113,810,658	(\$386,470)	\$113,424,188
Less estimated income	56,502,775	57,446,665	389,291	57,835,956
General fund	\$52,667,326	\$56,363,993	(\$775,761)	\$55,588,232
FTE	344.05	334.56	0.00	334.56
Agronomy Seed Farm				
Total all funds	\$1,565,975	\$1,579,623	\$32	\$1,579,655
Less estimated income	1,565,975	1,579,623	32	1,579,655
General fund	\$0	\$0	\$0	\$0
FTE	3.00	3.00	0.00	3.00
Bill total				
Total all funds	\$232,157,565	\$239,550,189	\$2,030,416	\$241,580,605
Less estimated income	127,239,408	129,005,219	2,627,099	131,632,318
General fund	\$104,918,157	\$110,544,970	(\$596,683)	\$109,948,287
FTE	756.05	744.97	0.00	744.97

**Senate Bill No. 2020 - Transportation Institute - House Action**

	Base Budget	Senate Version	House Changes	House Version
Upper Great Plains Trans. Institute	\$23,292,223	\$23,550,387	\$2,202,570	\$25,752,957
Total all funds	\$23,292,223	\$23,550,387	\$2,202,570	\$25,752,957
Less estimated income	18,895,894	19,054,738	2,212,612	21,267,350
General fund	\$4,396,329	\$4,495,649	(\$10,042)	\$4,485,607
FTE	43.88	43.88	0.00	43.88

**Department 627 - Transportation Institute - Detail of House Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Adds One-Time Funding for Remote Sensing of Infrastructure <sup>2</sup>	Total House Changes
Upper Great Plains Trans. Institute	(\$22,430)	\$2,225,000	\$2,202,570
Total all funds	(\$22,430)	\$2,225,000	\$2,202,570
Less estimated income	(12,388)	2,225,000	2,212,612
General fund	(\$10,042)	\$0	(\$10,042)
FTE	0.00	0.00	0.00

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

<sup>2</sup> One-time funding of \$2,225,000 from other funds, including \$225,000 from the strategic investment and improvements fund and \$2,000,000 from other funds, including federal funds, is added for remote sensing of infrastructure.

**Senate Bill No. 2020 - Branch Research Centers - House Action**

	Base Budget	Senate Version	House Changes	House Version
Dickinson Research Center	\$7,015,862	\$7,079,219	(\$381)	\$7,078,838
Central Grasslands Research Center	3,510,825	3,550,916	2,404	3,553,320
Hettinger Research Center	5,112,403	5,174,974	(89)	5,174,885
Langdon Research Center	3,052,060	3,091,950	(640)	3,091,310
North Central Research Center	5,137,570	5,203,583	(332)	5,203,251
Williston Research Center	5,286,833	5,367,406	(4,672)	5,362,734
Carrington Research Center	9,685,861	9,824,975	2,988	9,827,963
Total all funds	\$38,801,414	\$39,293,023	(\$722)	\$39,292,301
Less estimated income	20,600,388	20,709,687	13,131	20,722,818
General fund	\$18,201,026	\$18,583,336	(\$13,853)	\$18,569,483
FTE	109.81	108.21	0.00	108.21

**Department 628 - Branch Research Centers - Detail of House Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Total House Changes
Dickinson Research Center	(\$381)	(\$381)
Central Grasslands Research Center	2,404	2,404
Hettinger Research Center	(89)	(89)
Langdon Research Center	(640)	(640)
North Central Research Center	(332)	(332)
Williston Research Center	(4,672)	(4,672)
Carrington Research Center	2,988	2,988
Total all funds	(\$722)	(\$722)
Less estimated income	13,131	13,131
General fund	(\$13,853)	(\$13,853)
FTE	0.00	0.00

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

**Senate Bill No. 2020 - NDSU Extension Service - House Action**

	Base Budget	Senate Version	House Changes	House Version
Extension Service	\$54,396,305	\$56,309,726	\$220,498	\$56,530,224
Soil Conservation Committee	1,091,520	1,091,520		1,091,520
Total all funds	\$55,487,825	\$57,401,246	\$220,498	\$57,621,744
Less estimated income	27,778,159	28,290,804	13,117	28,303,921
General fund	\$27,709,666	\$29,110,442	\$207,381	\$29,317,823
FTE	242.51	241.77	0.00	241.77

**Department 630 - NDSU Extension Service - Detail of House Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Adds Funding for the Agricultural Safety Initiative <sup>2</sup>	Total House Changes
Extension Service	(\$19,502)	\$240,000	\$220,498
Soil Conservation Committee			
Total all funds	(\$19,502)	\$240,000	\$220,498
Less estimated income	13,117	0	13,117
General fund	(\$32,619)	\$240,000	\$207,381
FTE	0.00	0.00	0.00

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

<sup>2</sup> Funding of \$240,000 from the general fund is added for the agricultural safety initiative.

