

SPECIAL SUPPLEMENT
CHAPTERS 548 THROUGH 566

LAWS

PASSED AT

The Sixty-seventh Session

OF THE

Legislative Assembly

OF THE

STATE OF NORTH DAKOTA

MEETING IN SPECIAL SESSION AT
BISMARCK, THE CAPITAL, ON
MONDAY, NOVEMBER 8, 2021, AND
ADJOURNING FRIDAY, NOVEMBER 12, 2021

AUTHENTICATION

STATE OF NORTH DAKOTA Department of State, Bismarck

I, Alvin A. Jaeger, Secretary of State, certify that the laws contained herein are true and correct copies, except clerical errors, of the laws and resolutions passed at the special session of the Sixty-seventh Session of the Legislative Assembly of the State of North Dakota, beginning Monday, November 8, 2021, and concluding Friday, November 12, 2021.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this fifteenth day of November 2021.

(SEAL)

ALVIN A. JAEGER
Secretary of State

John Bjornson and Emily L. Thompson of the Legislative Council certify that we have prepared the contents of these volumes and that the measures, laws, and resolutions contained herein are true and correct copies of the original measures, laws, and resolutions on file in the office of the Secretary of State in the State Capitol at Bismarck, North Dakota, clerical errors excepted.

JOHN BJORNSON
EMILY L. THOMPSON

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APPROPRIATIONS

CHAPTER 548

HOUSE BILL NO. 1505

(Legislative Management)
(Appropriations Committee)

AN ACT to amend section 6 of chapter 15, section 5 of chapter 18, sections 6, 7, and 8 of chapter 19, and section 1 of chapter 55 of the 2021 Session Laws, relating to the federal coronavirus capital projects fund and federal state fiscal recovery fund; to identify department of transportation funding sources; to provide an appropriation; to provide for a transfer; to provide for a report; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 6 of chapter 15 of the 2021 Session Laws is amended and reenacted as follows:

SECTION 6. APPROPRIATION - FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND - FEDERAL STATE FISCAL RECOVERY FUND - MATCHING FUNDS - ONE-TIME FUNDING.

1. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of ~~\$70,000,000~~\$68,276,228, or so much of the sum as may be necessary, ~~and from the federal state fiscal recovery fund, not otherwise appropriated, the sum of \$20,000,000, or so much of the sum as may be necessary,~~ to the department of career and technical education for the purpose of a statewide area career center initiative grant program for the period beginning with the effective date of this Act, and ending June 30, 2023. The department of career and technical education shall establish the application process and develop eligibility requirements for the grant program that must include:
 - a. Funding may be used only for career and technical education projects involving construction, addition, maintenance, and equipment for new and existing area career centers;
 - b. Grants awarded to each recipient must be at least \$500,000, but may not exceed \$10,000,000;
 - c. Grants may be awarded only to the extent a school district has secured matching funds from nonstate sources on a dollar-for-dollar basis;

- d. An applicant identifying sufficient future nonstate sources of funding for ongoing operating and maintenance costs associated with a new or expanded area career center;
 - e. The application period for the grant program begins with the effective date of this Act and ends on June 30, 2022. Any funding not committed by December 31, 2022, may not be spent and must be canceled at the end of the 2021-23 biennium in accordance with section 54-44.1-11;
 - f. Preference must be given to school districts that collaborate with other school districts for a regional area career center facility or to school districts to create a new area career center or use an existing area career center to positively affect that region of the state; and
 - g. Preference must be given to school districts that will promote postsecondary education and workforce training education in conjunction with secondary education.
2. There is appropriated from federal funds derived from the federal ~~coronavirus capital projects~~ state fiscal recovery fund, not otherwise appropriated, the sum of \$5,900,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing a grant to an entity for the development of a children's science center for the period beginning with the effective date of this Act, and ending June 30, 2023.
 3. There is appropriated from federal funds derived from the federal ~~coronavirus capital projects~~ state fiscal recovery fund, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of reconstruction of the university's apron at the Grand Forks airport for the period beginning with the effective date of this Act, and ending June 30, 2023.
 4. There is appropriated from federal funds derived from the federal ~~coronavirus capital projects~~ state fiscal recovery fund, not otherwise appropriated, the sum of \$4,000,000, or so much of the sum as may be necessary, to Dickinson state university for the purpose of a Pulver hall project, a meat processing laboratory remodel, and other projects for the period beginning with the effective date of this Act, and ending June 30, 2023.
 5. There is appropriated from federal funds derived from the federal ~~coronavirus capital projects~~ state fiscal recovery fund, not otherwise appropriated, the sum of \$3,000,000, or so much of the sum as may be necessary, to the highway patrol for the purpose of a law enforcement training center remodel project for the period beginning with the effective date of this Act, and ending June 30, 2023.
 6. There is appropriated from federal funds derived from the federal ~~coronavirus capital projects~~ state fiscal recovery fund, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant for the construction of a new medical center located in

the county seat of Griggs County for the period beginning with the effective date of this Act, and ending June 30, 2023.

7. There is appropriated from federal funds derived from the federal ~~coronavirus capital projects~~state fiscal recovery fund, not otherwise appropriated, the sum of \$157,600, or so much of the sum as may be necessary, to the judicial branch for the purpose of purchasing information technology equipment for the period beginning with the effective date of this Act, and ending June 30, 2023.
8. ~~If the federal government distributes funding derived from the federal coronavirus capital projects fund to the state in more than one funding round, the office of management and budget shall prioritize the amounts received in the first funding round as follows:~~
 - a. ~~\$19,763,000 to the department of career and technical education;~~
 - b. ~~\$11,716,400 to the parks and recreation department;~~
 - c. ~~\$5,900,000 to the department of public instruction;~~
 - d. ~~\$5,000,000 to the university of North Dakota;~~
 - e. ~~\$4,200,000 to the state historical society;~~
 - f. ~~\$4,000,000 to Dickinson state university;~~
 - g. ~~\$3,000,000 to the highway patrol;~~
 - h. ~~\$2,000,000 to the agriculture commissioner;~~
 - i. ~~\$500,000 to the office of management and budget; and~~
 - j. ~~\$157,600 to the judicial branch.~~
9. ~~The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item.~~

SECTION 2. AMENDMENT. Section 5 of chapter 18 of the 2021 Session Laws is amended and reenacted as follows:

SECTION 5. ESTIMATED INCOME - FEDERAL CORONAVIRUS CAPITAL PROJECTSSTATE FISCAL RECOVERY FUND - ONE-TIME FUNDING. The estimated income line item in section 1 of this Act includes the sum of \$4,200,000 from federal funds derived from the federal ~~coronavirus capital projects~~state fiscal recovery fund for the purpose of providing funding for capital project planning and historic site and extraordinary repairs. ~~The federal funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund. The funding provided under this section is considered a one-time funding item.~~

SECTION 3. AMENDMENT. Section 6 of chapter 19 of the 2021 Session Laws is amended and reenacted as follows:

~~SECTION 6. DEFERRED MAINTENANCE AND CAPITAL PROJECTS - FEDERAL CORONAVIRUS CAPITAL PROJECTSSTATE FISCAL RECOVERY FUND.~~ The park operations and maintenance line item in subdivision 1 of section 1 of this Act includes \$7,900,000 from federal funds derived from the federal coronavirus capital projectsstate fiscal recovery fund for deferred maintenance and capital projects for the biennium beginning July 1, 2021, and ending June 30, 2023. ~~The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund.~~ The funding provided under this section is considered a one-time funding item.

SECTION 4. AMENDMENT. Section 7 of chapter 19 of the 2021 Session Laws is amended and reenacted as follows:

~~SECTION 7. PARKS MATCHING GRANT PROGRAM - FEDERAL CORONAVIRUS CAPITAL PROJECTSSTATE FISCAL RECOVERY FUND.~~ The recreation line item in subdivision 1 of section 1 of this Act includes \$1,632,800, of which \$816,400 is from federal funds derived from the federal coronavirus capital projectsstate fiscal recovery fund and \$816,400 is matching funds from nonstate sources for a matching grant program for the biennium beginning July 1, 2021, and ending June 30, 2023. The parks and recreation department may spend these funds for capital project improvements at state parks, subject to the department obtaining matching funds from nonstate sources for each project on a dollar-for-dollar basis. ~~The federal funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund.~~ The funding provided under this section is considered a one-time funding item.

