

**JOURNAL OF THE HOUSE****Sixty-seventh Legislative Assembly**

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**Bismarck, January 5, 2021**

The House convened at 10:00 a.m., with Speaker K. Koppelman presiding.

An invocation was offered by Mr. Driver of the Mandan, Hidatsa and Arikara Nation.

**THE HOUSE RECOGNIZED THE PRESENCE OF:**

Governor Doug Burgum, First Lady Kathryn Helgaas Burgum, and Lt. Governor Brent Sanford

**MOTION**

**REP. LOUSER MOVED** that a committee of four be appointed to escort Mark Fox, Tribal Business Council Chairman for the Mandan, Hidatsa and Arikara Nation, to the podium, and his son Elijah to a special reserved seat in the assembly, which motion prevailed.

**THE SPEAKER APPOINTED** Reps. Jones and Buffalo, and Sens. Kannianen and Marcellais to the escort committee.

**TRIBAL AND STATE RELATIONSHIP ADDRESS****January 5, 2021****Mark Fox****Tribal Business Council Chairman, Mandan, Hidatsa, and Arikara Nation**

Good morning and good to see all of you. My traditional name is Sage Man from the Hidatsa language of my adopted relatives. My father was full blooded Arikara.

I just want to say it's good to see everybody here. Many of you I know. I want to acknowledge everybody, of course the Governor and First Lady. Thank you for your presence here. And thank you for being here. It makes my heart feel very good. To all of legislative leadership, thank you for being here. Too many obviously to name, but I know many of you and work with many of you. Other tribal chairman are here as well. We have tribal chairman that have come as well. Very glad that you're here and council representatives as well. My own council members having come down as well and they're sitting on the balcony and I appreciate your presence and being here for the Mandan Hidatsa Arikara Nation, and some of our members as well too. I thank you all very much for doing that. I have a infamous reputation of speaking and talking a long time. And I now recognize that because of the procession and things I've got less time now and I'm going to have to do some slicing and dicing here to make sure that I'm respectable towards the procession that is going to occur at eleven o'clock so I'll move as fast as I can. But I also want to thank first and foremost the drum group for singing "Little Shell", and to my adoptive father who rendered the prayer today. And in our ways we have many relatives through adoption. When you are adopted, when somebody takes you as their son or as their brother or as their father and you do the same for them, it is the same as the way we look at things biologically. I have other adopted relatives that are now my family over the years. In fact behind me, Scott, is one of my adopted relatives. I have a number of things on the screen. I'm gonna not very good at technology, but basically there's the opening ceremony and the color guard as well. Thank you veterans. The first song that was sung was a United States Marine Corps song and I'm greatly appreciative of that song that was rendered on my behalf. I am a veteran of the United States Marine Corps and served in 1985-1987. I thank you for allowing us to come to your place of government, to your home so to speak, the legislature. I thank you for allowing us to be here as your guests. I also want to thank, of course, my escort coming in, two tribal members, one from our very own, Ruth Buffalo. Representative Buffalo and Senator Marcellais, Turtle Mountain, thank you. Also thank you to our home representation, Representative Jones and my good friend, Senator Kannianen, for escorting me in as well. Just a little bit of my background, that's where I should cut out the most. I have two brothers and a sister alive today of four children born to Isaac and Virginia Fox. And I'm the baby. I am the youngest, they're older, and thankfully they're still around. My parents have passed on, my father in 1989 and my mother in 2002, so I have been on my own so to

speaking for a number of years. I want to talk about the real important item. As a young boy when things were struggling in my own family - living on a reservation is hard. What ended up happening is a lot of people that surrounded me they always said this phrase, "It takes a village to raise a child.", and that's exactly what happened with me. Many people took me in and many people cared for me, looked out for me, and they became my relatives and they became my family. In Parshall, North Dakota where I grew up, that was not only true of the native people around me, but was also true of the non-native peoples. I would stay in many of my friends homes and their parents would feed me and make me feel welcome and good. I have never forgotten that. I've never forgotten everything that they tried to bestow to me, and taking care of me, and looking at me in a good way, and fostering my relationship with everybody in the community. I will never forget that. My family moved from Minot, North Dakota. My dad had a dream of being a spiritual leader. He became an ordained minister and in 1968 he moved us to the reservation in Parshall in low rent. He gave up his job at Trinity hospital and he built, with his own hands literally, the Church of God Indian Mission and began to preach for his people. And of course all Indian reservations are highly impoverished, but you have to understand it's ten times worse when you are the minister and you're offering a plate outright. And so I grew up very poor, but I don't look at that as a negative. I look at that as a positive - the way I grew up. But for my father, my commitment to faith is what he taught me, to continuously believe no matter what and to be humble. I removed my head dress I wore in because that is proper for me to do, because I often feel sometimes I don't deserve to wear it so I took that off and had my little brother grab it and hang on to it for me. That's the way I was raised and will continue to do that. My father was somewhat of a little bit of fame so to speak. He was a part of Elbow Woods which is now under water. Some of you may have seen the the documentary by Prairie Public called "Basketball, Water and the Loss of Elbow Woods". My father also became a World War II veteran. The part you may find most interesting being most of you in here are not tribal, is that my mother was non-tribal. My mother actually comes from the Towner area and she was born and raised in that area. And I'm very proud of my mother's side of my life. The combination of bringing two peoples together - Indian and non-Indian. My mother was very hardworking, an awesome cook, but was a homemaker and knew how to do many things. I learned a lot from her, and by all means I was a momma's boy. I want to introduce my son. He said that he got up at six o'clock this morning just to be with me. I stayed the night preparing my note, but my son got up that early and jumped in the car and his mother brought him down and met me at the door. I'm so happy that he's here with me. I always recall my own father, a minister. Sometimes the crowds were small. There were ten and sometimes there were hundreds of people at revivals in camp meetings and things listening to my father preach and speak about the Lord and God. And I always remember the impact it was to me. I'm hoping it'll have a similar impact on my son - that he was part of something like this and that he follows in the footsteps of his dad. I have no doubt in my mind that my son, and that is my dream, will be a far better man than me. I know he will and I'm so proud that you are here, so thank you. I graduated from Parshall High School. I also went on into the Marine Corps in 1985-1987. I'm also a VFW member nationally. I'm a charter member of the Dakota Leathernecks of the Mandan-Bismarck area, the first state chartered Marine Corps veterans. I helped start it. I'm very proud of that. I am a charter member of that as well. Graduated from UND Law School in 1993, my undergraduate in 1990. I've been on our council more than fourteen years - eight years as a council representative in 1994-2002 and now I've passed my sixth year as chairman of our tribal nation. I once swam seven years in a row. The last time I swam 12.6 miles in six hours and twenty minutes to raise money for youth programs and to help prevent illegal drug use on Fort Berthold. We bought a drug dog with that money we raised, and we did a lot of advocacy at that time to try to combat that. But again I want to say that the most important thing of me being here is being a father. That is something that is an honor and something that God gifted me long ago. I feel committed to the Lord, to the Creator, to always try to do things according to his purpose because he gifted me this at a late age of my life and gifted me this son. And so I've always committed to God that whatever it takes I will continue to work hard to do that.

Historical perspectives of the tribe - I just want to say we've always been here no matter what you read and what you have seen. In fact the land you stand on today, those are our lands as well. They were our lands for thousands of years. Where we stand, this beautiful capitol and everything, the whole area up the along the Missouri was our home area. It was our home aboriginal lands. And you know back in those days quality mattered more quantity. We didn't live long long lives, but we lived fulfilling lives. We were not dependent. We had a strong economy and were thriving in that way. And so what I also want to say is we were very harsh and hard. Very few of us in here, including myself, could have survived very long one hundred, two hundred, and three hundred years ago amongst our people. That's how

hard and strong they were at that time. You have a heritage center and much of the history of our tribe is reflected and provided up there and I really want to commend you, the state, for doing that, for having a place to learn about native Americans playing a significant part in the history of North Dakota. Thank you for doing that. We are building our own heritage center and our own cultural center and will be done within this year. We invite you all to come up there as well. Our tribes altogether -the Chippewa, Mandan, Hidatsa, Arikara, Lakota and Dakota people all living in this area. We all part of an aboriginal trade system, a trade center based primarily at it's center. There are only two in all of North America at this level. We were one of them. Economically, our tribes were the leader in the economy, the pre-Columbus economy, what they call the prehistoric economy, because we had crops. We were the first farmers and first ranchers of this state and of this area. We grew corn, beans, squash, watermelon and we traded those things with all the other more nomadic tribes. We lived along the river and in semi-permanent dwellings called earth lodges. You have them nearby. Well very soon when Europeans came, we encountered this problem of virgin soil epidemic. That virgin soil epidemic, one of the worst, hit us early on. Virgin soil means we have no resistance to it. And so in 1780-1781 is the first time that the Mandan, Hidatsa, Arikara, who at that time estimated a population of forty to fifty thousand people, were reduced in a year and a half by ninety percent, or less than five thousand people. If you calculate that out, that's nearly seventy five people per day dying. With no means or methods to take care of people. We lost much during that time - our history, our culture, our ways, our languages - many things were taken away from us because of what's known as virgin soil epidemic. That's the beginning of something that impacts each and every tribal reservation. I beg for you to understand, and it's called historical trauma. The beginnings of historical trauma, affecting somebody so hard so difficult that you see the effects generations and generations and generations and generations later. Hundreds of years later we're still dealing with it and that even at a worse magnitude with historical drama. We move forward to Lewis and Clark in 1804-1806. You know the story. I don't have to say much. That that whole expedition could have failed. The whole expedition could have gone the other way. A new route may have been discovered. This area would be quite different today but for the Mandan people who took them in and said you can't make it any further you must stay here. The winters are hard. They took care of them and they fed them and they learned from each other. The Arikara and Hidatsa did the same thing. They did not count them as enemies. There were curious about them, but they made sure they were okay. The expedition moved on in 1804 and came back down in 1806. Smallpox again in the 1830's. It's a sad time in history. But in the 1830's it is the first proven case of what we call biological warfare. Blankets that were deliberately given in 1836-1837 to Arikara women known to have smallpox for the distant purpose of destroying that tribe, and it spread to every other tribe as well. This is a historical fact. I know this. As an undergraduate I studied. I wrote papers on it. This is a sad time of our history, but that's what occurred. So now we go from four thousand people down to less than a thousand combined. Again losing eighty to ninety percent of our people. Later on is the Fort Laramie Treaty of 1851. This map shows the land holdings at that time that the United States government, in sitting down with the number of tribes, said was generally our territory. Despite doing that, and the agreements at that Fort Laramie treaty making, our territory was much more vast than that. It covers basically the states of North Dakota, Montana, Wyoming and the northwest corner of South Dakota - the Black Hills area. That is our land - approximately thirteen million acres that United States government says is yours. We recognize that as your territory, in contrast to the other tribes around us. Moving forward, the General Allotment Act of 1887 forced assimilation and further loss of lands. It basically said we don't want you to think like tribal members any more. You need to think like white people. You need to have individual ownership and farm and not think of your land in common. It was an attempt to assimilate, but it was also a time they said each adult would get forty or so acres. But they then said all the remaining land could be open for sale. Hence today you have checkerboard jurisdiction, checkerboard of ownership on land searches of Fort Berthold. That was pushed upon us beginning with The General Allotment Act of 1887 and then later on in 1910, 1911, 1913 Homestead Acts that came forward. We didn't become United States citizens until 1924. When I say we, I mean tribal members in general. My father was not born a US citizen. I'm not proud to say that. My father was born in 1922, two years before Native Americans were considered United States citizens. And then of course at age two he became one. But even though we became citizens in 1924, we still didn't get an opportunity to vote because it was state controlled in many places throughout America until the 1950s. In the Reorganization Act of 1934, the current government we have, we called it the IRA government, came in and did their best to try to convince us to have government more similar to your own so to speak. And in fact when you look at it they didn't create governments like your own, three separate branches of government. They came in and said tribes you need a government that can move fast and make decisions quickly. You

have to remember what is going on - Great Depression market crash in 1929. There is the perception that you need to be a different kind of government and we inherited that problem. Now today we're trying to seat governments that are more like your own with separation of powers. The Flood Control Act of 1944 flooded our lands. The Garrison Dam flooded our lands. You can watch a documentary on this. We have two hundred documentaries all on DVDs sitting on a table and you are welcome each and everyone of you to grab a courtesy copy as well.

And then of course IGRA, very important in 1988, to what I want to mention today. So I want you to be able to understand that IGRA was created as a means to promote tribal economic development and self sufficiency, and strong tribal governments. That's why United States government passed it in addition to trying to protect against organized crime and create a regulatory structure that would make sure of fair play and that the games are run correctly. A very intense regulatory structures as well. Where are we today as tribal members? I will just say this, and excuse the way I say it, especially those who are older but living on Indian reservation can be hell, especially for the young people who have to grow up in this. Many of you don't understand if you've never been there. You don't move amongst us and you don't get a first hand view. You may not understand that, but it is truly hell. This is pretty similar on what goes on throughout Indian country. Average life span on Fort Berthold is fifty-three years as a male and sixty years as a female. Most Indian reservation are far less than that because of social economic poverty that exist upon us. One out of every three native Americans lives in poverty in the United States of America with a median income of twenty-three thousand dollars a year. In the United States, unemployment can average more than forty percent on numerous reservations. A few in North and South Dakota have unemployment exceeding eighty percent. The average in the Great Plains is not that high. It is about fifteen percent. But you take that in consideration that's about three times higher than the state of North Dakota would even want to tolerate. The bottom line is lack of jobs. Lack of jobs on our Indian reservations is why we cannot overcome the economic social poverty. We have to have jobs or we're going to continue the cycle of social economic poverty. Health and educational disparities are rampant leading to diseases and causes of death are heart disease, cancer, accidents, diabetes and stroke. We suffer a high prevalence of mental health and suicide, unintentional injuries, obesity, substance abuse, sudden infant death syndrome, teenage pregnancy, liver disease, hepatitis, and tuberculosis at rates sometimes four times higher than non-Hispanic whites do in the United States of America. In the United States, Native American students have the lowest educational attainment rates of any group in the U. S. One third of Native American youth will drop out at some point in time in high school. They may come back, but one-third of them will drop out. Only forty-six percent of Native Americans actually graduate from high school. Seventeen percent of Native Americans attend college and only thirteen percent earn a college degree. Native American students are two to five times more likely to be suspended or expelled. And absenteeism rates are far more prevalent than any other student group in United States going to school. I want to say this because education is the very key to making a difference and where we want to go in the future. Superintendent Baesler, I admire her efforts. Continue to work hard. You know the numbers. You know the difficulties, but I am very, very happy that we have the type of dialogue and communication we have, that you can take the time to understand where we come from. I appreciate all the work that you do.

Crime rates among Native Americans are two and a half to twenty times the national average. Native American women are more likely to face an armed assailant than female victims of all other races. In particular Native American women are murdered at a rate of ten times greater than the national average. Human trafficking is very commonplace including at Fort Berthold. In December 2014, one month after becoming chairman, we passed a resolution in code, a law called Loren's Law to try to address this problem. It is a very terrible problem. Illegal drug use is so rampant that our own tribal business council this past year declared a state of emergency because of the drug epidemic that is literally killing our people. In one particular year more than sixty percent of our MHAN newborn babies had illegal chemicals detected in the body. We typically have more than twenty-five hundred arrests annually in our law enforcement system and eighty percent are drug and alcohol related. Now those are the negative things that I have the time to share with you.

There are also contributions to the state. We provide great contributions to the state tax revenue. More than two billion dollars in tax revenue has come to the state in the form of oil and gas production on Fort Berthold to your coffers. We have jobs. We create jobs. Other tribes create jobs and those are jobs not just for tribal members, but jobs for non Indians that lived on Fort Berthold, that work at our casinos, work in our schools, work all the different

things that we do, and they pay taxes as well.

Infrastructure - we improve roads and recreational development. Come to Lake Sakakawea. We are building more and more. We want people to come from afar to recreate. Bring your checkbook, your cash.

We also have a new law enforcement center, new court, new code development. For protection not only of ourselves, but non-tribal people who live amongst us as well. An example is DEA coordinating with your state agencies to kind of push back this illegal crime that is coming towards our way. All these things that we continue to do add billions to the state's economy. Two studies, one in 2000, show that all five tribal nations by being in the state of North Dakota have a two billion dollar economic impact to the state of North Dakota - two billion, not million, two billion. In 2012, the same person that conducted that study on behalf of the state media in 2000 did a study again just on Fort Berthold MHA Nation and he showed that we have 3.4 billion dollar impact to the economy of the state of North Dakota, positive impacts. But what are some of the impediments to this progress? Lack of capital investment on all reservations, inequitable tax agreements, state gaming expansion that has now undermined one of the very important tools that we have to try to build ourselves out under federal law, and and for the last twenty-five years regulatory intrusion and ambiguity coming on tribal lands and saying all these laws apply, causing great confusion. You get an oil company, think well state law or tribal law and being confused to that effect. These are the types of intrusion that don't help. Then of course unlawful taking of lands, lands that have belonged to us for thousands of years, remains a concern of ours as well. Solutions to the impediments. We want to stimulate capital investment partnerships. The state could help us with that. If we had a partner, an industry partner, a manufacturer says we'll go on to that reservation if you're not going subject us to tax for three four years or a lower rate. They might be willing to make that investment. Might be willing to work with our population and hire our employable people. We also need you to help fund infrastructure - roads, housing, electricity, law enforcement, irrigation, gas capture. We all know that. Too much is being wasted. We're a tribe that elected to maximize it's trust resources of oil and gas, but we are burning the gas into the air. We are losing revenue. Collectively let's work together to figure a way to capture it and get it to market so that everybody's realizing a net revenue to both the land owners, the tribe, the oil companies, the state - everybody. Well these are some of the solutions, but I also need your advocacy with the federal government. We need you to demand support to from federal representatives so that they help tribes as well. They listen to you. They represent you as well as us. And so your advocacy is very important. I would like for you to support us. If you recall the many times that the United States government contemplated closing down military bases - Minot Air Force Base, Grand Forks Air Force Base, and what did we do? What did the state do and its representatives on a federal level? Fought like hell and said no. Leave them alone. Get additional funding. Keep them there. They are important to national security. But they are also important to the economy. So are the tribal reservations. We play that same kind of role. You need to view it differently if you don't already do so and I'm begging for you to do that.

I need to move on because the time. Pandemic 2020 called COVID19. I'll tell you all the great sadness, the day I feared most, was when we begin to get sick and started dying. It began to occur in September, October, November, December. Very sad for myself to attend funerals, to go gravesides, of the people that have passed on that I know otherwise would be here maybe listening to what we're talking about today. But they have now moved on. People younger than myself. Veterans that served in the Gulf War passing on. Some very, very good people and relatives. This pandemic has had its toll on us. We know this from experience. I already mentioned smallpox and what it did to us before. We have a great fear that this will do the same thing it did to us hundreds of years ago. We have learned and continue to learn some very hard lessons. Two very hard lessons. One is that we're so heavily intertwined with the state that anything the state does directly impacts us on Indian reservations. Your mitigation policies - you don't utilize those - we suffer as well even if we had mitigation in place. Our numbers begin to go up. We interact on a daily basis, so what the state does impacts us. Regarding economic losses caused by the pandemic, we found out this at MHA Nation that when it comes to the federal government and their trust responsibility, we were left out in the cold. And that's the reason that we have lost, compared to last year, more than seventy percent of our revenue. We went to the federal government and said we didn't cause this pandemic, but we're suffering from the price of oil going minus thirty-seven. The governor and lieutenant governor were on the phone that day. We are watching it happen and yet when we turned to the federal government they said what are you going to do to help us offset that? The federal dollars we received were less than thirty

percent of that. It was really devastating and continues to be that way until we get the relief we deserve. But I do want to, in contrast, to commend the state government, the governor and others. When a pandemic began in North Dakota you were there. You called us. You didn't not include us. You were there. You did everything. You made sure that we were at the table. You made sure we were on the call. What is going with the tribes? Governor, I thank you so much. Appreciate you doing that and all the hard work. But now we need some help. We need tremendous help with this vaccine. I'm getting so many calls. We are one of two tribes who elected to go with the state for the administration of the vaccine if possible. Other tribes went with IHS. Our medical staff said we prefer going with state based upon the testing we did together and based upon a relationship we created. That's what they did and so we went that way. But now there is great concern that we're not vaccinating fast enough. So I beg you, Governor, and your staff to look at that more strongly because of the great fear that we're going to be left behind in that regard too, and that we're going to continue suffering death like we've been suffering these last few months.

The two primary areas we would like to see addressed are adjusting the state gaming expansion, what we call etab machines. We would like very much to figure a way to resolve this because that expansion has severely undermined the economies of all five tribes. We've got to figure out a balancer. We have to figure a way to not totally take away all the gains made by gaming in the last twenty five years. Tax agreements - we need to propose a workable agreement that all five tribes are willing to sign. We need to get that done. We need to get that done for alcohol. And of course we have a number of wells that intersect and straddle our boundary, that come into our reservations that are not included as part of the agreement. It is millions and millions of dollars we don't have access to because it is not part of the agreement and we need to fix that. I know I'm coming to the end of my comments now and I want to just basically, you know, say that this last year was so hard not only because of the pandemic but also in lost revenues.

We had a national election. A lot of people suffered greatly. We began to find out how divided we are as people and that some of our people, especially people of color, feel this racism. Racism exists. It is an ugly word but it exists. Make no doubt in your mind. I don't know easy answers to how you deal with it or how we change it. I really don't. All I know is we need to put in the effort to try. The world is changing rapidly. It is better for us to do it together - all peoples working hard together as human beings to get this done because if we don't do that it is going to be worse. The year 2020 will be nothing compared to the next pandemic, the next catastrophe that impacts all of us. And so I want to beg each and everyone of you to work towards that effort. So despite all the difficulty, you know we're forever grateful for everything that we've got going on. I think there's a solution as I conclude my comments. We have to use our differences. First we have to understand that we are different. Native people and non-native are different, but respect those differences in people. Respect our differences and then understand them and then move forward together to get things done. State wins, tribes win. Together we can do that. I am confident of that. I am looking forward to the next few months to work very hard with you. We will have our differences. We will have our problems, but I am fully confident in all that that we are going to find a way, not just this year, but in the decades to come on behalf of my small son and his future and everybody else, your children, your grandchildren, your great-grandchildren we can figure a way to get things done differently here North Dakota so that the rest of the nation says what do you do differently in North Dakota that the tribes are doing so well, that your economy continues to thrive? That's an example that we need to set for reformation. They will follow our lead. Thank you for giving me this chance to speak to you for this short period of time. It has been my honor. Thank you.

#### **MOTION**

**REP. LOUSER MOVED** that the Tribal and State Relationship Address of Chairman Mark Fox be printed in the journal, which motion prevailed.

#### **MOTION**

**REP. LOUSER MOVED** that the House stand in recess until 11:15 a.m., which motion prevailed on a voice vote.

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

#### **MOTION**

**REP. LOUSER MOVED** that a committee of two be appointed to escort justices of the North

Dakota Supreme Court to the seats reserved for them in the chamber, which motion prevailed.

**THE SPEAKER APPOINTED** Sen. Myrdal and Rep. Satrom to the escort committee.

#### **MOTION**

**REP. LOUSER MOVED** that a committee of two be appointed to escort the Chief Justice of the North Dakota Supreme Court, Jon J. Jensen to the podium, which motion prevailed.

**THE SPEAKER APPOINTED** Rep. Klemin and Sen. D. Larson to the escort committee.

#### **STATE OF THE JUDICIARY ADDRESS**

**January 5, 2021**

**Chief Justice Jon J. Jensen**

Thank you for the invitation to report on the State of the Judiciary and appear before a Joint Session of the 67th Legislative Assembly for the State of North Dakota: Speaker Koppelman, Lt. Governor Sanford, Governor Burgum, members of the House and Senate, Elected Officials, and Colleagues on the trial court and Supreme Court bench. This room has special significance to many people, including me. For me, this room was the location of several significant events. In Fall 1990, along with my spouse Linda Bata, I was sworn in as a lawyer. In the winter of 1991, while working for former Chief Justice Ralph Erickstad, I listened to the State of the Judiciary presentation. In 2017 it was the location of my investiture to the North Dakota Supreme Court. Today, I am honored to stand in this room and report on the State of the Judiciary.

The Judicial Branches Mission is: To provide the people, through an independent judiciary, equal access to fair and timely resolution of disputes under law. Not only do I believe the Judicial Branch is meeting its stated mission, I firmly believe we are meeting our mission in an exceptional manner. I hold that belief for three reasons:

- 1)The people within the our judicial system;
- 2)The partnerships we have with the executive branch; and
- 3)The funding provided by this legislature.

The first reason the judicial system is performing in an exceptional manner - people.

District Courts: 53 trial court judges, 5 judicial referees, 8 judicial districts, 53 clerk of court offices. Approximately 180,000 new or reopened cases each year.

Trial Judges: Our trial judges are elected, with vacancies filled through temporary appointments until the next general election. We expect a lot.

Judges of general jurisdiction: criminal, family matters, car accidents, contract disputes. Although it is a separate court, the same judges have Juvenile Court responsibilities.

On any given day our judges work hard; assigned on average 2900 new cases per year and 500 reopened cases. Our districts face different challenges. Larger populations in the NECJD, ECJD, SCJD and NCJD require us to maximize efficiencies in scheduling. The demands of the dramatic increase in commercial activity as the result of increased oil production impose a significant demand on the SWJD and NWJD. Those demands are often lagging, increasing as economic activity slows down; smaller margins result in increased litigation. The SEJD and the NEJD have challenges of geography. The NEJD has six judges covering 11 counties stretching from Pembina County in the East to Renville County on its Western border. The SEJD has seven judges covering 14 counties from Richland in the SE to Wells in the center of our state.

Pandemic: Despite the challenges of the past year, our district judges have continued to provide the people of North Dakota with essential judicial services. Mid-March suspended jury trials statewide and provided guidelines for court operations in response to the pandemic. Presiding Judges were given authority to suspend hearings and trials at the district level after July. Presiding judges consider several factors including the health and safety of participants, when deciding whether to suspend court hearings or trials. Our courts remained open, both in person and using reliable electronic means. Many of our Judges excelled at using reliable electronic means.

Workgroup led by Justice Daniel Crothers: Many judges, including Judges McCullough and

Stiel in the ECJD, Judge McCarthy in the NECJD and Judge Clark in the SEJD mastered the use of REM, holding dozens of hearings in a single session. The Hon. Robin Schmidt, presiding judge of the NWJD, explained the need to remain open as follows: "Suspending trials is detrimental to the system. It erodes faith and trust in the judiciary. People depend on governmental functions to remain operational, especially during challenging times. Precautions can be taken to alleviate unnecessary risk. However, Courts are pivotal to protecting citizens and their property and must remain open and accessible in the format that has been tested by time and experience". REM is not a replacement for in-person proceedings. But used in conjunction with in-person proceedings it is a fantastic tool for insuring the prompt and fair resolution of cases. Our judges have used reliable electronic means to continue with essential court functions. What our judges have done is truly amazing.

Clerks: The largest number of judicial branch people work within the 53 clerk of court offices; one in each county, responsible for all of our recording keeping and processing filings. In 2019 former Chief Justice VandeWalle express his concern in his state of the judiciary address. Our clerk of courts are understaffed. When we were previously asked to reduce our budget we set a minimum staffing of 82% in our clerk of court offices. Because of increased filings Grand Forks County was operating at a 70% level of staffing and Cass County is operating at a 60% level of staffing. Funding during the prior session addressed the needs in Cass and Grand Forks Counties. Thank you. However, we remain understaffed in our clerk of court offices. As we will discuss later regarding future legislative priorities, we are resolving that issue primarily internally and through legislation we will propose in 2023. During the pandemic a majority of our clerk of court staff transitioned to working at home. They have been remarkable. We have experienced minimal initial delays in filings and no and delays in filing. We continue to meet our benchmarks for processing filings.

Juvenile Court staff: Our juvenile court system is a model for other states. Where other states see 80% of their juvenile cases resolved by a judicial officer, we resolve 80% before the necessity of court intervention. Interaction with juveniles is essential. Our juvenile court officers, working with our court administration, were able to transition to electronic contact with juveniles and their families. In my legislative remarks we will discuss HB 1036. People are one of the three keys to our exceptional judicial system. They are dedicated. They are essential. They are the engine of our judicial system.

Executive Branch Partners: Our exceptional judicial system would not be possible without executive branch partnerships. A good example is this past year. Correctional centers have ward continuous flow of individuals into detention awaiting trial or serving a sentence of less than one year. That is balanced by an outward flow of individuals who have gone to trial and are acquitted of the offense, gone to trial and sentenced to the state penitentiary, and those who have completed their local sentence. When jury trials were suspended and the state penitentiary stopped accepting new inmates the balance was disrupted. Our courts worked with local correctional centers, the state penitentiary and others to restore that balance. Juvenile Court is most effective when there are placement options for juveniles who are at risk, either because of deprivation, neglect or abuse, or in instances where the juvenile is in need of treatment. Using treatment as an example, judges and juvenile court officers can determine treatment is the best course of action for a juvenile. But the judicial system does not, and should not, operate treatment facilities. The judicial branch does not, and should not, have treatment providers. Those are executive branch functions. Over the past biennium the lack of treatment options has become not only apparent, but substantially deficient. Working with Chris Jones and his staff at the Department of Human Services as well as the Department of Juvenile Services, we were able to secure a small number of additional placement options for juveniles. Unfortunately even those small gains were eliminated when additional private providers elected not to continue juvenile treatment. Our juvenile courts cannot function as intended without adequate placement options. While providing treatment services is not a judicial branch function, the juvenile court depends on adequate placement options.

Counties: Our facilities for our trial courts are county facilities. County commissions have been outstanding partners in our trial court facilities and during the pandemic. We are thankful for all of the resources they have provided. The judicial branch has endless interactions with the executive branch. We are proud of the cooperation and partnership we have with local governments and state agencies. Those partnerships are the second key to our exceptional judicial system.



Legislative funding: We would not have an exceptional judicial system without the funding provided by the legislature. First, thank you for the funding provided during the prior legislative session. The additional judicial officer, recorder, staff for The North Dakota Judicial Conduct Commission and Attorney Disciplinary Board and additional clerk of court and deputy clerks are appreciated. We believe we have been good stewards of the funds we have been provided. One example of our stewardship of public funds was demonstrated by our response to the social distancing requirements of the pandemic. The district courts needed a solution to enable staff to obtain an official recording of court proceedings, while also being efficient and safe. However, the current network configuration and software wasn't going to provide a good long term, cost effective solution. To meet the need, the Court used CARES Act funding to upgrade sound mixers and then purchased a new recording software.

This software solution provides the ability to record the official court record from anywhere that staff have internet connectivity, including their home or office, thus keeping them safe by minimizing close contact and maintaining social distancing. In December, an electronic court recorder in the Northeast Judicial District piloted the new software. The judge, electronic court recorder, clerk, and all parties all appeared from separate locations via Zoom without a single person being in the courtroom. The electronic court recorder was able to utilize the interactive television (ITV) system to connect the audio of the Zoom hearing to the recording software and was able to operate both systems remotely. There are additional features of the software which will make the staff more efficient including the ability to create quick tags and appearances. Additional capabilities of the software to increase efficiency are being explored. We currently can expect electronic transcription accuracy close to 90%. Staff across the state are being trained on the new software as it is being rolled out to the districts with a goal of statewide use by early spring 2021. Our IT staff and Justice Jared Tufte have been instrumental in our technology changes.

Upcoming session: During the upcoming legislative session Sally Holewa, our State Court Administrator, and others will provide you with the specifics of our budget request. I have a few highlights to discuss today. When consider our current and future budget requests there are three concepts the judicial branch will remember: Our funding should be driven by looking forward, through the windshield, not backward, through the rearview mirror. It is unlikely that yesterday's needs will be the same as our needs five or ten years from now. It is much easier to change how we operate in anticipation of changes rather than as a reaction to change. In December we provided a report to Legislative Management regarding court reporters. There were many people involved. I want to extend a special thank you to Senator David Hogue. The report accurately reflects where we are at, but also provided an opportunity to look forward, to assess our future needs, and to anticipate change. That study provided us with the knowledge of how little support our trial judges are provided and how the recording function is better suited for the clerk of court office. Fifty-nine percent of our reporter/recorder time is spent in the courtroom. Twenty-five percent is transcription related. Only sixteen percent supporting judges. Internally we have begun pilot programs to reorganize our allocation of resources: moving the recording duties to the clerk of court offices, ultimately eliminating manual transcription, artificial transcription, adopting the recorded record as our official record, leveraging our new recording equipment, reallocating support staff to roles directly supporting judges with research. At the end of the reallocation it is our anticipation, without any request for additional FTEs, we will be able to increase the staffing in the clerk of court offices by an equivalent of ten FTEs. When fully automated transcription is available, we anticipate we will be able to increase assistance in the clerk's office by an additional equivalent of 10-12 FTEs. At the same time we will increase the direct support to judges. We will increase public access to our courts by providing low or no cost transcripts for appeal. We will be closer to fully staffed clerk of court offices. All of this will be accomplished internally, without the need for additional legislative funding.

Child Support: In partnership with North Dakota Child Support we have begun removing our clerk of courts from child support functions. It is an executive branch function. Court initiated orders to show cause on behalf of a party is not appropriate for the judicial branch. We do not issue similar orders without the motion of a party in other civil proceedings. The judicial branch is an appropriate forum resolving and enforcement of child support. We should not be acting as an extension of an executive branch agency. The child support computer system is not compatible with our system and, despite valiant efforts, cannot be made compatible. This session we are asking the legislature to remove the courts from the process.

Electronic filing: While not our request, the Court supports the current initiative of the

Attorney General to bring our County State's Attorney Offices into electronic filing of initial criminal proceedings. State's Attorney offices are the only parties exempt from our electronic filing requirements. In some counties, this accounts for up to 20% of our deputy clerks' of court time. We have started the project of converting the State's Attorney offices, but it needs funding to continue and sufficient funding to complete within a reasonable time frame.

We have two major technology projects. Both are long overdue. One is a document management system for our juvenile courts. Providing services to juveniles should not be impaired by deficiencies in processing documentation. The second is a document management system for the Supreme Court. Our current system was designed as a unique system in 1994. The designed is no longer providing service. The current system cannot be integrated into our district court systems. Pending before the legislature is HB 1036, a re-write of our juvenile justice process. Thank you Representative Klemin and Justice Lisa Fair McEvers for your work, and the work of others, on this project. It is an important step in reforming our juvenile laws. While not a judicial branch request, we support HB 1036. We are also looking forward to the 2023 legislative session, anticipating changes, and planning five to ten years ahead. In the next legislative session we will be asking to complete the integration of the county clerk of court offices into the state judicial system. The judicial system is committed to providing service in every county in the state. During the pandemic we have confirmed that locating clerks in every county is beneficial and does not impede our ability to allocate those resources statewide. However, the majority of our clerk of court offices are contract clerks, employees of the counties for whom we provide compensation to the counties to cover their services. We can better allocate services and employee time if we had a uniform workforce. I want to repeat. The goal is not to eliminate the county clerk offices or where deputy clerks are located. The courts will remain open in every county and we are committed to a personal presence in every county. As I mentioned, this is a topic we will save for the 2023 legislative session.

Several sessions ago, the legislature allocated funding to restore and expand the Liberty Memorial Building into a judicial center. Following the legislative session, the budget forecast changed dramatically. The judicial branch voluntarily agreed to forego the funding to restore and expand the Liberty Memorial Building. Each year the legislature meets, space to perform legislative functions is at a premium. During the interim, the lack of permanent legislative space complicates the legislative function. When considering a bonding bill my request is you consider the restoration and expansion of the Liberty Memorial Building, providing the judicial branch with much needed space and providing the legislature with much need space within the capitol itself.

When I began today I told you that one of the events that made this room special was the 1991 state of the judiciary address given by former Chief Justice Ralph Erickstad. The year before I arrived to work for Chief Justice Erickstad there had been budget cuts. While he and I did not speak at length about budget one thing is memorable. He said his budget philosophy was to ask the legislature for only what was needed, without exaggeration or extras. His intention was to build credibility through good stewardship of taxpayer dollars. I believe he followed that philosophy, as did former Chief Justice VandeWalle during the subsequent legislative sessions. I intend to protect that credibility. The judicial branch will continue to be good stewards of taxpayer dollars. We have an exceptional judicial system. It is built on good people, executive branch partnerships and legislative funding. Thank you for the opportunity to be here today during a joint session of the legislature. It is an honor. Please accept my best wishes for a productive session.

#### **MOTION**

**REP. LOUSER MOVED** that the address of Chief Justice Jon J. Jensen be printed in the journal, which motion prevailed.

#### **MOTION**

**REP. LOUSER MOVED** that the House stand in recess until 12:00 p.m. at which time the chamber would come to order to officially begin the 2021 Legislative Session, which motion prevailed on a voice vote.

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

**THE SPEAKER ANNOUNCED** that the 67th Legislative Assembly was now in session.

The prayer was offered by Pastor Bobby Grey Eagle, The United Chapel, Bismarck.

The roll was called and all members were present except Representatives Becker, Boe, Ertelt, Kiefert, Owens.

A quorum was declared by the speaker.

**MOTION**

**REP. LOUSER MOVED** that Rule 361 be suspended regarding guests in the chamber for the State of the State Address, which motion prevailed.

**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 Ninth order of business and at the conclusion of that order, the House stand in recess until 1:00 p.m., at which time the House will meet in Joint Session with the Senate for the State of the State Address, and after the Joint Session with the Senate, committees will meet on Wednesday and Thursday, but the whole House will stand adjourned until 12:30 p.m., Friday, January 8, 2021, which motion prevailed.

**MOTION**

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

**MOTION**

**REP. LOUSER MOVED** that a committee of two be appointed to escort Lt. Governor Brent Sanford to the rostrum and Mrs. Sanford to a special reserved seat in the assembly, which motion prevailed.

**THE SPEAKER APPOINTED** Reps. Vigasaa and Longmuir to the escort committee.

**ANNOUNCEMENT**

**SPEAKER K. KOPPELMAN ANNOUNCED** that a Joint Session would come to order.

**MOTION**

**SEN. KLEIN MOVED** that a committee of two be appointed to escort Chief Justice Jon J. Jensen to the rostrum, which motion prevailed.

**THE SPEAKER APPOINTED** Sen. Dwyer and Rep. Karls to the escort committee.

**MOTION**

**REP. LOUSER MOVED** that a committee of four be appointed to escort the Honorable Doug Burgum, Governor of the great state of North Dakota, to the rostrum, and First Lady Kathryn Helgaas Burgum to a special reserved seat in the assembly, which motion prevailed.

**THE SPEAKER APPOINTED** Sens. Wardner and Heckaman and Reps. Pollert and Boschee to the escort committee.

**ANNOUNCEMENT**

**THE SPEAKER ANNOUNCED** that the colors would be presented by the Color Guard from the North Dakota National Guard; the National Anthem would be sung by the 2020-2021 Governor's Official State Chorus, the Valley City High School Senior Choir, under the direction of Mark Reeves; and the Governor's Band would perform, under the direction of Darcy Brandenburg.

**INVOCATION**

The invocation was given by North Dakota National Guard Chaplain, Colonel David Johnson.

**OATH OF OFFICE**

**JUSTICE JEROD TUFTE ADMINISTERED** the oath of office to Chief Justice Jon J. Jensen.

**CHIEF JUSTICE JON J. JENSEN ADMINISTERED** the oath of office to elected officials: Auditor Josh Gallion, Treasurer-elect Thomas Beadle, Superintendent of Public Instruction Kirsten Baesler, Public Service Commissioner Brian Kroshus, Commissioner of Insurance Jon Godfreed.

**2021 STATE OF THE STATE ADDRESS  
The Honorable Doug Burgum  
Governor of the State of North Dakota  
January 5, 2021**

Good afternoon! And thank you!