**Senate Bill No. 2020 - Northern Crops Institute - House Action**

	Base Budget	Senate Version	House Changes	House Version
Northern Crops Institute	\$3,840,027	\$3,915,252	(\$5,492)	\$3,909,760
Total all funds	\$3,840,027	\$3,915,252	(\$5,492)	\$3,909,760
Less estimated income	1,896,217	1,923,702	(1,084)	1,922,618
General fund	\$1,943,810	\$1,991,550	(\$4,408)	\$1,987,142
FTE	12.80	13.55	0.00	13.55

**Department 638 - Northern Crops Institute - Detail of House Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Total House Changes
Northern Crops Institute	(\$5,492)	(\$5,492)
Total all funds	(\$5,492)	(\$5,492)
Less estimated income	(1,084)	(1,084)
General fund	(\$4,408)	(\$4,408)
FTE	0.00	0.00

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

**Senate Bill No. 2020 - Main Research Center - House Action**

	Base Budget	Senate Version	House Changes	House Version
Main Research Center	\$109,170,101	\$113,810,658	(\$386,470)	\$113,424,188
Total all funds	\$109,170,101	\$113,810,658	(\$386,470)	\$113,424,188
Less estimated income	56,502,775	57,446,665	389,291	57,835,956
General fund	\$52,667,326	\$56,363,993	(\$775,761)	\$55,588,232
FTE	344.05	334.56	0.00	334.56

**Department 640 - Main Research Center - Detail of House Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Increases Funding for the Data Initiative <sup>2</sup>	Removes One-Time Funding for Central Grasslands Research Center <sup>3</sup>	Removes One-Time Funding for Hettinger Research Center <sup>4</sup>	Adds One-Time Funding for Langdon Research Center <sup>5</sup>	Total House Changes
Main Research Center	(\$69,470)	\$35,000	(\$525,000)	(\$300,000)	\$473,000	(\$386,470)
Total all funds	(\$69,470)	\$35,000	(\$525,000)	(\$300,000)	\$473,000	(\$386,470)
Less estimated income	16,291	0	(100,000)	0	473,000	389,291
General fund	(\$85,761)	\$35,000	(\$425,000)	(\$300,000)	\$0	(\$775,761)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

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

<sup>2</sup> Funding of \$35,000 from the general fund is added to provide a total of \$835,000 of new funding from the general fund for the "big data" initiative.

<sup>3</sup> One-time funding of \$525,000, including \$425,000 from the general fund and \$100,000 from other funds, added by the Senate for capital projects at the Central Grasslands Research Center is removed by the House.

<sup>4</sup> One-time funding of \$300,000 from the general fund added by the Senate for capital projects at the Hettinger Research Center is removed by the House.

<sup>5</sup> One-time funding of \$473,000 from the strategic investment and improvements fund is

added for capital projects at the Langdon Research Center, including a new greenhouse.

### Senate Bill No. 2020 - Agronomy Seed Farm - House Action

	Base Budget	Senate Version	House Changes	House Version
Agronomy Seed Farm	\$1,565,975	\$1,579,623	\$32	\$1,579,655
Total all funds	\$1,565,975	\$1,579,623	\$32	\$1,579,655
Less estimated income	1,565,975	1,579,623	32	1,579,655
General fund	\$0	\$0	\$0	\$0
FTE	3.00	3.00	0.00	3.00

### Department 649 - Agronomy Seed Farm - Detail of House Changes

	Adjusts Funding for Salary Increases <sup>1</sup>	Total House Changes
Agronomy Seed Farm	\$32	\$32
Total all funds	\$32	\$32
Less estimated income	32	32
General fund	\$0	\$0
FTE	0.00	0.00

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

### Senate Bill No. 2020 - Other Changes - House Action

This amendment also adds a section to provide that \$698,000 appropriated from other funds, including \$225,000 for the Upper Great Plains Transportation Institute and \$473,000 for the NDSU Main Research Center, is from the strategic investment and improvements fund.