SECTION 5. AMENDMENT. Section 8 of chapter 19 of the 2021 Session Laws is amended and reenacted as follows:

~~SECTION 8. INTERNATIONAL PEACE GARDEN - FEDERAL CORONAVIRUS CAPITAL PROJECTSSTATE FISCAL RECOVERY FUND.~~ The International Peace Garden line item in subdivision 2 of section 1 of this Act includes the sum of \$3,000,000, from federal funds derived from the federal coronavirus capital projectsstate fiscal recovery fund for International Peace Garden capital projects ~~or the repayment of any outstanding loan from the Bank of North Dakota authorized in section 12 of chapter 44 of the 2019 Session Laws, for the period beginning with the effective date of this Act, and ending June 30, 2023.~~ Expenditure of the funds appropriated for this purpose is subject to the province of Manitoba providing funding equal to fifty percent of the total cost of any project paid with the funding referenced in this section. ~~The funding provided under this section may be spent only to the extent the director of the office of management and budget, in consultation with the budget section, determines the use of the funding complies with federal guidance for the federal coronavirus capital projects fund.~~ The funding provided under this section is considered a one-time funding item.

SECTION 6. AMENDMENT. Section 1 of chapter 55 of the 2021 Session Laws is amended and reenacted as follows:

SECTION 1. APPROPRIATION - FEDERAL CORONAVIRUS CAPITAL PROJECTS STATE FISCAL RECOVERY FUND - INTERMODAL FACILITY CONSTRUCTION GRANT PROGRAM - ONE-TIME FUNDING. There is appropriated from federal funds derived from the federal ~~coronavirus capital projects state fiscal recovery~~ fund, not otherwise appropriated, the sum of \$2,000,000, or so much of the sum as may be necessary, to the agriculture commissioner for the purpose of an intermodal facility grant program for capital construction projects that will expand rail capacity to support economic and workforce development and growth and enhance the value of agriculture and commercial products exported through an intermodal facility in North Dakota for the period beginning with the effective date of this Act and ending June 30, 2023. This funding is considered a one-time funding item.

1. The agriculture commissioner shall establish guidelines for awarding grants under the program.
2. Grants may be awarded only to an organization dedicated to the expansion of rail capacity at an existing intermodal facility in the state connected to and served by a class I railroad. Grant funds may be used only to pay for capital costs associated with engineering, labor, equipment, and materials related to rail track expansion.
3. ~~The funding provided under this section may be spent only to the extent the director of the office of management and budget certifies to the legislative management that the use of this funding complies with federal guidelines for the federal coronavirus capital projects fund.~~

SECTION 7. DEPARTMENT OF TRANSPORTATION - FEDERAL STATE FISCAL RECOVERY FUND - TRANSFER - STATE TREASURER. Subdivision 10 of section 2 of House Bill No. 1395, as approved by the sixty-seventh legislative assembly, includes the sum of \$317,000,000 from federal funds derived from the federal state fiscal recovery fund. Of the \$317,000,000, at least \$200,000,000 must be used for state road and bridge projects and \$24,652,429 is available for grants to counties for county bridge projects based on an application process developed by the department of transportation. The office of management and budget shall transfer \$75,347,571 of the appropriation authority identified in this section to the state treasurer for distribution to counties for road and bridge projects using a distribution formula based on \$80,000,000 allocated to counties in proportion to each county's total twenty-year estimated road and bridge needs using the most recent data compiled by the upper great plains transportation institute with a maximum of \$3,000,000 per county. The office of management and budget shall transfer \$17,000,000 of the appropriation authority identified in this section to the state treasurer for distribution to townships for road and bridge projects as follows:

1. In January 2022, the state treasurer shall distribute \$8,500,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an allocation to each organized and unorganized township that is proportional to the number of township road miles in each organized and unorganized township relative to the combined total township road miles in all the organized and unorganized townships in all the non-oil-producing counties. The township road miles must be based on certifications provided to the state

treasurer using roadway mileage criteria from the department of transportation.

2. In January 2022, the state treasurer shall distribute \$8,500,000, or so much of the sum as may be necessary, to non-oil-producing counties for the benefit of the organized and unorganized townships within each non-oil-producing county. The distribution to each non-oil-producing county must provide for an equal allocation to each organized and unorganized township within the county.
3. The amount allocated to organized townships under this section must be paid by the county treasurer to each organized township. The amount allocated to unorganized townships under this section must be credited by the county treasurer to a special fund for unorganized township roads.
4. The distributions under this section must be used for the maintenance and improvement of township paved and unpaved roads and bridges. A township is not eligible for an allocation of funds under this section if the township does not maintain any township roads.
5. For the purposes of this section, a "non-oil-producing county" means a county that has received no allocation of funding or a total allocation of funding under subsection 2 of section 57-51-15 of less than \$5,000,000 for the period beginning September 1, 2019, and ending August 31, 2020.

SECTION 8. APPROPRIATION - FEDERAL FUNDS - DEPARTMENT OF TRANSPORTATION - ONE-TIME FUNDING. There is appropriated out of any moneys derived from federal funds in excess of the regular federal funding amounts included in the department of transportation's 2021-23 biennium budget, not otherwise appropriated, the sum of \$135,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of defraying the expenses of road and bridge construction projects, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funds appropriated in this section are not considered part of the department's 2021-23 biennium budget for purposes of section 13 of House Bill No. 1015 and section 10 of House Bill No. 1431, as approved by the sixty-seventh legislative assembly, relating to excess federal funding requirements. The funding provided under this section is considered a one-time funding item.

SECTION 9. APPROPRIATION - FEDERAL CORONAVIRUS CAPITAL PROJECTS FUND - ONE-TIME FUNDING - INFORMATION TECHNOLOGY DEPARTMENT - BROADBAND INFRASTRUCTURE GRANTS. There is appropriated from federal funds derived from the federal coronavirus capital projects fund, not otherwise appropriated, the sum of \$45,000,000, or so much of the sum as may be necessary, to the information technology department for the purpose of providing broadband infrastructure grants, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 10. APPROPRIATION - FEDERAL CORONAVIRUS RELIEF FUND - LIMITATION - BUDGET SECTION REPORT. The funds provided in this section, or so much of the sum as may be necessary, are appropriated from federal funds derived from the federal coronavirus relief fund, to the state departments and agencies listed below for the purpose of defraying payroll expenses incurred from July through December 2021, for the period beginning with the effective date of this Act, and ending June 30, 2023, as follows:

Department of human services	\$4,400,000
Department of corrections and rehabilitation	7,000,000
Adjutant general	<u>1,000,000</u>
Total	\$12,400,000

The funds appropriated in this section may be spent only to the extent the director of the office of management and budget determines the funding is available. An agency may not spend any general fund dollars appropriated for payroll expenses that are being replaced with federal funding under this section. The director of the office of management and budget shall report to the budget section on the amounts spent under this section.

SECTION 11. EFFECTIVE DATE. This Act becomes effective on December 1, 2021.