Mr. Speaker, Lieutenant Governor Sanford, distinguished members of the 67th Legislative Assembly, Chief Justice Jensen and justices of the Supreme Court, fellow elected officials, tribal leaders, cabinet members, First Lady Kathryn, Joe, Jesse and Tom, family and friends, and all fellow citizens of North Dakota – welcome, and thank you all for joining us today, whether it's online, over the airwaves, in person or across the hall in the Senate chamber.

As Kathryn and I arrived here today, it was wonderful to see everyone bustling about, excited for the session to begin.

Seeing all these bright, familiar faces, I was overcome with a sense of warmth. And I said to Kathryn, "Hey, I'm really feeling the warmth today. It's like it's radiating from the people, from the energy, from everywhere."

And she said, "That's great. May we go inside the building now?"

Yes, it really is just another beautiful January afternoon in North Dakota – about 40 degrees warmer today than on our first State of the State four years ago.

Chief Justice Jensen and Chairman Fox, we thank you for your thoughtful words this morning and for your service to all citizens of North Dakota and the people of MHA Nation. And Chief Justice Jensen, to you and the entire judicial branch for keeping our justice system running smoothly during this past year. We look forward to our continued collaboration during the legislative session.

As our administration enters this second term, Brent, Kathryn and I are truly honored to continue serving the incredible citizens of North Dakota, especially during these historic times. Together, with the 67th Legislature, we look forward to the tremendous opportunities before us to make a positive and lasting difference for our state and its citizens.

As North Dakotans, we have experienced much this past year. The flock of black swan events, combining flooding, drought, an ongoing global pandemic, market crashes, and historic, rapid and huge economic contractions, all during a single year, have tested us in ways we could not have expected.

Yet, as we look forward together to the 2021-23 biennium, it is clear that we are well-positioned to rebound and recover, thanks to the courage, the grit, the ingenuity and the resiliency of North Dakotans.

Yes, today, the State of the State is one of optimism and new beginnings, built on the confidence of overcoming adversity and the knowledge we will emerge stronger than ever.

Here today we pause for reflection in the midst of a fight that is not yet over, but one in which we are gaining positive ground and making significant progress daily – thanks to the incredible efforts of our federal, state and local partners, communities, businesses, families and citizens of North Dakota.

As often happens in an emergency, heroes emerge from the crisis, and we've had no shortage of heroes in North Dakota in 2020, starting with our frontline health care workers.

These individuals, who truly have been doing lifesaving work every day, put themselves at risk to help others in our clinics, hospitals and long-term care facilities. They have given tirelessly of themselves, and in doing so, working together, truly are saving lives.

Our first responders – paramedics and EMTs, law enforcement officers and firefighters –

continued to protect public safety and health and respond to calls for help, including in our rural areas where many ambulance crews are all volunteers.

For putting their lives on the line to save others amid this new element of risk, these first responders have brought honor to their families and comfort to our communities with their extraordinary service and sacrifice.

Four days after our first COVID case was identified, schools were closed to in-person instruction to protect students and staff from the still unfamiliar virus. As other states were canceling classes for the rest of the year, our school teachers, staff and administrators were able to transition to a full distance learning model in less than a month – a remarkable feat that speaks to the professionalism and dedication of North Dakota's educators.

Institutions of higher education around the country closed their doors but not in North Dakota. Our professors, staff, administrators and students adapted and persevered. For that and the job they've continued to do every day overcoming obstacles to prepare our young people for the future, we owe them our sincerest thanks.

We've been here before. A century ago, after the Spanish flu of 1918 ravaged our state, nation and world, it gave way to the Roaring Twenties, a period of rapid growth and widespread economic prosperity.

North Dakota's population in 1920 was slightly less than 647,000. Ten years later, it had boomed to 680,000. Then the Great Depression hit, sending our population on a long slide that wouldn't rise to a record level again until 2011. We were the only state in the U.S. to have a lower population in 2010 than in 1930.

Since then, we've continued to grow in the annual census estimates.

In 2018, we surpassed 760,000 people for the first time in state history. And last week the Census Bureau quietly released the July 1, 2020, population estimate, which listed North Dakota's population at 765,309 – another new record.

As we wait for the official 2020 census count, we extend our thanks to all the census workers, volunteers and most importantly you, the citizens, because each of you truly does count!

Looking forward, we have a historic opportunity to invest in infrastructure, diversify the economy, build healthy, vibrant communities, support research and innovation, transform government and build true legacy projects for the prosperity of North Dakotans for generations to come.

We can set our state on a positive trajectory by leveraging the ingenuity and resources of the private sector and harnessing the power of the Legacy Fund.

And we can accomplish all of this with a fiscally conservative state budget that holds the line on general fund spending, invests in our priorities and maintains healthy reserves, all without raising taxes.

We embark on this journey from a relatively strong position, despite the pandemic having tested our nation's economy like no other event in recent history – in part because we were largely able to keep North Dakota's economy open.

Based on a survey by the Bureau of Labor Statistics late last summer, North Dakota had the third-lowest number of establishments that experienced a government-mandated business closure and the sixth-lowest number that experienced a decrease in demand for products or services.

We still have over 13,000 job openings in North Dakota. Even with the global collapse of the energy sector before our first COVID case, North Dakota has a lower unemployment rate than 38 other states.

North Dakota farmers continue to lead the nation in the production of wheat, canola, edible beans, sunflowers, oats and honey, and rank in the top 10 in soybeans, sugar beets, potatoes and lentils. We're thankful every day that our farmers provide the nation and the

world with a plentiful, high-quality food supply.

This past fall saw a much smoother harvest than the fall flooding battles of 2019. But some growers experienced disappointing yields due to delayed spring 2020 plantings, an extremely dry fall and the widespread early frost on Sept. 8th. Some ag input suppliers had a rough year with parts of the state recording record amounts of prevent plant acres.

Fortunately, commodity prices have rebounded, putting some winds of opportunity in the sails of our farmers and ranchers heading into this year.

Still, as always in agriculture, that optimism is tempered by risk – including the drought that has quietly crept across our state these last several months.

A year ago, no part of North Dakota was considered abnormally dry. Today, our entire state is at least that dry – or drier. Sixteen percent of the state is rated abnormally dry, 24 percent is in moderate drought, 53 percent is in severe drought and 7 percent is in extreme drought.

So, it's not just the skiers, snowmobilers and kids who got new sleds for Christmas who are praying for snow. We'll be closely watching these conditions as spring nears, and just as we were in 2017, we will be ready to support our farmers and ranchers, no matter what nature brings.

Looking long-term, with the world's population projected to increase by one-third by the year 2050, crop production will need to double to meet demand. And when you consider that corn yields have increased nearly six-fold in the last 100 years, we have no doubt that North Dakota farmers will be up to the challenge, supplying not only food and value-added food products but also biofuels.

North Dakota's ethanol production capacity has increased five times in the last decade, providing a market for 60 percent of our state's corn. The Bank of North Dakota's Ethanol Recovery Program provided nearly \$43 million in working capital to help ethanol plants withstand the collapse in energy demand due to COVID.

Our executive budget includes \$14 million to complete the \$60 million Ag Development Center at NDSU, approved by the last legislative assembly, and proposes a portion of Legacy Fund earnings be directed toward value-added opportunities that reduce our dependence on commodity prices we cannot control.

Oil production continues to rebound, past 1.2 million barrels per day in October, and we are meeting our gas capture targets. We're deeply grateful for those operators who continue to invest in production and infrastructure that will keep our state well-positioned for future growth as the nation's No. 2 oil producer and open up new opportunities to add value to our abundant ethane supply through plastics manufacturing and electricity production.

North Dakota continues to be a powerhouse for the nation, ranking sixth in total energy production thanks to our all-of-the-above approach that embraces oil, gas, coal, hydroelectric, biofuels, wind and solar. And with outside forces creating headwinds for some of these energy sectors, it's important that we keep seeking synergies through the EmPower Commission as we have done so successfully in the past.

Another opportunity before us is using electrolysis to produce hydrogen from our wastewater. Using nothing but water and electricity as inputs, hydrogen and oxygen are produced, and that hydrogen can be paired with our existing energy sources to produce carbon-neutral power. But the scale required to make hydrogen-produced energy work requires massive amounts of storage.

Thanks to the work of the Energy and Environmental Research Center in Grand Forks, we now know that our western North Dakota geology has three salt beds more than a mile underground that show promise for creating salt caverns. These caverns would generate revenue for landowners while safely storing gases or liquids that are injected into them.

This opportunity isn't only limited to hydrogen storage but could also be used for strategic natural gas storage or essential infrastructure for a petrochemical facility. We have a great opportunity to complement our natural resources, but this opportunity is only possible through continued innovation and a stable tax and regulatory environment.

Our entire administration is committed to working with the 67th Legislature to ensure that these game-changing opportunities are set up for success in North Dakota.

And, in this age of massive data, electric vehicles and increased remote working and learning over digital devices, it's more crucial than ever that we maintain a diverse power grid with reliable baseload generation to meet our electricity demands at all times.

That's why we're working hard to find a market-based economic path forward for Coal Creek Station, and I'm especially grateful for Lt. Gov. Sanford's tenacious and effective leadership in those efforts. Thank you, Brent!

Last session, the Legislature approved the creation of the State Energy Research Center at the EERC. That investment is paying dividends.

Several new leads are now being pursued to add value to our coal, such as manufacturing graphene dots, with which a strand the size of a human hair could lift a grand piano. Or extraction of rare earth minerals from fly ash, to reduce our dependence on foreign countries for the essential building blocks of every smartphone.

And with the advances being made in carbon capture, utilization and storage by the EERC and private sector right here in North Dakota, we can be a world leader in securing a viable future for clean coal power while also unlocking 4 to 7 billion additional barrels of oil through enhanced oil recovery methods.

Creating a low-cost, highly reliable, clean coal baseload solution for a planet hungry for more electricity yet focused on a carbon constrained future, would put North Dakota in the position to shape global energy policy. It also would open up technology export opportunities to the world's most populous countries which are still trying to bring electricity to their citizens.

And in doing so, we can support those North Dakota communities that wouldn't exist without the coal plants and coal sector workers who have been keeping the lights on dependably and cost-effectively in America with North Dakota lignite for more than 100 years. We owe them our gratitude, and we certainly owe them our best effort.

With eyes fixed on the future, we also continue to invest heavily in unmanned aircraft systems. This past year, thanks to the Legislature's action last session, we launched Vantis, our first-of-its-kind statewide network for flying UAS or drones beyond visual line of sight, with initial deployment in western North Dakota.

Attracted by this infrastructure investment, fifteen – yes fifteen – new UAS companies were recruited to North Dakota in the last 18 months, contributing to a 15 percent year-over-year industry growth.

As a state, we've now invested more than \$44 million to advance UAS research and development and support this fast-growing industry. Applications in both private industry and the public sector continue to expand rapidly.

Growth in our burgeoning biotech sector, advancements in autonomous farming technology at Grand Farm, and announcements such as Plug and Play's innovation platform coming to Fargo also give cause for optimism about the future of our state's economy.

Our economy also thrives with tourism, recreation, arts and culture. Our historic main streets are coming back to life across the state, from Cavalier to Devils Lake to Williston. Our state is rich in arts and culture, from the young musicians you heard performing today to the artists who bring communities and this Capitol to life. And our state parks saw a 35 percent increase in campsite nights this year compared with last year, as the pandemic drove many to rediscover all the great outdoors has to offer in our beautiful state.

All of this adds up to North Dakota being a great place to live, work and raise a family, which we all know and many national scorecards have affirmed this past year. Our state was ranked Number 1 in air and water quality, 3rd in best place to raise a family, and we also received top 5 rankings in economic performance, infrastructure and best state for millennials.

By continually pursuing our strategy to prioritize innovation over regulation, we can position ourselves to play a leading role in feeding and powering the world well into the future.

These past four years we have made tremendous progress and overcome significant challenges thanks to the unbreakable spirit of our citizens, the hard work of our state agencies and the foresight of elected leaders, including many of you in these chambers, to plan for rainy days.

North Dakota's strength begins with its citizens and extends to those elected to serve them at all levels of government. And I want to give a shout out to all the mayors, city commissioners, park board members, county commissioners, and school board members whose workloads have skyrocketed as you have navigated new challenges to keep your team members safe and those you serve healthy. You all have been great partners and stepped up in your roles as emergency managers during this time of need.

Today is also a day to welcome those who have stepped up to serve at the state level as first-time members of the Legislative Assembly. For their dedication and willingness to serve, would all 13 of our newly sworn-in legislators – both here in the House, and across the hall in the Senate – please stand and be recognized. Welcome to the Capitol!

Congratulations as well to our statewide elected officials who in November earned the opportunity to serve our citizens and who were sworn in today: State Superintendent Kirsten Baesler, Treasurer Thomas Beadle, Auditor Josh Gallion, Insurance Commissioner Jon Godfread, Supreme Court Chief Justice Jon Jensen and Public Service Commissioner Brian Kroshus. Please stand and be recognized.

I also want to give a shout-out to our other statewide elected officials: Agriculture Commissioner Doug Goehring, Secretary of State Al Jaeger, Attorney General Wayne Stenehjem, Tax Commissioner Ryan Rauschenberger, Public Service Commissioners Randy Christmann and Julie Fedorchak, and North Dakota Supreme Court Justices Gerald VandeWalle, Lisa Fair McEvers, Daniel Crothers and Jerod Tufte.

We also congratulate our returning elected House and Senate Leadership: Representatives Pollert and Boschee and Senators Wardner and Heckaman. Thank you for your leadership in your respective chambers and caucuses and for your deep collaboration and welcomed input throughout this pandemic. You have been incredible partners throughout 2020.

We look forward to continuing our strong partnership and working relationship with our federal delegation: Senator Hoeven, Senator Cramer and Congressman Armstrong.

Working together, at the local, state and federal level, we will Empower People, Improve Lives and Inspire Success and reach our state's fullest potential.

That collective potential resides individually within each and every citizen of our state. And this past year has shown us the power of individual action, of individual responsibility, and the difference it can make.

Here in state government, agencies came together with a whole-of-government response that prioritized saving lives and livelihoods.

The Department of Health lab scaled up to a level never imagined, from processing 200 samples per day to 7,500. The lab's staff grew from a small team of 18 to a legion of 140 team members from the Department of Health and the North Dakota National Guard, which is now in its longest-ever in-state operation at nearly 300 days.

The heroes in those agencies worked with local public health units to establish North Dakota as a national leader in testing, which the National Institutes of Health called "the key to getting back to normal." We continue to rank in the top 3 nationally in testing per capita.

From the Department of Human Services' work on our nationally recognized Vulnerable Population Protection Plan, to Information Technology enabling over 7,000 state team members to work remotely within 48 hours, to the Department of Emergency Services' critical role in coordinating the Unified Command and OMB's role in federal pass-through funding, to Job Service's key function in distributing record levels of unemployment benefits – over \$900 million – to the Department of Commerce standing up four new grant programs



to support businesses across the state and re-establish consumer confidence, the heroes in our state agencies are too many to list.

But every single one is appreciated and deserving of our gratitude. Please join me in expressing it.

In fact, if you've wanted to find heroes throughout the community, all you've had to do is look, because they are everywhere.

The grocery store workers, stocking inventory or scanning items in a mask behind a pane of plexiglass.

The customers respecting others by standing six feet apart in the checkout line.

The pastor holding church service in the parking lot so their vulnerable parishioners could still attend safely.

The business owners and entrepreneurs modifying business models and stepping up to reduce transmissible moments, adding touchless service features and outdoor options, enhancing ventilation, creatively finding ways to keep employees on the payroll and encouraging those who could work remotely to do so.

The crews from Dakota Carrier Network, Midco and other broadband providers making thousands of connections to ensure high-speed service to schools and homes to support distance learning, earning North Dakota national recognition for connectivity.

The tribal chairs and tribal council members making difficult decisions and taking proactive steps to protect their elders, the keepers of so much of their culture, language and wisdom.

The health care workers delivering the vaccine and those receiving the vaccine, who are protecting not only themselves but also those around them, and this is especially true for those caregivers working in long-term care with our elderly and most vulnerable. Our hearts go out to all the families who lost loved ones during this pandemic.

We are off to great start in saving lives with the vaccine. North Dakota currently ranks third in the nation in the number of people per capita initiating vaccination, according to the CDC. More than 24,000 North Dakotans have received their first dose of the vaccine so far.

These are all real heroes, those who have exercised individual and community responsibility and followed mitigation measures with empathy and compassion for those most vulnerable to the virus. They recognized that these measures mitigated the spread of COVID, saved lives and preserved hospital capacity for non-COVID as well as COVID patients, and are moving us toward re-opening, even as COVID hospitalizations nationally hit a record high on Monday.

Fortunately, we have new tools at our disposal to fight COVID, with effective vaccines, rapid tests that help screen out asymptomatic positives and break the chain of transmission, and effective therapeutics that can drastically improve survival rates when administered at the right time.

This battle is far from over. But we can see the light at the end of the tunnel, and we have the tools to get us there.

Through Operation Warp Speed, the successful efforts between our current White House administration and the biosciences industry cut enormous amounts of bureaucratic red tape while maintaining full clinical safety. These decades-accelerating efforts will have a profoundly positive and broad effect on medical treatment of many disease classes. In the coming years, we will see dramatically better tools and solutions, thanks in part to biosciences research, development and manufacturing happening right here in North Dakota.

Twenty-two years ago, Michael Chambers of Carrington, N.D., teamed up with a fellow NDSU student from the other side of the world, John Ballantyne of New Zealand, and created a little company called Aldevron. Since then, they've grown the startup from a cozy 400-square-foot lab at NDSU to a multi-campus, multi-city organization with hundreds of

team members.

Today, Aldevron is the global leader in producing nucleic acids to support generic medicines, a new field of medicine that seeks to replace, repair, or regulate defective genes that are the root of disease.

This work also placed them as a global leader in producing essential base material-nucleic acids for DNA and mRNA vaccines like those being distributed in the U.S. now for COVID-19. In fact, Aldevron is a supplier to over 40 COVID vaccine programs and has been a key partner in speeding up the development and production of vaccines, a process that often took a decade.

Aldevron's work has accelerated vaccine delivery, not only for the United States, but for the entire world, thanks to the extraordinary efforts by team members like the homegrown talent we have with us here today.

Matt Krusen, a Fargo South High School graduate, has gone well beyond his responsibilities as Senior Manager of Client Relations, contributing to the accelerated advancements for numerous COVID-related vaccines that will undoubtedly impact the global community.

Dickinson native Angelica Meyer moved back to North Dakota after graduate school and worked in the oil fields, practicing chemistry on drilling rigs. Now, as Aldevron's technical operations manager, she's heavily involved with the lab activities and extremely passionate about the company's role in Operation Warp Speed.

For their critically important work, for the entire team at Aldevron including founding CEO and Executive Chairman Michael Chambers, current Chief Executive Officer Kevin Ballinger and for all North Dakota companies and institutions playing a role in ending this pandemic and helping us safeguard against future diseases, let's give them a round of applause.

Emergencies and natural disasters take many forms, and we saw our fair share in 2020.

Thanks to the work of our Department of Emergency Services in collaboration with local emergency managers, as well as a responsive administration in Washington, we secured several disaster declarations in 2020 for damages totaling roughly \$100 million.

Those damaging events ranged from widespread spring flooding to summer flash flooding to the lingering effects of 2019's record wet fall, which resulted in more than 2.5 million acres of prevent plant.

We also experienced a brief period of civil unrest that has spurred dialogue about how best to ensure equality and inclusion for all who chose to make North Dakota their home. In one instance, we provided North Dakota Highway Patrol and National Guard support to local authorities. As always, our troopers and Guard members served with the utmost professionalism and restraint, and we thank them once again for their important service.

Our strength also lies in the fundamental truth that we are a nation of laws. And amid the unpredictability of 2020, the brave men and women of law enforcement carried out their daily responsibilities.

Among them was Grand Forks Police Officer Cody Holte, who also served as a First Lieutenant in the North Dakota Army National Guard. Officer Holte selflessly dedicated his life to protecting his community, his state and his country. He was a loving husband, an adoring father, a son, a brother.

Officer Holte represented the best of all of us – a man of honor, courage and public service who put God, family and country above all else. A leader who always placed the needs of others above his own, who exemplified the spirit of public service.

Our freedoms are built on those who uphold the rule of law, who run toward danger when others run away from it.

On May 27, Officer Holte did just that, entering an apartment where he knew fellow officers had been fired upon and the doorway left him exposed to gunfire.

We'll never know how many more might have perished if not for the swift and selfless acts of Officer Holte and his fellow officers and deputies.

Officer Holte's name will be inscribed on the Peace Officers Memorial on the Capitol grounds, a permanent reminder of his remarkable act of bravery.

We are honored to have with us here today Officer Holte's wife, Mandy. She and their son, Gunnar, can rest assured that Cody's legacy of service will live on forever in the hearts and minds of North Dakotans – and that they have our everlasting support and deepest gratitude for his incredible sacrifice.

Like all those who serve in uniform, we have the opportunity in our jobs to improve the lives of others every day.

In government, being able to serve citizens as efficiently and effectively as possible often depends on our ability to let go of what was and embrace what could be.

The decisions we make today will affect generations to come. We need the courage and curiosity to innovate, to try new approaches, and to transform government services to reflect our current and future realities.

We can provide citizen-focused service by investing in IT to replace or upgrade our three severely antiquated mainframes, which, in one now well-publicized case, forced us to hire programmers from Latvia because no one else in the world still works with systems that old.

And given the persistent threat of foreign national cyberattacks, such as the current SolarWinds attack, it is essential that we make investments to protect the data of our citizens.

We can also streamline processes to provide better service, support and provide increased transparency for the public and our industry stakeholders – through whole-of-government efforts such as the new Unified Spill Reporting System we're announcing today.

A working group led by the North Dakota Department of Emergency Services and including the Department of Agriculture, Department of Environmental Quality and the Department of Mineral Resources, began planning the Unified Spill Reporting System in 2018. The result, which launched Friday, is a simplified, one-stop reporting system for hazardous materials spills, eliminating the need for producers and the public to report spills to multiple state agencies.

Through increased collaboration and unified reporting, our state agencies are now better prepared to protect North Dakota's water, air and soil.

To build healthy, vibrant communities and schools, we need to better support behavioral health, for example by investing more in substance use disorder vouchers to expand access to treatment services.

And we need to keep investing in peer support services and care coordinators to cultivate success stories such as Solid Comfort, a Fargo-based manufacturer of hotel furniture. The company's "Solid Start" initiative focuses on second-chance hiring, on-site peer support, and other training and development programs to empower their employees, 75 percent of whom are either in recovery or re-entering from the criminal justice system.

Employees like Molly Theis, who often shares that she's the perfect example of how addiction can happen to anyone. She was a wife, a mother, and had a great career working at a hospital.

One day someone introduced her to meth, and within a year she had lost everything. Her home, her job, her kids. She was living on the streets and ended up in prison for four years because of the brain disease of addiction.

When she came to Solid Comfort – she was desperate. She told the hiring managers in her interview: "I have never done manufacturing, but I'm a hard worker. I promise you I will try my best. I learn fast. And if you just give me a chance, I'll prove to be a loyal employee."

They gave her that chance, and Molly made the most of it. She started in an entry level position on the shop floor and is now the Line Coordinator & Programmer for Solid Comfort. She goes out into the community and shares her story of battling addiction and finding recovery. And she leads the Solid Start committee to continue to develop support for those coming out of the criminal justice system and on the path to recovery.

Molly and Solid Start are what reinventing recovery looks like in action: eliminating shame, stigma and fear to help people, businesses and communities thrive.

First Lady Kathryn was able to share Solid Start's powerful story at the White House earlier this fall, just as she continues to courageously share her own lived experience with addiction and recovery. She inspires others to celebrate the power and hope of recovery and eliminate the shame and stigma of the disease of addiction. For the positive impact she continues to have on so many lives, let us show her our gratitude,

We can limit property tax growth by supporting the development of more economically sound cities that maximize the use of existing infrastructure and strive to create healthy, vibrant communities.

This year marked the third Main Street Summit where we brought together community leaders from across the state to discuss smart growth within our communities to attract and retain a 21st century workforce. North Dakota can only reach its fullest potential if every community reaches theirs first.

We can continue to engage the five tribal nations with whom we share geography, resulting in positive outcomes, such as four of the five tribal colleges signing memorandums of agreement with the North Dakota National Guard to make the State Tuition Assistance program available to qualified student service members attending college.

We now spend over 50 percent of our general fund on K-12 and higher education and provide some of the highest per pupil state support in the United States. We are right to have high expectations about elevating our approach beyond what may be familiar schooling to many of us from decades ago, to a high-performing education system that is responsive to the emotional, physical and academic well-being of each individual.

And should that individual choose an education pathway in a career academy like the successful one here in Bismarck, he or she shouldn't have to live in the Capital City to have access to this highly successful, combination K-12, higher education and private-sector learning model. For our students and the future of our entire workforce, our budget calls for providing \$45 million to support the expansion and development of similar career and technical education centers across North Dakota through matching grants funded through our proposed bonding package.

Higher education also continues to be impacted by dramatic, unstoppable forces of economics, technology, demographics and culture – and that was even before COVID!

To ensure our institutions have the tools to serve our state and succeed in this new environment, we must create systems that drive student growth and incentivize transformation as well as provide stability for our institutions.

Today, I ask the Legislature, North Dakota University System, and State Board of Higher Education to join us in the study and development of a permanent Higher Education Stabilization and Transformation Fund for North Dakota Public Institutions, with the goal of initiation and implementation by 2024.

This fund should be used to stabilize higher education funding, finding ways to drive growth and incentivize increased public-private partnerships and investment in 21st century education models.

Which brings us back to the historic opportunity that lies before us.

As I've said before, and it holds true today, we live in a state of abundance – with the humility to understand that much of our good fortune is derived from our God-given natural resources – namely our soil, water, coal, wind, gas and oil.

Over the course of 131 years of statehood, we've combined these resources with the power of human ingenuity to build and grow a dynamic and increasingly diversified economy.

We mustn't succumb to the scarcity mindset that gripped our state for far too long as we lost population, schools and storefronts. In spite of our present challenges, our future has never been brighter.

Now is the time to make bold investments in that future.

To take advantage of historic low interest rates to bond for roads, bridges and other immediate, one-time infrastructure projects.

To create a permanent gift for future generations in the form of a \$700 million revolving loan fund.

The beauty of our \$1.25 billion bonding proposal is that it doesn't raise taxes one single dollar or even rely on tax revenue for repayment of the bonds. Rather, it uses a portion of Legacy Fund earnings to retire the bonds, giving us an opportunity unlike any other state to invest in our future.

Our agriculture industry, our energy sector and our communities expect us to maintain the bridges and road systems we have built over generations. Investing in these systems will reduce the need for load restrictions and provide support for both farmers and energy producers. It will allow us to make our highway system safer for the traveling public and help reduce traffic fatalities – the goal of the Vision Zero initiative. Preliminary figures show 2020 ended with fewer than 100 traffic fatalities on North Dakota roads for the first time since 2002.

Now is the time to invest in our future with a backbone of smart, efficient, modern infrastructure. We can save tens if not hundreds of millions of dollars for the state and our political subdivisions over time versus waiting for years and years to pay cash for infrastructure.

And with a flexible \$700 million revolving loan fund, we can support strategic high-dollar infrastructure projects while creating room in our DOT budget and Resources Trust Fund to support many other smaller yet essential water and road projects in every corner of the state.

We look forward to working with you to seize this historic opportunity before it disappears.

At the same time, we have the opportunity to create a distribution formula for Legacy Fund earnings to support projects that have a lasting impact beyond our current generation – that have regional, state and national impact – that leverage other financial support and partnerships for a high return on investment – that are one-time projects and don't grow government – and that create positive impact for our economy, workforce and communities.

As a newly elected President Ronald Reagan said in his inauguration address nearly 40 years ago, "I believe we, the Americans of today, are ready to act worthy of ourselves, ready to do what must be done to ensure happiness and liberty for ourselves, our children and our children's children." This is our opportunity to do exactly that.

Recently, as I was reflecting on the life of former state Senator Lonnie Laffen following his sudden, tragic passing two days before Christmas, I came across the remarks he made in 2018 when he accepted the prestigious Henry Havig Award for Community Service from the Chamber of Commerce in Grand Forks – an award appropriately bestowed on Senator Ray Holmberg just last week.

Lonnie, who grew up in the small town of Wimbledon, was an entrepreneur and business leader, a gifted architect, a friend and a thoughtful legislator. And he had the privilege of sitting next to another very thoughtful legislator, the late Senator John Andrist from Crosby. Lonnie recalled how Senator Andrist once told him, "If you were born in the United States, you have already won the lottery."

Lonnie agreed wholeheartedly. And he added: "If you had the chance to grow up in a small town in North Dakota, you won it again. And if you had the chance to live and work in a

community like this – I've won the lottery at least three times."

We can all relate to those deeply engrained feelings of gratitude and pride in our country, our state and our community.

These are exceptional places. We do not take them for granted.

Every day, we are grateful for the chance to make this an even better place for our children, our grandchildren and generations beyond.

The lottery ticket we hold in our hands is not ours – it's theirs. Let us invest wisely in their future.

Everyone who has spent a winter in North Dakota knows that feeling, on the first bright, warm, snow-melting day of spring, that feeling when the sun hits your face, and it feels different. You just know that brighter, warmer days are ahead.

Let us look to our abundant future and fill it not just with economic prosperity, but also with the joy and happiness that comes from our hearts – like the paper hearts in the windows that began with Mandy Gill's family here in Bismarck and spread around the world – a World of Hearts.

Like those hearts, millions of small acts of kindness have been performed this year across North Dakota, in homes, in schools, in nursing homes, and everywhere else, parents to children, teachers to students, co-worker to co-worker, friend to friend, teammate to teammate, grandchild to grandparents, caregiver to resident, neighbor to neighbor, volunteer to someone in need, even a young child writing a governor a beautiful note of gratitude, and the circle continues to widen.

These multitudes of daily acts of kindness built and strengthened our bonds of family and community and raised our collective humanity.

Yes, pandemics and global economics are extremely complex, intertwined and interrelated, with unknown after unknown.

But one thing we have always known, and what this pandemic has taught us, and all the great religions of the world know, is that the power of love and forgiveness can disarm and disable the anger that is fanned in an attempt to divide us.

Mother Theresa once famously said, "If we have no peace, it is because we have forgotten that we belong to each other."

As North Dakotans, we pride ourselves on our independence – and yes, sometimes even our stubbornness – but as Mother Theresa knew, and as Monsignor Shea, the President of the University of Mary has said, we need to be reminded that we belong to each other.

This pandemic has reminded us that we can't escape being in relation to each other.

And as we move forward to finish strong in our fight against COVID, let us stand together as North Dakotans, united in commitment to respect one another, to be compassionate to one another, and to love one another.

Let us proceed into our bright future with the understanding that the path toward healing and happiness cannot be reached with more anger, resentment, or cynicism but it is a path filled with empathy and forgiveness.

Our interactions speak to the very core of who we are. Let us show the world again that North Dakota is an exceptional place, not just for our powerful contributions to feeding and fueling the world and driving innovation – but for our ability to demonstrate how deeply we care for each other, our communities, and our state.

God bless you, God bless the Great State of North Dakota, and God bless the United States of America. Thank you.

**MOTION**

**REP. LOUSER MOVED** that the remarks of Governor Burgum be printed in the journal, which motion prevailed.

**THE GOVERNOR'S BUDGET RECOMMENDATION FOR THE 2021-2023 BIENNIUM  
GOVERNOR'S RECOMMENDATION FOR THE GOVERNOR'S OFFICE**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the office of the governor for the purpose of defraying the expenses of the office of the governor, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$3,623,946	\$169,137	\$3,793,083
Governor's Salary	274,112	(274,112)	0
Operating Expenses	368,440	151,633	520,073
Contingencies	10,000	0	10,000
Transition In	0	0	0
Transition Out	0	0	0
Roughrider Awards	<u>10,800</u>	<u>0</u>	<u>10,800</u>
Total General Fund	\$4,287,298	\$46,658	\$4,333,956
Full-time Equivalent Positions	18.00	0.00	18.00

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Governor's Transition Lines	\$ 65,000	\$0
Boards and Commissions IT Project	<u>139,808</u>	<u>0</u>
Total General Fund	\$204,808	\$0

**SECTION 3. APPROPRIATION - GOVERNOR'S OFFICE.** In addition to the amounts appropriated to the governor's office in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2021 and ending June 30, 2023. Any funds received under this section must be used for the specific purpose intended for the funds or transferred to the appropriate state agency or institution. Upon receipt of the funds under this section, the governor's office shall provide a report to the budget section regarding the source, amount, and purpose of the funds received.

**SECTION 4. AMENDMENT.** Section 54-07-04 of the North Dakota Century Code is amended and reenacted as follows:

**54-07-04. Salary of governor.** The annual salary of the governor is ~~one hundred thirty-five thousand three hundred sixty-four dollars through June 30, 2020, and one hundred thirty-eight thousand seven hundred forty-eight dollars through June 30, 2021 and zero~~ dollars thereafter.

**SECTION 5. AMENDMENT.** Section 54-08-03 of the North Dakota Century Code is amended and reenacted as follows:

**54-08-03. Salary of lieutenant governor.** The annual salary of the lieutenant governor is ~~one hundred seven thousand nine hundred seventeen dollars through June 30, 2021 and one hundred ten thousand seventy-five dollars through June 30, 2022 and one hundred twelve thousand two hundred seventy-seven dollars thereafter.~~

**GOVERNOR'S RECOMMENDATION FOR THE SECRETARY OF STATE**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds

and other income, to the secretary of state for the purpose of defraying the expenses of the secretary of state and public printing, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

Subdivision 1.

SECRETARY OF STATE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$4,978,126	\$ 439,676	\$ 5,417,802
Operating Expenses	3,009,553	(98,944)	2,910,609
Petition Review	8,000	0	8,000
Election Reform	<u>1,601,747</u>	<u>3,099,372</u>	<u>4,701,119</u>
Total All Funds	\$9,597,426	\$3,440,104	\$13,037,530
Less Estimated Income	<u>4,231,641</u>	<u>3,361,473</u>	<u>7,593,114</u>
Total General Fund	\$5,365,785	\$ 78,631	\$ 5,444,416
Full-Time Equivalent Positions	32.00	0.00	32.00

Subdivision 2.

SECRETARY OF STATE - PUBLIC PRINTING

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Public Printing	<u>\$257,278</u>	<u>\$653</u>	<u>\$257,931</u>
Total General Fund	\$257,278	\$653	\$257,931

Subdivision 3.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand Total General Fund	\$5,623,063	\$ 79,284	\$ 5,702,347
Grand Total Special Funds	<u>4,231,641</u>	<u>3,361,473</u>	<u>7,593,114</u>
Grand Total All Funds	\$9,854,704	\$3,440,757	\$13,295,461

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Voting System and E-Poll Books	<u>\$11,200,000</u>	<u>\$ 0</u>
Total General Fund	\$ 0	\$ 0

**SECTION 3. AMENDMENT.** Section 54-09-05 of the North Dakota Century Code is amended and reenacted as follows:

**Section 54-09-05. Salary of secretary of state.** The annual salary of the secretary of state is one hundred ten thousand five hundred eighty-two dollars through June 30, 2020-~~and one hundred twelve thousand and seven hundred ninety-four dollars through June 30, 2022 and one hundred fifteen thousand fifty dollars thereafter.~~ **SECTION 4. EXEMPTION – TECHNOLOGY PROJECT.** Any unexpended funds from the technology project in subdivision 1 of section 1 of chapter 36 of the 2015 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation may be expended during the biennium beginning July 1, 2021 and ending June 30, 2023.

**GOVERNOR'S RECOMMENDATION FOR THE ATTORNEY GENERAL**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the attorney general for the purpose of defraying the expenses of the



attorney general, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$45,954,981	\$1,978,929	\$47,933,910
Operating Expenses	15,588,646	586,627	16,175,273
Capital Assets	804,380	934,841	1,739,221
Grants	4,418,440	(755,000)	3,663,440
Human Trafficking Victims Grants	1,400,000	(397,644)	1,002,356
Forensic Nurse Examiner Grants	250,000	(36,635)	213,365
Litigation Fees	150,000	(22,500)	127,500
Intellectual Property Attorney	442,085	(442,085)	0
Statewide Litigation Pool	0	3,000,000	3,000,000
Medical Examinations	660,000	0	660,000
North Dakota Lottery	5,191,454	76,036	5,267,490
Arrest and Return of Fugitives	10,000	(1,500)	8,500
Gaming Commission	7,489	0	7,489
Criminal Justice Info Sharing	3,631,121	179,381	3,810,502
Law Enforcement	<u>2,982,284</u>	<u>(266,223)</u>	<u>2,716,061</u>
Total All Funds	\$81,490,880	\$4,834,227	\$86,325,107
Less Estimated Income	<u>35,886,284</u>	<u>3,178,122</u>	<u>39,064,406</u>
Total General Fund	\$45,604,596	\$1,656,105	\$47,260,701
Full-time Equivalent Positions	245.00	3.00	248.00

**SECTION 2. ONE-TIME FUNDING – EFFECT ON BASE BUDGET – REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Capital Assets	\$1,851,956	\$ 0
Undercover Vehicle Replacement	200,000	0
Criminal History Improvement Project	400,000	0
AFIS Replacement	316,000	0
Charitable Gaming Technology	400,000	0
Crime Lab Equipment	0	1,111,706
CJIS Broker Implementation	0	1,175,000
Statewide Litigation Pool	<u>0</u>	<u>3,000,000</u>
Total All Funds	\$3,167,956	\$5,286,706
Total Special Funds	<u>2,967,956</u>	<u>2,286,706</u>
Total General Fund	\$ 200,000	\$3,000,000

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

**SECTION 3. AMENDMENT.** Section 54-12-11 of the North Dakota Century Code is amended and reenacted as follows:

**54-12-11. Salary of attorney general.** The annual salary of the attorney general is ~~one hundred fifty-nine thousand four hundred nine dollars through June 30, 2020 one hundred sixty-six thousand six hundred sixty-two dollars through June 30, 2022, and one hundred sixty-three thousand three hundred ninety-four dollars one hundred sixty-nine thousand nine hundred ninety-five dollars~~ thereafter.

**SECTION 4. ATTORNEY GENERAL REFUND TRANSFER TO THE GENERAL FUND - EXEMPTION.** Notwithstanding section 54-12-18, the attorney general may retain the

balance in the attorney general refund fund that would otherwise be transferred to the general fund on June 30, 2021.

**SECTION 5. TRANSFER – LITIGATION POOL TO STATE AGENCIES.** The attorney general shall transfer funds from the statewide litigation pool line item appropriated in section 1 of this Act to eligible state agencies for litigation expenses during the biennium beginning July 1, 2021 and ending June 30, 2023. The attorney general may not use funding from the litigation pool to pay judgments under section 32-12-04.

**SECTION 6. ADDITIONAL INCOME - APPROPRIATION - REPORT.** In addition to the amounts appropriated to the attorney general in section 1 of this Act, there is appropriated from federal or other funds, the sum of \$250,000, or so much of the sum as may be necessary, to the attorney general for the purposes of defraying the expenses of the office, for the biennium beginning July 1, 2021 and ending June 30, 2023. The attorney general shall notify the office of management and budget and the legislative council of any funding made available pursuant to this section.

**SECTION 7. CRIMINAL HISTORY RECORD CHECKS - FEES.** Any person or entity requesting a criminal history record check from the bureau of criminal investigation, as a result of legislation enacted by the sixty-sixth legislative assembly, shall pay a reasonable fee established by the attorney general to the attorney general to be deposited in the state's general fund for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 8. HUMAN TRAFFICKING VICTIMS GRANT PROGRAM - REQUIREMENTS - REPORTS.** The human trafficking victims grants line item in section 1 of this Act includes \$1,000,000 from the general fund for the purpose of providing grants to organizations involved in providing prevention and treatment services related to human trafficking victims for the biennium beginning July 1, 2021 and ending June 30, 2023. The attorney general may provide grants for the development and implementation of direct care emergency or long-term crisis services, residential care, training for law enforcement, support of advocacy services, and programs promoting positive outcomes for victims. Any organization that receives a grant under this section shall report to the attorney general and the appropriations committees of the sixty-seventh legislative assembly on the use of the funds received and the outcomes of its program.