**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 2011.

### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2011

Page 1, line 2, remove "and"

Page 1, line 2, after "transfer" insert "; to provide an exemption; and to declare an emergency"

Page 1, replace lines 11 through 15 with:

"Highway patrol	\$59,586,945	\$3,004,062	\$62,591,007
Total all funds	\$59,586,945	\$3,004,062	\$62,591,007
Less estimated income	15,373,370	10,139,875	25,513,245
Total general fund	\$44,213,575	(\$7,135,813)	\$37,077,762
Full-time equivalent positions	197.00	(4.00)	193.00"

Page 2, replace lines 2 through 5 with:

"Commercial motor carrier system	0	275,000
Total all funds	\$1,907,158	\$1,698,000
Less estimated income	1,825,328	1,698,000
Total general fund	\$81,830	\$0"

Page 2, after line 9, insert:

**"SECTION 3. APPROPRIATION - 2019-21 BIENNIUM - FEDERAL  
 CORONAVIRUS RELIEF FUND - SPENDING RESTRICTION.** There is appropriated from federal funds derived from the federal coronavirus relief fund, not otherwise

appropriated, the sum of \$8,100,000, or so much of the sum as may be necessary, to the highway patrol for law enforcement officer payroll costs for the period beginning January 1, 2021, and ending June 30, 2021. The funding appropriated in this section replaces existing legislative appropriations. The highway patrol may not spend the funding appropriated from the general fund and highway tax distribution fund for law enforcement payroll costs during the period identified.

**SECTION 4. ESTIMATED INCOME - FEDERAL CORONAVIRUS RELIEF FUND.** The estimated income line item in section 1 of this Act includes the sum of \$8,100,000, or so much of the sum as may be necessary, from the federal coronavirus relief fund for law enforcement officer payroll costs for the period beginning July 1, 2021, and ending December 31, 2021."

Page 2, line 11, replace "\$8,538,213" with "\$7,376,374"

Page 2, line 18, replace "\$1,706,450" with "\$3,147,244"

Page 2, replace lines 21 through 24 with:

**"SECTION 7. SALARY EQUITY FUNDING.** Section 1 of this Act includes the sum of \$872,093 for salary equity funding. This amount, along with any funding available from agency operational savings that may be reallocated, may be used for:

1. Salary equity adjustments that may not exceed \$1,125,000 in total for the biennium;
2. Law enforcement officer on-call pay that may not exceed 25 percent of the officer's hourly salary for regular on-call duties and may not exceed 50 percent of the officer's hourly salary for emergency on-call duties; and
3. Location incentive pay based on existing agency policies.

**SECTION 8. EXEMPTION.** The sum of \$50,530 from the general fund appropriated in section 1 of chapter 11 of the 2019 Session Laws is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 3, after line 2, insert:

**"SECTION 10. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure."

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2011 - Highway Patrol - House Action

	Base Budget	Senate Version	House Changes	House Version
Highway Patrol	\$59,586,945	\$89,272,228	(\$26,681,221)	\$62,591,007
Total all funds	\$59,586,945	\$89,272,228	(\$26,681,221)	\$62,591,007
Less estimated income	15,373,370	43,859,434	(18,346,189)	25,513,245
General fund	\$44,213,575	\$45,412,794	(\$8,335,032)	\$37,077,762
FTE	197.00	193.00	0.00	193.00