Approved November 15, 2021

Filed November 15, 2021

CHAPTER 549

HOUSE BILL NO. 1506

(Legislative Management)
(Appropriations Committee)

AN ACT to provide an appropriation; to provide for a transfer; to authorize full-time equivalent positions; to amend and reenact section 9 of chapter 46 of the 2021 Session Laws, relating to the beyond visual line of sight unmanned aircraft system program; to provide an exemption; to provide for a report; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION - STATE TREASURER - ONE-TIME FUNDING - LOCAL FISCAL RELIEF ALLOCATIONS TO POLITICAL SUBDIVISIONS. In addition to the funding provided under subdivision 1 of section 2 of House Bill No. 1395, as approved by the sixty-seventh legislative assembly, there is appropriated from federal funds the sum of \$3,014,975, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing local fiscal relief allocations to political subdivisions, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 2. TRANSFER - BANK OF NORTH DAKOTA PROFITS - UNIVERSITY OF NORTH DAKOTA. The industrial commission shall transfer to the university of North Dakota \$750,000 from the current earnings and accumulated undivided profits of the Bank of North Dakota for expenses associated with campus network upgrades, for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 3. APPROPRIATION - ATTORNEY GENERAL - ATTORNEY GENERAL REFUND FUND - SALARY EQUITY INCREASES. There is appropriated out of any moneys in the attorney general refund fund in the state treasury, not otherwise appropriated, the sum of \$537,297, or so much of the sum as may be necessary, to the attorney general for the purpose of providing salary equity increases to employees in the state crime laboratory of the attorney general's office, for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 4. DEPARTMENT OF HUMAN SERVICES - FULL-TIME EQUIVALENT POSITIONS. Pursuant to subsection 1 of section 26 of Senate Bill No. 2086, as approved by the sixty-seventh legislative assembly, the department of human services is authorized sixteen full-time equivalent positions for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 5. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - ONE-TIME FUNDING - EXEMPTION.

1. There is appropriated from federal funds the sum of \$79,600,000, or so much of the sum as may be necessary, to the department of human services for the purpose of federal medical assistance percentage adjustments, for the period

beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

2. Notwithstanding section 7 of House Bill No. 1012, as approved by the sixty-seventh legislative assembly, the department of human services may use up to \$16,000,000 from general fund savings resulting from federal enhancements or adjustments that cause the federal medical assistance percentage to exceed the rates used by the sixty-seventh legislative assembly for budgeting purposes to address any decreases in the regular federal medical assistance percentage rate for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 6. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - MEDICAID POSTPARTUM COVERAGE. There is appropriated from federal funds the sum of \$600,000, or so much of the sum as may be necessary, to the department of human services for the purpose of medicaid postpartum coverage, for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 7. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - LIFESPAN RESPITE CARE PROGRAM. There is appropriated from federal funds the sum of \$386,690, or so much of the sum as may be necessary, to the department of human services for the purpose of the lifespan respite care program, for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 8. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - VULNERABLE ADULT PROTECTION SERVICES PROGRAM. There is appropriated from federal funds the sum of \$1,936,350, or so much of the sum as may be necessary, to the department of human services for the purpose of the vulnerable adult protection services program, for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 9. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - ONE-TIME FUNDING - SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM VERIFICATION DATABASE. There is appropriated from federal funds the sum of \$239,558, or so much of the sum as may be necessary, to the department of human services for the purpose of a supplemental nutrition assistance program verification database, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 10. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - CHILDREN AND FAMILY SERVICES TRANSITION PROGRAM. There is appropriated from federal funds the sum of \$1,168,347, or so much of the sum as may be necessary, to the department of human services for the purpose of children and family services transition program, for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 11. FUNDING TRANSFERS - EXEMPTION - AUTHORIZATION - REPORT. Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer appropriation authority between line items within subdivision 6 of section 1 of House Bill No. 1394, as approved by the sixty-seventh legislative assembly, and subdivision 6 of section 2 of House Bill No. 1395, as approved by the sixty-seventh legislative assembly, for the period beginning with the effective date of this Act, 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 12. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - ONE-TIME FUNDING - STATE HOSPITAL. There is appropriated from federal funds the sum of \$200,000, or so much of the sum as may be necessary, to the department of human services for the purpose of defraying expenses at the state hospital, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 13. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - MONEY FOLLOWS THE PERSON CAPACITY PROGRAM. There is appropriated from federal funds the sum of \$5,000,000, or so much of the sum as may be necessary, to the department of human services for the purpose of the money follows the person capacity program, for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 14. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - RANDOLPH SHEPPARD VOCATIONAL REHABILITATION PROGRAM. There is appropriated from federal funds the sum of \$22,663, or so much of the sum as may be necessary, to the department of human services for the purpose of the Randolph Sheppard vocational rehabilitation program, for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 15. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - FREE THROUGH RECOVERY PROGRAM. There is appropriated out of any special funds derived from income and other sources, not otherwise appropriated, the sum of \$3,300,000, or so much of the sum as may be necessary, to the department of human services for the purpose of the free through recovery program, for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 16. APPROPRIATION - RETIREMENT AND INVESTMENT OFFICE - FULL-TIME EQUIVALENT POSITIONS. There is appropriated out of any moneys from special funds derived from income, not otherwise appropriated, the sum of \$1,806,862, or so much of the sum as may be necessary, to the retirement and investment office for the purpose of new full-time equivalent positions and salary adjustments, for the period beginning with the effective date of this Act, and ending June 30, 2023. Of the amount appropriated in this section, \$1,731,862 is for salaries and wages and \$75,000 is for operating expenses. The retirement and investment office is authorized six full-time equivalent positions.

SECTION 17. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION - PUBLIC INSTRUCTION FUND - STATE FISCAL RECOVERY FUND - ONE-TIME FUNDING. There is appropriated out of any moneys in the public instruction fund in the state treasury, derived from reimbursements withheld from school districts' integrated formula payments, not otherwise appropriated, the sum of \$10,000,000, or so much of the sum as may be necessary, and from federal funds derived from the state fiscal recovery fund, the sum of \$100,000, or so much of the fund as may be necessary, to the department of public instruction for the purpose of information technology project upgrades to the state automated reporting system and the statewide longitudinal data system and for information technology upgrade funding in lieu of withholding from school districts not eligible for federal elementary and secondary school emergency relief funding allocations, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided in this section is a one-time funding item.

SECTION 18. APPROPRIATION - BANK OF NORTH DAKOTA. There is appropriated out of any moneys in the Bank of North Dakota operating fund in the state treasury, not otherwise appropriated, the sum of \$1,025,369, or so much of the sum as may be necessary, to the Bank of North Dakota for the purpose of salaries and wages funding, for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 19. APPROPRIATION - DEPARTMENT OF COMMERCE - ONE-TIME FUNDING - WORKFORCE COMMUNITY SERVICES PROGRAM. There is appropriated from federal funds, not otherwise appropriated, the sum of \$1,074,888, or so much of the sum as may be necessary, to the department of commerce for the purpose of the workforce community services program, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 20. APPROPRIATION - DEPARTMENT OF COMMERCE - ONE-TIME FUNDING - COMMUNITY DEVELOPMENT PLANNING GRANT PROGRAM. There is appropriated from federal funds, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of a community development planning grant program, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 21. APPROPRIATION - DEPARTMENT OF COMMERCE - ONE-TIME FUNDING - WORKFORCE INNOVATION NETWORK GRANT PROGRAM. There is appropriated from special funds, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of a workforce innovation network grant program, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 22. AMENDMENT. Section 9 of chapter 46 of the 2021 Session Laws is amended and reenacted as follows:

SECTION 9. BEYOND VISUAL LINE OF SIGHT UNMANNED AIRCRAFT SYSTEM PROGRAM - MATCHING FUND REQUIREMENT - ONE-TIME FUNDING. The grants line item in section 1 of this Act includes \$1,000,000 from the general fund for grants to an organization dedicated to expanding workforce opportunities, training, and education related to the beyond visual line of sight unmanned aircraft system industry, ~~which the~~ The department of commerce may provide funding under this section only to the extent the organization provides one dollar of matching funds from private or other public sources during the period beginning July 1, 2020, and ending June 30, 2023, for each one dollar provided by the department. This funding is considered a one-time funding item.

SECTION 23. EMERGENCY COMMISSION AND BUDGET SECTION SPENDING LIMIT FOR SPECIAL FUNDS - EXEMPTION. Notwithstanding the provisions of subsection 4 of section 54-16-04.2 regarding the aggregate request limit of \$5,000,000 per biennium, the emergency commission may authorize up to \$20,000,000 of aggregate requests for special funds and other sources under section 54-16-04.2, subject to any budget section approval requirements, for the biennium beginning July 1, 2021, and ending June 30, 2023.