**SECTION 9. FORENSIC NURSE EXAMINERS GRANT PROGRAM - REPORTS.** The forensic nurse examiners grants line item in section 1 of this Act includes \$212,499 from the general fund for the purpose of providing forensic nurse examiner program grants for community-based or hospital-based sexual assault examiner programs, for the biennium beginning July 1, 2021 and ending June 30, 2023. Any organization that receives a grant under this section shall report to the attorney general and the appropriations committees of the sixty-seventh legislative assembly on the use of the funds received and the outcomes of its programs.

**SECTION 10. EXEMPTION - CONCEALED WEAPON REWRITE PROJECT.** The amount appropriated to the attorney general from the general fund for a concealed weapon rewrite project as contained in section 1 of chapter 37 of the 2015 Session Laws and continued into the 2017-19 and 2019-21 bienniums, 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 concealed weapon rewrite project, during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 11. EXEMPTION - CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING.** The amount appropriated to the attorney general from federal funds for coronavirus emergency supplemental funding, is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the attorney general during the biennium beginning July 1, 2021 and ending June 30, 2023.

#### **GOVERNOR'S RECOMMENDATION FOR THE STATE AUDITOR**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state auditor for the purpose of defraying the expenses of the state auditor, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

	Legislative Base level	Adjustments or Enhancements	Appropriation
Salaries and Wages	\$12,668,218	\$ 11,054	\$12,679,272
Operating Expenses	1,161,820	307,027	1,468,847
Information Technology Consultants	<u>450,000</u>	<u>0</u>	<u>450,000</u>
Total All Funds	\$14,280,038	\$ 318,081	\$14,598,119
Less Estimated Income	<u>4,173,178</u>	<u>903,117</u>	<u>5,076,295</u>
Total General Fund	\$10,106,860	(\$585,036)	\$ 9,521,824
Full-time Equivalent Positions	58.00	0.00	58.00

**SECTION 2. AMENDMENT.** Section 54-10-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-10-10. Salary of state auditor.** The annual salary of the state auditor is ~~one hundred seven thousand eight hundred eighty-five dollars through June 30, 2020, and one hundred ten thousand five hundred eighty-two dollars~~ one hundred twelve thousand seven hundred ninety-four dollars through June 30, 2022, and one hundred fifteen thousand fifty dollars thereafter.

### GOVERNOR'S RECOMMENDATION FOR THE STATE TREASURER

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury not otherwise appropriated, to the state treasurer for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and Wages	\$1,383,141	\$55,884	\$1,439,025
Operating Expenses	192,229	30,213	222,442
Coal Severance Payments	<u>171,000</u>	<u>(53,000)</u>	<u>118,000</u>
Total General Fund	\$1,746,370	\$33,097	\$1,779,467
Full-time Equivalent Positions	7.00	0.00	7.00

**SECTION 2. AMENDMENT.** Section 54-11-13 of the North Dakota Century Code is amended and reenacted as follows:

**54-11-13. Salary of state treasurer.** The annual salary of the state treasurer is ~~one hundred seven thousand eight hundred eighty-five dollars through June 30, 2020, and one hundred ten thousand five hundred eighty-two dollars~~ one hundred twelve thousand seven hundred ninety-four dollars through June 30, 2022 and one hundred fifteen thousand fifty dollars thereafter.

### GOVERNOR'S RECOMMENDATION FOR THE STATE TAX COMMISSIONER

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the tax commissioner for the purpose of defraying the expenses of the tax commissioner and paying the state reimbursement under the homestead tax credit and disabled veterans credit, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and Wages	\$22,867,956	(\$404,373)	\$22,463,583
Operating Expenses	7,112,460	992,214	8,104,674
Capital Assets	6,000	0	6,000
Homestead Tax Credit	15,800,000	2,200,000	18,000,000
Disabled Veterans Credit	<u>8,410,200</u>	<u>5,589,800</u>	<u>14,000,000</u>
Total All Funds	\$54,196,616	\$8,377,641	\$62,574,257

Less Estimated Income	<u>125,000</u>	<u>0</u>	<u>125,000</u>
Total General Fund	\$54,071,616	\$8,377,641	\$62,449,257
Full-time Equivalent Positions	123.00	(5.00)	118.00

**SECTION 2. LINE ITEM TRANSFERS.** The state tax commissioner may transfer funds between the homestead tax credit and disabled veterans tax credit line items in section 1 of this Act if one line item does not have sufficient funds available for state reimbursement of eligible tax credits. The state tax commissioner shall notify the office of management and budget of any transfers made pursuant to this section.

**SECTION 3. TRANSFER.** There is transferred to the general fund in the state treasury out of motor vehicle fuel tax revenue collected pursuant to section 57-43.1-02, the sum of \$1,873,744 for the purpose of reimbursing the general fund for expenses incurred in the collection of the motor vehicle fuels and special fuels taxes and the administration of these taxes for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. AMENDMENT.** Section 57-01-04 of the North Dakota Century Code is amended and reenacted as follows:

**57-01-04. Salary.** The annual salary of the state tax commissioner is ~~one hundred seventeen thousand eighty-seven dollars through June 30, 2020, and one hundred twenty thousand fourteen dollars one hundred twenty-two thousand four hundred fourteen dollars through June 30, 2022, and one hundred twenty-four thousand eight hundred sixty-three dollars~~ thereafter.

#### **GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF LABOR AND HUMAN RIGHTS**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of labor and human rights for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$2,475,765	(\$35,528)	\$2,440,237
Operating Expenses	<u>330,426</u>	<u>281,178</u>	<u>611,604</u>
Total All Funds	\$2,806,191	\$245,650	\$3,051,841
Less Estimated Income	<u>480,681</u>	<u>36,187</u>	<u>516,868</u>
Total General Fund	\$2,325,510	\$209,463	\$2,534,973
Full-time Equivalent Positions	14.00	0.00	14.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2019-21</u>
Paperless Storage System	\$69,659	\$ 0
Phase 2 Software Upgrade	<u>0</u>	<u>177,717</u>
Total All Funds	\$69,659	\$177,717
Less Estimated Income	<u>0</u>	<u>30,000</u>
Total General Fund	\$69,659	\$147,717

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

#### **GOVERNOR'S RECOMMENDATION FOR THE PUBLIC SERVICE COMMISSION**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the public service commission for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$ 9,495,560	\$ 424,666	\$ 9,920,226
Operating Expenses	1,763,826	248,031	2,011,857
Capital Assets	25,000	120,000	145,000
Grants	20,000	0	20,000
Abandoned Mined Lands Contractual	6,000,000	0	6,000,000
Rail Rate Complaint Case	900,000	0	900,000
Railroad Safety Program	589,018	30,668	619,686
Specialized Legal Services	<u>94,000</u>	<u>326,000</u>	<u>420,000</u>
Total All Funds	\$18,887,404	\$1,149,365	\$20,036,769
Less Estimated Income	<u>12,175,476</u>	<u>1,250,885</u>	<u>13,423,361</u>
Total General Fund	\$ 6,714,928	\$(101,520)	\$ 6,613,408
Full-Time Equivalent Positions	43.00	0.00	43.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Specialized Legal Services	\$336,000	\$ 0
One-Time Equipment	<u>0</u>	<u>120,000</u>
Total All Funds	\$336,000	\$120,000
Total Special Funds	<u>336,000</u>	<u>114,600</u>
Total General Fund	\$ 0	\$ 5,400

**SECTION 3. TRANSFER AND REPAYMENT - BEGINNING FARMER REVOLVING LOAN FUND.** The Bank of North Dakota shall transfer from the beginning farmer revolving loan fund to the public service commission the sum of \$900,000, or so much of the sum as may be necessary, included in the estimated income line item in section 1 of this Act to pay for costs associated with a rail rate complaint case. Transfers must be made during the biennium beginning July 1, 2021 and ending June 30, 2023, upon order of the commission. If any amounts are spent pursuant to this section, the public service commission shall reimburse the beginning farmer revolving loan fund using amounts available from damages or proceeds received, net of legal fees, from a successful outcome of a rail complaint case.

**SECTION 4. AMENDMENT.** Section 49-01-05 of the North Dakota Century Code is amended and reenacted as follows:

**49-01-05. Salary of commissioners.** ☐ The annual salary of a commissioner is ~~one hundred thirteen thousand six hundred dollars through June 30, 2020, one hundred fifteen thousand eight hundred seventy-two dollars through June 30, 2022 and one hundred eighteen thousand one hundred eighty-nine dollars, thereafter.~~ All fees received or charged by any commissioner for any act or service rendered in any official capacity must be accounted for and paid over by the commissioner monthly to the state treasurer and must be credited to the general fund of the state.

**SECTION 5. AMENDMENT.** Section 57-43.2-19 of the North Dakota Century Code is amended and reenacted as follows:

**57-43.2-19 (Effective July 1, 2021 through June 30, 2023) Transfer, deposit, and distribution of funds.** All taxes, license fees, penalties, and interest collected under this chapter must be transferred to the state treasurer who shall deposit moneys in the highway

tax distribution fund, except fuels excise taxes, collected on sales of diesel fuels to a railroad under section 57-43.2-03 of up to ~~two hundred ninety four thousand five hundred nine~~ three hundred nine thousand, eight hundred forty three dollars per year must be transferred to the state treasurer who shall deposit the moneys in the rail safety fund. The highway tax distribution fund must be distributed in the manner as prescribed by section 54-27-19.

**SECTION 6.** Section 49-01-16 of the North Dakota Century Code is created and enacted as follows:

**49-01-16. Public Service Commission Program Fund**

1. A special fund is established in the state treasury and designated as the public service commission program fund. The moneys are deposited in the public service commission program fund for use by the public service commission to defray the expenses of the agency in the discharge of administrative and regulatory powers and duties of the agency as prescribed by law.
2. Revenue from the following sources must be credited to the public service commission program fund:
  - a. Any fees collected to test or calibrate weighing and measuring devices and licensing of registered service companies and persons;
  - b. All money received from the public utility assessment;
  - c. All money received from the siting administrative fee; and
  - d. Any interest attributable to investment of money in the fund.
3. The office of management and budget shall transfer any balance in the public service commission program fund in excess of double the current biennium self-funding appropriation to the general fund at the end of each biennium.

**SECTION 7.** Section 49-01-17 of the North Dakota Century Code is created and enacted as follows:

**49-01-17. Public Utility Assessment**

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

**SECTION 8. AMENDMENT – WEIGHTS AND MEASURES.** Section 64-02-10 of the North Dakota Century Code is amended and reenacted as follows:

**64-02-10. Fees to test or calibrate weighing and measuring devices.** The commission shall collect the following fees to:

1. Test overhead monorail, track, dormant, deck, and hanging scale of one thousand pounds [453 kilograms] or less capacity ~~53.00~~  
95.00
2. Test movable platform scale ~~41.00~~ 20.0
3. Test counter or computing scale ~~41.00~~ 20.00
4. Test hanging scale of fifty pound [22.68 kilogram] capacity or less ~~41.00~~ 20.00
5. Test a retail motor fuel device ~~41.00~~ 20.00
6. Test or calibrate weighing and measuring standards, per metrologist, per quarter hour or fraction thereof 17.00
7. Test mobile delivery gasoline and fuel oil meter ~~24.00~~ 45.00
8. Test gasoline, LPG, or fuel oil meter on common carrier pipelines, or any other meter used in loading railway cars, transports, or other conveyances ~~53.00~~ 95.00
9. Test propane, ag chemical, or liquid fertilizer meter ~~39.00~~  
70.00
10. Test or calibrate weighing and measuring devices other than the above and those set by rule, per inspector per quarter hour or fraction thereof ~~41.00~~ 20.00
11. Witnessing any of the above tests fifty percent of the applicable fee

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

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

**SECTION 9.** Section 64-02-10.1 of the North Dakota Century Code is created and enacted as follows:

**64-02-10.1. Fees for Registered Service Companies and to license and test a registered service person.**

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

**SECTION 10.** Section 64-02-12 of the North Dakota Century Code is amended and reenacted as follows:

**64-02-12. Fees collected – Paid into state treasury.** All fees and charges collected by the commission under ~~section 64-02-10 this chapter~~ must be paid into the ~~general fund of the state treasury public service commission program fund~~.

**SECTION 11.** Section 49-22-22 of the North Dakota Century Code is amended and reenacted as follows:

**49-22-22. Siting process expense recovery – Deposit in special fund – Continuing appropriation.**

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

**SECTION 12.** Section 49-22.1-22 of the North Dakota Century Code is amended and reenacted as follows:

**49-22.1-22. Siting process expense recovery – Deposit in special fund – Continuing appropriation.**

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

**GOVERNOR'S RECOMMENDATION FOR THE AGRICULTURE COMMISSIONER**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the agriculture commissioner for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$14,232,746	\$ 3,076	\$14,235,822
Operating Expenses	6,592,780	1,156,060	7,748,840
Capital Assets	15,000	0	15,000
Grants	13,823,774	(347,000)	13,476,774
Ag Products Utilization Program	1,760,417	0	1,760,417
Board of Animal Health	865,718	(78,000)	787,718
Wildlife Services	1,457,400	0	1,457,400
Pipeline Reclamation	200,000	0	200,000
Crop Harmonization Board	75,000	0	75,000
Total All Funds	\$39,022,835	\$ 734,136	\$39,756,971
Less Estimated Income	<u>28,322,406</u>	<u>366,918</u>	<u>28,689,324</u>
Total General Fund	\$10,700,429	\$ 367,218	\$11,067,647
Full-Time Equivalent Positions	78.00	0.00	78.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY- EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Master Customer Database	\$ 110,000	\$ 0
Agricultural Products Utilization Commission	2,000,000	0
Mediation Service Database Replacement	0	90,000
Meat Inspection and Dairy Database Replacement	0	90,000
Total All Funds	\$2,110,000	\$180,000
Total Special Funds	<u>2,000,000</u>	<u>0</u>
Total General Fund	\$ 110,000	\$180,000



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

**SECTION 3. TRANSFER - ENVIRONMENT AND RANGELAND PROTECTION FUND – MINOR USE PESTICIDE FUND.** The agriculture commissioner shall transfer \$325,000 from the environment and rangeland protection fund to the minor use pesticide fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. ESTIMATED INCOME - ENVIRONMENT AND RANGELAND PROTECTION FUND.** The estimated income line item in section 1 of this Act includes the sum of \$7,046,124, or so much of the sum as may be necessary, from the environment and rangeland protection fund for the purpose of defraying the expenses of various department of agriculture programs, for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 5. ESTIMATED INCOME - GAME AND FISH FUND.** The estimated income line item in section 1 of this Act includes the sum of \$624,136, or so much of the sum as may be necessary, from the game and fish department operating fund for the purpose of defraying the expenses of various department of agriculture programs, for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 6. ESTIMATED INCOME - STATE WATER COMMISSION - TRANSFER.** The estimated income line item in section 1 of this Act includes the sum of \$125,000 which the state water commission shall transfer to the agriculture commissioner for the wildlife services program, for the biennium beginning July 1, 2021, and ending June 30, 2023.

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

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

**SECTION 8. ESTIMATED INCOME – PIPELINE RESTORATION AND RECLAMATION.** The estimated income line item in section 1 of this Act includes the sum of \$200,000 from the abandoned oil and gas well plugging and site reclamation fund for the purpose of defraying the expenses of the pipeline restoration and reclamation program, for the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 9. AMENDMENT.** Section 4-01-21 of the North Dakota Century Code is amended and reenacted as follows:

**4-01-21. Salary of agriculture commissioner.** The annual salary of the agriculture commissioner is ~~one hundred sixteen thousand eight hundred thirty-six dollars through June 30, 2020~~ one hundred twenty-two thousand one hundred fifty-two dollars through June 30, 2022, and ~~one hundred nineteen thousand seven hundred fifty-seven~~ one hundred twenty-four thousand five hundred ninety-five dollars thereafter.

**SECTION 10. TRADE OFFICE - MATCHING FUND REQUIREMENT.** The operating line item and the general fund appropriation in section 1 of this Act include \$850,000 of funding relating to the North Dakota trade office. The agriculture commissioner may spend sixty percent of this amount without requiring any matching funds from the trade office. Any additional amounts may be spent only to the extent that the North Dakota trade office provides one dollar of matching funds from private or other public sources for each one dollar provided by the department for the biennium beginning July 1, 2021 and ending June 30, 2023. Matching funds may include money spent by businesses or organizations to pay salaries to export assistants provide training to export assistants or buy computer equipment as part of the North Dakota trade office's export assistance program.

#### **GOVERNOR'S RECOMMENDATION FOR THE INSURANCE COMMISSIONER**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from federal funds

and other income, to the insurance commissioner for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$8,149,998	\$ 269,278	\$ 8,419,276
Operating Expenses	1,566,675	33,769	1,600,444
Capital Assets	0	100,000	100,000
Grants	<u>0</u>	<u>21,488,350</u>	<u>21,488,350</u>
Total Special Funds	\$9,716,673	\$21,891,397	\$31,608,070
Full-time Equivalent Positions	41.00	(2.00)	39.00

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium.

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Health Care Analysis	<u>\$200,000</u>	<u>\$ 0</u>
Total Special Funds	\$200,000	\$ 0

**SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the insurance tax distribution fund in the state treasury, not otherwise appropriated, the sum of \$18,818,030 or so much of the sum as may be necessary, to the insurance commissioner for the purpose of providing payments, in accordance with provisions of section 18-04-05, to North Dakota fire departments in the amount of \$17,989,505 and payments to the North Dakota firefighter's association in the amount of \$828,525 for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. UNSATISFIED JUDGMENT FUND.** Section 1 of this Act includes \$26,610 from the state unsatisfied judgment fund to pay unsatisfied judgment fund administrative expenses for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 5. AMENDMENT.** Section 26.1-01-09 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-01-09. Salary of commissioner.**

The annual salary of the commissioner is ~~one hundred seven thousand eight hundred eighty-five dollars through June 30, 2020~~ one hundred twelve thousand seven hundred ninety-four dollars through June 30, 2022, and ~~one hundred ten thousand five hundred eighty-two~~ one hundred fifteen thousand fifty dollars thereafter.

**GOVERNOR'S RECOMMENDATION FOR THE SECURITIES DEPARTMENT**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the securities department special fund in the state treasury, not otherwise appropriated, and from special funds derived from other income, to the securities department of the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$2,163,558	\$67,064	\$2,230,622
Operating Expenses	<u>593,561</u>	<u>1,542</u>	<u>595,103</u>
Total All Funds	\$2,757,119	\$68,606	\$2,825,725
Less Estimated Income	<u>2,757,119</u>	<u>68,606</u>	<u>2,825,725</u>
Total General Fund	\$ 0	\$ 0	\$ 0
Full-time Equivalent Positions	10.00	0.00	10.00

**GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF HUMAN SERVICES**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of human services for the purpose of defraying the expenses of its various divisions, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

## Subdivision 1.

## MANAGEMENT

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$ 16,939,176	\$ 2,509,310	\$ 19,448,486
Operating Expenses	133,329,751	84,689,076	218,018,827
Capital Assets	<u>50,000</u>	<u>25,000</u>	<u>75,000</u>
Total All Funds	\$150,318,927	\$87,223,386	\$237,542,313
Less Estimated Income	<u>86,467,434</u>	<u>51,550,883</u>	<u>138,018,317</u>
Total General Fund	\$ 63,851,493	\$35,672,503	\$ 99,523,996

## Subdivision 2.

## PROGRAM AND POLICY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$ 111,785,293	\$ 7,772,728	\$ 119,558,021
Operating Expenses	155,887,808	9,993,200	165,881,008
Capital Assets	10,000	0	10,000
Grants	449,002,998	6,686,742	455,689,740
Grant – Medical Assistance	<u>2,742,681,743</u>	<u>184,832,400</u>	<u>2,927,514,143</u>
Total All Funds	\$3,459,367,842	\$209,285,070	\$3,668,652,912
Less Estimated Income	<u>2,255,764,582</u>	<u>130,259,790</u>	<u>2,386,024,372</u>
Total General Fund	\$1,203,603,260	\$ 79,025,280	\$1,282,628,540

## Subdivision 3.

## FIELD SERVICES

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Human Service Centers	\$162,984,547	\$ 4,533,765	\$167,518,312
Institutions	<u>138,383,749</u>	<u>(11,691,808)</u>	<u>126,691,941</u>
Total All Funds	\$301,368,296	(\$ 7,158,043)	\$294,210,253
Less Estimated Income	<u>107,672,165</u>	<u>6,069,991</u>	<u>113,742,156</u>
Total General Fund	\$193,696,131	(\$13,228,034)	\$180,468,097

## Subdivision 4.

## PROPERTY TAX RELIEF

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
County Social Services	\$173,700,000	\$3,458,738	\$177,158,738
Total All Funds	<u>\$173,700,000</u>	<u>\$3,458,738</u>	<u>\$177,158,738</u>
Less Estimated Income	173,700,000	2,135,515	175,835,515
Total General Fund	\$ 0	\$1,323,223	\$ 1,323,223

## Subdivision 5.

## BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand Total General Fund	\$1,461,150,884	\$102,792,972	\$1,563,943,856

Grand Total Special Funds	2,623,604,181	190,016,179	2,813,620,360
Grand Total All Funds	\$4,084,755,065	\$292,809,151	\$4,377,564,216
Full-time Equivalent Positions	2,230.23	(8.60)	2,221.63

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 biennium one-time funding items included in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Technology Projects	\$13,785,658	\$ 0
Capital Projects – Life Skills and Transition Center	4,277,165	0
Capital Projects – State Hospital	2,493,500	0
Medically Complex Children Provider Funding	977,603	0
Adjustment		
Hyperbaric Oxygen Therapy Grant	335,000	0
State Hospital Study	200,000	0
MMIS Modernization	0	35,000,000
Nursing Facility Payment Reform	0	7,200,000
Nursing Home Bed Buy Back	0	3,300,000
Frame/CCIPS Replacement	0	30,000,000
Total All Funds	\$22,068,926	\$75,500,000
Less Estimated Income	20,556,323	49,525,314
Total General Fund	\$1,512,603	\$25,974,686

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

**SECTION 3. AMENDMENT.** Section 50-24.1-37 of the North Dakota Century Code is amended and reenacted as follows:

**50-24.1-37. Medicaid expansion - Legislative management report. (Effective JanuaryAugust 1, 20202021, through July 31June 30, 20242022 - Contingent repeal - See note)**

1. The department of human services shall expand medical assistance coverage as authorized by the federal Patient Protection and Affordable Care Act [Pub. L. 111-148], as amended by the Health Care and Education Reconciliation Act of 2010 [Pub. L. 111-152] to individuals under sixty-five years of age with income below one hundred thirty-eight percent of the federal poverty line published by the federal office of management and budget applicable to the household size.
2. The department shall inform new enrollees in the medical assistance expansion program that benefits may be reduced or eliminated if federal participation decreases or is eliminated.
3. Except for pharmacy services, the department shall implement the expansion by bidding through private carriers or utilizing the health insurance exchange.
4. The contract between the department and the private carrier must provide the department with full access to provider reimbursement rates. The department shall consider provider reimbursement rate information in selecting a private carrier under this section. Before August first of each even- numbered year, the department shall submit a report to the legislative management regarding provider reimbursement rates under the medical assistance expansion

program. This report may provide cumulative data and trend data but may not disclose identifiable provider reimbursement rates.

5. Provider reimbursement rate information received by the department under this section is confidential, except the department may use the reimbursement rate information to prepare the report to the legislative management as required under this section.

**SECTION 4. AMENDMENT.** Section 50-24.1-37 of the North Dakota Century Code is amended and reenacted as follows:

**50-24.1-37. Medicaid expansion—~~Legislative management report.~~ (Effective January ~~July 1, 2020~~2022, through July 31, 2024~~2023~~ - Contingent repeal - See note)**

1. The department of human services shall expand medical assistance coverage as authorized by the federal Patient Protection and Affordable Care Act [Pub. L. 111-148], as amended by the Health Care and Education Reconciliation Act of 2010 [Pub. L. 111-152] to individuals under sixty-five years of age with income below one hundred thirty-eight percent of the federal poverty line published by the federal office of management and budget applicable to the household size.
2. The department shall inform new enrollees in the medical assistance expansion program that benefits may be reduced or eliminated if federal participation decreases or is eliminated.
- ~~3. Except for pharmacy services, the department shall implement the expansion by bidding through private carriers or utilizing the health insurance exchange.~~
- ~~4. The contract between the department and the private carrier must provide the department with full access to provider reimbursement rates. The department shall consider provider reimbursement rate information in selecting a private carrier under this section. Before August first of each even-numbered year, the department shall submit a report to the legislative management regarding provider reimbursement rates under the medical assistance expansion program. This report may provide cumulative data and trend data but may not disclose identifiable provider reimbursement rates.~~
- ~~5. Provider reimbursement rate information received by the department under this section is confidential, except the department may use the reimbursement rate information to prepare the report to the legislative management as required under this section.~~

**SECTION 5. REPEAL.** Section 50-24.1-18.1 of the North Dakota Century Code is repealed.

**SECTION 6. FUNDING TRANSFERS - EXCEPTION - AUTHORIZATION.**

Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer appropriation authority between line items within subdivisions 1, 2, and 3 of section 1 of this Act for the biennium beginning July 1, 2021 and ending June 30, 2023, as requested by the department of human services. The department of human services shall notify the legislative council of any transfer made pursuant to this section. The department shall report to the budget section after June 30, 2022, any transfer made in excess of \$50,000 and to the appropriations committees of the sixty-eighth legislative assembly regarding any transfers made pursuant to this section.

**SECTION 7. FUNDING TRANSFERS - EXCEPTION - AUTHORIZATION.**

Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer appropriation authority from line items within subdivisions 1, 2, and 3 of section 1 of this Act to subdivision 4 of section 1 of this Act for the biennium beginning July 1, 2021 and ending June 30, 2023, as requested by the department of human services. The department of human services shall notify the legislative council of any transfer made pursuant to this

section. The department shall report to the budget section after June 30, 2022 any transfer made in excess of \$50,000 and to the appropriations committees of the sixty-eighth legislative assembly regarding any transfers made pursuant to this section.

**SECTION 8. ESTIMATED INCOME - COMMUNITY HEALTH TRUST FUND.** The estimated income line item in subdivision 2 of section 1 of this Act includes the sum of \$24,000,000 from the community health trust fund for defraying expenses in the medical services division.

**SECTION 9. ESTIMATED INCOME - HUMAN SERVICE FINANCE FUND.** The estimated income line item in subdivision 4 of section 1 of this Act includes the sum of \$174,380,767 from the human service finance fund for state-paid economic assistance and social and human services.

**SECTION 10. APPROPRIATION – NURSING HOME BED REDUCTION.** There is appropriated the sum of \$3,300,000, from the general fund or so much of the sum as may be necessary, to the department of human services for the purpose of providing incentives to nursing homes to reduce licensed nursing facility bed capacity for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 11. EXPENDITURES MAY NOT EXCEED APPROPRIATION - MEDICAL ASSISTANCE EXPANSION PROGRAM.**

1. Subdivision 2 of section 1 of this Act includes the sum of \$325,521,229, of which \$36,606,115 is from the general fund, for the medical assistance expansion program for the biennium beginning July 1, 2021 and ending June 30, 2022. The expenditures for individuals eligible for the medical assistance expansion program may not exceed this amount. For purposes of this section:
  - a. Expenditures do not include those made for individuals identified as medically frail and who receive services through the traditional Medicaid program administered by the department of human services for which there is a separate appropriation of \$5,120,064 included in subdivision 2 of section 1 of this Act.
  - b. Expenditures do not include prescription drugs for the medical assistance expansion program population which is administered by the department of human services through its fee-for-service Medicaid program for which there is a separate appropriation of \$34,364,628 included in subdivision 2 of section 1 of this Act.
2. The department of human services may exceed appropriations for increases in medical assistance expansion program caseload and for the addition of coverage consistent with the traditional Medicaid 1915i state plan.
3. The managed care organization under contract with the department to manage the medical assistance expansion program shall reimburse providers within the same provider type and specialty at consistent levels and with consistent methodology and may not provide incentive, quality, or supplemental payments to providers, unless part of a value-based program approved by the department. The managed care organization may consider urban and rural providers as different provider types. Critical access hospitals may not be paid less than one hundred percent of Medicare allowable costs.
4. The managed care organization and the department of human services shall ensure payments to Indian or Tribal 638 health care providers, federally qualified health centers, and rural health clinics meet the federally required minimum levels of reimbursement.
5. The department of human services shall ensure providers within the same provider type and specialty are reimbursed at consistent levels and with consistent methodology and shall ensure the capitation rates

under risk contracts are actuarially sound and are adequate to meet managed care organization contractual requirements regarding availability of services, assurance of adequate capacity and services, and coordination and continuity of care.

6. The department of human services and the Medicaid expansion managed care organization shall ensure the appropriate contract amendment is adopted for coverage through June 30, 2022. The contract amendment shall stay within the appropriation and the requirements of chapter 54-44.4 do not apply.

**SECTION 12. EXPENDITURES MAY NOT EXCEED APPROPRIATION – NURSING HOME RATES.** Subdivision 2 of section 1 of this Act includes the sum of \$635,373,451, of which \$296,019,558 is from the general fund, for nursing home rates for the biennium beginning July 1, 2021 and ending June 30, 2023. The expenditures for nursing homes may not exceed this amount.

**SECTION 13. HEALTH HOMES - REPORT TO LEGISLATIVE MANAGEMENT.** During the biennium beginning July 1, 2021 and ending June 30, 2023, the department of human services shall develop a plan to implement, in accordance with section 1945 of the Social Security Act, health homes to coordinate care for people with Medicaid who have chronic conditions during the biennium beginning July 1, 2023 and ending June 30, 2025. Prior to October 1, 2022, the department shall report to the legislative management on the implementation plan.

**SECTION 14. EXEMPTION.** The amount appropriated for the Medicaid management information system technology stack upgrade in chapter 37 of the 2019 Session Laws is not subject to the provisions of section 54- 44.1-11. Any unexpended funds from these appropriations approved under section 54-44.1-11 are available for the completion of the Medicaid management information system technology stack upgrade during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 15. EXEMPTION.** The amount appropriated for the modification of the department of human services' eligibility systems in chapter 578 of the 2011 Special Session Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation approved under section 54- 44.1-11 for continuation into the 2013-15 biennium, then the 2015-17 biennium, then the 2017-19 biennium, and then the 2019-21 biennium are available for the completion of the modification of the eligibility systems project during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 16. EXEMPTION.** The amount appropriated for the development of the childcare licensing and data system in chapter 11 of the 2017 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation approved under section 54-44.1-11 for continuation into the 2019- 21 biennium are available for the completion of the childcare licensing and data system during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 17. EXEMPTION.** The amount appropriated for the development of the health information network in chapter 11 of the 2017 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation approved under 54-44.1-11 for continuation into the 2019-21 biennium are available for the completion of the health information network during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 18. EXEMPTION.** The sum of \$200,000 from the general fund appropriated for the department's operating expenses for the school behavioral health program in chapter 37 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 for the completion of the school behavior health pilot projects during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 19. EXEMPTION.** The sum of \$150,000 from the general fund appropriated for the department's operating expenses for behavioral health recovery home grants in chapter 37 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11.

Any unexpended funds from this appropriation may be used for behavioral health recovery home grants during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 20. CONVEYANCE OF LAND AUTHORIZED - LIFE SKILLS AND TRANSITION CENTER.** The state of North Dakota, by and through the department of human services, may convey real property associated with the life skills and transition center in Grafton to Grafton Parks and Recreation. The department may convey a portion of two parcels of land commonly referred to as "the bowl" on the terms and conditions determined appropriate by the department and the attorney general. Section 54-01-05.2 and 54-01-05.5 do not apply to this conveyance.

**SECTION 21. CAPITAL PROJECTS AND PAYMENTS.** During the period beginning with the effective date of this Act, and ending June 30, 2023, the department of human services is authorized to expend funds for the following capital projects and payments:

1. The payment of special assessments at the state hospital and life skills and transition center; and
2. The demolition of the chapel and employee building and associated tunnels at the state hospital.

Notwithstanding sections 54-16-04 and 54-27-12, the director of the office of management and budget may transfer appropriation authority between line items within subdivisions 1, 2, and 3 of section 1 of this Act for the biennium beginning July 1, 2021 and ending June 30, 2023, as requested by the department of human services for the department to expend funds on the demolition of the identified buildings and associated tunnels and for emergency capital projects. The department of human services shall notify the legislative council of any transfer made pursuant to this section. The department of human services shall report to the budget section after June 30, 2022 any transfer made in excess of \$50,000 and to the appropriations committees of the sixty-eighth legislative assembly regarding any transfers made pursuant to this section.

**SECTION 22. STATE HOSPITAL BUILDING PROJECTS.** The department of human services is authorized to construct a new state hospital on the property owned by the state of North Dakota, in Stutsman County, near or on state hospital's current campus. The new state hospital may include space for the operation of the regional human service center. The department of human services shall utilize chapter 48-02.1 and have a private operator to build, transfer, and operate the facility through a development agreement on leased property owned by the state of North Dakota. The continuing cost to support the new state hospital through a development agreement must be included in the department of human services' 2023-25 biennium budget request submitted to the sixty-eighth legislative assembly.

**SECTION 23. PROVIDER PROCESS AND OUTCOME MEASURES.** Providers that receive funding from the department of human services shall submit process and outcome measures, as required by the department, to the department of human services for programs and services supported by state funding during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 24. QUALIFIED RESIDENTIAL TREATMENT PROVIDERS.** The department of human services shall adopt rules, on or before October 1, 2021, establishing a new rate setting process and requirements for foster care maintenance rates for qualified residential treatment providers based on the appropriation received by the sixty-seventh legislative assembly.

**SECTION 25. LEGISLATIVE INTENT – CONVEYANCE OF LAND.** It is the intent of the sixty-seventh legislative assembly that the department of human services and national guard enter into an agreement to lease up to twenty acres of real property associated with the state hospital for the national guard to build a new training and storage center.

**SECTION 26. EFFECTIVE DATE.** Section 4 of this Act becomes effective on July 1, 2022.

**SECTION 27. EXPIRATION DATE.** Sections 3 and 11 of this Act is effective through June 30, 2022 and after that date is ineffective.



**SECTION 28. EMERGENCY.** Sections 21 and 22 of this Act are declared to be an emergency measure.

**GOVERNOR'S RECOMMENDATION FOR THE  
DEPARTMENT OF PUBLIC INSTRUCTION**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of public instruction, the school for the deaf, North Dakota vision services - school for the blind, and the state library for the purpose of defraying the expenses of those agencies, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

Subdivision 1.

DEPARTMENT OF PUBLIC INSTRUCTION

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$ 18,027,035	\$548,614	\$ 18,575,649
Operating Expenses	33,770,947	1,732,652	35,503,599
Integrated Formula Payments	2,098,202,429	14,022,304	2,112,224,733
Grants-Special Education	24,000,000	3,000,000	27,000,000
Grants-Transportation	56,500,000	0	56,500,000
Grants-Other Grants	287,062,705	25,000,000	312,062,705
Grants-Program Grants	7,680,000	2,400,000	10,080,000
Grants-Passthrough Grants	2,863,764	(429,565)	2,434,199
PowerSchool	5,500,000	(250,000)	5,250,000
National Board Certification	108,000	0	108,000
Total All Funds	\$2,533,714,880	\$ 46,024,005	\$2,579,738,885
Less Estimated Income	<u>812,553,743</u>	<u>169,129,735</u>	<u>981,683,478</u>
Total General Fund	\$1,721,161,137	(\$123,105,730)	\$1,598,055,407
Full-Time Equivalent Positions	89.25	0.00	89.25

Subdivision 2.

STATE LIBRARY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$4,300,335	(\$158,246)	\$4,142,089
Operating Expenses	1,621,917	481,479	2,103,396
Grants	<u>2,233,528</u>	<u>(86,879)</u>	<u>2,146,649</u>
Total All Funds	\$8,155,780	\$236,354	\$8,392,134
Less Estimated Income	<u>2,374,361</u>	<u>(6,136)</u>	<u>2,368,225</u>
Total General Fund	\$5,781,419	\$242,490	\$6,023,909
Full-Time Equivalent Positions	27.75	(1.00)	26.75

Subdivision 3.

SCHOOL FOR THE DEAF

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$8,054,944	\$288,023	\$ 8,342,967
Operating Expenses	1,705,586	0	1,705,586
Capital Assets	158,678	697,500	856,178
Grants	<u>40,000</u>	<u>0</u>	<u>40,000</u>
Total All Funds	\$9,959,208	\$985,523	\$10,944,731
Less Estimated Income	<u>2,430,358</u>	<u>1,057,076</u>	<u>3,487,434</u>
Total General Fund	\$7,528,850	(\$71,553)	\$ 7,457,297
Full-Time Equivalent Positions	44.61	0.00-	44.61

## Subdivision 4.

## NORTH DAKOTA VISION SERVICES – SCHOOL FOR THE BLIND

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$4,935,291	\$ 62,564	\$4,997,855
Operating Expenses	795,821	(3,150)	792,671
Capital Assets	<u>39,192</u>	<u>370,000</u>	<u>409,192</u>
Total All Funds	\$5,770,304	\$429,414	\$6,199,718
Less Estimated Income	<u>1,052,315</u>	<u>524,975</u>	<u>1,577,290</u>
Total General Fund	\$4,717,989	(\$95,561)	\$4,622,428
Full-Time Equivalent Positions	27.90	(0.15)	27.75

## Subdivision 5.

## BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand Total General Fund	\$1,739,189,395	(\$123,030,354)	\$1,616,159,041
Grant Total Special Funds	<u>818,410,777</u>	<u>170,705,650</u>	<u>989,116,427</u>
Grand Total All Funds	\$2,557,600,172	\$ 47,675,296	\$2,605,275,468

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

## DEPARTMENT OF PUBLIC INSTRUCTION

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
STARS Re-write	\$1,200,000	\$ 0
Formula Re-write	200,000	0
Integrated Formula Payments	0	83,000,000
Teacher Support Program	0	3,000,000
Esser Funding	<u>0</u>	<u>27,500,000</u>
Total Department of Public Instruction - All Fund	\$1,400,000	\$113,500,000
Total Department of Public Instruction - Special Funds	<u>1,200,000</u>	<u>110,500,000</u>
Total Department of Public Instruction - General Fund	\$ 200,000	\$ 3,000,000

## RESOURCE CENTER FOR THE DEAF AND HARD OF HEARING

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Extraordinary Repairs	\$250,000	\$650,000
Equipment	<u>20,000</u>	<u>47,500</u>
Total School for The Deaf - Special Funds	\$270,000	\$697,500

## NORTH DAKOTA VISION SERVICES - SCHOOL FOR THE BLIND

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Repair West Wing Roof	\$ 39,000	\$ 205,000
Miscellaneous Repairs	18,500	0
Garage Door Replacement	16,000	0
Remodel Daily Living Skills Area	25,000	0
Adaptive Technology Equipment	20,000	0
Replace Gymnasium Floor	42,000	0
Remodel South Wing Restrooms	120,000	0
South Wing Electrical Service	<u>0</u>	<u>165,000</u>
Total School for The Blind Special Funds	\$ 280,500	\$ 370,000
Grand Total - All Funds	\$1,950,500	\$114,567,500

Grand Total - Estimated Income	\$1,750,500	\$111,567,500
Grand Total - General Fund	\$ 200,000	\$ 3,000,000

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

**SECTION 3. AMENDMENT.** Section 15.1-02-02 of the North Dakota Century Code is amended and reenacted as follows:

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

The annual salary of the superintendent of public instruction is ~~one hundred twenty-two thousand four hundred ten dollars through June 30, 2022~~ one hundred twenty-eight thousand three hundred ninety-eight dollars through June 30, 2021 and one hundred twenty-five thousand eight hundred eighty dollars one hundred thirty thousand nine hundred sixty-six dollars thereafter.