## Department 504 - Highway Patrol - Detail of House Changes

	Adjusts Funding for Salary Increases <sup>1</sup>	Adjusts Salaries Funding Source <sup>2</sup>	Adjusts Salary Equity Funding <sup>3</sup>	Adds Funding for CVIEW System <sup>4</sup>	Removes Funding for Training Academy <sup>5</sup>	Adjusts Funding Sources of One-Time Funding <sup>6</sup>
Highway Patrol	(\$92,314)		\$106,093	\$405,000	(\$27,100,000)	
Total all funds	(\$92,314)	\$0	\$106,093	\$405,000	(\$27,100,000)	\$0
Less estimated income	(18,042)	6,966,000	14,853	405,000	(27,100,000)	1,386,000
General fund	(\$74,272)	(\$6,966,000)	\$91,240	\$0	\$0	(\$1,386,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Total House Changes
Highway Patrol	(\$26,681,221)
Total all funds	(\$26,681,221)
Less estimated income	(18,346,189)
General fund	(\$8,335,032)
FTE	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 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> Federal coronavirus relief funding of \$8.1 million is appropriated for law enforcement officer salaries for the period beginning July 1, 2021, and ending December 31, 2021. Funding for salaries is reduced from the general fund (\$6,966,000) and highway tax distribution fund (\$1,134,000). Funding of \$8.1 million from the federal Coronavirus Relief Fund is also appropriated in Section 3 of the bill for law enforcement officer salaries for the period beginning January 1, 2021, and ending June 30, 2021, resulting in additional general fund unspent appropriations (turnback) of \$6,966,000 and highway tax distribution fund unspent appropriations of \$1,134,000.

<sup>3</sup> Salary equity funding is adjusted to provide total funding of \$872,093. The Senate provided equity funding of \$766,000. A section is also added to provide the equity funding, along with any agency budget savings, may be used to provide total equity adjustments for the biennium of \$1,125,000, to provide on-call pay, and to provide location incentive pay.

<sup>4</sup> Ongoing funding from federal funds (\$110,500) and the motor carrier electronic permit transaction fund (\$19,500) is added for costs to participate in the Commercial Vehicle Information Exchange Window motor carrier system. One-time funding of \$275,000 of federal funding is also added to implement the program.

<sup>5</sup> One-time funding from the strategic investment and improvements fund added by the Senate for the Law Enforcement Training Academy project is removed.

<sup>6</sup> Funding for hard body armor and body and in-car cameras is adjusted as follows:

	Senate			House
	General Fund	Highway Tax Distribution Fund	Total	Motor Carrier Electronic Permit Fund
Hard body armor	\$228,000	\$37,000	\$265,000	\$265,000
Cameras	1,158,000		1,158,000	1,158,000
Total	\$1,386,000	\$37,000	\$1,423,000	\$1,423,000

This amendment also:

- Adjusts sections identifying the amount of funding appropriated from the highway tax distribution fund and motor carrier electronic permit transaction fund.
- Removes a section identifying funding to be used from the strategic investment and improvements fund for the Law Enforcement Training Academy project.
- Adds a section to authorize the carryover of \$50,530 of unused 2019-21 biennium appropriations into the 2021-23 biennium. This will reduce Highway Patrol turnback

by an estimated \$50,530.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2004, SB 2006, SB 2012, SB 2015, SB 2019, SB 2145, SB 2212, SB 2256, SB 2271, SB 2290, and SB 2319, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2004:** Sens. Sorvaag; Bekkedahl; Mathern  
**SB 2006:** Sens. Bekkedahl; Holmberg; Davison  
**SB 2012:** Sens. Oehlke; Rust; Heckaman  
**SB 2015:** Sens. Wanzek; Poolman; Mathern  
**SB 2019:** Sens. Poolman; Erbele; Heckaman  
**SB 2145:** Sens. K. Roers; O. Larsen; Hogan  
**SB 2212:** Sens. Anderson; Lee; Hogan  
**SB 2256:** Sens. Lee; Clemens; Hogan  
**SB 2271:** Sens. Meyer; Vedaa; Marcellais  
**SB 2290:** Sens. Meyer; Elkin; Marcellais  
**SB 2319:** Sens. Kannianen; Patten; Bell

**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 2043:** Reps. Steiner; Louser; B. Koppelman  
**SB 2161:** Reps. Beltz; Westlind; M. Ruby  
**SB 2247:** Reps. Louser; D. Ruby; Adams  
**SB 2248:** Reps. Rohr; Skroch; Schneider

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1033, HB 1059, HB 1072, HB 1205, HB 1347, HB 1349, HB 1353, HB 1478, and HB 1483.