SECTION 24. EFFECTIVE DATE. This Act becomes effective on December 1, 2021.

Approved November 15, 2021

Filed November 15, 2021

CHAPTER 550

SENATE BILL NO. 2345

(Legislative Management)
(Appropriations Committee)

AN ACT to create and enact a new section to chapter 27-20.4 and a new section to chapter 61-01 of the North Dakota Century Code, relating to records and cooperative agreements to provide services to juveniles adjudicated in tribal court and the water projects stabilization fund; to amend and reenact subsection 1 of section 21-10-06 and section 27-20.2-21 of the North Dakota Century Code and section 3 of chapter 20 of the 2021 Session Laws, relating to funds invested by the state investment board, the inspection of juvenile court files, and the appropriation of additional amounts to the state water commission; to provide appropriations to various state agencies; to provide for a transfer; to provide for a report; to provide a limitation; to provide a statement of legislative intent; to provide an exemption; to provide an effective date; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION - TRANSFER - FEDERAL STATE FISCAL RECOVERY FUND - ONE-TIME FUNDING - REPORT - EXEMPTION.

1. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$150,000,000, or so much of the sum as may be necessary, to the industrial commission for the purpose of pipeline infrastructure grants to allow for the transportation of natural gas to eastern North Dakota for the period beginning with the effective date of this Act, and ending June 30, 2023. Of the funds appropriated in this subsection, at least \$10,000,000 must be used for a project to transport natural gas to areas in Grand Forks County.
2. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$3,200,000, or so much of the sum as may be necessary, to the industrial commission for the purpose of an abandoned oil well conversion to water supply grant program for the period beginning with the effective date of this Act, and ending June 30, 2023.
3. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$75,000,000, or so much of the sum as may be necessary, to the department of water resources for the purpose of water infrastructure projects for the period beginning with the effective date of this Act, and ending June 30, 2023. The state water commission shall expend moneys from the state fiscal recovery fund before moneys from the resources trust fund for projects the department determines comply with federal guidance for the state fiscal recovery fund.
4. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$4,800,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of providing stipends to county jails for costs to house inmates

sentenced to the department of corrections and rehabilitation but deferred admission due to the pandemic for the period beginning with the effective date of this Act, and ending June 30, 2023.

5. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the parks and recreation department for the purpose of grants to local park districts to renovate and upgrade existing facilities with priority for outdoor facilities for the period beginning with the effective date of this Act, and ending June 30, 2023. Local park districts must provide one dollar of local matching funds for each one dollar received under this subsection. A local park district may not receive more than \$1,000,000 under this subsection.
6. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$8,029,000, or so much of the sum as may be necessary, to the North Dakota state university main research center for the purpose of one-time projects, including \$446,000 for projects at the Carrington research center, \$1,963,000 for projects at the central grasslands research center, \$2,200,000 for projects at the Dickinson research center, and \$3,420,000 for projects at the Hettinger research center for the period beginning with the effective date of this Act, and ending June 30, 2023.
7. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$15,000,000, or so much of the sum as may be necessary, to the state department of health for the purpose of a public health laboratory capital project for the period beginning with the effective date of this Act, and ending June 30, 2023. The state department of health shall report to the appropriations committees of the sixty-eighth legislative assembly regarding its plan for the project.
8. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,995,200, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of the free through recovery program for the period beginning with the effective date of this Act, and ending June 30, 2023.
9. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$10,000,000, or so much of the sum as may be necessary, to the parks and recreation department for the purpose of deferred maintenance and capital projects for the period beginning with the effective date of this Act, and ending June 30, 2023. Of the funding appropriated in this subsection, the parks and recreation department shall spend at least \$100,000 on projects or deferred maintenance at each state park.
10. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$10,000,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of critical maintenance projects for the period beginning with the effective date of this Act, and ending June 30, 2023. The office of management and budget may transfer appropriation authority under this subsection to eligible state agencies for deferred maintenance of state-owned buildings.

11. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$7,000,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of improvements to the heating, ventilation, and air conditioning systems of the legislative chambers and the Brynhild Haugland room for the period beginning with the effective date of this Act, and ending June 30, 2023.
12. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$950,000, or so much of the sum as may be necessary, to the state historical society for the purpose of essential infrastructure at historic sites for the period beginning with the effective date of this Act, and ending June 30, 2023.
13. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$1,600,000, or so much of the sum as may be necessary, to North Dakota state university for the purpose of high-performance computing for the period beginning with the effective date of this Act, and ending June 30, 2023.
14. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$50,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of a Merrifield hall renovation project for the period beginning with the effective date of this Act, and ending June 30, 2023.
15. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$38,000,000, or so much of the sum as may be necessary, to Bismarck state college for the purpose of constructing a polytechnic building and related startup costs for the period beginning with the effective date of this Act, and ending June 30, 2023. Of the funds appropriated in this subsection, not more than \$3,000,000 may be used for startup costs.
16. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$25,000,000, or so much of the sum as may be necessary, to Minot state university for the purpose of a Hartnett hall renovation project for the period beginning with the effective date of this Act, and ending June 30, 2023.
17. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,104,121, or so much of the sum as may be necessary, to the university of North Dakota school of medicine and health sciences for the purpose of purchasing equipment and hiring personnel to provide hyperbaric oxygen therapy for the period beginning with the effective date of this Act, and ending June 30, 2023.
18. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$475,000, or so much of the sum as may be necessary, to the state board of higher education for the purpose of providing for the Dakota digital academy for the period beginning with the effective date of this Act, and ending June 30, 2023.
19. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$300,000, or so much of the sum as may be necessary, to the attorney general for the purpose of establishing a

- missing persons database for the period beginning with the effective date of this Act, and ending June 30, 2023.
20. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the attorney general for the purpose of replacing the prosecuting case management system for the period beginning with the effective date of this Act, and ending June 30, 2023.
 21. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,612,000, or so much of the sum as may be necessary, to the highway patrol for the purpose of purchasing radios compatible with the statewide interoperable radio network for the period beginning with the effective date of this Act, and ending June 30, 2023.
 22. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,057,384, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of purchasing radios compatible with the statewide interoperable radio network for the period beginning with the effective date of this Act, and ending June 30, 2023.
 23. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$401,000, or so much of the sum as may be necessary, to the information technology department for the purpose of providing a grant to the North Dakota stockmen's association for conversion of a paper-based brand inspection program to an electronic system for the period beginning with the effective date of this Act, and ending June 30, 2023.
 24. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$450,000, or so much of the sum as may be necessary, to the adjutant general for the purpose of replacing the state active-duty software for the period beginning with the effective date of this Act, and ending June 30, 2023.
 25. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,020,000, or so much of the sum as may be necessary, to the judicial branch for the purpose of replacing the supreme court docket system for the period beginning with the effective date of this Act, and ending June 30, 2023.
 26. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$20,000, or so much of the sum as may be necessary, to the office of administrative hearings for the purpose of developing a web-based document management system for the period beginning with the effective date of this Act, and ending June 30, 2023.
 27. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,500,000, or so much of the sum as may be necessary, to the department of human services for the purpose of providing financial assistance to developmental disabilities services providers to provide retention bonuses for direct services professionals serving clients with intellectual or developmental disabilities for the period beginning with the effective date of this Act, and ending June 30,