**SECTION 4. APPROPRIATION - TUITION APPORTIONMENT.** The sum of \$433,020,000, included in the integrated formula payments line item in subdivision 1 of section 1 of this Act, is from the state tuition fund in the state treasury. Any additional amount in the state tuition fund that becomes available for distribution to public schools is appropriated to the department of public instruction for that purpose for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 5. GIFTED AND TALENTED PROGRAM - MEDICAID MATCHING FUNDING - DISTRIBUTION.**

1. The sum of \$800,000, included in the integrated formula payments line item in subdivision 1 of section 1 of this Act, must be distributed to reimburse school districts or special education units for gifted and talented programs upon the submission of an application that is approved in accordance with guidelines adopted by the superintendent of public instruction. The superintendent of public instruction shall encourage cooperative efforts for gifted and talented programs among school districts and special education units.
2. State school aid payments for special education must be reduced by the amount of matching funds required to be paid by school districts or special education units for students participating in the medicaid program. Special education funds equal to the amount of the matching funds required to be paid by the school district or special education unit must be paid by the superintendent of public instruction to the department of human services on behalf of the school district or unit.

**SECTION 6. REGIONAL EDUCATION ASSOCIATIONS - GRANTS.** During the 2021-23 biennium, the superintendent of public instruction shall expend up to \$500,000 from the integrated formula payments line item in subdivision 1 of section 1 of this Act for the purpose of providing annual grants to regional education associations.

**SECTION 7. INDIRECT COST ALLOCATION.** Notwithstanding section 54-44.1-15, the department of public instruction may deposit indirect cost recoveries in its operating account.

**SECTION 8. STATE AID TO PUBLIC LIBRARIES.** The line item entitled grants in subdivision 2 of section 1 of this Act includes \$1,738,082 for aid to public libraries, of which no more than one-half is to be expended during the fiscal year ending June 30, 2022.

**SECTION 9. SCHOOL FOR THE DEAF - HIGHER EDUCATION INTERPRETER GRANT PROGRAM.**

The grants line item contained in subdivision 3 of section 1 of this Act is for the purpose of providing grants to assist institutions under the control of the state board of higher education with the cost of interpreters and real-time captioning for students who are deaf or hard of hearing, for the biennium beginning July 1, 2021 and ending June 30, 2023. Moneys appropriated for this program are not subject to section 54-44.1-11. Funds shall be distributed pursuant to the provisions of this section:

1. The school for the deaf shall develop a formula to determine the grant amount for which an institution is eligible. The formula must be based on a uniform hourly reimbursement.
2. To obtain a grant under this section, an institution shall submit to the school for the deaf, at the time and in the manner directed by the school, invoices showing the amount expended for interpreters and real-time captioning for students who are deaf or hard of hearing.
3. The school for the deaf may not distribute more than fifty percent of the amount appropriated during the first year of the biennium.
4. If any grant moneys remain undistributed at the end of the biennium, the school for the deaf shall provide additional prorated grants to institutions that incurred, during the biennium, hourly expenses in excess of the formula reimbursement level.
5. At the request of an institution under the control of the state board of higher education, the school for the deaf shall consult with the institution and provide advice regarding the provision of services most appropriate to meet a student's needs.

**SECTION 10. STATE SCHOOL AID PROGRAM.** The sum of \$2,112,224,733 included in the integrated formula payments line item in subdivision 1 of section 1 of this Act was calculated with the following assumption: Per student payment rates are \$10,036 for both the 2021-22 academic year and the 2022-23 academic year.

**SECTION 11. GRANTS – OTHER GRANTS.** The line item entitled grants-other grants in subdivision 1 of section 1 of this Act contains pass-through grants, of which no more than one-half of the funding is to be expended during the fiscal year ending June 30, 2022.

**SECTION 12. TRANSFER.** The office of management and budget shall transfer, on a quarterly basis, a total of \$193,000,000 from the foundation aid stabilization fund to the operating fund of the department of public instruction for the purpose of covering expenses in the integrated formula payment line in subdivision 1 of section 1 of this Act, for the period beginning with the effective date of this Act and ending June 30, 2023.

**SECTION 13. AMENDMENT.** Subsection 3 of Section 15.1-27-04.1 of the North Dakota Century Code is amended and reenacted as follows:

3. a. For the ~~2019-20~~2021-22 school year, the superintendent shall calculate state aid as the greater of:
  - (1) The district's weighted student units multiplied by ~~nine-thousand eight hundred thirty-nine dollars~~ ten thousand thirty-six dollars;
  - (2) One hundred ~~one~~two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by nine thousand eight hundred thirty-nine dollars; or
  - (3) ~~The district's baseline funding as established in subsection 4.~~(3) The district's baseline funding as established in

subsection 1 less the amount in paragraph 1, with the difference reduced by fifteen percent for the 2021-22 school year and fifteen percent each school year thereafter, and then the difference added to the amount determined in paragraph 1.

- b. For the ~~2020-21~~2022-23 school year and each school year thereafter, the superintendent shall calculate state aid as the greater of:
  - (1) The district's weighted student units multiplied by ten thousand thirty-six dollars;
  - (2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ten thousand thirty-six dollars; or
  - (3) The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by fifteen percent for the 2021-22 school year and fifteen percent each school year thereafter, and then the difference added to the amount determined in paragraph 1.
- c. The superintendent also shall adjust state aid determined in this subsection:
  - (1) For the ~~2019-20~~2021-22 school year, to ensure the amount does not exceed one hundred ~~five~~ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.
  - (2) For the ~~2020-21~~2022-23 school year and each school year thereafter, to ensure the amount does not exceed one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.

**SECTION 14. AMENDMENT.** Subsection 4 of Section 15.1-27-04.1 of the North Dakota Century Code is amended and reenacted as follows:

- 4. After determining the product in accordance with subsection 3, the superintendent of public instruction shall
  - a. Subtract an amount equal to sixty mills multiplied by the taxable valuation of the school district, except the amount in dollars subtracted for purposes of this subdivision may not exceed the previous year's amount in dollars subtracted for purposes of this subdivision by more than twelve percent, adjusted pursuant to section 15.1-27-04.3; and
  - b. Subtract an amount equal to seventy-five percent of all revenue types listed in subdivisions c and d of subsection 1. Before determining the deduction for seventy-five percent of all revenue types, the superintendent of public instruction shall adjust revenues as follows:
    - (1) Tuition revenue shall be adjusted as follows:

- (a) In addition to deducting tuition revenue received specifically for the operation of an educational program provided at a residential treatment facility and tuition revenue received for the provision of an adult farm management program as directed in paragraph 3 of subdivision c of subsection 1, the superintendent of public instruction also shall reduce the total tuition reported by the school district by the amount of tuition revenue received for the education of students not residing in the state and for which the state has not entered a crossborder education contract; and
  - (b) The superintendent of public instruction also shall reduce the total tuition reported by admitting school districts meeting the requirements of subdivision e of subsection 2 of section 15.1-29-12 by the amount of tuition revenue received for the education of students residing in an adjacent school district.
- (2) After adjusting tuition revenue as provided in paragraph 1, the superintendent shall reduce all remaining revenues from all revenue types by the percentage of mills levied in ~~2018~~2020 by the school district for sinking and interest relative to the total mills levied in ~~2018~~2020 by the school district for all purposes.

#### GOVERNOR'S RECOMMENDATION FOR THE PROTECTION AND ADVOCACY PROJECT

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the committee on protection and advocacy for the purpose of defraying the expenses of the committee on protection and advocacy, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Protection and Advocacy Operations	\$7,166,150	\$274,889	\$7,441,039
Total All Funds	\$7,166,150	\$274,889	\$7,441,039
Less Estimated Income	3,926,135	359,324	4,285,459
Total General Fund	\$3,240,015	(\$84,435)	\$3,155,580
Full-time Equivalent Positions	28.50	0.00	28.50

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium.

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Accrued Leave Payments	\$132,550	\$ 0
Polycom Machine	8,000	0
Total All Funds	\$140,550	\$ 0
Less Estimated Income	68,000	0
Total General Fund	\$ 72,550	\$ 0

#### GOVERNOR'S RECOMMENDATION FOR THE OFFICE OF MANAGEMENT AND BUDGET

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the office of management and budget for the purpose of defraying the

expenses of that agency, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$21,903,816	\$ 123,527	\$ 22,027,343
Operating Expenses	14,937,426	1,827,304	16,764,730
Contingency Fund	500,000	(500,000)	0
Capital Assets	767,125	142,767,494	143,534,619
Grants	54,000	(54,000)	0
Guardianship Grants	1,950,000	0	1,950,000
Community Service Grants	350,000	(52,500)	297,500
Prairie Public Broadcasting	1,200,000	(180,000)	1,020,000
State Student Internship	<u>0</u>	<u>200,000</u>	<u>200,000</u>
Total All Funds	\$41,662,367	\$144,131,825	\$185,794,192
Less Estimated Income	<u>8,746,515</u>	<u>145,150,897</u>	<u>153,897,412</u>
Total General Fund	\$32,915,852	(\$1,019,072)	\$ 31,896,780
Full-time Equivalent Positions	112.00	(4.00)	108.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Capitol South Entrance	\$2,000,000	\$ 0
Central Services Study	50,000	0
Special Assessments	320,000	300,000
Extraordinary Repairs	1,900,000	900,000
IT Risk Project	170,000	0
Real Estate Plan	500,000	0
Student Internship	250,000	200,000
Litigation Pool	3,500,000	0
State Budget System	0	1,230,100
Building Automation Upgrade	0	518,800
Facility Consolidation Study	0	350,000
Exterior/Interior Wayfinding Signs	0	1,000,000
Bonding Package	0	137,100,000
e-Procurement Software	<u>0</u>	<u>2,021,204</u>
Total All Funds	\$8,690,000	\$143,620,104
Total Special Funds	<u>8,390,000</u>	<u>139,818,800</u>
Total General Fund	\$ 300,000	\$ 3,801,304

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

**SECTION 3. TRANSFER - TAX RELIEF FUND TO SOCIAL SERVICES FINANCE FUND.** The office of management and budget shall transfer the sum of \$174,380,767, or so much of the sum as may be necessary, from the tax relief fund to the social services financing fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. TRANSFER – LEGACY FUND EARNINGS.** The office of management and budget shall transfer legacy fund earnings, transferred to the general fund at the end of the 2019-21 biennium in accordance with section 26 of article X of the Constitution of North Dakota, as follows:

1. First \$100,000,000 to the general fund
2. Next \$64,370,000 to the common school trust fund

3. Next \$235,630,000 to the general fund
4. Next \$25,000,000 to North Dakota information technology for statewide cyber security
5. Next \$27,000,000 to unmanned aircraft systems fund
6. Next \$30,000,000 to innovation loan fund to support technology advancement
7. Next \$8,000,000 to the housing incentive fund
8. Next \$10,000,000 to state parks for infrastructure upgrades
9. Next \$5,000,000 to the environmental quality restoration fund
10. Next \$10,000,000 to the state parks gift fund
11. Next \$10,000,000 to North Dakota university system for the challenge grant program
12. Any remaining amounts to the general fund

**SECTION 5. TRANSFER – BONDING PROCEEDS TO STATE AGENCIES - APPROPRIATION.** The office of management and budget shall transfer up to \$130,500,000 appropriated in section 1 of this Act to eligible state agencies for the purpose of completing extraordinary repair projects identified in the 2019 facilities study. Any amounts transferred pursuant to this section are hereby appropriated.

**SECTION 6. STATE STUDENT INTERNSHIP PROGRAM.** The office of management and budget may transfer funds from the state student internship program line item appropriated in section 1 of this Act to eligible state agencies for student internships during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 7. EXEMPTION.** The amount appropriated for the fiscal management division, as contained in section 1 of chapter 40 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 for continued development and operating costs of the statewide systems including accounting, management, and payroll, during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 8. EXEMPTION.** The amounts appropriated for the real estate study in the operating line and the student internship program in the student internship line, as contained in section 1 of chapter 40 of the 2019 Session Laws, are not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for the continuation of those projects during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 9. INTENT.** Within the authority included in section 1 of this Act are the following grants and special items:

State Memberships and Related Expenses	\$ 531,304
Unemployment Insurance	\$1,800,000
Capitol Grounds Planning Commission	\$ 25,000

**SECTION 10. STATE EMPLOYEE COMPENSATION ADJUSTMENT - GUIDELINES.**

1. The 2021-23 biennium compensation adjustments for permanent state employees are to average 2 percent for each year of the 2019-21 biennium and are to be based on documented performance.



2. Agencies may use salaries and wages funding available due to vacant positions and employee turnover to provide additional salary increases for selected employees to address salary compression issues or to enhance merit-based increases for employees essential to the effective operations of the agency. The biennial cost of any additional salary increases must be within the agency's current salaries and wages funding level. An agency may not request any additional funding for the 2023-25 biennium to continue the additional salary increases.
3. The office of management and budget shall develop guidelines for use by state agencies for providing compensation adjustments for regular classified employees. The guidelines must follow the compensation philosophy statement under section 54-44.2-01.2.
4. Probationary employees are not entitled to the salary increase. However, at the discretion of the appointing authority, probationary employees may be given all or a portion of the increase effective in July, paid in August, or upon completion of probation. Employees whose overall documented performance level does not meet standards are not eligible for any salary increase.

**SECTION 11. AMENDMENT.** Section 6-09-49 of the North Dakota Century Code is amended and reenacted as follows:

**6-09-49. Infrastructure revolving loan fund -- Continuing appropriation.**

1. ~~The infrastructure revolving loan fund is a special fund in the state treasury from which the Bank of North Dakota shall provide loans to political subdivisions for essential infrastructure projects. The Bank shall administer the infrastructure revolving loan fund. The maximum term of a loan made under this section is thirty years. A loan made from the fund under this section must have an interest rate that does not exceed two percent per year.~~
2. ~~For purposes of this section, "essential infrastructure projects" means capital construction projects for the following:~~
  - a. ~~New or replacement of existing water treatment plants;~~
  - b. ~~New or replacement of existing wastewater treatment plants;~~
  - c. ~~New or replacement of existing sewer lines and water lines; and~~
  - d. ~~New or replacement of existing storm water and transportation infrastructure, including curb and gutter construction.~~
3. ~~In processing political subdivision loan applications under this section, the Bank shall calculate the maximum loan amount for which a qualified applicant may qualify, not to exceed fifteen million dollars per loan. The Bank shall consider the applicant's ability to repay the loan when processing the application and shall issue loans only to applicants that provide reasonable assurance of sufficient future income to repay the loan.~~
4. ~~The Bank shall deposit in the infrastructure revolving loan fund all payments of interest and principal paid under loans made from the infrastructure revolving loan fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs which may not exceed one-half of one percent of the amount of the interest payment. All moneys transferred to the fund, interest upon moneys in the fund, and payments to the fund of principal and interest are appropriated to the Bank on a continuing basis for administrative costs and for loan disbursement according to this section.~~

5. ~~The Bank may adopt policies and establish guidelines to administer this loan program in accordance with the provisions of this section and to supplement and leverage the funds in the infrastructure revolving loan fund. Additionally, the Bank may adopt policies allowing participation by local financial institutions.~~

**Infrastructure evolving loan fund - Bank of North Dakota - Continuing appropriation.**

1. The infrastructure revolving loan fund is a special fund in the state treasury administered by the Bank of North Dakota. The Bank shall use moneys in the fund to provide loans to political subdivisions for eligible infrastructure projects pursuant to subsections 6, 7 and 8.
2. The Bank may adopt policies and establish guidelines to administer the loan program in accordance with this section, including policies to supplement and leverage the moneys in the fund and policies to allow participation by local financial institutions. A loan made from the fund must have an interest rate that does not exceed two percent per year. The maximum term of a loan for an infrastructure project under subsection 6 is thirty years or the useful life of the project, and the maximum term for a loan for an infrastructure project under Subsections 7 and 8 is forty years or the useful life of the project.
3. All principal and interest payments received on loans made from the infrastructure revolving loan fund must be deposited into the fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay administrative costs, which may not exceed one-half of one percent of the amount of the interest payment. All moneys transferred to the fund, interest upon moneys in the fund, and payments to the fund of principal and interest are appropriated to the Bank on a continuing basis for administrative costs and for loan disbursement according to this section.
4. An applicant shall issue an evidence of indebtedness as authorized by law.
5. In processing loan applications under this section, the Bank shall calculate the maximum loan amount available to a qualified applicant. Each applicant may have up to forty million dollars of outstanding loans from the fund for infrastructure projects under subsection 6. The Bank shall consider the ability of the applicant to repay the loan when processing the application and shall issue loans only to applicants that provide reasonable assurance of sufficient future income to repay the loan.
6. Eligible infrastructure projects are capital construction projects to construct new infrastructure or to replace existing infrastructure, which provide the fixed installations necessary for the function of a political subdivision and are in the public interest. Capital construction projects exclude routine maintenance and repair projects, but include the following:
  - a. Water treatment plants;
  - b. Wastewater treatment plants;
  - c. Sewer lines and water lines, including lift stations and pumping systems;
  - d. Water storage systems, including dams, water tanks, and water towers;
  - e. Storm water infrastructure, including curb and gutter construction;

- f. Road and bridge infrastructure, including paved and unpaved roads and bridges;
- g. Airport infrastructure;
- h. Electricity transmission infrastructure;
- i. Natural gas transmission infrastructure; j. Communications infrastructure;
- j. Communications infrastructure;
- k. Emergency services facilities, excluding hospitals; and
- l. Essential political subdivision buildings and infrastructure.
- 7. The department of transportation shall approve county road and bridge projects. The department of transportation may adopt policies for the review and approval of loans under this section.
- 8. The State Water Commission shall review and approve eligible projects to construct new water- related infrastructure or to replace existing water-related infrastructure, which provide the fixed installations necessary for the function of a political subdivision and are in the public interest. The state water commission may adopt policies for the review and approval of loans under this section. Capital construction projects exclude routine maintenance and repair projects, but include the following:
  - a. Flood control;
  - b. Conveyance projects; c. Rural water supply;
  - c. Rural water supply;
  - d. Water supply; and
  - e. General water management.
- 9. Section 32 of this Act authorizes the North Dakota Public Finance Authority to bond for up to \$700,000,000 to support the infrastructure revolving loan fund. Of this amount \$450,000,000 is allocated to loans for flood control, water supply and water management; \$200,000,000 is allocated to loans for infrastructure projects and \$50,000,000 is allocated to loans to support the construction and renovation of bridges under the jurisdiction of North Dakota counties.

**SECTION 12. AMENDMENT.** Section 6-09.4-06 of the North Dakota Century Code is amended and reenacted as follows:

**6-09.4-06. Lending and borrowing powers generally.**

1. The public finance authority may lend money to political subdivisions or other contracting parties through the purchase or holding of municipal securities which, in the opinion of the attorney general, are properly eligible for purchase or holding by the public finance authority under this chapter or chapter 40-57 and for purposes of the public finance authority's capital financing program the principal amount of any one issue does not exceed five hundred thousand dollars. However, the public finance authority may lend money to political subdivisions through the purchase of securities issued by the political subdivisions through the capital financing program without regard to the principal amount of the bonds issued, if the industrial commission approves a resolution that authorizes the public finance authority to purchase the securities. The capital financing program authorizing

resolution must state that the industrial commission has determined that private bond markets will not be responsive to the needs of the issuing political subdivision concerning the securities or, if it appears that the securities can be sold through private bond markets without the involvement of the public finance authority, the authorizing resolution must state reasons for the public finance authority's involvement in the bond issue. The public finance authority may hold such municipal securities for any length of time it finds to be necessary. The public finance authority, for the purposes authorized by this chapter or chapter 40-57, may issue its bonds payable solely from the revenues available to the public finance authority which are authorized or pledged for payment of public finance authority obligations, and to otherwise assist political subdivisions or other contracting parties as provided in this chapter or chapter 40-57.

2. The public finance authority may grant or transfer money as follows:
  - a. To the Bank of North Dakota:
    - i. Under terms and conditions requiring the Bank to use the proceeds to make loans for agricultural improvements that qualify for assistance under the revolving loan fund program established by under chapter 61-28.2; and
    - ii. Under terms and conditions requiring the Bank to use the grants to make loans for infrastructure projects that qualify for assistance under the infrastructure revolving loan fund established under section 6-09-49
  - b. To other agencies as authorized by the legislative assembly.
3. Bonds Issues for this purpose are payable in each biennium solely from amounts the legislative assembly may appropriate for debt service for any biennium or from a reserve fund established for the bonds, if necessary, or from the sinking fund established in section 17 of this Act. This section may not be construed to require the state to appropriate funds sufficient to make debt service payments with respect to the bonds or replenish a related reserve fund. The bonds are not a debt of the Bank or the state, and the full faith, credit, and taxing powers of the state are not pledged to the payment of the bonds. In addition to granting funds to the Bank, or other agencies as identified in subsection 2, the public finance authority may use the bond proceeds to pay the costs of issuance of the bonds and establish a reserve fund for the bonds, if necessary.
4. Bonds of the public finance authority issued under this chapter or chapter 40-57 are not in any way a debt or liability of the state and do not constitute a loan of the credit of the state or create any debt or debts, liability or liabilities, on behalf of the state, or constitute a pledge of the faith and credit of the state, but all such bonds are payable solely from revenues pledged or available for their payment as authorized in this chapter. Each bond must contain on its face a statement to the effect that the public finance authority is obligated to pay such principal or interest, and redemption premium, if any, and that neither the faith and credit nor the taxing power of the state is pledged to the payment of the principal of or the interest on such bonds. Specific funds pledged to fulfill the public finance authority's obligations are obligations of the public finance authority.
5. All expenses incurred in carrying out the purposes of this chapter or chapter 40-57 are payable solely from revenues or funds provided or to be provided under this chapter or chapter 40-57 and nothing in this chapter may be construed to authorize the public finance authority to incur any indebtedness or liability on behalf of or payable by the state.

**SECTION 13. AMENDMENT.** Section 6-09.4-10 of the North Dakota Century Code is amended and reenacted as follows:

**6-09.4-10. Reserve fund.**

1. The public finance authority, if deemed necessary, shall establish and maintain a reserve fund in which there must be deposited all moneys appropriated by the state for the purpose of the fund, all proceeds of bonds required to be deposited therein by terms of any contract between the public finance authority and its bondholders or any resolution of the public finance authority with respect to the proceeds of bonds, any other moneys or funds of the public finance authority which it determines to deposit therein, any contractual right to the receipt of moneys by the public finance authority for the purpose of the fund, including a letter of credit or similar instrument, and any other moneys made available to the public finance authority only for the purposes of the fund from any other source or sources. Moneys in the reserve fund must be held and applied solely to the payment of the interest on and the principal of bonds and sinking fund payments as the same become due and payable and for the retirement of bonds, including payment of any redemption premium required to be paid when any bonds are redeemed or retired prior to maturity. Moneys in the reserve fund may not be withdrawn therefrom if the withdrawal would reduce the amount in the reserve fund to an amount less than the required debt service reserve, except for payment of interest then due and payable on bonds and the principal of bonds then maturing and payable and sinking fund payments and for the retirement of bonds in accordance with the terms of any contract between the public finance authority and its bondholders and for the payments on account of which interest or principal or sinking fund payments or retirement of bonds, other moneys of the public finance authority are not then available in accordance with the terms of the contract. The required debt service reserve must be an aggregate amount equal to at least the largest amount of money required by the terms of all contracts between the public finance authority and its bondholders to be raised in the then current or any succeeding calendar year for the payment of interest on and maturing principal of outstanding bonds and sinking fund payments required by the terms of any contracts to sinking funds established for the payment or redemption of the bonds.
2. If the establishment of the reserve fund for an issue or the maintenance of an existing reserve fund at a required level under this section would necessitate the investment of all or any portion of a new reserve fund or all or any portion of an existing reserve fund at a restricted yield, because to not restrict the yield may cause the bonds to be taxable under the Internal Revenue Code, then at the discretion of the public finance authority no reserve fund need be established prior to the issuance of bonds or the reserve fund need not be funded to the levels required by other subsections of this section or an existing reserve fund may be reduced.
3. No bonds may be issued by the public finance authority unless there is in the reserve fund the required debt service reserve for all bonds then issued and outstanding and the bonds to be issued. Nothing in this chapter prevents or precludes the public finance authority from satisfying the foregoing requirement by depositing so much of the proceeds of the bonds to be issued, upon their issuance, as is needed to achieve the required debt service reserve. The public finance authority may at any time issue its bonds or notes for the purpose of providing any amount necessary to increase the amount in the reserve fund to the required debt service reserve, or to meet such higher or additional reserve as may be fixed by the public finance authority with respect to such fund.

4. In order to assure the maintenance of the required debt service reserve, there shall be appropriated by the legislative assembly and paid to the public finance authority for deposit in the reserve fund, such sum, if any, as shall be certified by the industrial commission as necessary to restore the reserve fund to an amount equal to the required debt service reserve. However, the commission may approve a resolution for the issuance of bonds, as provided by section 6-09.4-06, which states in substance that this subsection is not applicable to the required debt service reserve for bonds issued under that resolution.
5. If the maturity of a series of bonds of the public finance authority is three years or less from the date of issuance of the bonds, the public finance authority may determine that no reserve fund need be established for that respective series of bonds. If such a determination is made, holders of that respective series of bonds may have no interest in or claim on existing reserve funds established for the security of the holders of previously issued public finance authority bonds and may have no interest in or claim on reserve funds established for the holders of subsequent issues of bonds of the public finance authority.
6. The industrial commission may determine that this section is inapplicable in whole or in part for bonds issued under section as follows:
  - a. Under section 32 of this Act 6-09.4-06;
  - b. Under section 6-09.4-24; or under
  - c. Under the ☐ public finance authority's state revolving fund program.

**SECTION 14.** Section 6-09.4-28 of the North Dakota Century Code is created and enacted as follows:

**6-09.4-28. Debt service requirements - Infrastructure revolving loan fund.** Each biennium, the public finance authority shall make debt service payments from the legacy bond sinking fund, or from other funds appropriated by the legislative assembly, for evidences of indebtedness issued by the authority to support the infrastructure revolving loan fund and other infrastructure grants and projects.

**SECTION 15. AMENDMENT.** Subsection 6 of section 21-03-07 of the North Dakota Century Code is amended and reenacted as follows:

6. The governing body of any county may also by resolution adopted by a two-thirds vote dedicate the tax levy authorized by section 57-15-06.6 and subsection 5 of section 57-15-06.7 and may authorize and issue general obligation bonds to be paid by the dedicated levy for the purpose of providing funds for the purchase, construction, reconstruction, or repair of regional or county correction centers, or parks and recreational facilities purposes identified under section 57-15-06.6 and subsection 5 of section 57-15-06.7; provided, that the initial resolution authorizing the tax levy dedication and general obligation bonds must be published in the official newspaper, and any owner of taxable property within the county may, within sixty days after publication, file with the county auditor a protest against the adoption of the resolution. Protests must be in writing and must describe the property which is the subject of the protest. If the governing body finds such protests to have been signed by the owners of taxable property having an assessed valuation equal to five percent or more of the assessed valuation of all taxable property within the county, as theretofore last finally equalized, all further proceedings under the initial resolution are barred.

**SECTION 16. AMENDMENT.** Section 21-03-19 of the North Dakota Century Code is amended and reenacted as follows:

**21-03-19. Bonds - Terms.** Bonds issued under this chapter must be authorized by resolution, bear such date or dates, be in such denomination or denominations, be in such form, be subject to redemption with or without premium, and be subject to such other terms or conditions as in the judgment of the municipality are in the public interest of the municipality, and must provide that the last installment of principal falls due not more than twenty years from the date of the bonds or not more than thirty years for bonds sold to the entities under section 21-03-30. The requirements of this section apply to each new issue of bonds, or if so determined by the governing body, to the bonds of a new issue combined with all of the outstanding bonds of one or more designated issues of bonds previously issued and similarly payable from taxes or other sources of revenues, or both, as the case may be.

**SECTION 17.** Two new sections to chapter 21-10 of the North Dakota Century Code are created and enacted as follows:

**Legacy fund earnings funds – Continuing appropriation.** There is hereby created in the state treasury the following special funds which shall be used for the deposit of legacy fund earnings pursuant to this chapter.

1. Economic diversification and strategic initiatives fund. Moneys in the fund may be appropriated for programs and initiatives that support economic diversification, community development and strategic initiatives, expand and develop new businesses and industries, and build healthy and vibrant communities.
2. Research and innovation fund. Moneys in the fund may be appropriated for programs and initiatives that support research and innovation in higher education and the private sector, support the commercialization of products, and advance new technology to support industries in North Dakota.
3. Government transformation fund. Moneys in the fund may be appropriated for programs and initiatives that transform the delivery of government services, make government more effective and efficient, and reduce ongoing expenses for state government.
4. Legacy projects fund. Moneys in the fund may be appropriated for projects that:
  - a. Have a positive impact on current and future generations of North Dakotans.
  - b. Have a positive impact on the state, region, or nation.
  - c. Leverage other financial resources and have a positive return on investment.
  - d. Do not add ongoing operational costs for state government.
  - e. Build and strengthen communities.
  - f. Diversify the North Dakota economy.
5. Legacy bond sinking fund. Moneys in the fund are hereby appropriated as a continuing appropriation to the public finance authority for the payment of debt service on any evidences of indebtedness payable from the legacy bond sinking fund.

**Legacy fund earnings transfer.** Legacy fund earnings transferred to the general fund at the end of each biennium in accordance with section 26 of article X of the Constitution of North Dakota shall immediately be transferred as follows:

1. Twenty percent to the economic diversification and strategic initiatives fund.
2. Ten percent to the research and innovation fund.
3. Ten percent to the government transformation fund.
4. Twenty percent to the legacy projects fund.
5. Forty percent to the legacy bond sinking fund.

**SECTION 18. AMENDMENT.** Section 54-16-04 of the North Dakota Century Code is amended and reenacted as follows:

**54-16-04. May order transfer of moneys between funds - Line item transfers – Order may draw from state treasury.** The emergency commission, upon the advice of the office of management and budget, may order money or spending authority transferred from one fund or line item to another fund or line item belonging to or appropriated for the same institution or board or the same state enterprise, may order a transfer of spending authority from the state contingencies appropriation, may order borrowing from the Bank of North Dakota pursuant to section 54-16-04.4, or, in an extremity, may authorize money to be drawn from the state treasury to meet the emergency until the legislative assembly can make an appropriation available. The following transfers, if authorized by the emergency commission, require the approval of the budget section of the legislative management:

1. A transfer of moneys or spending authority which would eliminate or make impossible the accomplishment of a program or objective funded by the legislative assembly.
2. A transfer exceeding fifty thousand dollars from one fund or line item to another fund or line item, unless the transfer is necessary to comply with a court order or to avoid:
  - a. An imminent threat to the safety of people or property due to a natural disaster or war crisis; or
  - b. An imminent financial loss to the state.

**SECTION 19.** Section 54-16-04.4 of the North Dakota Century Code is created and enacted as follows:

**54-16-04.4. Authority to borrow funds.** The emergency commission, upon the advice of the office of management and budget, may authorize the office of management and budget to borrow moneys from the Bank of North Dakota for state contingencies as provided in this chapter. Moneys borrowed from the Bank of North Dakota pursuant to this section may not exceed one million dollars during any state biennial period. Moneys borrowed pursuant to this section may be transferred by the office of management and budget to the state agency, board, commission, or officer requesting the funding to address a state contingency as approved by the emergency commission. Any state agency, board, commission, or officer receiving moneys pursuant to this section must return any unspent moneys within the biennium in which it was authorized. The office of management and budget shall request from the legislative assembly a deficiency appropriation sufficient for the repayment of the amount borrowed plus interest.

**SECTION 20. MENDMENT.** Section 54-21-19 of the North Dakota Century Code is amended and reenacted as follows:

**54-21-19. Director to furnish supplies and maintain capitol, state offices, and executive mansion - Authority to charge for services.** The director of the office of management and budget shall provide all necessary fuel, electricity, insurance, janitorial, and other services necessary to maintain the state offices on the capitol grounds as well as all necessary furniture, fuel, electricity, express, freight, drayage, and all other necessary supplies for the executive mansion and the capitol grounds and shall make all necessary repairs. The purchases must be in accordance with chapter 54-44.4. The director shall charge an amount equal to the fair value of the office space and other services rendered to



all departments that receive and expend moneys from other than the general fund, except that for good cause the amounts charged may be waived by the director for a one-year period of time with the waiver subject to further annual renewals after proper application has been filed with the director.

**SECTION 21.** A new section to chapter 54-27 of the North Dakota Century Code is created and enacted as follows:

**Shared services fund – Creation – Appropriation.** There is created in the state treasury a state shared services fund. Any payment to a state agency or institution received from another state agency or institution as a result of a shared services agreement must be deposited in the state shared services fund. Any moneys deposited by a state agency or institution in the state shared services fund are hereby appropriated to that agency or institution for the purposes of defraying the costs of equipment, operating expenses, or salaries relating to the shared services agreement.

**SECTION 22. AMENDMENT.** Section 54-27.2-01 of the North Dakota Century Code is amended and reenacted as follows:

**54-27.2-01. Budget stabilization fund.** The budget stabilization fund is a special fund in the state treasury. The state investment board shall supervise investment of the budget stabilization fund in accordance with chapter 21-10. Any interest or other budget stabilization fund earnings must be credited to the fund. Any amounts provided by law for deposit in the fund and any interest or earnings of the fund which would bring the balance in the fund at the end of any fiscal year to an amount greater than ~~fifteen~~ percent of the current biennial state general fund budget, as finally approved by the most recently adjourned special or regular session of the legislative assembly, may not be deposited in or credited to the fund but must be deposited instead in the state general fund.

**SECTION 23. AMENDMENT.** Section 54-44-11 of the North Dakota Century Code is amended and reenacted as follows:

**54-44-11. Office's operating funds creation - Continuing appropriation.**

1. The office of management and budget shall establish a state purchasing operating fund to be used for the procurement and maintenance of an inventory of equipment and supplies for the state departments and agencies. Funds in the state purchasing operating fund are appropriated on a continuing basis and may be spent by the office of management and budget for the procurement and maintenance of an inventory of equipment and supplies as provided in this subsection. The director of the office of management and budget shall transfer any unobligated balance in the fund, in excess of one hundred twenty-five thousand dollars, to the state general fund at the end of each fiscal year.
2. The office of management and budget shall establish a state printing operating fund to be used for the procurement and maintenance of an inventory of printing equipment and supplies for the state departments and agencies.
3. The office of management and budget shall establish a state personnel training and development operating fund to be used for the coordination of employee training and career development data, supplies, equipment, and services and for providing or arranging necessary training and development programs to state departments and agencies. Funds in the state personnel training and development operating fund are appropriated on a continuing basis to the office of management and budget and may be spent for the purposes identified in this subsection. Any surplus in this fund in excess of twenty-five thousand dollars on June thirtieth of each year must be transferred to the state general fund.
4. The office of management and budget shall establish a facility management operating fund to be used for the salary and operations

of the division of facility management. Rental fees collected pursuant to section 54-21-19 shall be deposited into the fund. The director of the office of management and budget shall transfer any unobligated balance in the fund to the state general fund at least once each biennium.

45. Each office, agency, or institution provided with printing or personnel training services, unless exempted by law, shall pay to the office of management and budget a proportionate share of the cost of such service as determined by the director of the office of management and budget, based on actual costs and actual usage. The amounts paid to the office of management and budget by the various offices, agencies, and institutions must be deposited in the appropriate operating fund and must be expended in accordance with legislative appropriations.

**SECTION 24. AMENDMENT.** Section 54-44.1-18 of the North Dakota Century Code is amended and reenacted as follows:

**54-44.1-18. Searchable database of expenditures.**

1. The director of the budget shall develop and make publicly available an aggregate and searchable budget database website that includes the following information for the biennium:
  - a. Each budget unit making expenditures.
  - b. The amount of funds expended.
  - c. The source of the funds expended.
  - d. The budget program of the expenditure.
  - e. Any other information determined relevant by the director of the budget.
2. The director of the budget shall include the name and city of the recipient of each expenditure in the budget database website after the director has completed implementation of a business intelligence component to the state's financial reporting system.
3. The director of the budget may not include in the database any information that is confidential or exempt under state or federal law.
4. The director of the budget may update the budget database website as new data becomes available. Each state agency shall provide to the director of the budget any data required to be included in the budget database website no later than thirty days after the data becomes available to the agency.
5. By January first of each even-numbered year, the director of the budget shall add data for the previous biennium to the budget database website. The director of the budget shall ensure that all data added to the budget database website remains accessible to the public for a minimum of ten years.
6. The budget database website may not redirect users to any other government website unless the website has information from all budget units and each category of information required can be searched electronically by field in a single search.
- ~~7. The governing body of each political subdivision may submit the annual budget adopted by the governing body to the director of the budget. The director of the budget shall include on the office of management and budget website any information submitted by a participating governing body of a political subdivision. The official who~~

~~submits the annual budget to the director of the budget may not submit any information that is confidential under state or federal law. In lieu of submitting the annual budget adopted by the governing body to the director, any participating governing body may provide to the director a publicly accessible internet link on which the annual budget adopted by the participating governing body is available.~~

**SECTION 25. AMENDMENT.** Section 54-44.4-07 of the North Dakota Century Code is amended and reenacted as follows:

**54-44.4-07. Procurement of environmentally preferable products.**

1. The office of management and budget, the institutions of higher education, and any other state agency or institution that has authority to purchase products are encouraged to purchase environmentally preferable products.
  - a. Where practicable, specifications for purchasing newsprint printing services should specify the use of soybean-based ink. The North Dakota soybean council and the agriculture commissioner shall assist the office of management and budget in locating suppliers of soybean-based inks and in collecting data on the purchase of soybean-based inks.
  - ~~b. In requesting bids for paper products, the office of management and budget must request information on the recycled content of such products.~~
  - ~~eb.~~ Where practicable, biobased products should be specified.
2. The office of management and budget, in coordination with the state board of higher education, shall develop guidelines for a biobased procurement program.

**SECTION 26. AMENDMENT.** Section 54-44.4-08 of the North Dakota Century Code is amended and reenacted as follows:

**54-44.4-08. Purchase of recycled paper products.** ~~Where practicable, the office of management and budget, and any state agency or institution that has authority to purchase products, shall ensure that at least twenty percent of the total volume of paper and paper products being purchased for state agencies and institutions contain~~ should specify at least twenty-five percent recycled material. The office of management and budget shall implement a methodology to track compliance with this section.

**SECTION 27.** Section 54-59-40 of the North Dakota Century Code is created and enacted as follows:

**54-59-40 Business Process Improvement Projects – Borrowing authority for project with qualified return on investment – Appropriation.** Any board, agency, commission, or officer of the state may undertake a business process improvement project if it is determined by the department that the estimated savings in capital expenses, operating expenses, and salaries over a period not to exceed six years will meet or exceed the cost of the project plus any associated financing costs for the project. Subject to approval by the emergency commission, and upon determination by the department that the project meets the requirements of this section, the board, agency, commission, or officer of the state may borrow from the Bank of North Dakota or other lender the amount required to implement the project, with a repayment term not to exceed six years. Any moneys borrowed pursuant to this section are hereby appropriated and may be spent by the board, agency, commission, or officer of the state to complete the business process improvement project.