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

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

**HB 1001:** Sens. Hogue; Sorvaag; Mathern  
**HB 1003:** Sens. Bekkedahl; Holmberg; Mathern  
**HB 1004:** Sens. Oehlke; Dever; Poolman  
**HB 1006:** Sens. Wanzek; Bekkedahl; Rust  
**HB 1008:** Sens. Wanzek; Poolman; Krebsbach  
**HB 1009:** Sens. Wanzek; Erbele; Heckaman  
**HB 1010:** Sens. Oehlke; Erbele; Davison  
**HB 1017:** Sens. Oehlke; Wanzek; Erbele  
**HB 1018:** Sens. Erbele; Krebsbach; Davison  
**HB 1019:** Sens. Sorvaag; Bekkedahl; Mathern  
**HB 1021:** Sens. Hogue; Oehlke; Heckaman  
**HB 1022:** Sens. Bekkedahl; Poolman; Rust  
**HB 1023:** Sens. Krebsbach; Dever; Heckaman  
**HB 1024:** Sens. Hogue; Rust; Davison  
**HB 1035:** Sens. Larson; Heitkamp; Bakke  
**HB 1209:** Sens. Vedaa; Weber; Marcellais  
**HB 1246:** Sens. Schaible; Wobbema; Oban  
**HB 1383:** Sens. Dwyer; Luick; Bakke  
**HB 1493:** Sens. Lee; K. Roers; O. Larsen  
**HCR 3021:** Sens. Heitkamp; Dwyer; Bakke

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

**MR. PRESIDENT:** The House has not adopted the conference committee report on: HB 1371.

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: HB 1074, HB 1096, HB 1117, HB 1502.

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: SB 2048, SB 2117.

**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 1148, HB 1254.

**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 1045, HB 1175.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2007, SB 2017, SB 2022, SB 2024, SB 2025, SB 2093, SB 2132, SB 2164, SB 2281, SB 2299, SB 2329.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1212, HB 1249.

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

**MR. SPEAKER:** The President has signed: SB 2321.

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

**MR. SPEAKER:** The President has signed: HB 1212, HB 1249.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bill was delivered to the Governor for approval on April 13, 2021: SB 2321.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on April 12, 2021, I have signed the following: SB 2001, SB 2009, SB 2032, SB 2034, SB 2054, SB 2068, SB 2099, SB 2101, SB 2110, SB 2113, SB 2142, SB 2162, SB 2206, SB 2215, SB 2216, SB 2232, SB 2253, SB 2259, SB 2263, SB 2280, SB 2317, SB 2328, SB 2341, and SB 2344.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Wednesday, April 14, 2021, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1020, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1020 was placed on the Sixth order on the calendar.

Page 1, line 3, after "61-40" insert "of the North Dakota Century Code"

Page 1, line 6, after the second "for" insert "a"

Page 1, line 6, replace "studies" with "study"

Page 1, line 7 replace "statements" with "for a statement"

Page 1, line 8, remove the first "an"

Page 1, replace line 17 with:

"Salaries and wages	\$19,831,986	\$705,881	\$20,537,867"
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Page 1, replace line 19 with:

"Capital assets	105,938,758	42,528,679	148,467,437"
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Page 1, replace lines 21 through 23 with:

"Water supply - grants	128,000,000	(3,000,000)	125,000,000
Rural water supply - grants	37,200,000	22,400,000	59,600,000
Flood control projects	0	48,000,000	48,000,000"

Page 2, replace line 8 with:

"Total special funds	\$867,254,091	(\$406,954,962)	\$460,299,129"
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Page 2, replace line 15 with:

"Line of credit - Bank of North Dakota	\$75,000,000	\$50,000,000"
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Page 2, replace line 18 with:

"Total special funds	\$100,900,000	\$51,100,000"
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Page 3, after line 2, insert:

**"SECTION 4. APPROPRIATION - RESOURCES TRUST FUND - STATE WATER COMMISSION DISCRETIONARY FUND.** There is appropriated out of any moneys in the resources trust fund in the state treasury, not otherwise appropriated, the sum of \$6,000,000, or so much of the sum as may be necessary, to the state water commission for the purpose of providing discretionary funds for water project grants, for the biennium beginning July 1, 2021, and ending June 30, 2023. This funding is considered to be a one-time funding item."