2023. The requirements of chapter 54-44.4 do not apply to this subsection, including the selection of recipients and the disbursement of funds.
28. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$25,350,000, or so much of the sum as may be necessary, to the department of human services for the purpose of financial assistance to long-term care facilities and the state hospital for the period beginning with the effective date of this Act, and ending June 30, 2023. Of the funds appropriated in this subsection, \$20,800,000 is for financial assistance to nursing facilities, \$2,950,000 is for financial assistance to basic care facilities, \$1,250,000 is for financial assistance to assisted living facilities, and \$350,000 is for nursing staff retention payments at the state hospital. The requirements of chapter 54-44.4 do not apply to this subsection, including the selection of recipients and the disbursement of funds.
 29. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$29,000,000, or so much of the sum as may be necessary, to the department of human services the purpose of projects, financial assistance, grants, and services, including \$5,000,000 for Medicaid eligibility system upgrades, \$17,000,000 for child care services, \$4,000,000 to provide community-based behavioral health services, and \$3,000,000 for substance use disorder treatment voucher system grants for the period beginning with the effective date of this Act, and ending June 30, 2023. Notwithstanding subsection 3 of section 50-11.1-14.1, the department may provide financial assistance to beneficiaries related to child care services. Notwithstanding subsection 2 of section 50-06-42.1, the department may award up to four grants rather than two grants for substance use disorder treatment voucher system grants. The requirements of chapter 54-44.4 do not apply to this subsection, including the selection of recipients and the disbursement of funds.
 30. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$1,500,000, or so much of the sum as may be necessary, to the department of human services for the purpose of alternatives-to-abortion services for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided in this subsection may only be used for the current agreement and any future alternatives-to-abortion services agreements. The requirements of chapter 54-44.4 do not apply to the current alternatives-to-abortion services agreement.
 31. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,000,000, or so much of the sum as may be necessary, to the adjutant general for the purpose of enhancing housing at camp Grafton for the period beginning with the effective date of this Act, and ending June 30, 2023.
 32. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the department of veterans' affairs for the purpose of providing a grant to assist in the construction of the Fisher house at the Fargo veterans' affairs medical center for the period beginning with the effective date of this Act, and ending June 30, 2023.

33. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$147,000, or so much of the sum as may be necessary, to the department of veterans' affairs for the purpose of improving and expanding veterans' medical transportation for the period beginning with the effective date of this Act, and ending June 30, 2023.
34. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$21,000,000, or so much of the sum as may be necessary, to the Bank of North Dakota for the purpose of a fuel production facility incentive program for the period beginning with the effective date of this Act, and ending June 30, 2023. The Bank of North Dakota shall award grants under the program to eligible fuel production facilities based on a formula that considers the facility's outstanding fuel production facility loan guarantee at the Bank of North Dakota.
35. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$5,000,000, which the office of management and budget shall transfer to the North Dakota development fund under chapter 10-30.5 during the period beginning with the effective date of this Act, and ending June 30, 2023.
36. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$20,000,000, or so much of the sum as may be necessary, to the industrial commission for the purpose of providing hydrogen development grants, as approved by the clean sustainable energy authority, for the period beginning with the effective date of this Act, and ending June 30, 2023.
37. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$10,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of providing autonomous agriculture matching grants for the period beginning with the effective date of this Act, and ending June 30, 2023. A grant recipient must provide one dollar of matching funds for every one dollar of grant funding received under this subsection.
38. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$15,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of adding or expanding a local workforce development incentive grant program to support efforts to recruit, retain, and retrain workers for the period beginning with the effective date of this Act, and ending June 30, 2023. The grant recipient must provide one dollar of local matching funds for every four dollars received under this subsection.
39. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of adding or expanding a technical skills training grant program and a workforce innovation grant program for the period beginning with the effective date of this Act, and ending June 30, 2023.
40. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$10,000,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of

a space education and research initiative for the period beginning with the effective date of this Act, and ending June 30, 2023.

41. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the aeronautics commission for the purpose of airport grants for the period beginning with the effective date of this Act, and ending June 30, 2023.
42. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$50,000, or so much of the sum as may be necessary, to the attorney general for the purpose of information technology costs related to the implementation of charitable gaming tax changes for the period beginning with the effective date of this Act, and ending June 30, 2023.
43. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant for the construction of a new medical center located in the county seat of Pierce County for the period beginning with the effective date of this Act, and ending June 30, 2023.
44. The funding provided under this section is considered a one-time funding item.

SECTION 2. AMENDMENT. Subsection 1 of section 21-10-06 of the North Dakota Century Code is amended and reenacted as follows:

1. Subject to the provisions of section 21-10-02, the board shall invest the following funds:
 - a. State bonding fund.
 - b. Teachers' fund for retirement.
 - c. State fire and tornado fund.
 - d. Workforce safety and insurance fund.
 - e. Public employees retirement system.
 - f. Insurance regulatory trust fund.
 - g. State risk management fund.
 - h. Budget stabilization fund.
 - i. Water projects stabilization fund.
 - j. Health care trust fund.
 - ~~j-k.~~ Cultural endowment fund.
 - ~~k-l.~~ Petroleum tank release compensation fund.
 - ~~l-m.~~ Legacy fund.

~~m.n.~~ Legacy earnings fund.

~~n.o.~~ A fund under contract with the board pursuant to subsection 3.

SECTION 3. AMENDMENT. Section 27-20.2-21 of the North Dakota Century Code is amended and reenacted as follows:

27-20.2-21. Inspection of court files and records - Penalty. (Effective through August 31, 2022)

1. Except as provided in this section, all files and records of the juvenile court, whether in the office of the clerk of court or juvenile court, of a proceeding under this chapter are closed to the public. Juvenile court files and records are open to inspection only by:
 - a. The judge and staff of the juvenile court.
 - b. The parties to the proceeding or the parties' counsel or the guardian ad litem of any party.
 - c. A public or private agency or institution providing supervision or having custody of the child under order of the juvenile court which must be given a copy of the findings and order of disposition when the agency or institution receives custody of the child. If a case involves the federal Indian Child Welfare Act of 1978 [25 U.S.C. 1901 through 1963], the agency or institution having custody of the child shall serve the appropriate Indian Child Welfare Act service agent, tribe or tribal designee, or an Indian Child Welfare Act qualified expert witness with the findings and order of disposition.
 - d. Any court and the court's probation and other officials or professional staff and the attorney for the defendant for use in preparing a presentence report in a criminal case in which the defendant is convicted and who, before the criminal case, had been a party to the proceeding in juvenile court.
 - e. The professional staff of the uniform crime victims compensation program if necessary for the discharge of the duties of the staff pursuant to chapter 54-23.4.
 - f. A staff member of the division of children and family services of the department of human services or a law enforcement officer if necessary for the performance of that staff member's duties under section 50-11.1-06.2 or the federal National Child Protection Act of 1993 [Pub. L. 103-209; 107 Stat. 2490; 42 U.S.C. 5119 et seq.].
 - g. An employee or agent of the department of human services if necessary for performance of that individual's duty under chapter 50-11 or 50-11.1 to investigate the background of an individual living or working in the facility, home, or residence for which licensure is sought.
 - h. A criminal justice agency if the juvenile is required to register under section 12.1-32-15.

- i. The staff of a children's advocacy center if the juvenile or a victim of the child has been referred for or has received services at the children's advocacy center.
 - j. A victim of the delinquent child or the victim's guardian. All records including medical, educational, and school information must be redacted before inspection. For purposes of this subdivision, only records pertaining to the specific offense between the victim and the delinquent child may be inspected.
 - k. The information technology department to the extent authorized by the supreme court for use in the statewide longitudinal data system.
2. Juvenile court files and records are also open to inspection with written leave of a juvenile court judge or judicial referee to whom juvenile court matters have been referred:
 - a. Upon a showing in writing of a legitimate interest in a proceeding or in the work of the juvenile court, but only to the extent necessary to respond to the legitimate interest; and
 - b. By the principal of any public or private school that is a member of the North Dakota high school activities association, or the superintendent of any school district that has one or more schools involved in the association, but only to the extent necessary to enforce the rules and regulations of the North Dakota high school activities association.
3. In a proceeding under this chapter, if the juvenile court finds a child committed a delinquent act that constitutes a violation of a law or local ordinance governing the operation of a motor vehicle or a delinquent act of manslaughter or negligent homicide caused by the child's operation of a motor vehicle, the juvenile court shall report the finding to the director of the department of transportation within ten days.
4. Following an adjudication of delinquency for an offense that would be a felony if committed by an adult, the child's school principal, chief administrative officer, or designated school guidance counselor, if requested, must be allowed access to the disposition order. Any other juvenile court files and records of a child may be disclosed to a superintendent or principal of the school in which the child is currently enrolled or in which the child wishes to enroll if the child's documented behavior appears to present a danger to self or to the students or staff of the school.
5. Following an adjudication of delinquency for an offense that results in the prohibitions included in subsection 1 or 2 of section 62.1-02-01, if requested, a law enforcement officer must be allowed access to the disposition order.
6. The juvenile court may notify a referring agency of the disposition of a case.
7. Notwithstanding that juvenile court records are closed to the public, nothing in this section may be construed to limit the release upon request of general information not identifying the identity of any juvenile, witness, or victim in any proceeding under this chapter. Files in the clerk of court's office are open to public inspection if the related hearing was open to the public under section 27-20.3-13.