**SECTION 28. AMENDMENT.** Section 57-15-06.6 of the North Dakota Century Code is amended and reenacted as follows:

**57-15-06.6. County capital projects levy.**

1. The board of county commissioners of each county may levy an annual tax not exceeding ten mills plus any voter-approved additional levy as provided in subsection 8 of section 57-15-06.7 for the purpose of the following capital projects:

- 1- a. Constructing and equipping and maintaining structural and mechanical components of regional or county corrections centers or for the purpose of contracting for corrections center space capacity from another public or private entity.
- 2- b. Acquiring real estate as a site for public parks and construction and equipping and maintaining structural and mechanical components of recreational facilities under section 11-28-06.
- 3- c. Acquiring real estate as a site for county buildings and operations and ☐ constructing and equipping and maintaining structural and mechanical components of county buildings and property.
- 4- d. Acquiring real estate as a site for county fair buildings and operations and constructing and equipping and maintaining structural and mechanical components of county fair buildings and property as provided in section 4-02-26.
- 5- e. Acquiring and developing real estate, capital improvements, buildings, pavement, equipment, and debt service associated with financing for county supported airports or airport authorities.
- 6- f. Expenditures for the cost of leasing as an alternative means of financing for any of the purposes for which expenditures are authorized under ~~subsections 1~~ subdivisions a through 5e.
- g. Improvement of the county road system, including the acquisition of land, construction of new paved and unpaved roads and bridges, replacement of existing paved and unpaved roads and bridges, and maintenance and repair of existing paved and unpaved roads and bridges.

2. Any voter-approved levy for the purposes specified in this section approved by the electors before January 1, 2015, remains effective through 2024 or the period of time for which it was approved by the electors, whichever is less, under the provisions of law in effect at the time it was approved. After January 1, 2015, approval or reauthorization by electors of increased levy authority under this section may not be effective for more than ten taxable years.

**SECTION 29. AMENDMENT.** Section 57-47-02 of the North Dakota Century Code is amended and reenacted as follows:

**57-47-02. County authorized to borrow - Term - Interest rate.** Whenever in the judgment of the board of county commissioners all taxes authorized to be levied in any one year for general or special county purposes are insufficient to carry on the primary governmental functions, or to pay the mandatory obligations imposed by law upon a county, then such a county may borrow money in such an amount as the board shall determine to be necessary to meet the deficiencies existing in its general or special funds, or to carry on primary governmental functions, and to pay mandatory obligations. For the purpose of borrowing, a county may issue evidences of indebtedness, which must consist of an agreement by the county to pay a stated sum on a specified date, or on or before a specified date, not more than ~~five~~ twenty years in the future, together with interest thereon at a rate or rates resulting in an average annual net interest cost not to exceed twelve percent per annum if sold privately, or with no interest rate ceiling if sold at a public sale or to the state of North Dakota or any of its agencies or instrumentalities. A public sale must comply with the procedures set out in chapter 21-03. There is no requirement for an advertisement for bids if an evidence of indebtedness is sold privately or to the state of North Dakota or any of its agencies or instrumentalities.

**SECTION 30. AMENDMENT.** Section 57-51.1-07.5 of the North Dakota Century Code is amended and reenacted as follows:

**57-51.1-07.5. State share of oil and gas taxes - Deposits.** From the revenues designated for deposit in the state general fund under chapters 57-51 and 57-51.1, the state treasurer shall deposit the revenues received each biennium in the following order:

1. The first two hundred fifty million dollars into the state general fund;
2. The next two hundred million dollars into the tax relief fund;
3. The next seventy-five million dollars into the budget stabilization fund, but not in an amount that would bring the balance in the fund to more than the limit in section 54-27.2-01;
4. The next two hundred fifty million dollars into the state general fund;
5. The next ten million dollars into the lignite research fund;
6. The next fifteen million dollars into the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than fifteen million dollars;
7. The next thirty million three hundred seventy-five thousand dollars, or the amount necessary to provide for the distributions under subsection 2 of section 57-51.1-07.7, into the municipal infrastructure fund;
8. The next four hundred million dollars into the strategic investment and improvements fund;
9. An amount equal to the deposit under subsection 7 into the county and township infrastructure fund;
10. The next one hundred sixty-nine million two hundred fifty thousand dollars or the amount necessary to provide a total of two hundred thirty million dollars into the funds designated for infrastructure development in non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal infrastructure fund and fifty percent deposited into the county and township infrastructure fund;
11. The next twenty million dollars into the airport infrastructure fund; and
12. Any additional revenues into the strategic investment and improvements fund.

**SECTION 31. TRANSFER INFRASTRUCTURE REVOLVING LOAN FUND FOR WATER PROJECTS TO INFRASTRUCTURE REVOLVING LOAN FUND.** The state water commission shall transfer any outstanding loans from the infrastructure revolving loan fund under section 61-02-78 to the infrastructure revolving loan fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 32. PUBLIC FINANCE AUTHORITY - BOND ISSUANCE LIMITATION.** The public finance authority may issue up to \$1,250,000,000 of evidences of indebtedness, for bienniums beginning July 1, 2021 and ending June 30, 2025. The term of any evidences of indebtedness issued under this section may not exceed thirty years.

**SECTION 33. PUBLIC FINANCE AUTHORITY – TRANSFER OF BOND PROCEEDS.** The public finance authority may grant or transfer money as follows:

- a. \$700,000,000 to the Bank of North Dakota for capitalization of revolving loan funds
- b. \$302,400,000 to the Department of Transportation:

- i. \$15,000,000 for bridge improvements,
- ii. \$237,400,000 for the department infrastructure improvement plan, and
- iii. \$50,000,000 for Highway 85 improvements.
- c. \$30,500,000 to the department of parks and recreation
  - i. \$20,600,000 for infrastructure improvements grants to park districts.
  - ii. \$9,900,000 for state park system infrastructure upgrades
- d. \$45,000,000 to the state board for career and technical education for cost-share projects to establish career academies.
- e. \$19,000,000 to the state board of higher education for Tier II and Tier III infrastructure improvement projects.
- f. \$137,100,000 to the office of management and budget:
  - i. \$130,500,000 for critical state building maintenance and repair projects,
  - ii. \$5,500,000 for capitol complex space utilization improvements
  - iii. \$600,000 for capitol complex accessibility improvements
  - iv. \$500,000 for renovation of the Brynhild Haugland room in the state capitol.
- g. \$14,000,000 to North Dakota state university for construction of the agriculture development center.
- h. \$2,000,000 to Dakota college for renovation of Old Main.
- i. Other agencies as required.

**SECTION 34. TRANSFER COMMUNITY WATER FACILITY LOAN FUND TO INFRASTRUCTURE REVOLVING LOAN FUND.** The Bank of North Dakota shall transfer the community water facility loan fund under section 6-09.5 to the infrastructure revolving loan fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 35. POSITION TRANSFER AUTHORITY.** During the 2021-23 biennium the office of management and budget has the authority to transfer two full-time equivalent positions and corresponding salary totaling \$424,739 from North Dakota information technology to the office of management and budget for the unification of human resource services.

**SECTION 36. REPEAL.** Chapter 6-09.5 and section 61-02-78 of the North Dakota Century Code are repealed.

**SECTION 37. REPEAL.** Sections 54-06-25 and 54-44.3-03 of the North Dakota Century Code are repealed.

**SECTION 38. EFFECTIVE DATE.** Section 35 of this Act becomes effective July 1, 2022.

#### **GOVERNOR'S RECOMMENDATION FOR THE ADJUTANT GENERAL**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the office of the adjutant general for the purpose of defraying the

expenses of that agency, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

## Subdivision 1.

## NATIONAL GUARD

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$ 6,833,766	\$ 346,159	\$ 7,179,925
Operating Expenses	2,767,321	1,280,992	4,048,313
Capital Assets	224,046	24,100,000	24,324,046
Grants	210,916	0	210,916
Civil Air Patrol	305,134	3,847	308,981
Tuition, Recruiting, and Retention	4,782,072	(1,739,837)	3,042,235
Air Guard Contract	8,571,129	(78,313)	8,492,816
Army Guard Contract	46,940,013	2,024,518	48,964,531
Veterans' Cemetery	1,151,906	178,867	1,328,773
Reintegration Program	<u>1,051,168</u>	<u>75,325</u>	<u>1,126,493</u>
Total All Funds	\$72,837,471	\$26,189,558	\$99,027,029
Less Estimated Income	<u>54,214,657</u>	<u>24,423,473</u>	<u>78,638,130</u>
Total General Fund	\$18,622,814	\$ 1,766,085	\$20,388,899

## Subdivision 2.

## DIVISION OF EMERGENCY SERVICES

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$10,986,431	\$ 1,018,814	\$12,005,245
Operating Expenses	8,060,574	(1,458,240)	6,602,334
Capital Assets	0	660,000	660,000
Grants	16,273,425	(1,723,425)	14,550,000
Disaster Costs	<u>36,555,085</u>	<u>10,653,930</u>	<u>47,209,015</u>
Total All Funds	\$71,875,515	\$ 9,151,079	\$81,026,594
Less Estimated Income	<u>63,108,132</u>	<u>11,527,783</u>	<u>74,635,915</u>
Total General Fund	\$ 8,767,383	(\$ 2,376,704)	\$6,390,679

## Subdivision 3.

## BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand Total General Fund	\$ 27,390,197	(\$610,619)	\$ 26,779,578
Grant Total Special Funds	<u>117,322,789</u>	<u>35,951,256</u>	<u>153,274,045</u>
Grant Total All Funds	\$144,712,986	\$35,340,637	\$180,053,623
Full-Time Equivalent Positions	222.00	0.00	222.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Dispatcher Service Fee Shortfall	\$1,212,253	\$ 0
Emergency Response Equipment	660,000	100,000
CAD Upgrade	516,000	0
UPS Battery Replacement	20,000	0
Message Switch Hardware	335,000	0
Camp Grafton South Expansion	600,000	2,600,000
NDNG Andover Upgrade	0	320,000
ND Operations, Maintenance & Repair	0	1,000,000

Fargo Readiness Center Equipment	0	100,000
Dickinson Readiness Center	0	15,000,000
Line of Command Bridge Training Site	<u>0</u>	<u>6,000,000</u>
Total All Funds	\$3,343,253	\$25,620,000
Total Special Funds	<u>3,162,253</u>	<u>21,790,000</u>
Total General Fund	\$ 181,000	\$ 3,830,000

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

**SECTION 3. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.** In addition to the amount appropriated to the adjutant general in the veterans' cemetery line item in subdivision 1 of section 1 of this Act, there is appropriated any additional funds which are received and deposited in the veterans' cemetery maintenance fund pursuant to sections 37-03-14 and 39-04-10.10 for the operation of the North Dakota veterans' cemetery for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. MAINTENANCE AND REPAIRS - TRANSFERS.** The adjutant general may transfer to the operating expenses and capital assets line items contained in section 1 of this Act up to the sum of \$500,000 from the various other line items contained in section 1 of this Act, as determined necessary by the adjutant general to provide for the maintenance and repair of state-owned armories in this state during the biennium beginning July 1, 2021 and ending June 30, 2023. Any amounts transferred pursuant to this section must be reported to the director of the office of management and budget.

**SECTION 5. EXEMPTION.** Any amounts carried over from the strategic investment and improvements fund pursuant to section 14 of chapter 41 of the 2019 Session Laws which are unexpended as of June 30, 2021, are not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used to complete the mobile repeaters, programming radios, and for technology upgrade costs required to implement the statewide interoperable radio network during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 6. EXEMPTION.** The amount appropriated in the tuition, recruiting, and retention line item in subdivision 1 of section 1 of chapter 41 of the 2019 Session Laws is not subject to section 54-44.1-11, and any unexpended funds from this appropriation may be used to provide tuition assistance, recruiting and retention incentives to eligible members of the North Dakota national guard during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 7. EXEMPTION.** The sum of \$450,000 of strategic investment and improvements fund and \$66,000 of general fund appropriated for the computer-aided dispatch equipment in subdivision 2 of section 1 of chapter 41 of the 2019 Session Laws is not subject to section 54-44.1-11, and any unexpended funds from this appropriation may be used to complete the computer-aided dispatch equipment project during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 8. EXEMPTION.** The sum of \$240,000 of strategic investment and improvements fund and \$95,000 of general funds appropriated for the message switch upgrade in subdivision 2 of section 1 of chapter 41 of the 2019 Session Laws is not subject to section 54-44.1-11, and any unexpended funds from this appropriation may be used to complete the message switch upgrade project during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 9. EXEMPTION.** The amount of \$600,000 from the strategic investment and improvements fund appropriated in the Camp Grafton Expansion line item in subdivision 1 of section 1 of chapter 41 of the 2019 Session Laws for the Camp Grafton expansion is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used to continue forward with expansion of Camp Grafton during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 10. CAMP GRAFTON EXPANSION - LEGISLATIVE INTENT.** It is the intent of the sixty-seventh legislative assembly that:



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

**SECTION 11. NORTH DAKOTA MILITARY MUSEUM.** The adjutant general may accept and utilize private and federal funds to construct a North Dakota military museum. The adjutant general, with the approval of the Governor, may enter into an agreement with the director of the state parks and recreation department, or the historical society for the construction of new or renovation of existing property, and/or operations and maintenance of a military museum beginning with the effective date of this Act and ending June 30, 2023.

#### **GOVERNOR'S RECOMMENDATION FOR THE GAME AND FISH DEPARTMENT**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the game and fish fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the game and fish department for the purpose of defraying the expenses of the game and fish department, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$31,497,736	\$2,066,064	\$33,563,800
Operating Expenses	15,949,169	735,873	16,685,042
Capital Assets	5,917,891	856,879	6,774,770
Grants – Game and Fish	8,547,165	376,178	8,923,343
Shooting Sports Grant Program	250,000	0	250,000
Land Habitat and Deer Depredation	17,660,009	2,329,368	19,989,377
Noxious Weed Control	725,000	0	725,000
Missouri River Enforcement	288,068	9,709	297,777
Grants-Gift-Donation	533,732	137,377	671,109
Nongame Wildlife Conservation	100,000	0	100,000
Aquatic Nuisance Species	1,500,000	10,457	1,510,457
Lonetree Reservoir	1,834,862	(12,698)	1,822,164
Wildlife Services	<u>500,000</u>	<u>0</u>	<u>500,000</u>
Total Special Funds	\$85,303,632	\$6,509,207	\$91,812,839
Full-time Equivalent Positions	165.00	(3.00)	162.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 biennium one-time funding items included in the appropriation in section 1 of the Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Outdoor Heritage Grant	\$0	\$ 500,000
Landowner PLOTS Payments	<u>0</u>	<u>1,485,000</u>
Total Other Funds	\$0	\$1,985,000

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

**SECTION 3. GRANTS, GIFTS, AND DONATIONS LINE.** The grants, gifts, and donations line item in section 1 of this Act includes up to \$100,000 received by the game and fish department for surface damage, easements, or reclamation on department owned or managed properties as a result of mineral exploration and extraction activities.

**SECTION 4. LINE ITEM TRANSFER AUTHORITY.** Notwithstanding section 54-16-04, the agency may transfer between line items, excluding salaries and wages, within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2021 and ending June 30, 2023. The agency shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section.

### GOVERNOR'S RECOMMENDATION FOR THE STATE HISTORICAL SOCIETY

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state historical society for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$14,295,816	\$ 944,443	\$15,240,259
Operating Expenses	3,941,585	145,982	4,087,567
Capital Assets	1,225,542	525,473	1,751,015
Grants	600,000	0	600,000
Cultural Heritage Grants	<u>500,000</u>	<u>(500,000)</u>	<u>0</u>
Total All Funds	\$20,562,943	\$1,115,898	\$21,678,841
Less Estimated Income	<u>3,194,252</u>	<u>341,259</u>	<u>3,535,511</u>
Total General Fund	\$17,368,691	\$ 774,639	\$18,143,330
Full-time Equivalent Positions	75.00	3.75	78.75

**SECTION 2. ONE-TIME** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium.

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Historic Site and Extraordinary Repairs	\$1,000,000	\$ 0
Exhibits and Collections Care	372,000	0
Auditorium Chairs	<u>160,000</u>	<u>0</u>
Total All Funds	\$1,532,000	\$ 0
Less Estimated Income	<u>85,000</u>	<u>0</u>
Total General Fund	\$1,447,000	\$ 0

**SECTION 3. REVOLVING FUND - APPROPRIATION.** All fees collected by the state historical society and deposited in the revolving fund established pursuant to section 55-03-04 are appropriated to the state historical society for the purposes provided in chapter 55-03, for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. GIFTS, GRANTS, AND BEQUESTS - APPROPRIATION.** All gifts, grants, devises, bequests, donations, and assignments received by the state historical society and deposited with the state treasurer pursuant to section 55-01-04 are appropriated to the state historical society for the purposes provided in section 55-01-04, for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 5. CONVEYANCE OF LAND AND BUILDINGS – LEWIS AND CLARK INTERPRETIVE CENTER – EXEMPTION.** The state of North Dakota, by and through the North Dakota parks and recreation department shall convey ownership of the Lewis and

Clark interpretive center and surrounding real property to the state historical society.  
Sections 54-01-05.2 and 54-01-05.5 do not apply to this conveyance.

# **SECTION 6. ESTIMATED INCOME - DEPARTMENT OF TRANSPORTATION GRANT.**

The estimated income line item in subdivision 3 of 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.

## **GOVERNOR'S RECOMMENDATION FOR THE PARKS AND RECREATION DEPARTMENT**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the parks and recreation department for the purpose of defraying the expenses of the parks and recreation department, for providing funding to the Lewis and Clark Interpretive Center, and for providing a grant to the International Peace Garden, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

### Subdivision 1.

#### PARKS AND RECREATION DEPARTMENT

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Administration	\$ 2,604,999	\$ 13,454	\$ 2,618,453
Parks Operations & Maintenance	20,614,593	19,864,435	40,479,028
Recreation	<u>9,323,560</u>	<u>21,285,397</u>	<u>30,608,957</u>
Total All Funds	\$32,543,152	\$41,163,286	\$73,706,438
Less Estimated Income	<u>20,046,607</u>	<u>41,349,756</u>	<u>61,396,363</u>
Total General Fund	\$12,496,545	\$ (186,470)	\$12,310,075
Full-Time Equivalent Positions	61.50	(3.75)	57.75

### Subdivision 2.

#### INTERNATIONAL PEACE GARDEN

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Peace Garden	\$876,329	\$(131,449)	\$744,880
Total All Funds	<u>\$876,329</u>	<u>0</u>	<u>0</u>
Less Estimated Income	0	0	0
Total General Fund	\$876,329	\$(131,449)	\$744,880

### Subdivision 3.

#### LEWIS AND CLARK INTERPRETIVE CENTER

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Lewis & Clark	\$1,304,375	\$(1,289,993)	\$14,382
Total All Funds	1,304,375	(1,289,993)	14,382
Less Estimated Income	<u>334,120</u>	<u>(334,12)</u>	<u>0</u>
Total General Fund	\$ 970,255	\$ (955,873)	\$14,382

### Subdivision 4.

#### BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand Total All Fund	\$34,723,856	\$39,741,844	\$74,465,700
Less Estimated Income	<u>20,380,727</u>	<u>41,015,636</u>	<u>61,396,363</u>
Total General Funds	\$14,343,129	\$(1,273,792)	\$13,069,337

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 biennium one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Parks Capital Projects	\$1,755,000	\$ 0
Extraordinary Repair	634,126	0
One-Time Equipment	622,000	0
State Park Survey	150,000	0
Recreation Mapping	75,000	0
Traffic Counters	75,000	0
International Peace Garden Projects	2,000,000	0
Parks Infrastructure	0	9,885,000
Park Deferred Maintenance Legacy Fund Earnings	0	10,000,000
Park District Infrastructure Grants	0	20,600,000
Total All Funds	\$5,311,126	\$40,485,000
Less Estimated Income	\$5,311,126	\$40,485,000
Total General Fund	\$ 0	\$ 0

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

**SECTION 3. GAME AND FISH OPERATING FUND - TRANSFER - BOAT RAMP OPERATION AND MAINTENANCE.** The sum of \$122,000 or so much of the sum as may be necessary, included in the park operations and maintenance line item in subdivision 1 of section 1 of this Act, is from the game and fish operating fund, or federal or other funds available to the game and fish department, and must be transferred to the parks and recreation department for maintenance, operating, and extraordinary repairs expenses relating to boat ramps at state parks for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. ADDITIONAL INCOME - APPROPRIATION.** In addition to the amounts appropriated in section 1 of this Act, any additional federal or other funds that become available are appropriated to the parks and recreation department for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 5. EXEMPTION.** Any funds remaining in the international peace garden line for repair of the peace tower at the International Peace Garden, in subdivision 2 of section 30 of chapter 15 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended funds are available for capital projects during the biennium beginning July 1, 2021 and ending June 30, 2023. Funding available for use by the International Peace Garden in this section will be subject to the International Peace Garden raising one to one matching funds from non-state of North Dakota sources consistent with the 2013 North Dakota legislative language. The parks and recreation department shall review and accept engineering proposals and specifications before committing additional funds to the project and shall assist with bidding and construction of any work associated with this section.

**SECTION 6. EXEMPTION.** Any funds remaining for parks enhancements in subdivision 1 of section 1 of chapter 53 of the 2015 Session Laws is not subject to section 54-44.1-11 and any unexpended funds are available for park enhancement projects during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 7. CONVEYANCE OF LAND AND BUILDINGS – LEWIS AND CLARK INTERPRETIVE CENTER – EXEMPTION.** The State of North Dakota, by and through the North Dakota parks and recreation department shall convey ownership of the Lewis and Clark interpretive center and surrounding real property to the state historical society. Sections 54-01-05.2 and 54-01-05.5 do not apply to this conveyance.

**SECTION 8.** Section 55-08-20 of the North Dakota Century Code is created and enacted as follows:

**Section 55-08-20 Parks Matching Grant Program – Continuing Appropriation.**

Subject to legislative appropriations, each biennium during the period beginning July first of each odd-numbered year and ending December thirty-first of each even-numbered year. North Dakota parks and recreation shall utilize one dollar in matching funds for every one dollar raised by a non-state entity for the purpose of capital projects dedicated to the improvement of North Dakota State parks and recreation managed properties. Any funds utilized pursuant to this section are appropriated on a continuing basis to the North Dakota parks and recreation for capital projects.

**SECTION 9. STATE PARKS MATCHING GRANT PROGRAM.** The department of parks and recreation is authorized to use up to \$10,000,000, or however much is available, of the amount transferred to the park gift fund from Legacy fund earnings at the end of the 2019-21 biennium, pursuant to 2021 House Bill 1015 to establish a state parks matching grant program as provided in section 8 of this Act.

**GOVERNOR'S RECOMMENDATION FOR THE STATE WATER COMMISSION**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from federal funds and other income, to the state water commission for the purpose of defraying the expenses of the state water commission, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$ 19,831,986	\$ 851,158	\$ 20,683,144
Operating Expenses	26,619,003	16,747,547	43,366,550
Capital Assets	145,872,567	19,412,210	165,284,777
Project Carryover	308,333,818	(12,970,635)	295,363,183
Water Supply - Grants	105,302,941	(51,137,064)	54,165,877
Rural Water Supply - Grants	37,200,000	(16,974,087)	20,225,913
Fargo Area Flood Control (including the Fargo Moorhead Diversion)	66,500,000	(66,500,000)	0
Mouse River Flood Control	82,500,000	(82,500,000)	0
Flood Control Projects (other than Fargo Area Flood Control including the Fargo Moorhead Diversion)	48,000,000	46,630,512	94,630,512
General Water - Grants	<u>27,093,776</u>	<u>(11,766,501)</u>	<u>15,327,275</u>
Total Special Funds	\$867,254,091	(\$158,206,860)	\$709,047,231
Full-Time Equivalent Positions	90.00	0.00	90.00

**SECTION 2. ONE-TIME FUNDING – EFFECT ON BASE BUDGET – REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the grand total appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Line of Credit – Bank Of North Dakota	\$ 75,000,000	\$75,000,000
Payoff of Outstanding Debt	<u>25,900,000</u>	<u>0</u>
Total Special Funds	\$100,900,000	\$75,000,000

**SECTION 3. ADDITIONAL INCOME - APPROPRIATION.** In addition to the amounts included in the estimated income line item in section 1 of this Act, any additional amounts in the resources trust fund that become available are appropriated to the state water commission for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. GRANTS - WATER-RELATED PROJECTS - CARRYOVER AUTHORITY.** Section 54-44.1-11 does not apply to funding for grants or water-related projects included in the capital assets, project carryover, water supply – grants, rural water supply – grants, Fargo area flood control including the Fargo Moorhead diversion, Mouse River flood control,

flood control projects other than Fargo area flood control including the Fargo Moorhead diversion, and general water – grants line items in section 1 of this Act. However, this exclusion is only in effect for two years after June 30, 2023. Any unexpended funds appropriated from the resources trust fund after that period has expired must be transferred to the resources trust fund.

**SECTION 5. LINE ITEM TRANSFERS.** The chief engineer/secretary of the state water commission may transfer between the salaries and wages, operating, capital assets, project carryover, water supply – grants, rural water supply – grants, Fargo area flood control including the Fargo Moorhead diversion, Mouse River flood control, flood control projects other than Fargo area flood control including the Fargo Moorhead diversion, and general water – grants line items in Section 1 of this Act when it is cost-effective for construction of water projects. The state water commission shall notify the office of management and budget of any transfers made pursuant to this section.

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

**61-02-79. Bank of North Dakota - Line of credit.** The Bank of North Dakota shall extend a line of credit not to exceed seventy-five million dollars at a rate of one and one-half percent over the three month London interbank offered rate but may not exceed three percent to the state water commission. The state water commission shall repay the line of credit from funds available in the resources trust fund or other funds, as appropriated by the legislative assembly. The state water commission may access the line of credit, as necessary, to provide funding as authorized by the legislative assembly for water supply projects approved before June 30, ~~2024~~2023 and flood control projects that have approval for funding before June 30, ~~2024~~2023.

**SECTION 7. BANK OF NORTH DAKOTA LINE OF CREDIT.** The sum of \$75,000,000, or so much of the sum as necessary, from a Bank of North Dakota line of credit included in section 6 of this Act, may be transferred to the state water commission for the purpose of funding water projects for the biennium beginning July 1, 2021 and ending June 30, 2023.

#### **GOVERNOR'S RECOMMENDATION FOR WORKFORCE SAFETY AND INSURANCE**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from the workforce safety and insurance fund in the state treasury, not otherwise appropriated, to workforce safety and insurance, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Workforce Safety and Insurance Operations	<u>\$60,887,872</u>	<u>\$12,573,010</u>	<u>\$73,460,852</u>
Total Special Funds	\$60,887,842	\$12,573,010	\$73,460,852
Full-time Equivalent Positions	260.14	(12.00)	248.14

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation of section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
CAPS Software Replacement Project	\$7,010,000	\$ 7,500,000
Extranet Computer Project	850,000	3,050,000
Building Energy Updates	<u>0</u>	<u>514,000</u>
Total Other Funds	\$7,860,000	\$11,064,000

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

**GOVERNOR'S RECOMMENDATION FOR THE  
RETIREMENT AND INVESTMENT OFFICE**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys from special funds derived from income for the purpose of defraying their expenses, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$4,928,230	\$345,965	\$5,274,195
Operating Expenses	888,934	(34,811)	854,123
Contingencies	52,000	0	52,000
Total All Funds	\$5,869,164	\$311,154	\$6,180,318
Less Estimated Income	5,869,164	311,154	6,180,318
Total General Fund	\$ 0	\$ 0	\$ 0
Full-time Equivalent Positions	20.00	0.00	20.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
TFFR Pension Administration System	\$9,000,000	\$ 0
Total Special Funds	\$9,000,000	\$ 0

**SECTION 3. APPROPRIATION LINE ITEM TRANSFERS.** Upon approval of the state investment board, the retirement and investment office may transfer from their contingency line item in section 1 of this Act to all other line items. The agency shall notify the office of management and budget of each transfer made pursuant to this section.

**SECTION 4. EXEMPTION.** The amount appropriated in section 1 of chapter 47 of the 2019 session laws for the pension administration system project is not subject to section 54-44.1-11 and any unexpended funds are available for completing the project during the biennium beginning July 1, 2021 and ending June 30, 2023.

**GOVERNOR'S RECOMMENDATION FOR THE  
PUBLIC EMPLOYEES RETIREMENT SYSTEM**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys from special funds derived from income for the purpose of defraying their expenses, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$6,652,604	\$450,159	\$ 7,102,763
Operating Expenses	2,443,592	54,157	2,497,749
Capital Assets	0	257,600	257,600
Contingencies	250,000	0	250,000
Total All Funds	\$9,346,196	\$761,916	\$10,108,112
Less Estimated Income	9,346,196	761,916	10,108,112
Total General Fund	\$ 0	\$ 0	\$ 0
Full-time Equivalent Positions	34.50	1.00	35.50

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
IT Risk Assessment	\$ 40,000	\$ 0

Upgrade Business System	190,000	0
Upgrade PERSLink to BPM	0	257,600
Additional Development Resources	0	104,500
Total Special Funds	\$230,000	\$362,100

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

**SECTION 3. APPROPRIATION LINE ITEM TRANSFERS.** Upon approval of the board, the public employees retirement system may transfer from their contingency line item in section 1 of this Act to all other line items. The agency shall notify the office of management and budget of each transfer made pursuant to this section.

#### GOVERNOR'S RECOMMENDATION FOR THE ETHICS COMMISSION

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury not otherwise appropriated, to the ethics commission for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Ethics Commission	\$517,155	\$136,519	\$653,674
Total General Fund	\$517,155	\$136,519	\$653,674
Full-time Equivalent Positions	2.00	0.00	2.00

#### LEGISLATIVE BRANCH REQUEST WITH THE GOVERNOR'S RECOMMENDATION FOR STATE EMPLOYEE COMPENSATION CHANGES AND RENT

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from the insurance regulatory trust fund, not otherwise appropriated, to the legislative branch of state government for the purpose of defraying the expenses of the legislative branch of state government, for the fiscal period beginning with the effective date of this Act and ending June 30, 2023, as follows:

##### Subdivision 1.

#### SIXTY-SEVENTH AND SIXTY-EIGHTH LEGISLATIVE ASSEMBLIES AND BIENNIUM

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$11,190,844	\$1,110,150	\$12,300,994
Operating expenses	3,847,478	3,904,389	7,751,867
Capital assets	6,000	0	6,000
National conference of state legislatures	263,433	7,900	271,333
Total general fund	\$15,307,755	\$5,022,439	\$20,330,194

##### Subdivision 2.

#### LEGISLATIVE MANAGEMENT AND LEGISLATIVE COUNCIL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$9,965,717	\$2,469,002	\$12,434,719
Operating expenses	2,988,601	586,058	3,574,659
Capital assets	6,000	0	6,000
Total all funds	\$12,960,318	\$3,055,060	\$16,015,378
Less estimated income	70,000	(1)	69,999



Total general fund	\$12,890,318	\$3,055,061	\$15,945,379
Full-time equivalent positions	36.00	8.00	44.00

Subdivision 3.

#### TOTAL - SECTION 1

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$28,198,073	\$8,077,500	\$36,275,573
Grand total special funds	70,000	(1)	69,999
Grand total all funds	\$28,268,073	\$8,077,499	\$36,345,572

**SECTION 2. LEGISLATIVE ASSEMBLY ONE TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Digital signage replacement	\$40,000	\$0
Voting system upgrades	100,000	0
Computer and iPad replacement	517,760	0
Redistricting	0	83,114
Information technology expansion	0	1,450,000
Total all funds	\$657,760	\$1,533,114
Less estimated income	140,000	0
Total general fund	\$517,760	\$1,533,114

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

**SECTION 3. LEGISLATIVE MANAGEMENT AND LEGISLATIVE COUNCIL ONE TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Redistricting equipment	\$22,400	\$0
Computer replacement	124,856	0
Council of state governments conference	7,500	0
Information technology expansion	0	48,000
Public webpage design	0	150,000
Total general fund	\$154,756	\$198,000

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

**SECTION 4. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer appropriation authority between line items of the legislative management and legislative council as may be requested by the chairman of the legislative management or the director of the legislative council upon the finding by the chairman or the director that the nature of studies and duties assigned to the legislative management or legislative council requires the transfers in properly carrying on the legislative management's and legislative council's functions and duties. The director of the office of management and budget shall similarly make transfers of appropriation authority between the line items for the sixty-seventh and sixty-eighth legislative assemblies, upon request by the chairman of the legislative management or the

director of the legislative council upon the finding by the chairman or director that the transfers are required for the legislative assembly to carry on its functions and duties.

**SECTION 5. APPLICATION, TRANSFER AUTHORITY, AND CANCELLATION OF UNEXPENDED APPROPRIATIONS.** Sections 54-16-04 and 54-44.1-11 do not apply to chapter 1 of the 2019 Session Laws. The director of the office of management and budget shall make transfers of appropriation authority between the line items and the agencies of the legislative branch within section 1 of that chapter as requested by the chairman of the legislative management or the director of the legislative council. The office of management and budget shall cancel unexpended appropriations for the legislative assembly and legislative council enacted prior to the 2019-21 biennium as directed by the chairman of the legislative management or the director of the legislative council.

**SECTION 6. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-20. Compensation and expense reimbursement of members of the legislative assembly.**

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of ~~one hundred eighty-six~~ one hundred eighty-eight dollars through June 30, 2022, and one hundred ninety-two dollars thereafter for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
2.
  - a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times seventy percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.
  - b. Notwithstanding subdivision a:
    - (1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.
    - (2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a.
3.
  - a. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and

one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.

- b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed the maximum monthly reimbursement allowed under subdivision a of subsection 2.
4. The amount to which each legislator is entitled must be paid following the organizational session in December and each month upon submission of a voucher and appropriate documentation during a regular or special session, consistent with section 26 of article XI of the constitution of North Dakota.
5. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.
6. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.
7.
  - a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of ~~five-hundred-eighteen~~five hundred twenty-three dollars through June 30, 2022, and five hundred thirty-three dollars thereafter a month, paid monthly.
  - b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
  - c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of ~~three-hundred-seventy-one~~three hundred seventy-five dollars through June 30, 2022, and three hundred eighty-three dollars thereafter per month during the biennium for their execution of public duties.
8. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].

9. Before each regular legislative session, the legislative management shall make recommendations and submit any necessary legislation to adjust legislative compensation amounts.

**SECTION 7. AMENDMENT.** Section 54-35-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-35-10. Compensation of members and leadership.**

1. The members of the legislative management and the members of any committee of the legislative management are entitled to be compensated for the time spent in attendance at sessions of the legislative management and of its committees at the rate of ~~one hundred eighty-six~~ one hundred eighty-eight dollars through June 30, 2022, and one hundred ninety-two dollars thereafter per day and must also be paid for expenses incurred in attending said meetings and in the performance of their official duties in the amounts provided by law for other state officers.
2. In addition to the compensation provided in subsection 1, the chairman of the legislative management is entitled to receive an additional five dollars for each day spent in attendance at sessions of the legislative management and of its committees, and the chairman of each of the legislative management's committees is entitled to receive five dollars for each day spent in attendance at sessions of the legislative management or of the committee which the person chairs.

**SECTION 8. EMERGENCY.** This Act is declared to be an emergency measure.

**JUDICIAL BRANCH REQUEST WITH THE GOVERNOR'S RECOMMENDATION FOR STATE EMPLOYEE COMPENSATION CHANGES AND RENT**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the judicial branch for the purpose of defraying the expenses of the judicial branch, for the biennium beginning July 1, 2021, and ending June 30, 2023 as follows:

Subdivision 1.

SUPREME COURT

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$11,338,720	(\$55,661)	\$11,283,059
Operating expenses	2,705,762	400,262	3,106,024
Capital assets	0	2,032,000	2,032,000
Guardianship monitoring program	<u>283,042</u>	<u>5,462</u>	<u>288,504</u>
Total general fund	\$14,327,524	\$2,382,063	\$16,709,587

Subdivision 2.

DISTRICT COURTS

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$73,242,268	\$4,410,569	\$77,652,837
Operating expenses	20,396,902	(465,746)	19,931,156
Capital assets	0	2,328,000	2,328,000
Judges' retirement	<u>280,332</u>	<u>(66,086)</u>	<u>214,246</u>
Total all funds	\$93,919,502	\$6,206,737	\$100,126,239
Less estimated income	<u>1,659,596</u>	<u>32,362</u>	<u>1,691,958</u>
Total general fund	\$92,259,906	\$6,174,375	\$98,434,281

## Subdivision 3.

## JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Judicial conduct commission and disciplinary board	\$1,250,962	\$74,881	\$1,325,843
Total all funds	\$1,250,962	\$74,881	1,325,843
Less estimated income	482,701	19,799	502,500
Total general fund	\$768,261	\$55,082	\$823,343

## Subdivision 4.

## BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$107,355,691	\$8,611,520	\$115,967,211
Grand total special funds	2,142,297	52,161	2,194,458
Grand total all funds	\$109,497,988	\$8,663,681	\$118,161,669
Full-time equivalent positions	363	0	363

**SECTION 2. ONE-TIME FUNDING -REPORT TO SIXTY-EIGHTH LEGISLATIVE**

**ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items in section 1 of this Act:

<u>One-time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Copy machines	\$82,500	\$0
Audio and visual equipment	64,852	0
Supreme court law library remodel	970,000	0
Juvenile case management system	0	2,000,000
Supreme court docket management system	0	2,000,000
Wi-Fi access points installation	0	157,600
Zoom remote video equipment	0	360,000
Total all funds	\$1,117,352	\$4,517,600
Less estimated income	970,000	0
Total general fund	\$147,352	\$4,517,600

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

**SECTION 3. APPROPRIATION.** There are appropriated any funds received by the supreme court, district courts, and judicial conduct commission and disciplinary board, not otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the purpose as designated in the federal acts or private gifts, grants, and donations for the period beginning July 1, 2021, and ending June 30, 2023.

**SECTION 4. TRANSFERS.** The director of the office of management and budget shall transfer appropriation authority between line items in section 1 of this Act as requested by the supreme court upon a finding by the court that the nature of the duties of the court and its staff requires the transfers to carry on properly the functions of the judicial branch of government.

**SECTION 5. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is amended and reenacted as follows:

**27-02-02. Salaries of justices of supreme court.** The annual salary of each justice of the supreme court is ~~one hundred fifty-nine thousand four hundred nine dollars through June 30, 2020~~ one hundred sixty-six thousand six hundred sixty-two dollars through June 30, 2022, and ~~one hundred sixty-three thousand three hundred ninety-four~~ one hundred sixty-nine thousand nine hundred ninety-five dollars thereafter. The chief justice of the supreme court is entitled to receive an additional ~~four thousand five hundred eight dollars per annum through June 30, 2020~~ four thousand seven hundred thirteen dollars per annum through June 30, 2022, and ~~four thousand six hundred twenty-one~~ four thousand eight hundred eight dollars per annum thereafter.

**SECTION 6. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is amended and reenacted as follows:

**27-05-03. Salaries and expenses of district judges.** The annual salary of each district judge is ~~one hundred forty-six thousand two hundred sixty-nine dollars through June 30, 2020~~ one hundred fifty-two thousand nine hundred twenty-five dollars through June 30, 2022, and ~~one hundred forty-nine thousand nine hundred twenty-six~~ one hundred fifty-five thousand nine hundred eighty-three dollars thereafter. Each district judge is entitled to travel expenses, including mileage and subsistence while engaged in the discharge of official duties outside the city in which the judge's chambers are located. The salary and expenses are payable monthly in the manner provided by law. A presiding judge of a judicial district is entitled to receive an additional ~~four thousand one hundred fifty-six dollars per annum through June 30, 2020~~ four thousand three hundred forty-five dollars per annum through June 30, 2022, and ~~four thousand two hundred sixty~~ four thousand four hundred thirty-two dollars thereafter.

### GOVERNOR'S RECOMMENDATION FOR THE NORTH DAKOTA UNIVERSITY SYSTEM

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the North Dakota university system office and to the various entities and institutions under the supervision of the state board of higher education for the purpose of defraying the expenses of the North Dakota university system office and to the various entities for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

Subdivision 1.

#### NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Capital Assets	\$ 4,959,448	\$ 8,425,816	\$ 13,385,264
Student Financial	23,917,306	2,400,000	26,317,306
Veterans Assistance Grants	277,875	0	277,875
Nd Scholars Program	1,807,115	0	1,807,115
Native American	555,323	0	555,323
Core Technology Services	62,286,128	(2,136,339)	60,149,789
Education Challenge Fund	0	10,000,000	10,000,000
Education Incentive	260,000	0	260,000
Tribally-Controlled	1,000,000	0	1,000,000
Academic and Tech Ed	12,016,749	4,200,000	16,216,749
Student Exchange Program	3,699,342	0	3,699,342
NASA Epscor	342,000	0	342,000
Student Mental Health	284,400	(21,330)	263,070
Competitive Research	5,685,750	0	5,685,750
System Governance	8,737,867	(276,427)	8,461,440
Shared Campus Services	500,000	(37,500)	462,500
Tier II Capital Building	0	10,000,000	10,000,000
Tier III Capital Building	0	9,000,000	9,000,000
Total All Funds	\$126,329,303	\$41,554,220	\$167,883,523
Less Estimated Income	<u>24,002,206</u>	<u>19,290,315</u>	<u>43,292,521</u>

Total General Fund	\$102,327,097	\$22,263,905	\$124,591,002
Full-Time Equivalent	158.83	0.00	158.83

Subdivision 2.

## BISMARCK STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$ 98,743,682	(\$3,910,521)	\$94,833,161
Capital Assets	<u>1,922,561</u>	<u>0</u>	<u>1,922,561</u>
Total All Funds	\$100,666,243	(\$3,910,521)	\$96,755,722
Less Estimated Income	<u>65,598,016</u>	<u>799,077</u>	<u>70,397,093</u>
Total General Fund	\$ 31,068,227	(\$4,709,598)	\$26,358,629
Full-Time Equivalent	332.90	0.00	332.90

Subdivision 3.

## LAKE REGION STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$37,559,127	\$ 50,382	\$37,609,509
Capital Assets	<u>362,667</u>	<u>0</u>	<u>362,667</u>
Total All Funds	\$37,921,794	\$ 50,382	\$37,972,176
Less Estimated Income	<u>24,976,514</u>	<u>300,801</u>	<u>25,277,315</u>
Total General Fund	\$12,945,280	(\$250,419)	\$12,694,861
Full-Time Equivalent	115.76	0.00	115.76

Subdivision 4.

## WILLISTON STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$32,596,060	(\$587,176)	\$32,008,884
Capital Assets	<u>1,261,968</u>	<u>0</u>	<u>1,261,968</u>
Total All Funds	\$33,858,028	(\$587,176)	\$33,270,852
Less Estimated Income	<u>23,790,285</u>	<u>241,967</u>	<u>24,032,252</u>
Total General Fund	\$10,067,743	(\$829,143)	\$ 9,238,600
Full-Time Equivalent	101.29	0.00	101.29

Subdivision 5.

## UNIVERSITY OF NORTH DAKOTA

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$888,106,266	(\$ 6,328,013)	\$881,778,253
Capital Assets	<u>4,411,566</u>	<u>7,942,844</u>	<u>12,354,410</u>
Total All Funds	\$892,517,832	\$ 1,614,831	\$894,132,663
Less Estimated Income	<u>744,185,677</u>	<u>12,115,811</u>	<u>756,301,488</u>
Total General Fund	\$148,332,155	(\$10,500,980)	\$137,831,175
Full-Time Equivalent	2,132.17	(72.19)	2,059.98

Subdivision 6.

## NORTH DAKOTA STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$743,775,571	(\$1,171,511)	\$742,604,060
Capital Assets	<u>7,799,104</u>	<u>14,397,628</u>	<u>22,196,732</u>
Total All Funds	\$751,574,675	\$13,226,117	\$764,800,792
Less Estimated Income	<u>618,859,692</u>	<u>20,799,767</u>	<u>639,659,459</u>
Total General Fund	\$132,714,983	(\$7,573,650)	\$125,141,333
Full-Time Equivalent	1,870.16	(40.73)	1,829.43

Subdivision 7.

#### NORTH DAKOTA STATE COLLEGE OF SCIENCE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$95,725,411	(\$3,166,632)	\$92,558,779
Capital Assets	<u>1,012,379</u>	<u>0</u>	<u>1,012,379</u>
Total All Funds	\$96,737,790	(\$3,166,632)	\$93,571,158
Less Estimated Income	<u>60,195,768</u>	<u>624,834</u>	<u>60,820,602</u>
Total General Fund	\$36,542,022	(\$3,791,466)	\$32,750,556
Full-Time Equivalent	311.61	0.00	311.61

Subdivision 8.

#### DICKINSON STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$48,560,994	\$ 138,948	\$48,699,942
Capital Assets	<u>409,078</u>	<u>0</u>	<u>409,078</u>
Total All Funds	\$48,970,072	\$ 138,948	\$49,109,020
Less Estimated Income	<u>30,577,009</u>	<u>405,744</u>	<u>30,982,753</u>
Total General Fund	\$18,393,063	(\$266,796)	\$18,126,267
Full-Time Equivalent	213.26	(37.76)	175.50

Subdivision 9.

#### MAYVILLE STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$47,719,555	\$1,266,987	\$48,986,542
Capital Assets	<u>358,992</u>	<u>50,129</u>	<u>409,121</u>
Total All Funds	\$48,078,547	\$1,317,116	\$49,395,663
Less Estimated Income	<u>31,657,931</u>	<u>538,538</u>	<u>32,196,469</u>
Total General Fund	\$16,420,616	\$ 778,578	\$17,199,194
Full-Time Equivalent	230.35	0.00	230.35

Subdivision 10.

#### MINOT STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$102,325,073	(\$1,736,888)	\$100,588,185
Capital Assets	<u>1,099,620</u>	<u>0</u>	<u>1,099,620</u>
Total All Funds	\$103,424,693	(\$1,736,888)	\$101,687,805
Less Estimated Income	<u>63,528,000</u>	<u>482,842</u>	<u>64,010,842</u>



Total General Fund	\$ 39,896,693	(\$2,219,730)	\$ 37,676,963
Full-Time Equivalent	403.04	0.00	403.04

Subdivision 11.

## VALLEY CITY STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$48,176,928	(\$1,785,631)	\$46,391,297
Capital Assets	<u>455,823</u>	<u>54,622</u>	<u>510,445</u>
Total All Funds	\$48,632,751	(\$1,731,009)	\$46,901,742
Less Estimated Income	<u>25,973,818</u>	<u>376,364</u>	<u>26,350,182</u>
Total General Fund	\$22,658,933	(\$2,107,373)	\$20,551,560
Full-Time Equivalent	202.77	0.00	202.77

Subdivision 12.

## DAKOTA COLLEGE AT BOTTINEAU

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$21,440,606	\$1,256,597	\$22,697,203
Capital Assets	<u>114,007</u>	<u>4,000,000</u>	<u>4,114,007</u>
Total All Funds	\$21,554,613	\$5,256,597	\$26,811,210
Less Estimated Income	<u>13,813,787</u>	<u>4,370,934</u>	<u>18,184,721</u>
Total General Fund	\$ 7,740,826	\$ 885,663	\$ 8,626,489
Full-Time Equivalent	82.29	9.57	91.86

Subdivision 13.

## UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$213,244,364	\$1,049,505	\$214,293,869
Healthcare Workforce	<u>10,676,150</u>	<u>0</u>	<u>10,676,150</u>
Total All Funds	\$223,920,514	\$1,049,505	\$224,970,019
Less Estimated Income	<u>159,037,011</u>	<u>1,867,679</u>	<u>160,904,690</u>
Total General Fund	\$ 64,883,503	(\$818,174)	\$ 64,065,329
Full-Time Equivalent	492.67	0.00	492.67

Subdivision 14.

## NORTH DAKOTA FOREST SERVICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$15,223,336	(\$116,603)	\$15,106,733
Capital Assets	<u>118,728</u>	<u>0</u>	<u>118,728</u>
Total All Funds	\$15,342,064	(\$116,603)	\$15,225,461
Less Estimated Income	<u>10,665,400</u>	<u>3,590</u>	<u>10,668,990</u>
Total General Fund	\$ 4,676,664	(\$120,193)	\$ 4,556,471
Full-Time Equivalent	28.00	0.00	28.00

Subdivision 15.

BILL TOTAL

	Base Level	Adjustments or Enhancements	Appropriation
Grand Total General Fund	\$ 648,667,805	(\$ 9,259,376)	\$ 639,408,429
Grand Total Special Funds	<u>1,900,861,114</u>	<u>62,218,263</u>	<u>1,963,079,377</u>
Grand Total All Funds	\$2,549,528,919	\$52,958,887	\$2,602,487,806

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Capital Projects – Other Funds	\$230,300,000	\$18,000,000
Education Challenge Grants	9,400,000	10,000,000
School of Law Matching Grants	250,000	0
Tier II and Tier III Capital Building Funds	29,000,000	19,000,000
Theodore Roosevelt Digitization	200,000	0
University of North Dakota Campus Network Upgrades	1,500,000	0
North Dakota State University Campus Network Upgrades	1,500,000	0
North Dakota State University Construction Litigation	<u>0</u>	<u>125,000</u>
Total All Funds	\$272,150,000	\$47,125,000
Total Other Funds	<u>260,300,000</u>	<u>37,000,000</u>
Total General Fund	\$ 11,850,000	\$10,125,000

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

**SECTION 3. AMENDMENT.** Section 15-10-48 of the North Dakota Century Code is amended and reenacted as follows:

**15-10-48. Advancement of academics - Matching grants - University of North Dakota and North Dakota state university.**

1. a. Subject to legislative appropriations, each biennium during the period beginning July first of each odd-numbered year and ending December thirty-first of each even-numbered year, the state board of higher education shall award one dollar in matching grants for every two dollars raised by the institutional foundations of the university of North Dakota and North Dakota state university for projects dedicated exclusively to the advancement of academics.
- b. To be eligible for a matching grant, an institution must demonstrate that:
  - (1) Its foundation has raised at least fifty thousand dollars in cash or monetary pledges for a qualifying project; and
  - (2) The project has been approved by the grant review committee established in section 15-10- 51.
- c. The board may award ~~up to one million seven hundred thousand dollars in~~ matching grants to each institution based on total completed credit-hours, as determined under section 15-18.2-01, and as set forth in this section. The matching grant funding is allocated as follows:

- 
- (1) Thirty percent of available funds for the institutions with less than 100,000 completed credit hours;
  - (2) Thirty percent of available funds for institutions with 100,000 to 599,999 completed credit hours; and
  - (3) Forty percent of available funds for institutions with more than 599,999 completed credit hours.
- d. Projects at the university of North Dakota school of medicine and health sciences are not eligible to receive a grant under this section.
- 2.
    - a. If any available dollars have not been awarded by the board before January first of each odd- numbered year, in accordance with subsection 1, either the university of North Dakota or North Dakota state university may apply for an additional matching grant.
    - b. An application submitted under this subsection must meet the same criteria as an original application.
    - c. The board shall consider each application submitted under this subsection in chronological order.
    - d. If the remaining dollars are insufficient to provide a matching grant in the amount of one dollar for every two dollars raised by the institutional foundation, the board shall award a lesser amount.
  - 3. The state board of higher education shall retain up to one-quarter of one percent of any grant awarded under this section to assist with administrative expenses incurred in the grant review process.

**SECTION 4. AMENDMENT.** Section 15-10-49 of the North Dakota Century Code is amended and reenacted as follows:

**15-10-49. Advancement of academics - Matching grants - Two-year and four-year institutions of higher education.**

- 1.
  - a. Subject to legislative appropriations, each biennium during the period beginning July first of each odd-numbered year and ending December thirty-first of each even-numbered year, the state board of higher education shall award one dollar in matching grants for every two dollars raised by the institutional foundations of Bismarck state college, Dakota college at Bottineau, Dickinson state university, Lake Region state college, Mayville state university, Minot state university, North Dakota state college of science, Valley City state university, and Williston state college for projects dedicated exclusively to the advancement of academics.
  - b. To be eligible for a matching grant, an institution must demonstrate that:
    - (1) Its foundation has raised at least twenty-five thousand dollars in cash or monetary pledges for a qualifying project; and
    - (2) The project has been approved by the grant review committee established in section 15-10- 51.
  - c. The board may award up to matching grants to each institution based on total completed credit- hours, as determined under

section 15-18.2-01, and as set forth in this section. The matching grant award dollar amounts are:

- (1) ~~Nine hundred fifty thousand dollars each to Bismarck state college, Minot state university and the North Dakota state college of science~~ Thirty percent of available funds for the institutions with less than 100,000 completed credit hours;
  - (2) ~~Seven hundred thousand dollars each to Dickinson state university, Mayville state university, and Valley City state university~~ Thirty percent of available funds for institutions with 100,000 to 599,999 completed credit hours; and
  - (3) ~~Three hundred fifty thousand dollars each to Dakota college at Bottineau, Lake Region state college, and Williston state college~~ Forty percent of available funds for institutions with more than 599,999 completed credit hours.
2.
    - a. If any available dollars have not been awarded by the board before January first of each odd- numbered year, in accordance with subsection 1, any institution listed in subsection 1 may apply for an additional matching grant.
    - b. An application submitted under this subsection must meet the same criteria as an original application.
    - c. The board shall consider each application submitted under this subsection in chronological order.
    - d. If the remaining dollars are insufficient to provide a matching grant in the amount of one dollar for every two dollars raised by the institutional foundation, the board shall award a lesser amount.
  3. The state board of higher education shall retain up to one-quarter of one percent of any grant awarded under this section to assist with administrative expenses incurred in the grant review process.

**SECTION 5. AMENDMENT.** Section 15-18.2-05 of the North Dakota Century Code is amended and reenacted as follows:

**15-18.2-05. Base funding - Determination of state aid.**

In order to determine the state aid payment to which each institution under its control is entitled, the state board of higher education shall multiply the product determined under section 15-18.1-04 by a base amount of:

1. ~~\$60.87~~\$57.35 in the case of North Dakota state university and the university of North Dakota;
2. ~~\$90.98~~\$85.78 in the case of Dickinson state university, Mayville state university, Minot state university, and Valley City state university;
3. ~~\$97.06~~\$91.66 in the case of Bismarck state college, Dakota college at Bottineau, Lake Region state college, and North Dakota state college of science; and Williston state college.

**SECTION 6. AMENDMENT.** Section 54-44.1-11 of the North Dakota Century Code is amended and reenacted as follows:

**54-44.1-11. Office of management and budget to cancel unexpended appropriations - When they may continue. (Effective through July 31, 2024~~2023~~)**

Except as otherwise provided by law, the office of management and budget, thirty days after the close of each biennial period, shall cancel all unexpended appropriations or balances of appropriations after the expiration of the biennial period during which they became available under the law. Unexpended appropriations for the state historical society are not subject to this section and the state historical society shall report on the amounts and uses of funds carried over from one biennium to the appropriations committees of the next subsequent legislative assembly. Unexpended appropriations for the North Dakota university system are not subject to this section and the North Dakota university system shall report on the amounts and uses of funds carried over from one biennium to the next to subsequent appropriations committees of the legislative assembly. The chairmen of the appropriations committees of the senate and house of representatives of the legislative assembly with the office of the budget may continue appropriations or balances in force for not more than two years after the expiration of the biennial period during which they became available upon recommendation of the director of the budget for:

1. New construction projects.
2. Major repair or improvement projects.
3. Purchases of new equipment costing more than ten thousand dollars per unit if it was ordered during the first twelve months of the biennium in which the funds were appropriated.
4. The purchase of land by the state on a "contract for deed" purchase if the total purchase price is within the authorized appropriation.
5. Purchases by the department of transportation of roadway maintenance equipment costing more than ten thousand dollars per unit if the equipment was ordered during the first twenty-one months of the biennium in which the funds were appropriated.
6. Authorized ongoing information technology projects.

**Office of management and budget to cancel unexpended appropriations - When they may continue. (Effective after July 31, 20242023)** The office of management and budget, thirty days after the close of each biennial period, shall cancel all unexpended appropriations or balances of appropriations after the expiration of the biennial period during which they became available under the law. Unexpended appropriations for the state historical society are not subject to this section and the state historical society shall report on the amounts and uses of funds carried over from one biennium to the appropriations committees of the next subsequent legislative assembly. The chairmen of the appropriations committees of the senate and house of representatives of the legislative assembly with the office of the budget may continue appropriations or balances in force for not more than two years after the expiration of the biennial period during which they became available upon recommendation of the director of the budget for:

1. New construction projects.
2. Major repair or improvement projects.
3. Purchases of new equipment costing more than ten thousand dollars per unit if it was ordered during the first twelve months of the biennium in which the funds were appropriated.
4. The purchase of land by the state on a "contract for deed" purchase if the total purchase price is within the authorized appropriation.
5. Purchases by the department of transportation of roadway maintenance equipment costing more than ten thousand dollars per unit if the equipment was ordered during the first twenty-one months of the biennium in which the funds were appropriated.
6. Authorized ongoing information technology projects.

**SECTION 7. ADDITIONAL FEDERAL, PRIVATE, AND OTHER FUNDS - APPROPRIATION.** All funds, in addition to those appropriated in section 1 of this Act, from federal, private, and other sources for competitive grants or other funds that the legislative assembly has not indicated the intent to reject, including tuition revenue, received by the state board of higher education and the institutions and entities under the control of the state board of higher education, are appropriated to the board and those institutions and entities, for the biennium beginning July 1, 2021 and ending June 30, 2023. All additional funds received under the North Dakota- Minnesota reciprocity agreement during the biennium beginning July 1, 2021 and ending June 30, 2023, are appropriated to the state board of higher education for reimbursement to institutions under the control of the board.

**SECTION 8. CAMPUS CAPITAL PROJECTS - PROJECT MANAGEMENT.** During the biennium beginning July 1, 2021 and ending June 30, 2023, each capital project authorized by the state board of higher education must have adequate project management oversight by either an institution official or a representative of an external entity. An institution may seek assistance from the university system office for project management oversight of a capital project.

**SECTION 9. UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES OPERATIONS.** The operations line item in subdivision 5 of section 1 of this Act includes a funding allocation from the higher education per student credit-hour funding formula attributable to inflation during the biennium beginning July 1, 2021 and ending June 30, 2023. Based on the recommendation of the commissioner of higher education a portion of the allocation may be transferred by the state board of higher education between the university of North Dakota school of medicine and health sciences and the university of North Dakota.

**SECTION 10. TRANSFER AUTHORITY.** If, during the biennium beginning July 1, 2021 and ending June 30, 2023, the state board of higher education determines that funds allocated to operations in section 1 of this Act are needed for capital assets, the board may transfer funds from operations to capital assets. The board shall report any transfer of funds under this section to the office of management and budget.

**SECTION 11. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** Notwithstanding any other provisions of law, the state board of higher education may adjust full-time equivalent positions as needed, subject to the availability of funds, for institutions and entities under its control during the biennium beginning July 1, 2021 and ending June 30, 2023. The North Dakota university system shall report any adjustments to the office of management and budget before the submission of the 2023-25 biennium budget request.

**SECTION 12. EXEMPTION – TIER III CAPITAL BUILDING FUND POOL.** The unexpended amount remaining for the Tier III capital building fund pool line in subdivision 1 of section 1 of chapter 3 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from these lines are available during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 13. EXEMPTION – CAPITAL BUILDING FUND.** The unexpended amount remaining for the capital building fund line in subdivisions 2 through 12 of section 1 of chapter 3 of the 2019 Session Laws are not subject to section 54-44.1-11 and any unexpended funds from these lines are available during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 14. USE OF EXTRAORDINARY REPAIRS FUNDING - MATCHING FUNDS.** The capital assets line items in subdivisions 2 through 12 of section 1 of this Act include funding from the general fund for institution extraordinary repairs. An institution shall provide two dollars of matching funds from operations or other sources for each one dollar of extraordinary repairs funding used for a project. An institution may not use tier II or tier III capital building fund moneys as matching funds under this section.

**SECTION 15. TIER II CAPITAL BUILDING FUND POOL - MATCHING FUNDS.** The tier II capital building fund pool in subdivision 1 of section 1 of this Act includes \$10,000,000 from bonding authority. Funding from the tier II capital building fund pool is to be allocated to each institution as follows:

Tier II Capital Building Fund

Bismarck State College	\$379,229
Lake Region State College	182,643
Williston State College	132,917
University of North Dakota	4,396,913
North Dakota State University	2,874,620
North Dakota State College of Science	471,187
Dickinson State University	278,686
Mayville State University	264,426
Minot State University	579,302
Valley City State University	315,966
Dakota College at Bottineau	<u>124,111</u>
Total	\$10,000,000

An institution shall provide one dollar of matching funds from operations or other sources for each one dollar from the tier II capital building fund pool. An institution may not use extraordinary repairs funding or tier III capital building fund moneys as matching funds under this section.

**SECTION 16. TIER III CAPITAL BUILDING FUND POOL - MATCHING FUNDS.** The tier III capital building fund pool in subdivision 1 of section 1 of this Act includes \$9,000,000 from bonding authority. Funding from the tier III capital building fund pool is to be allocated to each institution as follows:

	<u>Tier III Capital Building Fund</u>
Bismarck State College	\$500,000
Lake Region State College	500,000
Williston State College	500,000
University of North Dakota	2,250,000
North Dakota State University	2,250,000
North Dakota State College of Science	500,000
Dickinson State University	500,000
Mayville State University	500,000
Minot State University	500,000
Valley City State University	500,000
Dakota College at Bottineau	<u>500,000</u>
Total	\$9,000,000

An institution shall provide two dollars of matching funds from operations or other sources for each one dollar from the tier III capital building fund pool. An institution may not use extraordinary repairs funding or tier II capital building fund moneys as matching funds under this section. Any funds transferred to an institution pursuant to this section from the tier III capital building fund pool must be placed in that institution's capital building fund line item.

**SECTION 17. PROJECT AUTHORIZATIONS.** The public finance authority shall arrange for the funding of the projects authorized in this section, declared to be in the public interest, through the issuance of evidences of indebtedness under section 32 of 2021 House Bill No. 1015, beginning with the effective date of this Act, and ending June 30, 2023. The proceeds of the evidences of indebtedness are included in the appropriation in subdivision 6 of section 1 and subdivision 12 of section 1, beginning with the effective date of this Act, and ending June 30, 2023, for the following projects:

North Dakota State University Agriculture Products Development Center	\$14,000,000
Dakota College at Bottineau – Old Main Renovation	<u>2,000,000</u>
Total Special Funds	\$16,000,000

Dakota college at Bottineau may obtain and utilize local funds obtained from fundraising or other sources for the old main renovation project. The appropriation in subsection 12 of section 1 of this Act includes the sum of \$2,000,000, or so much of the sum as may be

necessary, from any local or other funds that may become available for this project for the period beginning with the effective date of this Act, and ending June 30, 2023.

**SECTION 18. EXEMPTION – PROJECT AUTHORIZATION – AGRICULTURE PRODUCTS DEVELOPMENT CENTER.** The unexpended amount remaining from general funds for the agriculture products development center in section 2 of chapter 53 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from that section is available during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 19. AMENDMENT.** Section 1 of chapter 53 of the 2019 Session Laws is amended and reenacted as follows:

**SECTION 1. PROJECT AUTHORIZATIONS - APPROPRIATION.** Subject to the provisions of this section, the industrial commission, acting as the North Dakota building authority, shall arrange for the funding of the project authorized in this section, declared to be in the public interest, through the issuance of evidences of indebtedness under chapter 54-17.2, beginning with the effective date of this Act and ending June 30, 2023. The industrial commission shall issue evidences of indebtedness under this section with the condition that lease rental payments need not begin until July 1, 2023. The authority of the industrial commission to issue evidences of indebtedness under this section ends June 30, 2023, but the industrial commission may continue to exercise all other powers granted to it under chapter 54-17.2 and this Act and comply with any covenants entered before that date. The proceeds of the evidences of indebtedness and other available funds are appropriated to the agency listed in this section, beginning with the effective date of this Act and ending June 30, 2023, for the following project:

North Dakota state university Dunbar Hall	\$40,000,000
Valley City state university Communications and Fine Arts Building project	30,000,000
North Dakota state university agriculture products development center	20,000,000
University of North Dakota Gamble Hall project	6,000,000
Dickinson state university Pulver Hall	4,000,000
Total	\$100,000,000

1. North Dakota state university may obtain and utilize local funds obtained from fundraising or other sources for the Dunbar Hall project. There is appropriated to North Dakota state university the sum of \$3,200,000, or so much of the sum as may be necessary, from any local or other funds that may become available for this project for the period beginning with the effective date of this Act, and ending June 30, 2021.
2. a. North Dakota state university may obtain and utilize local funds obtained from fundraising or other sources for the agriculture products development center project. There is appropriated to North Dakota state university the sum of \$20,000,000, or so much of the sum as may be necessary, from any local or other funds that may become available for this project for the period beginning with the effective date of this Act, and ending June 30, 2021.
- b. The industrial commission may issue evidences of indebtedness for the agriculture products development center project only if North Dakota state university certifies to the industrial commission and the director of the office of management and budget that \$20,000,000 of local and other funds has been obtained for the project or if North Dakota state university receives approval for a change in project scope from the legislative assembly or budget section pursuant to section 48-01.2-25.



- ~~3. a. The university of North Dakota may obtain and utilize local funds obtained from fundraising or other sources for the Gamble Hall project. There is appropriated to the university of North Dakota the sum of \$55,000,000, or so much of the sum as may be necessary, from any local or other funds that may become available for this project for the period beginning with the effective date of this Act, and ending June 30, 2021.~~
- ~~b. The industrial commission may issue evidences of indebtedness for the Gamble Hall project only if the university of North Dakota certifies to the industrial commission and the director of the office of management and budget that \$55,000,000 of local and other funds has been obtained for the project or if the university of North Dakota receives approval for a change in project scope from the legislative assembly or budget section pursuant to section 48-01.2-25.~~

### GOVERNOR'S RECOMMENDATION FOR THE STATE DEPARTMENT OF HEALTH

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state department of health for the purpose of defraying the expenses of the state department of health, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$37,719,574	\$3,537,368	\$41,256,942
Operating Expenses	32,398,526	(1,561,826)	30,836,700
Capital Assets	2,164,813	481,580	2,646,393
Grants	53,257,292	1,056,395	54,313,687
Tobacco Prevention	12,902,064	117,013	13,019,077
WIC Food Payments	19,780,000	120,000	19,900,000
COVID-19	0	95,187,577	95,187,577
Statewide Health Strategies	0	3,000,000	3,000,000
Total All Funds	\$158,222,269	\$101,938,107	\$260,160,376
Less Estimated Income	<u>121,951,679</u>	<u>49,328,954</u>	<u>171,280,633</u>
Total General Fund	\$ 36,270,590	\$52,609,153	\$ 88,879,743
Full-time Equivalent Positions	204.00	17.50	221.50

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
WIC System Upgrade	\$ 354,554	\$0
Microbiology Lab Capital Projects	1,220,00	0
Microbiology Lab IT Upgrades	483,000	0
Forensic Examiner IT Upgrades	0	910,000
COVID-19	0	84,232,061
Statewide Health Strategies	0	3,000,000
Total All Funds	\$2,057,554	\$88,142,061
Less Estimated Income	<u>1,967,554</u>	<u>41,790,738</u>
Total General Fund	\$90,000	\$46,351,323

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

**SECTION 3. INSURANCE TAX DISTRIBUTION FUND.** The estimated income line item included in section 1 of this Act includes \$1,125,000, or so much of the sum as may be necessary, to be made available to the state department of health from the insurance tax distribution fund for rural emergency medical services grants, for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. AUTHORITY TO BORROW FOR COVID RESPONSE COSTS.** The department of health, subject to the approval of the emergency commission, may borrow up to \$25,000,000 from the Bank of North Dakota for the purposes of responding to the COVID-19 public health emergency. any moneys borrowed from the Bank of North Dakota pursuant to this section are hereby appropriated and may be spent by the department of health for testing, contact tracing and other costs related to responding and mitigating the COVID-19 public health emergency. If at the end of the biennium the amount available to the department of health is insufficient to repay the Bank of North Dakota, the borrower shall request from the legislative assembly a deficiency appropriation sufficient for repayment of the amount borrowed plus interest.

#### GOVERNOR'S RECOMMENDATION FOR THE INDIAN AFFAIRS COMMISSION

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the Indian affairs commission for the purpose of defraying the expenses of the Indian affairs commission, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$ 870,079	\$26,136	\$ 896,215
Operating Expenses	<u>228,560</u>	<u>(12,689)</u>	<u>215,871</u>
Total General Fund	\$1,098,639	\$13,447	\$1,112,086
Full-time Equivalent Positions	4.00	0.00	4.00

#### GOVERNOR'S RECOMMENDATION FOR THE AERONAUTICS COMMISSION

**SECTION 1. APPROPRIATION.** The funds are provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the North Dakota aeronautics commission for the purpose of defraying the expenses of the North Dakota aeronautics commission, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$1,526,328	\$84,802	\$1,611,130
Operating Expenses	2,004,754	62,923	2,067,677
Capital Assets	0	0	0
Grants	<u>25,800,000</u>	<u>1,750,000</u>	<u>27,550,000</u>
Total All Funds	\$29,331,082	\$1,897,725	\$31,228,807
Less Estimated Income	<u>28,831,082</u>	<u>1,922,725</u>	<u>30,753,807</u>
Total General Fund	\$ 500,000	(\$25,000)	\$ 475,000
Full-time Equivalent Positions	7.00	0.00	7.00

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Airport Energy Impact Grants	<u>\$20,000,000</u>	<u>\$ 0</u>
Total Other Funds	\$20,000,000	\$ 0

**SECTION 3. EXEMPTION.** The estimated income line item in section 1 of chapter 6 of 2019 Session Laws includes \$20,000,000 from the airport infrastructure fund for the

aeronautics commission to provide grants to airports during the biennium beginning July 1, 2019 and ending June 30, 2021. Section 54-44.1-11 does not apply to this funding, and any funds not spent by June 30, 2021, must be continued into the biennium beginning July 1, 2021 and ending June 30, 2023, and may be expended only for providing grants to airports.

### GOVERNOR'S RECOMMENDATION FOR THE VETERANS' HOME

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the veterans' home for the purpose of defraying the expenses of the veterans' home, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$18,916,632	(\$55,833)	\$18,860,799
Operating Expenses	5,083,731	444,082	5,527,813
Capital Assets	<u>405,733</u>	<u>349,738</u>	<u>755,471</u>
Total All Funds	\$24,406,096	\$ 737,987	\$25,144,083
Less Estimated Income	<u>18,751,772</u>	<u>925,610</u>	<u>19,677,382</u>
Total General Fund	\$ 5,654,324	(\$187,623)	\$5,466,701
Full-time Equivalent Positions	120.72	(5.93)	114.79

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Equipment	\$99,400	\$0
Strategic Plan	25,000	0
Administrator's Residence Demolition	233,450	0
Security System Upgrades	52,500	0
Flooring Project	138,700	131,500
Memorial Garden	<u>0</u>	<u>200,000</u>
Total All Funds	\$549,050	\$331,500
Less Estimated Income	<u>524,050</u>	<u>331,500</u>
Total General Fund	\$25,000	\$0

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

### GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from other income, to the department of financial institutions for the purpose of defraying the expenses of the department of financial institutions, for the biennium beginning July 1, 2021 and ending June 30, 2023 as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$7,022,654	\$453,220	\$7,475,874
Operating Expenses	1,641,913	29,496	1,671,409
Contingency	<u>20,000</u>	<u>0</u>	<u>20,000</u>
Total Special Funds	\$8,684,567	\$482,716	\$9,167,283
Full-time Equivalent Positions	31.00	0.00	31.00

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
IT Project	\$451,305	\$ 0
Total Other Funds	\$451,305	\$ 0

**SECTION 3. LINE ITEM TRANSFERS.** Notwithstanding section 54-16-04, the department of financial institutions may transfer between line items within section 1 of this Act during the biennium beginning July 1, 2021 and ending June 30, 2023. The department of financial institutions shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section.

#### GOVERNOR'S RECOMMENDATION FOR THE STATE FAIR ASSOCIATION

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the state fair association for the purpose of defraying the expenses of the premiums of the state fair association, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Premiums	\$542,833	(\$27,142)	\$515,691
Total General Fund	\$542,833	(\$27,142)	\$515,691

#### GOVERNOR'S RECOMMENDATION FOR THE COUNCIL ON THE ARTS

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the council on the arts for the purpose of defraying the expenses of the council on the arts, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$ 968,858	\$ 45,050	\$1,013,908
Operating Expenses	285,774	(17,894)	267,880
Grants	2,090,494	(122,327)	1,968,167
Total All Funds	\$3,345,126	(\$95,171)	\$3,249,955
Less Estimated Income	1,738,922	(53,514)	1,685,408
Total General Fund	\$1,606,204	(\$41,657)	\$1,564,547
Full-time Equivalent Positions	5.00	0.00	5.00

**SECTION 2. APPROPRIATION – CULTURAL ENDOWMENT FUND.** All income from the cultural endowment fund is appropriated to the council on the arts for the furthering of the cultural arts in the state for the biennium beginning July 1, 2021 and ending June 30, 2023.

#### GOVERNOR'S RECOMMENDATION FOR THE HIGHWAY PATROL

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the highway patrol for the purpose of defraying the expenses of the highway patrol, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

Adjustments or

	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Field Operations	\$59,586,945	\$1,890,003	\$61,476,948
Total All Funds	\$59,586,945	\$1,890,003	\$61,476,948
Less Estimated Income	<u>15,373,370</u>	<u>1,282,730</u>	<u>16,656,100</u>
Total General Fund	\$44,213,575	\$ 607,273	\$44,820,848
Full-time Equivalent Positions	197.00	(4.00)	193.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2019-23</u>
Shooting Range Addition	\$1,729,100	\$0
Aircraft Engine Overhaul	81,830	0
Drone Purchase	96,228	0
Hard Body Armor	0	265,000
Body and In-car Cameras	<u>0</u>	<u>1,158,000</u>
Total All Funds	\$1,907,158	\$1,423,000
Total Special Fund	<u>1,825,328</u>	<u>228,000</u>
Total General Fund	\$81,830	\$1,195,000

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

**SECTION 3 . SPECIAL FUNDS TRANSFER – HIGHWAY TAX DISTRIBUTION FUND.**

The estimated income line item in section 1 of this Act includes the sum of \$8,429,312, or so much of the sum as may be necessary, from the state highway tax distribution fund which may be transferred at the direction of the superintendent of the highway patrol for the purpose of defraying the expenses of the highway patrol during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. MOTOR CARRIER ELECTRONIC PERMIT TRANSACTION FUND.** The estimated income line item in section 1 of this Act includes \$1,519,557 from the motor carrier electronic permit transaction fund for the purpose of defraying various expenses associated with the issuance of permits and other nonenforcement motor carrier and administrative activities.

**SECTION 5. PAYMENTS TO HIGHWAY PATROL OFFICERS.** Each patrol officer of the state highway patrol is entitled to receive from funds appropriated in section 1 of this Act an amount not to exceed \$200 per month for the biennium beginning July 1, 2021 and ending June 30, 2023. The payments are in lieu of reimbursement for meals and other expenses, except lodging, while in travel status within the state of North Dakota or while at their respective home stations. The amounts must be paid at the time and in the same manner as salaries are paid to members of the highway patrol and may be paid without the presentation of receipts or other memorandums.

**GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF TRANSPORTATION**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from federal funds and other income, to the department of transportation for the purpose of defraying the expenses of the department of transportation, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$197,827,038	\$8,323,925	\$206,150,963
Operating Expenses	235,037,785	46,906,102	281,943,887
Capital Assets	859,725,944	369,046,476	1,228,772,420

Grants	95,854,637	17,214,000	113,068,637
Total Special Funds	\$1,388,445,404	\$441,490,503	\$1,829,935,907
Full-Time Equivalent Positions	982.00	5.00	987.00

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Driver's License System Project	\$22,500,000	\$0
Minot and Williston Driver's License Facility Maintenance	1,300,000	0
Construction and Materials Management System Project	0	9,660,000
Infrastructure Bonding	0	347,400,000
Total Special Funds	\$23,800,000	\$357,060,000

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

**SECTION 3. LINE ITEM TRANSFERS.** The director of the department of transportation may transfer between the salaries and wages, operating, capital assets, and grants line items in section 1 of this Act when it is cost-effective for construction and maintenance of highways. The department of transportation shall notify the office of management and budget of any transfers made pursuant to this section.

**SECTION 4. EXEMPTION - ENHANCED STATE HIGHWAY INVESTMENTS.** Section 54-44.1-11 does not apply to funding of \$503,115,558 in the capital assets line item relating to enhanced state highway investments in section 1 of chapter 12 of the 2015 Session Laws. Any funds continued into the 2021-23 biennium but not spent by June 30, 2023, must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for enhanced state highway investments.

**SECTION 5. APPROPRIATION – DEPARTMENT OF TRANSPORTATION.** In addition to the amounts appropriated to the department of transportation in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 6. EXEMPTION – DRIVERS LICENSE SYSTEM PROJECT.** The amount appropriated for the drivers license system project, as contained in section 1 of chapter 12 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 for continued drivers license system project costs during the biennium beginning July 1, 2021 and ending June 30, 2023.

#### **GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF TRUST LANDS**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from the state lands maintenance fund, to the commissioner of university and school lands for the purpose of defraying the expenses of the commissioner of university and school lands, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$5,725,379	\$ 689,817	\$ 6,415,196
Operating Expenses	2,283,022	(53,150)	2,229,872
Contingencies	100,000	0	100,000
Capital Assets	0	1,600,000	1,600,000
Total Special Funds	\$8,108,401	\$2,236,667	\$10,345,068
Full-time Equivalent Positions	28.00	2.00	30.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the grand total appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Mineral Valuation Study	\$350,000	\$0
Oil and Gas Impact	2,000,000	0
Land Management System	0	<u>1,600,000</u>
Total Special Funds	\$2,350,000	\$1,600,000

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

**SECTION 3. DISTRIBUTIONS TO STATE INSTITUTIONS.** Pursuant to section 1 of article IX of the Constitution of North Dakota, the board of university and school lands shall distribute during the biennium beginning July 1, 2021, and ending June 30, 2023, the following amounts, from the permanent funds managed for the benefit of the following entities:

Common Schools	\$421,020,000
North Dakota State University	6,620,000
University of North Dakota	5,084,000
Youth Correctional Center	2,228,000
School for the Deaf	2,014,000
State college of Science	1,941,000
State Hospital	1,673,000
Veterans' Home	795,000
Valley City State University	1,178,000
North Dakota Vision Services - School for the Blind	1,375,000
Mayville State University	742,000
Dakota College at Bottineau	285,000
Dickinson State University	285,000
Minot State University	<u>285,000</u>
<b>Total</b>	<b>\$445,525,000</b>

**SECTION 4. EXEMPTION - OIL AND GAS IMPACT GRANT FUNDS.** The amounts previously appropriated from the oil and gas impact grant fund and identified in section 10 of chapter 38 of the 2017 Session Laws and in section 8 of chapter 13 of 2019 Session Laws related to the oil and gas impact grant fund, including grant awards returned to the fund, are not subject to section 54-44.1-11. Any unexpended funds are available for grants and administrative costs associated with the fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 5. EXEMPTION – INFORMATION TECHNOLOGY PROJECT – REPORT TO INFORMATION TECHNOLOGY COMMITTEE.** The \$3,600,000 appropriated from the state lands maintenance fund and identified in sections 1 and 12 of chapter 38 of the 2017 Session Laws is not subject to section 54- 44.1-11, and any unexpended funds are available to complete the information technology project during the biennium beginning July 1, 2021, and ending June 30, 2023. During the 2021-23 interim, the commissioner of university and school lands shall provide at least one report to the interim information technology committee regarding the status of the information technology project.