Page 3, line 17, after the second "project" insert "that has had a cost-share agreement in place"

Page 3, line 18, replace "three" with "four"

Page 4, line 4, overstrike "seventy-five" and insert immediately thereafter "fifty"

Page 4, line 10, overstrike "water supply projects approved before June 30,"

Page 4, line 10, remove "2023"

Page 4, line 10, overstrike ", and"

Page 4, line 11, overstrike "flood control projects that have approval for funding before" and insert immediately thereafter "the northwest area water supply project during the biennium beginning July 1, 2021, and ending"

Page 4, line 14, replace "exemption" with "exempt"

Page 5, line 14, remove ", the applicable cost-"

Page 5, line 15, remove "share requirements"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1020 - State Water Commission - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$19,831,986	\$20,514,747	\$23,120	\$20,537,867
Operating expenses	43,855,753	43,366,550		43,366,550
Capital assets	105,938,758	163,467,437	(15,000,000)	148,467,437
Project carryover	308,333,818			
Water supply - Grants	128,000,000	96,000,000	29,000,000	125,000,000
Rural water supply - Grants	37,200,000	40,600,000	19,000,000	59,600,000
Fargo area flood control	66,500,000			
Mouse River flood control	82,500,000			
Other flood control projects	48,000,000			
General water - Grants	27,093,776	14,227,275		14,227,275
Basinwide plan implementation		1,100,000		1,100,000
Flood control - Grants		38,000,000	10,000,000	48,000,000

Discretionary water projects			6,000,000	6,000,000
Total all funds	\$867,254,091	\$417,276,009	\$49,023,120	\$466,299,129
Less estimated income	867,254,091	417,276,009	49,023,120	466,299,129
General fund	\$0	\$0	\$0	\$0
FTE	90.00	90.00	0.00	90.00

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

	Adds Funding for Salary Increases <sup>1</sup>	Adjusts Funding for Capital Assets <sup>2</sup>	Adjusts Funding for Water Supply Grants <sup>3</sup>	Adjusts Funding for Rural Water Supply Grants <sup>4</sup>	Increases Funding for Flood Control Projects <sup>5</sup>	Reduces Funding from Bank of North Dakota Line of Credit <sup>6</sup>
Salaries and wages	\$23,120					
Operating expenses						
Capital assets		\$10,000,000				(\$25,000,000)
Project carryover						
Water supply - Grants			\$29,000,000			
Rural water supply - Grants				\$19,000,000		
Fargo area flood control						
Mouse River flood control						
Other flood control projects						
General water - Grants						
Basinwide plan implementation						
Flood control - Grants					\$10,000,000	
Discretionary water projects						
Total all funds	\$23,120	\$10,000,000	\$29,000,000	\$19,000,000	\$10,000,000	(\$25,000,000)
Less estimated income	23,120	10,000,000	29,000,000	19,000,000	10,000,000	(25,000,000)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for State Water Commission Discretionary Spending <sup>7</sup>	Total Senate Changes
Salaries and wages		\$23,120
Operating expenses		
Capital assets		(15,000,000)
Project carryover		
Water supply - Grants		29,000,000
Rural water supply - Grants		19,000,000
Fargo area flood control		
Mouse River flood control		
Other flood control projects		
General water - Grants		
Basinwide plan implementation		
Flood control - Grants		10,000,000
Discretionary water projects	\$6,000,000	6,000,000
Total all funds	\$6,000,000	\$49,023,120
Less estimated income	6,000,000	49,023,120
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 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 for capital assets is increased by \$10 million from the resources trust fund to provide a total of \$148,467,437. The House provided \$138,467,437.

<sup>3</sup> Funding of \$29 million is added from the resources trust fund for water supply grants to provide a total of \$125 million. The House provided \$96 million.

<sup>4</sup> Funding of \$19 million is added from the resources trust fund for rural water supply grants to provide a total of \$59.6 million. The House provided \$40.6 million.

<sup>5</sup> Funding of \$10 million is added from the resources trust fund to provide a total of \$48 million for flood control grants. The House provided \$38 million.

<sup>6</sup> Funding available from a Bank of North Dakota line of credit is reduced by \$25 million, from

\$75 million to \$50 million. A section is added amending North Dakota Century Code Section 61-02-79 reducing the Bank of North Dakota line of credit from \$75 million to \$50 million and, specifically identifying the line of credit as being available for costs associated with the Northwest Area Water Supply Project for the 2021-23 biennium. The House provided a \$75 million line of credit with no restrictions on the use of the funds.

<sup>7</sup> A section is added to provide one-time funding of \$6 million from the resources trust fund for providing discretionary water project funding to the State Water Commission. The State Water Commission may allocate the funding based on the needs of the state. The House did not include this section.

The Senate stood adjourned pursuant to Senator Klein's motion.

**Shanda Morgan, Secretary**