8. To the extent necessary to provide victim services or benefits under chapter 12.1-41, the judge and staff of the juvenile court may disclose information to refer a child, who may be a victim of human trafficking, to a program for runaway and homeless children located in the state and approved by the juvenile court of jurisdiction. Information disclosed under this subsection must remain confidential.
9. An individual with access or authorization to inspect juvenile court files and records under this section may not share the information contained in the files and records with any other person not authorized by law. An individual who violates this subsection is guilty of a class B misdemeanor.

Inspection of court files and records - Penalty. (Effective after August 31, 2022)

1. Except as provided in this section, all files and records of the juvenile court, whether in the office of the clerk of court or juvenile court, of a proceeding under this chapter are closed to the public. Juvenile court files and records are open to inspection only by:
 - a. The judge and staff of the juvenile court.
 - b. The parties to the proceeding or the parties' counsel or the guardian ad litem of any party.
 - c. A public or private agency or institution providing supervision or having custody of the child under order of the juvenile court which must be given a copy of the findings and order of disposition when the agency or institution receives custody of the child. If a case involves the federal Indian Child Welfare Act of 1978 [25 U.S.C. 1901 through 1963], the agency or institution having custody of the child shall serve the appropriate Indian Child Welfare Act service agent, tribe or tribal designee, or an Indian Child Welfare Act qualified expert witness with the findings and order of disposition.
 - d. Any court and the court's probation and other officials or professional staff and the attorney for the defendant for use in preparing a presentence report in a criminal case in which the defendant is convicted and who, before the criminal case, had been a party to the proceeding in juvenile court.
 - e. The professional staff of the uniform crime victims compensation program if necessary for the discharge of the duties of the staff pursuant to chapter 54-23.4.
 - f. A staff member of the division of children and family services of the department of health and human services or a law enforcement officer if necessary for the performance of that staff member's duties under section 50-11.1-06.2 or the federal National Child Protection Act of 1993 [Pub. L. 103-209; 107 Stat. 2490; 42 U.S.C. 5119 et seq.].
 - g. An employee or agent of the department of health and human services if necessary for performance of that individual's duty under chapter 50-11 or 50-11.1 to investigate the background of an individual living or working in the facility, home, or residence for which licensure is sought.

proceeding under this chapter. Files in the clerk of court's office are open to public inspection if the related hearing was open to the public under section 27-20.3-13.

8. To the extent necessary to provide victim services or benefits under chapter 12.1-41, the judge and staff of the juvenile court may disclose information to refer a child, who may be a victim of human trafficking, to a program for runaway and homeless children located in the state and approved by the juvenile court of jurisdiction. Information disclosed under this subsection must remain confidential.
9. An individual with access or authorization to inspect juvenile court files and records under this section may not share the information contained in the files and records with any other person not authorized by law. An individual who violates this subsection is guilty of a class B misdemeanor.

SECTION 4. A new section to chapter 27-20.4 of the North Dakota Century Code is created and enacted as follows:

Tribal juvenile services cooperative agreement - Report to legislative management.

1. The department of corrections and rehabilitation, through the division of juvenile services; the supreme court, through the office of the state court administrator; and the Indian affairs commission may negotiate and enter a memorandum of understanding with the tribal government of a federally recognized Indian tribe in the state for the purpose of accepting and providing for, in accordance with this chapter, the treatment and rehabilitation of tribal juveniles who have been adjudicated in tribal court under tribal or federal laws. Under the pilot program and terms of a memorandum of understanding:
 - a. The tribal government, the department of corrections and rehabilitation, and the juvenile court may exchange information relevant to the treatment and rehabilitation needs of a tribal juvenile and the juvenile's family, including tribal court orders, medical and psychiatric reports, law enforcement reports, and other information pertinent to the referral;
 - b. The juvenile court and the department of corrections and rehabilitation shall provide services based on the individualized need of each tribal juvenile referred to and accepted by the tribal court, juvenile court, and department of corrections and rehabilitation;
 - c. The juvenile court and the department of corrections and rehabilitation shall maintain regular contact with the tribe regarding each tribal juvenile who has been placed in the supervision of the respective agency; and
 - d. The juvenile court and the department of corrections and rehabilitation may limit the number of tribal juveniles accepted based on criteria developed by the juvenile court and the availability of state resources and services.
2. Before July first of each even-numbered year, the department of corrections and rehabilitation, the juvenile court, and the Indian affairs commission shall report and make recommendations to the legislative management on the status, effectiveness, performance, and sustainability of a memorandum of understanding established under this section.

SECTION 5. A new section to chapter 61-01 of the North Dakota Century Code is created and enacted as follows:

Water projects stabilization fund.

The water projects stabilization fund is a special fund in the state treasury. The fund consists of all money transferred to the fund and all interest and earnings upon moneys in the fund. Moneys in the fund may be used for defraying planning and construction expenses of water-related projects.

SECTION 6. AMENDMENT. Section 3 of chapter 20 of the 2021 Session Laws is amended and reenacted as follows:

SECTION 3. ADDITIONAL INCOME - APPROPRIATION - BUDGET SECTION APPROVAL. In addition to the amounts appropriated in section 1 of this Act, any additional amounts in the resources trust fund or the water projects stabilization fund which become available are appropriated, subject to budget section approval, to the state water commission for the purpose of defraying the expenses of that agency, for the period beginning with the effective date of this Act, and ending June 30, 2023. Before approving any request, the budget section shall determine:

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

SECTION 7. WATER PROJECTS STABILIZATION FUND - TRANSFERS.

1. The office of management and budget shall transfer the sum of \$1,000,000 from the resources trust fund to the water projects stabilization fund during the month of January 2022.
2. Notwithstanding subsections 1 and 2 of section 57-51.1-07, any oil extraction tax revenues deposited in the resources trust fund that exceed the amount included in the 2021 legislative forecast during the period beginning August 1, 2021, and ending February 28, 2023, must be transferred at least quarterly by the office of management and budget from the resources trust fund to the water projects stabilization fund for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 8. DEPARTMENT OF HUMAN SERVICES - FEDERAL FUNDING APPEAL LIMITATION. A person may not appeal a denial, revocation, reduction in services or payment, or the termination of a program or service by the department of human services due to the unavailability of federal coronavirus funding received under federal law resulting from the federal coronavirus pandemic emergency declaration for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 9. LEGISLATIVE INTENT - NATURAL GAS PIPELINE INFRASTRUCTURE. It is the intent of the sixty-seventh legislative assembly that the sixty-eighth legislative assembly consider providing additional funding for continuing

the development of high-pressure transmission pipeline infrastructure for the transportation and competitive selling of natural gas to eastern North Dakota.

SECTION 10. EFFECTIVE DATE. This Act becomes effective on December 1, 2021.

SECTION 11. EXPIRATION DATE. Section 4 of this Act is effective through July 31, 2023, and after that date is ineffective.