#### **GOVERNOR'S RECOMMENDATION FOR THE INDUSTRIAL COMMISSION**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state industrial commission and agencies under its control for the

purpose of defraying the expenses of the state industrial commission and agencies under its control, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

Subdivision 1.

INDUSTRIAL COMMISSION

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$23,409,450	\$ (208,533)	\$23,200,917
Operating Expenses	5,830,227	(710,270)	5,119,958
Capital Assets	0	0	0
Grants - Bond Payments	10,508,767	11,351,954	22,040,721
Contingencies	<u>229,544</u>	<u>(226,214)</u>	<u>3,330</u>
Total All Funds	\$39,977,988	\$10,386,938	\$50,364,926
Less Estimated Income	<u>12,723,790</u>	<u>11,654,170</u>	<u>24,377,960</u>
Total General Fund	\$27,254,198	\$(1,267,232)	\$25,986,966
Full-Time Equivalent Positions	112.25	(4.00)	108.25

Subdivision 2.

BANK OF NORTH DAKOTA - OPERATIONS

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Bank of North Dakota Operations	\$62,847,799	\$2,603,280	\$65,451,079
Capital Assets	<u>1,510,000</u>	0	<u>1,510,000</u>
Total Special Funds	\$64,357,799	\$2,603,280	\$66,961,079
Full-Time Equivalent Positions	181.50	(16.00)	165.50

Subdivision 3.

HOUSING FINANCE AGENCY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$ 8,509,015	\$ 1,025,137	\$ 9,534,152
Operating Expenses	5,346,276	797,784	6,144,060
Capital Assets	0	150,000	150,000
Grants	33,466,600	9,508,600	42,975,200
Housing Finance Agency	<u>100,000</u>	0	<u>100,000</u>
Contingencies			
Total Special Funds	\$47,421,891	\$11,481,521	\$58,903,412
Full-Time Equivalent Positions	44.00	4.00	48.00

Subdivision 4.

MILL AND ELEVATOR ASSOCIATION

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$46,447,824	\$ 4,334,570	\$50,782,394
Operating Expenses	29,837,000	6,980,000	36,817,000
Contingencies	500,000	0	500,000
Agriculture Promotion	<u>210,000</u>	<u>290,000</u>	<u>500,000</u>
Total Special Funds	\$76,994,824	\$11,604,570	\$88,599,394
Full-Time Equivalent Positions	156.00	0.00	156.00

Subdivision 5.



## BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand Total General Fund	\$ 27,254,198	\$(1,267,232)	\$ 25,986,966
Grand Total Special Funds	<u>201,498,304</u>	<u>37,343,541</u>	<u>238,841,845</u>
Grand Total All Funds	\$228,752,502	\$36,076,309	\$264,828,811

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Temporary Employees	\$ 175,000	0
Rare Earth Elements Study	160,000	0
Fracturing Sand Study	110,000	0
Oil Database Software Upgrade	<u>5,000,000</u>	<u>0</u>
Total All Funds	\$5,445,000	\$ 0
Total Special Fund	<u>5,270,000</u>	<u>0</u>
Total General Fund	\$ 175,000	\$ 0

**SECTION 3. LEGISLATIVE INTENT - BOND PAYMENTS.** The amount of \$22,040,720 included in subdivision 1 of section 1 of this Act in the grants - bond payments line item must be paid from the following funding sources during the biennium beginning July 1, 2021 and ending June 30, 2023:

North Dakota University System	\$17,204,639
North Dakota University System - Energy Conservation Projects	415,114
Department of Corrections and Rehabilitation	492,354
Department of Corrections and Rehabilitation – Energy Conservation Projects	8,181
State Department of Health	341,365
Job Service North Dakota	230,600
Office of Management and Budget	564,515
Office of Attorney General	648,055
State Historical Society	1,179,015
Parks and Recreation Department	66,165
Research and Extension Service	483,447
Veterans' Home	<u>407,271</u>
Total	\$22,040,721

**SECTION 4. APPROPRIATION – HOUSING FINANCE AGENCY – ADDITIONAL INCOME.** In addition to the amount appropriated to the housing finance agency in subdivision 3 of section 1 of this Act, there is appropriated any additional income or unanticipated income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2021 and ending June 30, 2023. The housing finance agency shall notify the office of management and budget and the legislative council of any additional income or unanticipated income that becomes available to the agency resulting in an increase in appropriation authority.

**SECTION 5. APPROPRIATION - ADDITIONAL FUNDS FROM BONDS - EMERGENCY COMMISSION APPROVAL.** In addition to the amount appropriated to the state industrial commission in subdivision 1 of section 1 of this Act, there is appropriated, with the approval of the emergency commission, funds that may become available to the commission from bonds authorized by law to be issued by the state industrial commission for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 6. TRANSFER – BANK OF NORTH DAKOTA PROFITS TO THE GENERAL FUND.** During the biennium beginning July 1, 2021 and ending June 30, 2023, the industrial commission shall transfer to the state general fund \$140,000,000 from the current earnings and the accumulated undivided profits of the Bank of North Dakota. The moneys must be

transferred in the amounts and at the times requested by the director of the office of management and budget after consultation with the Bank of North Dakota president.

**SECTION 7. TRANSFER – ENTITIES WITHIN THE CONTROL OF THE INDUSTRIAL COMMISSION TO INDUSTRIAL COMMISSION FUND.** The sum of \$1,218,725, or so much of the sum as may be necessary, included in the special funds appropriation line item in subdivision 1 of section 1 of this Act, may be transferred from the entities within the control of the state industrial commission or entities directed to make payments to the industrial commission fund for administrative services rendered by the commission. Transfers shall be made during the biennium beginning July 1, 2021 and ending June 30, 2023, upon order of the commission. Transfers from the student loan trust must be made to the extent permitted by sections 54-17-24 and 54-17-25.

**SECTION 8. TRANSFER - BANK OF NORTH DAKOTA - PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$26,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the partnership in assisting community expansion fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 9. TRANSFER - BANK OF NORTH DAKOTA - AGRICULTURE PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$5,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the agriculture partnership in assisting community expansion fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 10. TRANSFER - BANK OF NORTH DAKOTA - BIOFUELS PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION.** The Bank of North Dakota shall transfer the sum of \$1,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the biofuels partnership in assisting community expansion fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 11. TRANSFER - BANK OF NORTH DAKOTA - BEGINNING FARMER REVOLVING LOAN FUND.** The Bank of North Dakota shall transfer the sum of \$8,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the beginning farmer revolving loan fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 12. TRANSFER - BANK OF NORTH DAKOTA – AGRICULTURAL PRODUCTS UTILIZATION FUND.** The Bank of North Dakota shall transfer the sum of \$3,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the agricultural products utilization fund during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 13. LIGNITE RESEARCH, DEVELOPMENT, AND MARKETING PROGRAM - LIGNITE MARKETING FEASIBILITY STUDY.** The amount of \$4,500,000 from the lignite research fund, or so much of the amount as may be necessary, may be used for the purpose of contracting for an independent, nonmatching lignite marketing feasibility study or studies that determine those focused priority areas where near-term, market-driven projects, activities, or processes will generate matching private industry investment and have the most potential of preserving existing lignite production and industry jobs or that will lead to increased development of lignite and its products and create new lignite industry jobs and economic growth for the general welfare of this state. Moneys appropriated pursuant to this section may also be used for the purpose of contracting for nonmatching studies and activities in support of the lignite vision 21 program; for litigation that may be necessary to protect and promote the continued development of lignite resources; for nonmatching externality studies and activities in externality proceedings; or other marketing, environmental, or transmission activities that assist with marketing of lignite-based electricity and lignite-based byproducts. Moneys not needed for the purposes stated in this section are available to the commission for funding projects, processes, or activities under the lignite research, development, and marketing program.

**SECTION 14. EXEMPTION – INDUSTRIAL COMMISSION FUND.** The amount appropriated to the industrial commission in the special funds appropriation line item in section 1 of chapter 14 of the 2019 Session Laws and transferred pursuant to section 8 of

chapter 14 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 industrial commission for administrative services rendered by the commission during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 15. EXEMPTION –SURVEY REVIEW – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The amount appropriated from strategic investment and improvement fund to the industrial commission in section 2 of chapter 426 of the 2017 Session Laws is not subject to section 54-44.1-11. Any unexpended funds from this appropriation are available to the industrial commission for expert legal testimony and other related legal costs associated with the survey review during the biennium beginning July 1, 2021, and June 30, 2023.

**SECTION 16. EXEMPTION - OIL AND GAS TAX REVENUE ALLOCATIONS - NORTH DAKOTA OUTDOOR HERITAGE FUND.** Notwithstanding the provisions of section 57-51-15 relating to the allocations to the North Dakota outdoor heritage fund, for the period beginning September 1, 2021 and ending August 31, 2023, the state treasurer shall allocate eight percent of the oil and gas gross production tax revenue available under subsection 1 of section 57-51-15 to the North Dakota outdoor heritage fund, but not in an amount exceeding \$7,500,000 per fiscal year.

**SECTION 17. EXEMPTION - OIL AND GAS TAX REVENUE ALLOCATIONS - OIL AND GAS RESEARCH FUND - PILOT PROJECT FOR UNDERGROUND GAS STORAGE.**

1. Notwithstanding the provisions of section 57-51.1-07.3 relating to the allocations to the oil and gas research fund, for the period beginning August 1, 2021, and ending July 31, 2023, the state treasurer shall deposit two percent of the oil and gas gross production tax and oil extraction tax revenues, up to \$16,000,000, into the oil and gas research fund before depositing oil and gas tax revenues under section 57-51.1-07.5.
2. Pursuant to the continuing appropriation in section 57-51.1-07.3, the industrial commission shall expend the remaining monies authorized in section 25 of chapter 14 of the 2019 Session Laws from the oil and gas research fund pursuant to the contract with the energy and environmental research center for pilot projects relating to the underground storage of produced natural gas. The pilot projects may include studies and demonstration projects. During the 2021-22 interim, the energy and environmental research center shall provide quarterly reports to the industrial commission and at least one report to the legislative management regarding the results and recommendations of the pilot project.

**GOVERNOR'S RECOMMENDATION FOR THE  
DEPARTMENT OF CORRECTIONS AND REHABILITATION**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of corrections and rehabilitation for the purpose of defraying the expenses of the department of corrections and rehabilitation, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Adult Services	\$236,625,947	\$13,155,687	\$249,781,634
Youth Services	31,785,068	(7,393,301)	24,391,767
Total All Funds	\$268,411,015	\$ 5,762,386	\$274,173,401
Less Estimated Income	40,124,189	4,869,290	44,993,479
Total General Fund	\$228,286,826	\$893,096	\$229,179,922
Full-time Equivalent Positions	899.79	8.00	907.79

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Equipment	\$298,700	\$191,000
Elite Servers Equipment	40,000	0
Extraordinary Repairs	1,332,250	0
Youth Correctional Center Campus Infrastructure Study	75,000	0
Department of Corrections and Rehabilitation Study	400,000	0
Scan and Screen Device	230,000	0
Redundant Fence	160,000	0
Portable X-Ray Equipment	22,000	0
Oracle Software Upgrade	165,000	0
Contracts and Payment Processing System	100,000	0
Inmate Tracking System	160,000	0
Intake and Legal Movement System	240,000	0
North Dakota State Penitentiary Kitchen Equipment	0	85,000
James River Correctional Center	0	30,000
Storage Warehouse	0	500,000
COVID-19 Deferred Admissions	0	1,000,000
Rough Rider Industries Equipment	0	1,281,988
Total All Funds	\$3,222,950	\$3,087,988
Less Estimated Income	<u>1,831,700</u>	<u>1,781,988</u>
Total General Fund	\$1,391,250	\$1,306,000

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

**SECTION 3. EXEMPTION – COMMUNITY BEHAVIORAL HEALTH PROGRAM.**

Section 54-44.1-11 does not apply to \$7,000,000 provided for the community behavioral health program included in section 1 of chapter 40 of the 2019 Session Laws. Any unexpended funds from this appropriation are available to the department of corrections and rehabilitation for the community behavioral health program during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND.** Any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical co-payments; and from the common school trust fund; may be deposited in the department of corrections and rehabilitation operating fund and expended pursuant to legislative appropriation for the biennium beginning July 1, 2021 and ending June 30, 2023.

**GOVERNOR'S RECOMMENDATION FOR JOB SERVICE NORTH DAKOTA**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to job service North Dakota for the purpose of defraying the expenses of job service North Dakota, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$30,572,221	(\$1,453,475)	\$29,118,750
Operating Expenses	17,840,895	(755,101)	17,085,794
Capital Assets	20,000	0	20,000
Grants	6,166,112	2,114,939	8,281,051

Reed Act–UI Computer Modernization	10,475,114	470,012	10,945,126
Total All Funds	\$65,074,342	\$ 376,379	\$65,450,721
Less Estimated Income	64,643,718	396,442	65,040,160
Total General Fund	\$430,624	(\$20,063)	\$410,561
Full-time Equivalent Positions	172,61	(16.00)	156.61

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Unemployment Insurance Modernization Project	\$611,852	\$0
Total All Funds	\$611,852	\$0
Total Special Funds	611,852	0
Total General Fund	\$0	\$0

**SECTION 3. APPROPRIATION - REED ACT FUNDS - UNEMPLOYMENT INSURANCE COMPUTER MODERNIZATION.** The special fund appropriation of \$10,945,126 in section 1 of this Act is from federal Reed Act funds made available to the state by the federal Reed Act distributions made in federal fiscal years 1957, 1958, 1999, and 2002, pursuant to section 903 of the Social Security Act. This sum, or so much of the sum as may be necessary, is for the purpose of developing a modernized unemployment insurance computer system, for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. APPROPRIATION.** All federal funds received by job service North Dakota in excess of those funds appropriated in section 1 of this Act are appropriated for the biennium beginning July 1, 2021 and ending June 30, 2023.

#### **GOVERNOR'S RECOMMENDATION FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from income, to the office of administrative hearings for the purpose of defraying the expenses of the office of administrative hearings, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$1,248,330	\$ 61,012	\$1,309,342
Operating Expenses	1,582,334	(\$109,259)	1,473,075
Total Special Funds	\$2,830,664	(\$ 48,247)	\$2,782,417
Full-Time Equivalent Positions	5.00	0.00	5.00

#### **GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF COMMERCE**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of commerce for the purpose of defraying the expenses of the department of commerce, for the biennium beginning July 1, 2021, and ending June 30, 2023 as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$13,217,286	\$ (275,425)	\$12,941,861
Operating Expenses	14,873,203	2,055,986	16,929,189
Grants	52,638,527	643,803	53,282,330
Discretionary Funds	2,150,000	(600,000)	1,550,000
North Dakota Trade Office	1,600,000	(850,000)	750,000
Partner Programs	1,562,531	0	1,562,531

Entrepreneurship Grants and Vouchers	948,467	0	948,467
CARES Act Funding	<u>0</u>	<u>8,000,000</u>	<u>8,000,000</u>
Total All Funds	\$86,990,014	\$8,974,364	\$95,964,378
Less Estimated Income	<u>54,123,292</u>	<u>8,442,316</u>	<u>62,565,608</u>
Total General Fund	\$32,866,722	\$ 532,048	\$33,398,770
Full-Time Equivalent Positions	61.80	(3.00)	58.80

**SECTION 2. ONE-TIME FUNDING – EFFECT ON BASE BUDGET – REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Unmanned Aircraft System	\$2,225,000	\$0
Enhanced Use Lease Grant	3,000,000	0
Workforce Grant to Tribally Controlled Community	500,000	0
Census 2020	1,000,000	0
Workforce Safety Grant	1,000,000	0
Entrepreneurship Grants and Vouchers	2,000,000	0
Sculpture Maintenance Grants	75,000	0
Nonresident Nurse Employment Recruitment	500,000	0
Intermodal Container Transportation Shipping Fees	1,300,000	0
Job Development and Economic Growth Grant	25,000	0
Unmanned Aircraft System – Test Site	0	1,000,000
Tourism – Destination Marketing	0	2,000,000
Tourism – Brand Extension	0	200,000
Technical Skills Training Grant	<u>0</u>	<u>1,000,000</u>
Total All Funds	\$11,625,000	\$4,200,000
Total Special Funds	<u>4,300,000</u>	<u>1,000,000</u>
Total General Fund	\$7,325,000	\$3,200,000

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

**SECTION 3. EXEMPTION.** The amount appropriated for the discretionary funds line item in section 1 of chapter 18 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this line item are available during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. EXEMPTION.** The amount appropriated for the beyond visual line of sight unmanned aircraft systems program in section 12 of chapter 18 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this line item are available during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 5. EXEMPTION.** The amount of \$1,500,000 appropriated from the general fund for the early childhood education grant program in section 1 of chapter 18 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this program are available for the program during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 6. EXEMPTION.** The amount of \$500,000 appropriated from the general fund for the nonresident nurse employment recruitment program in section 1 of chapter 18 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this line item are available during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 7. EXEMPTION.** The amount of \$2,225,000 appropriated from the general fund for the unmanned aircraft systems operating expense in section 1 of chapter 18 of the

2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this program are available for the program during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 8. EXEMPTION.** The amount of \$3,000,000 appropriated from the general fund for the enhanced use lease grants in section 1 of chapter 18 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this program are available for the program during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 9. TRANSFER - INTERNSHIP FUND.** The office of management and budget shall transfer \$755,000 of the amount appropriated in the operating expenses line item in section 1 of this Act to the internship fund for the purpose of administering the operation intern program, for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 10. EXEMPTION.** The amount of \$855,000 appropriated from the general fund in the operating expenses line item for the operation intern program in section 1 of chapter 18 of the 2019 Session Laws and transferred to the internship fund in section 7 of chapter 18 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this program are available for the program during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 11. EXEMPTION.** The amount of \$1,300,000 appropriated to the department of commerce from the beginning farmer revolving loan fund for intermodal container transportation shipping fees in section 1 of chapter 18 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this program are available for the program during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 12. APPROPRIATION** - In addition to the amounts appropriated to the department of commerce in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 13. TRADE OFFICE - MATCHING FUND REQUIREMENT.** The North Dakota trade office line item and the general fund appropriation in section 1 of this Act include \$750,000 of funding relating to the North Dakota trade office. The department of commerce may spend sixty percent of this amount without requiring any matching funds from the trade office. Any additional amounts may be spent only to the extent that the North Dakota trade office provides one dollar of matching funds from private or other public sources for each one dollar provided by the department for the biennium beginning July 1, 2021 and ending June 30, 2023. Matching funds may include money spent by businesses or organizations to pay salaries to export assistants, provide training to export assistants, or buy computer equipment as part of the North Dakota trade office's export assistance program.

**SECTION 14. ENTREPRENEURSHIP GRANTS AND VOUCHER PROGRAM.** Section 1 of this Act includes the sum of \$948,467, of which \$740,956 is from the general fund and \$207,511 from special funds, for an entrepreneurship grants and voucher program to be developed and administered by the department of commerce, for the biennium beginning July 1, 2021 and ending June 30, 2023. The department shall establish guidelines to provide grants to entrepreneurial centers certified by the department. The department shall also establish guidelines to award vouchers to entrepreneurs to procure business development assistance from certified entrepreneurial centers or to provide grants to entrepreneurs working with an entrepreneurial center. The amount appropriated for entrepreneurship grants in section 1 of this Act is not subject to section 54-44.1-11 and any unexpended funds from this line item are available during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 15. AMENDMENT.** Section 54-60-16 of the North Dakota Century Code is amended and reenacted as follows:

**54-60-16. International business and trade office - Advisory board.**

1. The commissioner shall administer the international business and trade office. The purpose of the office is to assist North Dakota

businesses expand exports to international markets and to attract investment opportunities to the state by:

- a. Advocating for exporters and foreign direct investment opportunities;
  - b. Offering export educational opportunities to North Dakota businesses;
  - c. Researching and raising awareness of export and international business opportunities, issues, and challenges impacting North Dakota businesses;
  - d. Assisting North Dakota businesses in identifying, developing, and cultivating international markets for products; and
  - e. Organizing and carrying out trade and reverse trade missions that seek to facilitate contact and communication between North Dakota businesses and international markets.; and
  - f. Assisting and fostering the diplomatic mission of North Dakota.
2. The international business and trade office shall not assist businesses with expansion efforts or investment opportunities in any of the following markets: farming, forestry, ranching, food quality, or nutrition.
  3. The commissioner may designate a nonprofit corporation incorporated in this state that has the primary purpose of assisting North Dakota exporters or contract with a third party for the provision of services for the international business and trade office. If the commissioner designates a nonprofit corporation or contracts with a third party under this subsection, all data and databases collected and created by the third party in performing services for the office are the property of the department and the third party.
  4. The department may seek and accept any gift, grant, or donation of funds, property, services, or other assistance from public or private sources for the purpose of furthering the objectives of the international business and trade office.
  5. The commissioner may establish an international business and trade office advisory board with which the director may consult in administering the international business and trade office. The commissioner or the commissioner's designee shall serve as the chair of the international business and trade office advisory board. Each member of the advisory board created under this subsection is entitled to receive per diem compensation at a rate established by the director not exceeding sixty-two dollars and fifty cents and reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directly related to board membership, except that per diem compensation under this section may not be paid to any member who receives compensation or salary as a regular state employee or official.

**SECTION 16. AMENDMENT.** Section 54-60-29 of the North Dakota Century Code is amended and reenacted as follows:

**54-60-29. Unmanned aircraft systems program fund - Continuing appropriation.**

1. There is created in the state treasury a special fund known as the unmanned aircraft systems fund, which ~~must~~ may be used for the following purposes:



- a. To defray the expenses of the operations of an unmanned aircraft systems test site officially designated by the federal aviation administration.
  - b. To defray the expenses of the beyond visual line of sight unmanned aircraft system program.
  - c. To defray the expense of the enhanced used lease grant program.
2. The fund consists of fees collected for the administration of the test site and other funds as appropriated. All moneys in the fund are appropriated to the department of commerce on a continuing basis for the purpose of defraying the expenses of the unmanned aircraft systems program. Interest earned on moneys in the fund must be credited to the fund.

**GOVERNOR'S RECOMMENDATION FOR THE  
DEPARTMENT OF CAREER AND TECHNICAL EDUCATION**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state board for career and technical education for the purpose of defraying the expenses of the state board for career and technical education, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$ 4,812,765	(\$126,531)	\$ 4,686,234
Operating Expenses	2,357,796	9,970	2,367,766
Grants	9,207,349	45,300,000	54,507,349
Grants-Secondary	24,587,780	1,100,000	25,687,780
Grants-Postsecondary	256,982	(256,982)	0
Adult Farm Management	1,894,249	(138,111)	1,756,138
Workforce Training	2,000,000	(100,000)	1,900,000
Marketplace for Kids	300,000	(50,000)	250,000
Center for Distance Ed	<u>9,351,188</u>	<u>(508,190)</u>	<u>8,842,998</u>
Total All Funds	\$54,768,109	\$45,230,156	\$99,998,265
Less Estimated Income	<u>14,703,121</u>	<u>45,316,696</u>	<u>60,019,817</u>
Total General Fund	\$40,064,988	(\$86,540)	\$39,978,448
Full-Time Equivalent Positions	52.30	(2.00)	50.30

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Career Academies	\$ 0	\$45,000,000
Total All Funds	\$ 0	\$45,000,000
Total Special Funds	0	<u>45,000,000</u>
Total General Fund	\$ 0	\$ 0

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

**SECTION 3. CAREER ACADEMY COMPETITIVE MATCHING GRANT PROGRAM.**

The appropriation contained in section 1 of this Act includes the sum of \$45,000,000 for the purpose of providing competitive grants, with a maximum of \$15,000,000 per project, to build career academies throughout the state, for the biennium beginning July 1, 2021 and ending

June 30, 2023. A committee comprised of the leaders or their designees of career and technical education, the department of commerce, job service North Dakota and the department of public instruction will develop a competitive process in consultation with the workforce development council, and the career and technical education board, to distribute the funds with a required one to one match from the private sector or political subdivision.

**SECTION 4. TRANSFERS.** Notwithstanding section 54-16-04, the director of the office of management and budget shall make transfers of funds between line items in section 1 of this act for the department of career and technical education as may be requested by the state director as determined necessary for activities that are proper and consistent with the provisions of this act.

### **GOVERNOR'S RECOMMENDATION FOR THE NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the North Dakota state university extension service, the northern crops institute, the upper great plains transportation institute, the main research center, branch research centers, and agronomy seed farm for the purpose of defraying the expenses of the North Dakota state university extension service, the northern crops institute, the upper great plains transportation institute, the main research center, branch research centers, and agronomy seed farm, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

Subdivision 1.

#### NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Extension Service	\$54,396,305	(\$1,992,414)	\$52,403,891
Soil Conservation Committee	<u>1,091,520</u>	<u>0</u>	<u>1,091,520</u>
Total All Funds	\$55,487,825	(\$1,992,414)	\$53,495,411
Less Estimated Income	<u>27,778,159</u>	<u>520,984</u>	<u>28,299,143</u>
Total General Fund	\$27,709,666	(\$2,513,398)	\$25,196,268
Full-Time Equivalent Positions	242.51	0.26	242.77

Subdivision 2.

#### NORTHERN CROPS INSTITUTE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Northern Crops Institute	\$3,840,027	(\$20,750)	\$3,819,277
Total All Funds	\$3,840,027	(\$20,750)	\$3,819,277
Less Estimated Income	<u>1,896,217</u>	<u>28,007</u>	<u>1,924,224</u>
Total General Fund	\$1,943,810	(\$48,757)	\$1,895,053
Full-Time Equivalent Positions	12.80	0.75	13.55

Subdivision 3.

#### UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Upper Great Plains Transportation Institute	<u>\$23,292,223</u>	<u>\$55,011</u>	<u>\$23,347,234</u>
Total All Funds	\$23,292,223	\$55,011	\$23,347,234
Less Estimated Income	<u>18,895,894</u>	<u>168,290</u>	<u>19,064,184</u>
Total General Fund	\$4,396,329	(\$113,279)	\$4,283,050
Full-Time Equivalent Positions	43.88	0.00	43.88

## Subdivision 4.

## MAIN RESEARCH CENTER

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Main Research Center	\$109,170,101	(\$3,915,678)	\$105,254,423
Total All Funds	\$109,170,101	(\$3,915,678)	\$105,254,423
Less Estimated Income	<u>56,502,775</u>	<u>564,347</u>	<u>57,067,122</u>
Total General Fund	\$ 52,667,326	(\$4,480,025)	\$ 48,187,301
Full-Time Equivalent Positions	344.05	(6.49)	337.56

## Subdivision 5.

## RESEARCH CENTERS

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Dickinson Research Center	\$ 7,015,862	(\$109,453)	\$ 6,906,409
Central Grasslands Research Center	3,510,825	(56,299)	3,454,526
Hettinger Research Center	5,112,403	(48,983)	5,063,420
Langdon Research Center	3,052,060	(41,254)	3,010,806
North Central Research Center	5,137,569	(28,541)	5,109,028
Williston Research Center	5,286,833	(58,437)	5,228,396
Carrington Research Center	<u>9,685,861</u>	<u>(42,966)</u>	<u>9,642,895</u>
Total All Funds	\$38,801,413	(\$385,933)	\$38,415,480
Less Estimated Income	<u>20,600,387</u>	<u>116,089</u>	<u>20,716,476</u>
Total General Fund	\$18,201,026	(\$502,022)	\$17,699,004
Full-Time Equivalent Positions	109.81	(1.60)	108.21

## Subdivision 6.

## AGRONOMY SEED FARM

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Agronomy Seed Farm	\$1,565,975	\$16,503	\$1,582,478
Total Special Funds	\$1,565,975	\$16,503	\$1,582,478
Full-Time Equivalent Positions	3.00	0.00	3.00

## Subdivision 7.

## BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand Total General Fund	\$104,918,157	(\$7,657,481)	\$ 97,260,676
Grand Total Other Funds	<u>127,239,407</u>	<u>1,414,220</u>	<u>128,653,627</u>
Grand Total All Funds	\$232,157,564	(\$6,243,261)	\$225,914,303

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY- EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Seed Cleaning Plant	\$ 750,000	\$ 0
Greenhouse	500,000	0
Extraordinary Repairs	<u>940,465</u>	<u>500,000</u>
Total All Funds	\$2,190,465	\$500,000
Total Other Funds	<u>1,440,465</u>	<u>0</u>
Total General Fund	\$ 750,000	\$500,000

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

**SECTION 3. ADDITIONAL INCOME - APPROPRIATION.** In addition to the amount included in the grand total special funds appropriation line item in section 1 of this Act, any other income, including funds from federal acts, private grants, gifts, and donations, or from other sources received by the North Dakota state university extension service, the northern crops institute, the upper great plains transportation institute, the main research center, branch research centers, and agronomy seed farm, except as otherwise provided by law, is appropriated for the purpose designated in the act, grant, gift, or donation, for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. DICKINSON RESEARCH EXTENSION CENTER - MINERAL RIGHTS INCOME.** The Dickinson research extension center may spend up to \$755,000 of revenues received during the 2021-23 biennium from mineral royalties, leases, or easements for ongoing operational expenses. Any revenues received in excess of \$755,000 may be spent only for one-time expenditures for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 5. WILLISTON RESEARCH EXTENSION CENTER - MINERAL RIGHTS INCOME - REPORT.** The Williston research extension center shall report to the sixty-eighth legislative assembly on amounts received and spent from mineral royalties, leases, or easements in the biennium beginning July 1, 2019, and ending June 30, 2021 and the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 6. TRANSFER AUTHORITY.** Upon approval of the state board of agricultural research and education and appropriate branch research center directors, the director of the main research center may transfer appropriation authority within subdivisions 1, 2, 4, and 5 of section 1 of this Act. Any amounts transferred must be reported to the director of the office of management and budget.

**SECTION 7. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** The state board of higher education may adjust or increase full-time equivalent positions as needed for the entities in section 1 of this Act, subject to availability of funds. The board shall report any adjustments to the office of management and budget pursuant to this section.

**SECTION 8. UNEXPENDED GENERAL FUND - EXCESS INCOME.** Any unexpended general fund appropriation authority to and any excess income received by entities listed in section 1 of this Act are not subject to the provisions of section 54-44.1-11, and any unexpended funds from these appropriations or revenues are available and may be expended by those entities, during the biennium beginning July 1, 2023 and ending June 30, 2025.

**SECTION 9. EXEMPTION.** The amounts appropriated for the greenhouse and the seed cleaning plant contained in subdivision 4 of section 1 of chapter 20 of the 2019 Sessions Laws, are not subject to the provisions of section 54-44.1-11, and any unexpended funds from these appropriations or related revenues are available and may be expended during the biennium beginning July 1, 2021 and ending June 30, 2023.

#### **GOVERNOR'S RECOMMENDATION FOR THE INFORMATION TECHNOLOGY DEPARTMENT**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the information technology department for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
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Salaries and Wages	\$ 81,374,501	\$25,191,358	\$106,565,859
Operating Expenses	89,957,364	31,808,134	121,765,498
Capital Assets	4,253,117	(740,242)	3,512,875
Statewide Longitudinal Data System	4,387,145	115,815	4,502,960
Edutech	9,645,773	86,275	9,732,048
K-12 Wide Area Network	5,167,970	(480,761)	4,687,209
Geographic Information System	1,052,629	52,017	1,104,646
Health Information Technology Office	4,879,146	4,287,220	9,166,366
Statewide Interoperability Radio Network	<u>12,330,000</u>	<u>1,866,314</u>	<u>14,196,314</u>
Total All Funds	\$213,047,645	\$62,186,130	\$275,233,775
Less Estimated Income	<u>195,882,334</u>	<u>61,526,602</u>	<u>257,408,936</u>
Total General Fund	\$ 17,165,311	\$ 659,528	\$ 17,824,839
Full-Time Equivalent Positions	402.00	95.00	497.00

**SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium.

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Cybersecurity	\$15,400,000	\$0
Statewide Land Parcel Project	<u>1,150,000</u>	<u>0</u>
Total All Funds	\$16,550,000	\$0
Less Estimated Income	<u>5,150,000</u>	<u>0</u>
Total General Fund	\$11,400,000	\$0

**SECTION 3. EXEMPTION – LINE ITEM TRANSFERS.** Notwithstanding section 54-16-04, the director of the office of management and budget shall make transfers of funds between line items in section 1 of this Act for the information technology department as may be requested by the chief information officer as determined necessary for the development and implementation of information technology projects.

**SECTION 4. EXEMPTION – Statewide Interoperable Radio Network.** Section 54-44.1-11 does not apply to \$20,000,000 of strategic investment and improvements funds deposited in the statewide interoperable radio network fund, provided for the statewide interoperable radio network projects included in section 8 of Chapter 293 of the 2019 Session Laws. Any unexpended funds from this appropriation are available to the information technology department for statewide interoperable radio network projects beginning July 1, 2021 and ending June 30, 2023.

#### **GOVERNOR'S RECOMMENDATION FOR THE COMMISSION ON LEGAL COUNSEL FOR INDIGENTS**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from other income, to the commission on legal counsel for indigents for the purpose of defraying the expenses of the commission on legal counsel for indigents, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Commission on Legal Counsel	<u>\$20,374,662</u>	<u>(\$664,959)</u>	<u>\$19,709,703</u>
Total All Funds	\$20,374,662	(\$664,959)	\$19,709,703
Less Estimated Income	<u>1,990,035</u>	<u>6,863</u>	<u>1,996,898</u>
Total General Fund	\$18,384,627	(\$671,822)	\$17,712,805
Full-time Equivalent Positions	40.00	0.00	40.00

#### **GOVERNOR'S RECOMMENDATION FOR THE NORTH DAKOTA RACING COMMISSION**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from other income, to the North Dakota racing commission for the purpose of defraying the expenses of

the North Dakota racing commission, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Racing Commission	\$565,037	(\$7,825)	\$557,212
Total All Funds	\$565,037	(\$7,825)	\$557,212
Less Estimated Income	<u>165,965</u>	<u>774</u>	<u>166,739</u>
Total General Fund	\$399,072	(\$8,599)	\$390,473
Full-Time Equivalent Positions	2.00	0.00	2.00

#### **GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF ENVIRONMENTAL QUALITY**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state department of environmental quality for the purpose of defraying the expenses of the state department of environmental quality, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$30,587,358	\$2,163,585	\$32,750,943
Operating Expenses	9,962,180	786,941	10,749,121
Capital Assets	1,263,429	(16,257)	1,247,172
Grants	<u>15,861,529</u>	<u>(801,411)</u>	<u>15,060,118</u>
Total All Funds	\$57,674,496	\$2,132,858	\$59,807,354
Less Estimated Income	<u>45,193,574</u>	<u>2,016,082</u>	<u>47,209,656</u>
Total General Fund	\$12,480,922	\$116,776	\$12,597,698
Full-Time Equivalent Positions	165.50	0.50	166.0

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Air Pollution Program Equipment	\$1,040,000	\$0
Total All Funds	\$1,040,000	\$0
Less Estimated Income	<u>1,040,000</u>	<u>0</u>
Total General Fund	\$0	\$0

**SECTION 3. ENVIRONMENT AND RANGELAND PROTECTION FUND.** The estimated income line item included in section 1 of this Act includes \$250,000, or so much of the sum as may be necessary, to be made available to the state department of environmental quality from the environment and rangeland protection fund, for the biennium beginning July 1, 2021 and ending June 30, 2023. This amount includes \$50,000 for a grant to the North Dakota stockmen's association environmental services program.

#### **GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF VETERANS' AFFAIRS**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of veterans' affairs for the purpose of defraying the expenses of the department of veterans' affairs, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
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Veterans' Affairs	\$1,200,130	\$109,821	\$1,309,951
Transport Vans	18,800	0	18,800
Service Dogs	50,000	0	50,000
State Approving Agency	285,657	8,379	294,036
Grants – Transportation Program	800,000	480,000	1,280,000
Veteran's Home Cemetery	<u>0</u>	<u>291,500</u>	<u>291,500</u>
Total All Funds	\$2,354,587	\$889,700	\$3,244,287
Less Estimated Income	<u>1,085,657</u>	<u>780,006</u>	<u>1,865,663</u>
Total General Fund	\$1,268,930	\$109,694	\$1,378,624
Full-Time Equivalent Positions	7.00	0.00	7.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty- sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Veterans' Home Cemetery	\$291,500	\$291,500
Temporary Loan and Grant Position	140,000	0
Grant Database Enhancements	<u>7,500</u>	<u>0</u>
Total All Funds	\$439,000	\$291,500
Less Estimated Income	<u>291,500</u>	<u>291,500</u>
Total General Fund	\$147,500	\$0

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

**SECTION 3. EXEMPTION.** The amount of \$50,000 appropriated for the posttraumatic stress disorder service dogs program in section 1 of chapter 25 of the 2019 Sessions Laws, is not subject to section 54-44.1- 11, and any unexpended funds from this program are available for the program during the biennium beginning July 1, 2021 and ending June 30, 2023.

### BENEDICTION

The benediction was given by North Dakota National Guard Chaplain, Colonel David Johnson.

**THE SPEAKER APPOINTED** Major General Alan Dohrmann to escort Governor Doug Burgum and First Lady Kathryn Helgaas Burgum from the House chamber.

### MOTION

**REP. LOUSER MOVED** that the Joint Session be dissolved, which motion prevailed.

### FIRST READING OF HOUSE BILLS

Appropriations Committee introduced:

**HB 1001:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the governor; and to provide for a report.

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

Appropriations Committee introduced:

**HB 1002:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the secretary of state and public printing.

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

Appropriations Committee introduced:

**HB 1003:** A BILL for an Act to provide an appropriation for defraying the expenses of the attorney general.

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

Appropriations Committee introduced:

**HB 1004:** A BILL for an Act to provide an appropriation for defraying the expenses of the state auditor.

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

Appropriations Committee introduced:

**HB 1005:** A BILL for an Act to provide an appropriation for defraying the expenses of the state treasurer.

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

Appropriations Committee introduced:

**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 provide an exemption; and to provide for a transfer.

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

Appropriations Committee introduced:

**HB 1007:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of labor and human rights.

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

Appropriations Committee introduced:

**HB 1008:** A BILL for an Act to provide an appropriation for defraying the expenses of the public service commission; and to provide for a transfer.

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

Appropriations Committee introduced:

**HB 1009:** A BILL for an Act to provide an appropriation for defraying the expenses of the agriculture commissioner; and to provide for a transfer.

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

Appropriations Committee introduced:

**HB 1010:** A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; and to provide an appropriation for the distribution of funds from the insurance tax distribution fund.

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

Appropriations Committee introduced:

**HB 1011:** A BILL for an Act to provide an appropriation for defraying the expenses of the securities department.

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

Appropriations Committee introduced:

**HB 1012:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of human services; to provide an exemption; and to provide for a report.

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

Appropriations Committee introduced:

**HB 1013:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of public instruction, the state library, the school for the deaf, and the North Dakota vision services - school for the blind; and to provide an exemption.

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

Appropriations Committee introduced:

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

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

Appropriations Committee introduced:

**HB 1015:** A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; and to provide an exemption.

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

Appropriations Committee introduced:



**HB 1016:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the adjutant general; and to provide an exemption.

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

Appropriations Committee introduced:

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

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

Appropriations Committee introduced:

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

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

Appropriations Committee introduced:

**HB 1019:** A BILL for an Act to provide an appropriation for defraying the expenses of the parks and recreation department.

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

Appropriations Committee introduced:

**HB 1020:** A BILL for an Act to provide an appropriation for defraying the expenses of the state water commission; and to provide for an application.

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

Appropriations Committee introduced:

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

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

Appropriations Committee introduced:

**HB 1022:** A BILL for an Act to provide an appropriation for defraying the expenses of the retirement and investment office; and to provide an exemption.