Approved November 15, 2021

Filed November 15, 2021

CORRECTIONS, PAROLE, AND PROBATION

CHAPTER 551

SENATE BILL NO. 2348

(Legislative Management)
(Joint Technical Corrections Committee)

AN ACT to create and enact section 23-27-06 of the North Dakota Century Code, relating to criminal history record checks; to amend and reenact sections 12-60-24 and 50-06-41.3 of the North Dakota Century Code, relating to criminal history records checks and the behavioral health bed management system; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 12-60-24 of the North Dakota Century Code is amended and reenacted as follows:

12-60-24. Criminal history record checks. (Effective through August 31, 2022)

1. a. Each applicant, employee, or petitioner for adoption or name change who is subject to a criminal history record check under subsection 2 shall consent to a statewide and nationwide criminal history record check for the purpose of determining suitability or fitness for a permit, license, registration, employment, or adoption.
- b. Each applicant, employee, registrant, or petitioner for adoption or name change subject to a criminal history record check shall provide to the requesting agency or entity written consent to conduct the check and to release or disclose the information in accordance with state and federal law, two sets of fingerprints from a law enforcement agency or other local agency authorized to take fingerprints, any other identifying information requested, and a statement indicating whether the applicant or employee has ever been convicted of a crime.
- c. The agency, official, or entity shall submit these fingerprints to the bureau of criminal investigation for nationwide criminal history record information that includes resubmission of the fingerprints by the bureau of criminal investigation to the federal bureau of investigation. Except if otherwise provided by law, federal bureau of investigation criminal history record information obtained by an agency or entity is confidential. For a request for nationwide criminal history record information made under this section, the bureau of criminal investigation is the sole source to receive the fingerprint submissions and responses from the federal bureau of investigation. A person who takes fingerprints under this section may charge a reasonable fee to offset the cost of fingerprinting. Unless

- otherwise provided by law, the bureau of criminal investigation may charge appropriate fees for criminal history information.
- d. Fingerprints and any other identifying information the bureau has obtained under this section may be retained by the bureau and the federal bureau of investigation at the request of the agency, official, or entity submitting the fingerprints and any other identifying information for a statewide and nationwide criminal history record check. The subject of the records must be provided notice of the retention of the fingerprints and any other identifying information. The bureau may provide to each agency, official, or entity listed in subsection 2 of this section the response of the bureau and the federal bureau of investigation any statewide criminal history record information that may lawfully be made available under this chapter.
 - e. The bureau may provide the results of a criminal history background check made under subsection 2 of this section to another state's identification bureau or central repository for the collection, maintenance, and dissemination of criminal history record information when the other state's identification bureau or central repository has requested the results of the criminal history background check and the agency, official, or entity of the other state has equivalent authority to subsection 2 of this section to request a statewide and nationwide criminal history check.
2. The bureau of criminal investigation shall provide to each agency, official, or entity listed in this subsection who has requested a statewide and nationwide criminal history record check, the response of the federal bureau of investigation and any statewide criminal history record information that may lawfully be made available under this chapter:
- a. The governing body of a city or a county, by ordinance or resolution, for a final applicant for a specified occupation with the city or county.
 - b. The agriculture commissioner for each applicant for a license to grow or process hemp under section 4.1-18.1-02.
 - c. The education standards and practices board for initial, re-entry, and reciprocal teacher licenses under sections 15.1-13-14 and 15.1-13-20 and school guidance and counseling services under section 15.1-13-23.
 - d. The North Dakota board of medicine for licenses or disciplinary investigations under section 43-17-07.1, except that criminal history record checks need not be made unless required by the board.
 - e. The private investigative and security board for licenses or registrations under section 43-30-06.
 - f. The department of human services for foster care licenses, approvals, and identified relatives under chapter 50-11, appointments of legal guardians under chapter 50-11.3, and petitions for adoptions under chapter 50-12, except that the criminal history record investigation must be conducted in accordance with those chapters. A criminal history record investigation completed under chapter 50-11, 50-11.3, or 50-12 may be used to satisfy the requirements of a criminal history record investigation under either of the other two chapters.

- g. The department of human services for criminal history record checks authorized under section 50-06-01.9.
- h. The chief information officer of the information technology department for certain individuals under section 54-59-20.
- i. A public peace officer training school that has been approved by the peace officer standards and training board for enrollees in the school. The school may only disclose the criminal history record information as authorized by law. The school shall pay the costs for securing the fingerprints, any criminal history record information made available under this chapter, and for the nationwide criminal history record check. This subdivision does not apply to the highway patrol law enforcement training center and enrollees who have a limited license under section 12-63-09.
- j. The North Dakota public employees retirement board for individuals first employed by the public employees retirement board after July 31, 2005, who have unescorted physical access to the office or any security-sensitive area of the office as designated by the executive director.
- k. The executive director of the retirement and investment office for individuals first employed by the retirement and investment office after July 31, 2005, who have unescorted physical access to the office or any security-sensitive area of the office as designated by the executive director.
- l. The Bank of North Dakota for a final applicant for a specified occupation with the Bank as designated by the president.
- m. Job service North Dakota for all employees, final applicants for employment with job service, and contractors with access to federal tax information.
- n. The state department of health for a final applicant for a job opening or a current employee with the department as designated by the state health officer; an individual being investigated by the department; or, when requested by the department, an applicant for registration as a designated caregiver or a compassion center agent under chapter 19-24.1.
- o. The state board of nursing for applicants, licensees, registrants, or disciplinary investigations under chapter 43-12.1, except that criminal history record checks need not be made unless required by the board.
- p. The state board of pharmacy for applicants or disciplinary investigations under chapter 43-15 and registrations, or revocation or suspension of registrations, under chapter 19-03.1, except that criminal history record checks need not be made unless required by the board.
- q. The state real estate commission for applicants, licensees, or investigations under chapter 43-23, except that criminal history record checks need not be made unless required by the commission.
- r. The North Dakota board of social work examiners for applicants for initial licensure or licensees under chapter 43-41, except that criminal history

- record checks for licensees need not be made unless required by the board.
- s. All agencies, departments, bureaus, boards, commissions, or institutions of the state, including the North Dakota university system, for all employees or final applicants for employment as a security guard or to otherwise provide security.
 - t. The office of management and budget for each individual who has access to personal information as designated by the director.
 - u. The department of corrections and rehabilitation for all agents and employees and a final applicant for employment designated by the director and for each agent, employee, or a final applicant for employment of a privately operated entity providing contract correctional services for the department who exercises direct authority over juveniles, inmates, probationers, or parolees.
 - v. A city, county, or combination of cities or counties that operates a correctional facility subject to chapter 12-44.1, for each agent and employee and a final applicant for employment of the correctional facility who has direct contact with or exercises direct authority over any juvenile or inmate of the correctional facility, and for each agent, employee, or a final applicant for employment of a privately operated entity providing contract correctional services for the correctional facility who exercises direct authority over juveniles, inmates, probationers, or parolees.
 - w. The North Dakota university system for a final applicant for or employee in a specified position in the university system or a university system institution or for each student applying for or admitted to a specified program of study, as designated by the chancellor.
 - x.
 - (1) The board of a school district, for employees designated by the board, provided the board is responsible for paying the costs associated with obtaining a criminal history record check;
 - (2) The board of a multidistrict special education unit, for employees designated by the board, provided the board is responsible for paying the costs associated with obtaining a criminal history record check;
 - (3) The board of an area career and technology center, for employees designated by the board, provided the board is responsible for paying the costs associated with obtaining a criminal history record check;
 - (4) The board of a regional education association, for employees designated by the board, provided the board is responsible for paying the costs associated with obtaining a criminal history record check; and
 - (5) The superintendent of public instruction in the case of a nonpublic school or a state school with a superintendent appointed by or reporting to the superintendent of public instruction, for employees designated by the nonpublic or state school, provided the nonpublic or state school is responsible for paying the costs associated with obtaining a criminal history record check.