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

Appropriations Committee introduced:

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

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

Appropriations Committee introduced:

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

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

Appropriations Committee introduced:

**HB 1025:** A BILL for an Act to provide an appropriation for defraying the expenses of various state departments and institutions; and to declare an emergency.

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

Legislative Management introduced:

(Agriculture and Transportation Committee)

**HB 1026:** A BILL for an Act to create and enact a new section to chapter 60-02, and two new sections to chapter 60-02.1 of the North Dakota Century Code, relating to financial criteria for grain buyer, grain broker, grain processor, and warehousemen licenses, and licensing and bonding for grain brokers and grain processors; to amend and reenact sections 60-02-01, 60-02-07, 60-02-09, 60-02-11, 60-02-12, 60-02-19.1, 60-02-24, 60-02.1-01, 60-02.1-07, 60-02.1-08, 60-02.1-10, 60-02.1-11, 60-02.1-13, 60-02.1-14, 60-02.1-15, 60-02.1-17, 60-02.1-19, 60-02.1-21, 60-02.1-23, 60-02.1-29, 60-02.1-32, 60-02.1-41, subsection 2 of section 60-04-01, and section 60-10-16 of the North Dakota Century Code, relating to definitions of grain brokers and processors, the duties and powers of the commissioner, confidentiality records, scale ticket contents, credit-sale contracts, reports, annual licenses, fees, and bonds for grain buyers, grain brokers, grain processors, and warehousemen; to repeal sections 60-02.1-06, 60-02.1-07.1, 60-02.1-26, 60-02.1-27, and 60-10-15; and to provide a penalty.

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

Legislative Management introduced:  
(Education Funding Formula Review Committee)

**HB 1027:** A BILL for an Act to create and enact five new sections to chapter 15.1-27 of the North Dakota Century Code, relating to school district transportation aid payments; and to amend and reenact section 15.1-31-05 of the North Dakota Century Code, relating to the transportation of open enrollment students.

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

Legislative Management introduced:  
(Education Funding Formula Review Committee)

**HB 1028:** A BILL for an Act to amend and reenact section 57-15-17 of the North Dakota Century Code, relating to the ability of a school district to temporarily transfer excess funds accruing as a result of the COVID-19 pandemic between the general fund and the building fund of the school district; to provide an expiration date; and to declare an emergency.

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

Legislative Management introduced:  
(Employee Benefits Programs Committee)

**HB 1029:** A BILL for an Act to amend and reenact section 54-52.1-04.2 of the North Dakota Century Code, relating to public employee uniform group insurance for health benefits; to provide for application; and to declare an emergency.

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

Legislative Management introduced:  
(Government Administration Committee)

**HB 1030:** A BILL for an Act to provide an appropriation to the office of management and budget for accessibility improvements on the state capitol grounds; and to declare an emergency.

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

Legislative Management introduced:  
(Government Finance Committee)

**HB 1031:** A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to legislative management studies of state agency fees.

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

Legislative Management introduced:  
(Health Care Committee)

**HB 1032:** A BILL for an Act to create and enact a new chapter to title 19 of the North Dakota Century Code, relating to prescription drug cost transparency; and to provide a penalty.

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

Legislative Management introduced:  
(Health Care Committee)

**HB 1033:** A BILL for an Act to amend and reenact section 19-02.1-14.3 of the North Dakota Century Code, relating to prescribing of biosimilar drugs.

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

Legislative Management introduced:  
(Judiciary Committee)

**HB 1034:** A BILL for an Act to amend and reenact sections 25-03.1-11, 25-03.1-17, 25-03.1-19, 25-03.1-26, 25-03.1-27, 25-03.1-30, 25-03.1-34, and 25-03.1-42 of the North Dakota Century Code, relating to preliminary treatment and involuntary treatment hearings and references to an individual who is chemically dependent; and to provide a penalty.

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

Legislative Management introduced:  
(Judiciary Committee)

**HB 1035:** A BILL for an Act to create and enact chapters 27-20.2, 27-20.3, and 27-20.4 of

the North Dakota Century Code, relating to the Juvenile Court Act; to amend and reenact subsection 16 of section 11-16-01, section 12.1-32-15, subsections 1 and 3 of section 12.1-41-12, subsection 2 of section 14-02.1-03.1, subsection 2 of section 14-02.1-08, subdivision c of subsection 2 of section 14-07.1-18, section 14-15-11, subsections 1 and 2 of section 15.1-09-33.4, sections 15.1-19-15, 20.1-13.1-01, 20.1-15-01, 26.1-36-20, and 26.1-40-11.1, subsection 2 of section 27-05-30, section 27-20.1-01, paragraph 4 of subdivision n of subsection 2 of section 27-20.1-06, subsection 1 of section 27-20.1-10, subdivision d of subsection 1 of section 27-20.1-11, subsection 3 of section 27-20.1-11, subsection 2 of section 27-20.1-17, section 27-20.1-22, subsections 2 and 3 of section 27-21-02, subsection 3 of section 27-21-02.1, section 27-21-09, subsections 2 and 5 of section 27-21-12, section 30.1-27-02, subsection 3 of section 30.1-27-06, section 39-06-32.1, subsection 2 of section 39-20-01, section 39-24.1-01, subsection 5 of section 50-06-05.1, subdivision a of subsection 4 of section 50-06-43.2, subsection 1 of section 50-11.3-01, subsection 4 of section 50-25.1-15, subsection 2 of section 54-12-34, and sections 54-23.4-17 and 62.1-02-01 of the North Dakota Century Code, relating to juvenile justice; to repeal chapter 27-20 and section 27-21-03 of the North Dakota Century Code, relating to the Uniform Juvenile Court Act; and to provide a penalty.

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

Legislative Management introduced:  
(Judiciary Committee)

**HB 1036:** A BILL for an Act to provide for a legislative management study regarding the juvenile justice process.

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

Legislative Management introduced:  
(Legacy Fund Earnings Committee)

**HB 1037:** A BILL for an Act to create and enact a new section to chapter 21-10 of the North Dakota Century Code, relating to a legacy earnings fund; and to amend and reenact subsection 1 of section 21-10-06 of the North Dakota Century Code, relating to funds invested by the state investment board.

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

Legislative Management introduced:  
(Legacy Fund Earnings Committee)

**HB 1038:** A BILL for an Act to provide for a legislative management legacy fund earnings committee.

Was read the first time and referred to the **Finance and Taxation Committee**.

Legislative Management introduced:  
(Legislative Procedure and Arrangements Committee)

**HB 1039:** A BILL for an Act to amend and reenact section 48-08-03 of the North Dakota Century Code, relating to a media room in the state capitol.

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

Legislative Management introduced:  
(Workers' Compensation Review Committee)

**HB 1040:** A BILL for an Act to amend and reenact sections 65-01-16 and 65-04-32 of the North Dakota Century Code, relating to appealing a workforce safety and insurance decision; and to provide for application.

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

Government and Veterans Affairs Committee introduced:  
(At the request of the Public Employees Retirement System)

**HB 1041:** A BILL for an Act to amend and reenact subsection 2 of section 54-52-06, section 54-52.1-06, and subsection 2 of section 54-52.6-09 of the North Dakota Century Code, relating to public employees retirement system penalties for late payments or failures to follow required processes; and to provide a penalty.

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

Government and Veterans Affairs Committee introduced:  
(At the request of the Public Employees Retirement System)

**HB 1042:** A BILL for an Act to amend and reenact subsection 3 of section 54-52.1-04.16, relating to the public employees retirement system's uniform group insurance

program part D contracts with pharmacy benefit managers.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Judiciary Committee introduced:

(At the request of the Ethics Commission)

**HB 1043:** A BILL for an Act to create and enact two new sections to chapter 54-66 of the North Dakota Century Code, relating to the ethics commission delegation of duties and advisory opinions; to amend and reenact subsection 2 of section 54-66-01 and sections 54-66-05, 54-66-06, 54-66-07, 54-66-08, 54-66-09, and 54-66-12 of the North Dakota Century Code, relating to ethics commission complaint procedures.

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

Human Services Committee introduced:

(At the request of the State Board of Nursing)

**HB 1044:** A BILL for an Act to amend and reenact section 43-12.5-01 of the North Dakota Century Code, relating to the advanced practice registered nurse licensure compact.

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

Agriculture Committee introduced:

(At the request of the Agriculture Commissioner)

**HB 1045:** A BILL for an Act to amend and reenact section 4.1-18.1-01 and subsection 1 of section 4.1-18.1-05 of the North Dakota Century Code, relating to industrial hemp.

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

Agriculture Committee introduced:

(At the request of the Agriculture Commissioner)

**HB 1046:** A BILL for an Act to amend and reenact subsection 1 of section 4.1-01-11 of the North Dakota Century Code, relating to the advisory committee on sustainable agriculture.

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

Judiciary Committee introduced:

(At the request of the Supreme Court)

**HB 1047:** A BILL for an Act to amend and reenact subsection 1 of section 27-20-51 of the North Dakota Century Code, relating to inspection of juvenile court files and records.

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

Judiciary Committee introduced:

(At the request of the Supreme Court)

**HB 1048:** A BILL for an Act to create and enact a new subsection to section 30.1-28-04 of the North Dakota Century Code, relating to the requirement of a guardian to obtain a bond.

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

Judiciary Committee introduced:

(At the request of the Supreme Court)

**HB 1049:** A BILL for an Act to create and enact a new section to chapter 30.1-28 of the North Dakota Century Code, relating to restrictions on visitation, communication, and interaction with the ward.

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

Industry, Business and Labor Committee introduced:

(At the request of the Bank of North Dakota)

**HB 1050:** A BILL for an Act to amend and reenact subsection 2 of section 54-60.1-01 of the North Dakota Century Code, relating to definitions relating to business incentives, agreements, and reports.

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

Industry, Business and Labor Committee introduced:

(At the request of Workforce Safety and Insurance)

**HB 1051:** A BILL for an Act to create and enact two new sections to chapter 65-02 and a new section to chapter 65-04, of the North Dakota Century Code, relating to attorney's fees and reimbursement to employers, payment of fees associated with credit or debit card payments, and settlements regarding amounts owed by employers; to amend and reenact sections 65-04-19, 65-04-24, and 65-04-25 and

subsection 1 of section 65-04-26.1 of the North Dakota Century Code, relating to audit of employers, workforce safety and insurance retaining counsel on employer files, and filing payroll reports; to provide a continuing appropriation; and to provide for application.

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

Judiciary Committee introduced:

(At the request of the Supreme Court)

**HB 1052:** A BILL for an Act to amend and reenact section 27-20-61 of the North Dakota Century Code, relating to cooperative agreements to provide services to juveniles adjudicated in tribal court.

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

Government and Veterans Affairs Committee introduced:

(At the request of the State Historical Society)

**HB 1053:** A BILL for an Act to amend and reenact section 11-11-53.1 of the North Dakota Century Code, relating to the donation of historical artifacts from a county historical society.

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

Energy and Natural Resources Committee introduced:

(At the request of the Industrial Commission)

**HB 1054:** A BILL for an Act to amend and reenact subsection 1 of section 38-08-04 of the North Dakota Century Code, relating to bond requirements for abandoned oil and gas wells.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Energy and Natural Resources Committee introduced:

(At the request of the Industrial Commission)

**HB 1055:** A BILL for an Act to amend and reenact subsection 4 of section 38-08-11 of the North Dakota Century Code, relating to service of signed commission orders.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Energy and Natural Resources Committee introduced:

(At the request of the Industrial Commission)

**HB 1056:** A BILL for an Act to amend and reenact section 54-17.4-02 of the North Dakota Century Code, relating to the collection of global positioning system data; and to repeal section 54-17.4-12 of the North Dakota Century Code, relating to the duties of the state geologist.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Political Subdivisions Committee introduced:

(At the request of the Office of Management and Budget)

**HB 1057:** A BILL for an Act to amend and reenact subsection 2 of section 32-12.1-03 and subsection 2 of section 32-12.2-02 of the North Dakota Century Code, relating to the statutory caps for liability of political subdivisions and the state; and to provide an effective date.

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

Government and Veterans Affairs Committee introduced:

(At the request of the Office of Management and Budget)

**HB 1058:** A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to the state's leave sharing program; to amend and reenact section 54-06-14.4 of the North Dakota Century Code, relating to state employee leave for organ or bone marrow donation; and to repeal sections 54-06-14.1 and 54-06-14.2 of the North Dakota Century Code, relating to the state's leave sharing program.

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

Energy and Natural Resources Committee introduced:

(At the request of the Public Service Commission)

**HB 1059:** A BILL for an Act to amend and reenact subsection 1 of section 49-23-06 of the North Dakota Century Code, relating to requiring an excavator to call 911 upon damage to a facility that releases any flammable toxic or corrosive gas.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Energy and Natural Resources Committee introduced:

(At the request of the Public Service Commission)

**HB 1060:** A BILL for an Act to amend and reenact section 49-02-08 of the North Dakota Century Code, relating to the manner in which public utility meters may be tested.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Energy and Natural Resources Committee introduced:

(At the request of the Public Service Commission)

**HB 1061:** A BILL for an Act to amend and reenact subsection 1 of section 38-14.1-19 and subsection 3 of section 38-14.1-22 of the North Dakota Century Code, relating to extending time for scheduling an informal conference and application for a permit renewal.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Industry, Business and Labor Committee introduced:

(At the request of the Insurance Commissioner)

**HB 1062:** A BILL for an Act to create and enact a new subsection to section 26.1-30-19 of the North Dakota Century Code, relating to the confidentiality of insurance filings; and to amend and reenact section 26.1-03-10, subdivision a of subsection 5 of section 26.1-03-19.4, and subsection 6 of section 26.1-03-19.4 of the North Dakota Century Code, relating to insurance company records held by the insurance commissioner.

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

Energy and Natural Resources Committee introduced:

(At the request of the State Water Commission)

**HB 1063:** A BILL for an Act to amend and reenact sections 61-24.6-02 and 61-24.6-10 of the North Dakota Century Code, relating to the membership on the northwest area water supply advisory committee and the areas to be served by the northwest area water supply project.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Appropriations Committee introduced:

(At the request of the Information Technology Department)

**HB 1064:** A BILL for an Act to amend and reenact section 54-59-05 of the North Dakota Century Code, relating to the powers and duties of the information technology department.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1065:** A BILL for an Act to amend and reenact subsection 3 of section 50-24.4-10 of the North Dakota Century Code, relating to nursing home's operating costs.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1066:** A BILL for an Act to amend and reenact section 50-06-05.2 of the North Dakota Century Code, relating to the accreditation of the regional human service centers.

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

Energy and Natural Resources Committee introduced:

(At the request of the Public Service Commission)

**HB 1067:** A BILL for an Act to create and enact section 49-05-04.4 of the North Dakota Century Code, relating to the authority of the public service commission to adopt rules and request a fee to cover the cost of investigating a public utilities integrated resource plan.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Transportation Committee introduced:

(At the request of the Parks and Recreation Department)

**HB 1068:** A BILL for an Act to amend and reenact subsection 2 of section 39-29-01 of the North Dakota Century Code, relating to the definition of an off-highway vehicle.

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

Judiciary Committee introduced:

(At the request of the Department of Corrections and Rehabilitation)

**HB 1069:** A BILL for an Act to amend and reenact section 12-47-31 of the North Dakota Century Code, relating to the discharge of offenders.

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

Judiciary Committee introduced:

(At the request of the Department of Corrections and Rehabilitation)

**HB 1070:** A BILL for an Act to amend and reenact section 12-59-12 of the North Dakota Century Code, relating to modification of parole board action.

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

Judiciary Committee introduced:

(At the request of the Department of Corrections and Rehabilitation)

**HB 1071:** A BILL for an Act to amend and reenact section 12-59-08 of the North Dakota Century Code, relating to medical paroles.

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

Transportation Committee introduced:

(At the request of the Department of Transportation)

**HB 1072:** A BILL for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to electronic motor vehicle operator's licenses.

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

Judiciary Committee introduced:

(At the request of the Department of Environmental Quality)

**HB 1073:** A BILL for an Act to create and enact a new section to chapter 23-01 and a new section to chapter 23.1-01 of the North Dakota Century Code, relating to criminal history background checks for applicants for licenses and permits issued by the state department of health and the department of environmental quality; and to amend and reenact subdivisions n and vv of subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks.

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

Energy and Natural Resources Committee introduced:

(At the request of the Game and Fish Department)

**HB 1074:** A BILL for an Act to amend and reenact section 20.1-02-09 of the North Dakota Century Code, relating to records kept and reports made by the chief game warden.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Rep. Dockter introduced:

**HB 1075:** A BILL for an Act to amend and reenact section 15.1-06-04.1 of the North Dakota Century Code, relating to student extracurricular activities held on teacher professional development conference days.

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

Reps. Devlin, Beltz, Rohr, M. Ruby, Weisz and Sens. Heckaman, Lee introduced:

**HB 1076:** A BILL for an Act to amend and reenact section 50-06-43.1 of the North Dakota Century Code, relating to the children's cabinet; and to declare an emergency.

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

Judiciary Committee introduced:

(At the request of the Commission on Uniform State Laws)

**HB 1077:** A BILL for an Act to create and enact chapter 30.1-37 of the North Dakota Century Code, relating to the Uniform Electronic Wills Act; and to provide for application.

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

Judiciary Committee introduced:

(At the request of the Commission on Uniform State Laws)

**HB 1078:** A BILL for an Act to create and enact sections 16.1-13-35, 16.1-13-36, 16.1-13-37, 16.1-13-38, 16.1-13-39, 16.1-13-40, 16.1-13-41, 16.1-13-42, 16.1-13-43, and 16.1-13-44 and chapter 16.1-14.1 of the North Dakota Century Code, relating to presidential elections and the adoption of the Uniform Faithful Presidential Electors Act; to amend and reenact subsection 1 of section 16.1-03-14 and sections 16.1-06-06, 16.1-12-02, 16.1-14-01, 16.1-14-03, 16.1-14-08, 16.1-14-09,

16.1-14-10, 16.1-14-11, 16.1-14-12, 16.1-14-13, and 16.1-14-14 of the North Dakota Century Code, relating to nominating presidential electors and alternate electors, and presidential electors' roles and procedures; and to repeal sections 16.1-14-05, 16.1-14-18, 16.1-14-19, 16.1-14-20, 16.1-14-21, 16.1-14-22, 16.1-14-23, 16.1-14-24, 16.1-14-25, 16.1-14-26, 16.1-14-27, and 16.1-14-28 of the North Dakota Century Code, relating to the filling of a vacancy of a presidential elector and voting of new and former residents at presidential elections.

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

Judiciary Committee introduced:

(At the request of the Commission on Uniform State Laws)

**HB 1079:** A BILL for an Act to create and enact chapter 47-37 of the North Dakota Century Code, relating to the Uniform Environmental Covenants Act.

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

Rep. Dockter introduced:

**HB 1080:** A BILL for an Act to amend and reenact sections 15-05-10 and 47-16-39.1 of the North Dakota Century Code, relating to the obligation to pay oil and gas royalties on leases owned and managed by the board of university and school lands.

Was read the first time and referred to the **Finance and Taxation Committee**.

Rep. Zubke introduced:

**HB 1081:** A BILL for an Act to amend and reenact section 20.1-02-15.1 of the North Dakota Century Code, relating to authority of the game and fish department employees to enforce laws.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Rep. Dockter introduced:

**HB 1082:** A BILL for an Act to create and enact a new subsection to section 57-38-42 of the North Dakota Century Code, relating to electronic filing and payment of information returns; to amend and reenact section 57-38-60 of the North Dakota Century Code, relating to electronic filing and payment of income tax withholding returns; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Zubke, Longmuir introduced:

**HB 1083:** A BILL for an Act to amend and reenact sections 15.1-21-02.4 and 15.1-21-02.5 of the North Dakota Century Code, relating to scholarship eligibility requirements; and to declare an emergency.

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

Industry, Business and Labor Committee introduced:

(At the request of Workforce Safety and Insurance)

**HB 1084:** A BILL for an Act to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to charging fees for outgoing file copies; to amend and reenact paragraph 3 of subdivision b of subsection 11 of section 65-01-02, section 65-01-11, subsections 2 and 3 of section 65-04-33, subsection 7 of section 65-05-08, sections 65-05-09, 65-05-10, 65-05-32, and 65-05-33, subsection 1 of section 65-05-35, subsections 3 and 6 of section 65-05.1-01, and subsection 2 of section 65-05.1-06.1 of the North Dakota Century Code, relating to definition of compensable injury, burden of proof involving recreational marijuana use, an employer's willful misrepresentation by statement or omission, reapplications following a refusal of job offer, calculation of temporary total, permanent total, and temporary partial disability using average weekly wage from the definition section, release of claim file information to survivors in death claims, a person who claims benefits or the employer of a person who claims benefits and makes a false statement or omission, presumed closed claims, and reapplications following completion of a rehabilitation retraining program; to provide a penalty; and to provide for application.

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

Industry, Business and Labor Committee introduced:

(At the request of the Securities Commissioner)

**HB 1085:** A BILL for an Act to amend and reenact subsection 3 of section 10-04-02, sections 10-04-05, 10-04-06, 10-04-07.1, 10-04-08.1, 10-04-08.3, and 10-04-08.4, and



subsection 2 of section 10-04-10 of the North Dakota Century Code, relating to the definition of broker-dealer, registration by coordination, federal covered securities, and qualifications of registered agents.

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

Industry, Business and Labor Committee introduced:

(At the request of the Insurance Commissioner)

**HB 1086:** A BILL for an Act to amend and reenact subsection 5 of section 26.1-22-01 and sections 26.1-22-02.1, 26.1-22-06.1, 26.1-22-10, 26.1-22-14, 26.1-22-15, and 26.1-22-19 of the North Dakota Century Code, relating to property insured by the state fire and tornado fund; to provide an effective date; and to declare an emergency.

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

Industry, Business and Labor Committee introduced:

(At the request of the Insurance Commissioner)

**HB 1087:** A BILL for an Act to create and enact a new section to chapter 26.1-36.7 of the North Dakota Century Code, relating to third-party reinsurance; to amend and reenact sections 26.1-03-17, 26.1-36.7-01, 26.1-36.7-02, 26.1-36.7-03, 26.1-36.7-04, 26.1-36.7-05, 26.1-36.7-06, 26.1-36.7-07, 26.1-36.7-08, 26.1-36.7-09, and 26.1-36.7-10 of the North Dakota Century Code, relating to premium taxes and credits for insurance companies and the establishment of an invisible reinsurance pool for the individual health insurance market; to provide for a study; to provide a penalty; to provide an appropriation; and to declare an emergency.

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

Energy and Natural Resources Committee introduced:

(At the request of the State Water Commission)

**HB 1088:** A BILL for an Act to amend and reenact section 61-02-01.3 of the North Dakota Century Code, relating to the state water commission's comprehensive water development plan; and to repeal section 61-02-01.5 of the North Dakota Century Code, relating to North Dakota outdoor heritage fund grants and their effect on state water commission cost-share amounts.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1089:** A BILL for an Act to amend and reenact sections 25-01.2-09 and 25-03.1-40 of the North Dakota Century Code, relating to seclusion, restraint, and the prohibition of shock treatment and aversive reinforcement conditioning.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1090:** A BILL for an Act to amend and reenact sections 50-24.4-01, 50-24.4-08, 50-24.4-10, 50-24.4-15, and 50-24.4-19 of the North Dakota Century Code, relating to nursing home rates.

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

Human Services Committee introduced:

(At the request of the Department of Human Services)

**HB 1091:** A BILL for an Act to create and enact a new section to chapter 50-11 of the North Dakota Century Code, relating to the use of an automated clearing house to facilitate payment; to amend and reenact subsection 1 of section 50-06-01.4, subsection 8 of section 50-11-00.1, and sections 50-11-02 and 50-11-03.2 of the North Dakota Century Code, relating to shelter care services, foster care for children, foster care approval and licensing of facilities, and the use of public funds; and to provide an effective date.

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

Industry, Business and Labor Committee introduced:

(At the request of the Insurance Commissioner)

**HB 1092:** A BILL for an Act to create and enact three new sections to chapter 26.1-02.1 of the North Dakota Century Code, relating to civil and administrative remedies used to combat insurance fraud; and to provide a penalty.

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

Appropriations Committee introduced:

(At the request of the State Auditor)

**HB 1093:** A BILL for an Act to amend and reenact section 26.1-21-08 of the North Dakota Century Code, relating to the audit of state bonding coverage.

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

Appropriations Committee introduced:

(At the request of the State Auditor)

**HB 1094:** A BILL for an Act to amend and reenact section 54-59-22.1 of the North Dakota Century Code, relating to the required use of centralized desktop support services.

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

Energy and Natural Resources Committee introduced:

(At the request of the Public Service Commission)

**HB 1095:** A BILL for an Act to create and enact a new subsection to section 49-22-07 of the North Dakota Century Code, relating to the siting of a repowered wind conversion facility that has not previously been issued a certificate of site compatibility; and to amend and reenact sections 49-22-03 and 49-22-16.4 of the North Dakota Century Code, relating to the definition of repower for a wind facility and waivers or extensions for light mitigation technology systems.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Energy and Natural Resources Committee introduced:

(At the request of the Public Service Commission)

**HB 1096:** A BILL for an Act to create and enact sections 49-22-25, 49-22-26, 49-22.1-23, and 49-22.1-24 of the North Dakota Century Code, relating to energy conversion and transmission siting and facilities; to amend and reenact subsection 3 of section 49-22-03, section 49-22-07.2, subsections 1 and 4 of section 49-22-13, subsection 1 of section 49-22-22, subsections 3 and 7 of section 49-22.1-01, section 49-22.1-05, subsections 1 and 4 of section 49-22.1-10, and subsection 1 of section 49-22.1-21 of the North Dakota Century Code, relating to energy conversion and transmission siting and facilities; and to repeal section 49-22.1-22 of the North Dakota Century Code, relating to removal of electrical standards requirement from gas and liquid energy transmission facilities.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Government and Veterans Affairs Committee introduced:

(At the request of the Parks and Recreation Department)

**HB 1097:** A BILL for an Act to amend and reenact section 55-08-07.2 of the North Dakota Century Code, relating to the state parks gift fund; and to provide a continuing appropriation.

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

Transportation Committee introduced:

(At the request of the Highway Patrol)

**HB 1098:** A BILL for an Act to amend and reenact sections 39-08-05, 39-08-08, 39-08-10, 39-08-11, 39-08-13, 39-08-14, 39-08-15, and 39-08-16 of the North Dakota Century Code, relating to reporting crashes and obtaining crash reports and data.

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

Finance and Taxation Committee introduced:

(At the request of the Tax Commissioner)

**HB 1099:** A BILL for an Act to amend and reenact subsection 3 of section 5-03-09, sections 57-01-06 and 57-39.2-17, and subsection 5 of section 57-39.2-23 of the North Dakota Century Code, relating to the authority of the tax commissioner to waive penalties for late or nonfiled alcoholic beverage tax returns, sales, market, and productivity studies for property tax purposes, the requirement to use certified or registered mailing for sales tax purposes, and disclosure of county lodging taxes and county lodging and restaurant taxes information to a county governing body.

Was read the first time and referred to the **Finance and Taxation Committee**.

Transportation Committee introduced:

(At the request of the Department of Transportation)

**HB 1100:** A BILL for an Act to amend and reenact subsection 1 of section 39-06.2-10 of the North Dakota Century Code, relating to commercial driver's license disqualifications.

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

Transportation Committee introduced:

(At the request of the Department of Transportation)

**HB 1101:** A BILL for an Act to amend and reenact section 24-02-02.3 of the North Dakota Century Code, relating to federally funded safety improvement projects on tribal owned highways, streets, roads, and bridges.

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

Transportation Committee introduced:

(At the request of the Department of Transportation)

**HB 1102:** A BILL for an Act to amend and reenact subsection 9 of section 39-06-19 of the North Dakota Century Code, relating to online driver's license renewals.

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

Human Services Committee introduced:

(At the request of the State Department of Health)

**HB 1103:** A BILL for an Act to create and enact sections 23-10-06.1 and 23-10-06.2 of the North Dakota Century Code, relating to mobile home park, recreational vehicle park, and campground license renewals and transfers; to amend and reenact sections 23-10-01, 23-10-02, 23-10-02.1, 23-10-03, 23-10-04, 23-10-06, 23-10-07, 23-10-07.1, 23-10-09, 23-10-10, 23-10-10.1, 23-10-11, and 23-10-12 of the North Dakota Century Code, relating to mobile home parks, recreational vehicle parks, and campgrounds; and to provide a penalty.

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

Reps. Dobervich, Buffalo, Ista, Kading, Roers Jones, Schneider and Sen. Mathern introduced:

**HB 1104:** A BILL for an Act to amend and reenact section 12.1-32-09.1 of the North Dakota Century Code, relating to sentencing violent offenders; and to provide for retroactive application.

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

Reps. Dobervich, P. Anderson, Buffalo, Hanson, Pyle and Sens. Bakke, Heckaman, Hogan, Mathern, Oban introduced:

**HB 1105:** A BILL for an Act to amend and reenact sections 12.1-20-12.1 and 23-12-16 of the North Dakota Century Code, relating to breastfeeding; and to provide a penalty.

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

Reps. Dobervich, Buffalo, Hanson, Roers Jones, Schneider and Sen. Bakke introduced:

**HB 1106:** A BILL for an Act to repeal section 12.1-20-17 of the North Dakota Century Code, relating to willfully transferring body fluid containing the human immunodeficiency virus.

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

Reps. Pyle, Cory, M. Ruby and Sens. Bekkedahl, Dwyer introduced:

**HB 1107:** A BILL for an Act to amend and reenact section 15-10-19.1 of the North Dakota Century Code, relating to the definition of a resident student for tuition purposes.

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

Reps. Pyle, Adams, Becker and Sens. Hogue, Meyer, K. Roers introduced:

**HB 1108:** A BILL for an Act to amend and reenact sections 11-11-35 and 16.1-15-32 of the North Dakota Century Code, relating to county notification requirements.

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

Reps. Heinert, Meier, Pyle, M. Ruby and Sen. Myrdal introduced:

**HB 1109:** A BILL for an Act to amend and reenact subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to the possession of a firearm or dangerous weapon at a public gathering.

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

Reps. Heinert, Mock, Nathe, M. Ruby and Sens. Dever, Larson, K. Roers introduced:

**HB 1110:** A BILL for an Act to amend and reenact subsection 1 of section 29-06-05.2 of the North Dakota Century Code, relating to the jurisdiction of federal agents.

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

Reps. Heinert, M. Johnson, Owens, Zubke and Sen. Schaible introduced:

**HB 1111:** An Act to provide for a legislative management study of competency-based learning initiatives implemented in school districts under innovative education programs.

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

Reps. Heinert, Howe, Jones, Meier, J. Nelson, Roers Jones, Schatz and Sens. Dever, Larson, Myrdal introduced:

**HB 1112:** A BILL for an Act to amend and reenact section 54-23.3-11 of the North Dakota Century Code, relating to the prioritization of admission of inmates.

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

Reps. Thomas, Brandenburg, J. Nelson and Sen. Klein introduced:

**HB 1113:** A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to obtaining a landowner's permission before baiting; to amend and reenact subsection 3 of section 12.1-31-14 of the North Dakota Century Code, relating to trail cameras; and to provide a penalty.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Reps. Heinert, Owens and Sen. Schaible introduced:

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

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

Reps. Devlin, D. Johnson, Pollert, Weisz and Sens. Lemm, Wanzek introduced:

**HB 1115:** A BILL for an Act to create and enact sections 4.1-01-24 and 4.1-01-25 of the North Dakota Century Code, relating to zoning of animal feeding operations and regulation of odors from agricultural operations and animal feeding operations by the agriculture commissioner; and to amend and reenact sections 11-33-02.1 and 11-33-22, subsection 1 of section 23.1-06-09, and sections 23.1-06-15, 44-04-32, 58-03-11.1, and 58-03-17 of the North Dakota Century Code, relating to zoning of animal feeding operations and regulation of odors from agricultural operations and animal feeding operations; and to repeal section 23.1-01-10 of the North Dakota Century Code, relating to a central repository for concentrated animal feeding operations zoning regulations.

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

Reps. Klemin, Heinert and Sens. Bekkedahl, Patten introduced:

**HB 1116:** A BILL for an Act to amend and reenact subsection 6 of section 21-03-07, and sections 21-03-08, 21-03-19, 57-15-06.6, and 57-47-02 of the North Dakota Century Code, relating to the issuance and maximum term of general obligation bonds and the authorized uses of the county capital projects levy; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Klemin, Buffalo, Hanson, Heinert, Jones, Karls, Roers Jones and Sens. Bakke, Dwyer, Larson introduced:

**HB 1117:** A BILL for an Act to amend and reenact sections 25-03.1-03.1, 25-03.1-06, 25-03.1-08, 25-03.1-15, and 25-03.1-19, subsection 2 of section 25-03.1-21, sections 25-03.1-22, 25-03.1-23, and 25-03.1-29, and subsection 7 of section 30.1-28-04 of the North Dakota Century Code, relating to commitment procedures; and to repeal section 25-03.1-18.2 of the North Dakota Century Code, relating to guardian consent to involuntary treatment with prescribed medication.

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

Reps. Devlin, Becker, Bellew, Delzer, Pollert, M. Ruby, Vigesaa, Weisz and Sen. Heckaman introduced:

**HB 1118:** A BILL for an Act to amend and reenact subsection 3 of section 37-17.1-05 of the North Dakota Century Code, relating to the duration of a gubernatorial declaration of disaster or emergency relating to public health and extension requests; and to declare an emergency.

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

Reps. Klemin, Devlin, Dockter, Kasper, K. Koppelman, Louser, Nathe and Sens. Dwyer, Hogue, Vedaa introduced:

**HB 1119:** A BILL for an Act to amend and reenact section 16.1-06-09 of the North Dakota Century Code, relating to printing initiated measures and constitutional amendments on the ballot.

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

Reps. M. Ruby, Heinert, Owens, Pyle, D. Ruby, Thomas and Sens. Bekkedahl, Hogue, Kreun introduced:

**HB 1120:** A BILL for an Act to create and enact a new section to chapter 20.1-03 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to deer hunting licenses for disabled veterans.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Rep. D. Anderson and Sen. Kreun introduced:

**HB 1121:** A BILL for an Act to amend and reenact sections 14-05-24 and 14-05-27 and subsection 3 of section 29-15-21 of the North Dakota Century Code, relating to division of marital property debts; and to provide for application.

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

Reps. Roers Jones, Heinert, Porter and Sens. Hogue, Larson introduced:

**HB 1122:** A BILL for an Act to create and enact section 12-63-02.3 of the North Dakota Century Code, relating to reserve peace officers; and to amend and reenact section 12-63-03 of the North Dakota Century Code, relating to peace officer duties or activities.

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

Reps. Roers Jones, Becker, Hanson, M. Johnson, Klemin, Mock and Sens. Bakke, Dwyer, Myrdal introduced:

**HB 1123:** A BILL for an Act to amend and reenact sections 29-08-02 and 29-05-12 of the North Dakota Century Code, relating to bail and a summons in lieu of arrest warrant.

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

Reps. Roers Jones, Becker, Heinert, Jones, Paulson, Vetter and Sens. Bakke, Dwyer, Hogue, Larson, Myrdal introduced:

**HB 1124:** A BILL for an Act to amend and reenact section 5-01-08 of the North Dakota Century Code, relating to evidence-based alcohol and drug education program for individuals under twenty-one years of age who purchase, possess, or consume an alcoholic beverage; and to provide a penalty.

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

Reps. Pyle, Mock, Roers Jones and Sens. Bekkedahl, Dever introduced:

**HB 1125:** A BILL for an Act to amend and reenact section 15-10-18.2 of the North Dakota Century Code, relating to the definition of a dependent to determine the eligibility of certain dependents of veterans to receive free tuition in institutions of higher education in the state.

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

Reps. Roers Jones, Buffalo, Heinert, Ista, Jones, Mock, Porter and Sens. Bakke, Dwyer introduced:

**HB 1126:** A BILL for an Act to amend and reenact section 12-63-02.2 of the North Dakota Century Code, relating to tribal police officers; and to declare an emergency.

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

Reps. Heinert, Damschen, Dockter, M. Johnson, Kasper, Klemin, Lefor, Porter and Sens. Dwyer, Bell introduced:

**HB 1127:** A BILL for an Act to amend and reenact sections 44-08-05.1 and 54-10-25 of the North Dakota Century Code, relating to the disclosure of a pending investigation.

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

Rep. Paur introduced:

**HB 1128:** A BILL for an Act to amend and reenact section 39-10-21.1 of the North Dakota Century Code, relating to prohibiting entering or driving on a closed road; and to provide a penalty.

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

Reps. Bellew, Dockter, Martinson, Mock, Nathe, Rohr, M. Ruby and Sens. Dever, Schaible introduced:

**HB 1129:** A BILL for an Act to amend and reenact subsection 4 of section 57-38-01.28 and subdivision t of subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to the marriage penalty credit and an income tax exclusion for social security benefits; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Lefor, Steiner and Sen. Wardner introduced:

**HB 1130:** A BILL for an Act to create and enact section 40-18-14.1 of the North Dakota Century Code, relating to the authority of the municipal court to execute judgments; and to amend and reenact section 29-27-02 of the North Dakota Century Code, relating to judgments imposing fines or assessing costs.

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

Reps. Strinden, P. Anderson, Mock, Pyle, Satrom, Schatz and Sens. Davison, Hogan, Kreun, Myrdal, Poolman introduced:

**HB 1131:** A BILL for an Act to amend and reenact section 15.1-02-16 of the North Dakota Century Code, relating to credentials for specialists trained in dyslexia.

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

Reps. Roers Jones, Hanson, M. Johnson, Mock, O'Brien, Pyle and Sens. Bekkedahl, Hogue, Lee, Piepkorn introduced:

**HB 1133:** A BILL for an Act to create and enact a new section to chapter 54-54 of the North Dakota Century Code, relating to a state artist laureate; to provide a statement of legislative intent; and to provide an appropriation.

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

Reps. Richter, Hatlestad, Longmuir and Sen. Rust introduced:

**HB 1134:** A BILL for an Act to amend and reenact section 14-20-18 of the North Dakota Century Code, relating to challenging an acknowledgment or denial of paternity.

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

Reps. Pyle, Cory, Heinert, D. Johnson, Sanford and Sens. Oban, Schaible, Weber introduced:

**HB 1135:** A BILL for an Act to amend and reenact sections 15.1-21-02.4 and 15.1-21-02.5 of the North Dakota Century Code, relating to eligibility for the North Dakota career and technical education scholarship and the North Dakota academic scholarship for high school students enrolled in school districts using course proficiency-based grading systems.

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

Reps. Nathe, Bosch, Dockter, Lefor, Martinson, Nehring and Sens. Hogue, Patten, J. Roers introduced:

**HB 1137:** A BILL for an Act to amend and reenact section 57-38-01.7 of the North Dakota Century Code, relating to an individual income tax credit for charitable contributions; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

#### **FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Legislative Management introduced:

(Agriculture and Transportation Committee)

**HCR 3001:** A concurrent resolution urging Congress to temporarily amend cargo carrying truck length and weight restrictions on state highways and interstates that are a part of the National Network to allow North Dakota and surrounding states to conduct a road train pilot program and to permanently amend the restrictions to allow road trains on the National Network highways and interstates if the pilot program is successful.

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

Legislative Management introduced:

(Government Finance Committee)

**HCR 3002:** A concurrent resolution recognizing the memorandum of understanding and option to acquire land entered by the Department of Corrections and Rehabilitation, by and through the State Penitentiary and the Missouri River Correctional Center

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

Rep. Fegley introduced:

**HCR 3003:** A concurrent resolution to amend and reenact section 9 of article III of the Constitution of North Dakota, relating to initiated measures for constitutional amendments.

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

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

**Buell J. Reich, Chief Clerk**