- y. (1) The board of a school district, for a final applicant seeking employment with the district or otherwise providing services to the district, if that individual has unsupervised contact with students, provided the board is responsible for paying the costs associated with obtaining a criminal history record check;
 - (2) The board of a multidistrict special education unit, for a final applicant seeking employment with the unit or otherwise providing services to the unit, if that individual has unsupervised contact with students, provided the board is responsible for paying the costs associated with obtaining a criminal history record check;
 - (3) The board of an area career and technology center, for a final applicant seeking employment with the center or otherwise providing services to the center, if that individual has unsupervised contact with students, provided the board is responsible for paying the costs associated with obtaining a criminal history record check;
 - (4) The board of a regional education association, for a final applicant seeking employment with the association or otherwise providing services to the association if that individual has unsupervised contact with students, provided the board is responsible for paying the costs associated with obtaining a criminal history record check; and
 - (5) The superintendent of public instruction in the case of a nonpublic school or a state school with a superintendent appointed by or reporting to the superintendent of public instruction, for a final applicant seeking employment with the school or otherwise providing services to the school, if that individual has unsupervised contact with students, provided the board is responsible for paying the costs associated with obtaining a criminal history record check.
 - (6) For purposes of this subdivision, "unsupervised contact" with students means being in proximity to one or more students, on school grounds or at school functions, outside the presence of an individual who has been subject to a criminal history record check.
- z. The racing commission for applicants for licenses under chapter 53-06.2, except that criminal history record checks need not be made unless required by the commission.
- aa. A district court for a petition to change a name under chapter 32-28.
 - bb. The state board of pharmacy for a wholesale drug distributor seeking licensure under chapter 43-15.3.
 - cc. The board of dental examiners for investigations of applicants or dentists under section 43-28-11.2, except that criminal history record checks need not be made unless required by the board.
 - dd. The department of financial institutions for each applicant for a specified occupation with the department as specified by the commissioner and principal owners and managing officers of applicants for a license from the department of financial institutions.

- ee. The office of tax commissioner for all employees, final applicants for employment with the tax commissioner, and contractors with access to federal tax information.
- ff. The state board of examiners for nursing home administrators for applicants for licensure or licensees under chapter 43-34, except that criminal history record checks for licensees need not be made unless required by the board.
- gg. The marriage and family therapy licensure board for applicants, licensees, or investigations under chapter 43-53, except that criminal history record checks need not be made unless required by the board.
- hh. The state board of chiropractic examiners for applicants, licensees, certificates, or investigations under chapter 43-06, except that criminal history record checks need not be made unless required by the board.
 - ii. Workforce safety and insurance for a final applicant for a specified occupation with workforce safety and insurance as designated by the director, or for contractors who may have access to confidential information as designated by the director.
- jj. The board of counselor examiners for applicants for licensure or licensees under chapter 43-47, except that criminal history record checks for licensees need not be made unless required by the board.
- kk. The state board of respiratory care for applicants, licensees, or investigations under chapter 43-42, except that criminal history record checks need not be made unless required by the board.
 - ll. The North Dakota real estate appraiser qualifications and ethics board for applicants for permits or registration or permittees, registrants, owners, or controlling persons under chapters 43-23.3 and 43-23.5, except that criminal history record checks for permittees, registrants, owners, or controlling persons need not be made unless required by the board.
- mm. The insurance department for criminal history record checks authorized under chapters 26.1-26 and 26.1-26.8.
- nn. The office of the adjutant general for employees and volunteers working with the recruiting and retention, sexual assault, and youth programs.
- oo. The parks and recreation department for volunteers and final applicants for employment, as determined by the director of the parks and recreation department.
- pp. The North Dakota medical imaging and radiation therapy board of examiners for licensure and licensees under chapter 43-62, except that criminal history record checks for licensees need not be made unless required by the board.
- qq. The game and fish department for volunteers and final applicants for employment, as determined by the director of the game and fish department.

- rr. The North Dakota board of massage for applicants, licensees, or investigations under chapter 43-25.
- ss. The North Dakota board of physical therapy for physical therapist and physical therapist assistant applicants and for licensees under investigation, except that criminal history record checks need not be made unless required by the board.
- tt. The department of commerce for volunteers and employees providing services through eligible organizations, as determined by the commissioner of commerce.
- uu. The state court administrator for a guardian ad litem who provides direct services to youth.
- vv. The department of environmental quality for a final applicant for a job opening or a current employee with the department; an individual being investigated by the department; or, when requested by the department, an applicant for a radioactive materials license under chapter 23.1-03 or a solid waste permit under chapter 23.1-08.
- ww. The housing finance agency for criminal history record checks authorized under section 54-17-07.13.
- xx. The office of state treasurer for each individual who has access to federal tax information.
- yy. The public service commission for initial applicant licenses under chapter 51-05.1, except that criminal history record checks need not be made unless required by the public service commission.
- zz. The department of human services for a criminal history record check for a children's advocacy center as authorized under section 50-25.1-11.1.
- aaa. The state historical society for volunteers and final applicants for employment, except that criminal history record checks need not be made unless requested by the society.
- bbb. The department of transportation for volunteers and final applicants for employment, as determined by the director of the department of transportation.
- ccc. The commission on legal counsel for indigents for a volunteer or final applicant for employment, as determined by the director of the commission on legal counsel for indigents.
- ddd. The board of dietetic practice for applications for licensure or renewal under chapter 43-44, except that criminal history record checks need not be made unless required by the board.
- eee. The secretary of state for employees with access to personally identifying information of residents or businesses of the state or with access to elections systems that are critical infrastructure under section 44-04-24.

- fff. The state department of health for applicants for initial licensure for emergency medical services personnel, such as emergency medical technicians, advanced emergency medical technicians, and paramedics, as required by subdivision d of subsection 3 of section 23-27.1-03.
3. a. The bureau of criminal investigation shall conduct a statewide and nationwide criminal history record check for the purpose of determining eligibility for a concealed weapons license for each applicant for an initial license or the renewal of a concealed weapons license under chapter 62.1-04. The nationwide criminal history record check must include an inquiry of the national instant criminal background check system, and if the applicant is not a United States citizen, an immigration alien query.
 - b. Each applicant for a concealed weapons license shall provide to the bureau of criminal investigation written consent to conduct the criminal history record check, to maintain, release, and disclose the information in accordance with state and federal law, and to make a determination on the application; two sets of fingerprints from a law enforcement agency or other individual authorized to take fingerprints; and any other information required under chapter 62.1-04. The person who takes fingerprints under this subsection may charge a reasonable fee for fingerprinting.
 - c. The bureau of criminal investigation shall resubmit the fingerprints to the federal bureau of investigation. Except as otherwise provided by law, federal bureau of investigation criminal history record information is confidential.

Criminal history record checks. (Effective after August 31, 2022)

1. a. Each applicant, employee, or petitioner for adoption or name change who is subject to a criminal history record check under subsection 2 shall consent to a statewide and nationwide criminal history record check for the purpose of determining suitability or fitness for a permit, license, registration, employment, or adoption.
- b. Each applicant, employee, registrant, or petitioner for adoption or name change subject to a criminal history record check shall provide to the requesting agency or entity written consent to conduct the check and to release or disclose the information in accordance with state and federal law, two sets of fingerprints from a law enforcement agency or other local agency authorized to take fingerprints, any other identifying information requested, and a statement indicating whether the applicant or employee has ever been convicted of a crime.
- c. The agency, official, or entity shall submit these fingerprints to the bureau of criminal investigation for nationwide criminal history record information that includes resubmission of the fingerprints by the bureau of criminal investigation to the federal bureau of investigation. Except if otherwise provided by law, federal bureau of investigation criminal history record information obtained by an agency or entity is confidential. For a request for nationwide criminal history record information made under this section, the bureau of criminal investigation is the sole source to receive the fingerprint submissions and responses from the federal bureau of investigation. A person who takes fingerprints under this section may charge a reasonable fee to offset the cost of fingerprinting. Unless

- otherwise provided by law, the bureau of criminal investigation may charge appropriate fees for criminal history information.
- d. Fingerprints and any other identifying information the bureau has obtained under this section may be retained by the bureau and the federal bureau of investigation at the request of the agency, official, or entity submitting the fingerprints and any other identifying information for a statewide and nationwide criminal history record check. The subject of the records must be provided notice of the retention of the fingerprints and any other identifying information. The bureau may provide to each agency, official, or entity listed in subsection 2 of this section the response of the bureau and the federal bureau of investigation any statewide criminal history record information that may lawfully be made available under this chapter.
 - e. The bureau may provide the results of a criminal history background check made under subsection 2 of this section to another state's identification bureau or central repository for the collection, maintenance, and dissemination of criminal history record information when the other state's identification bureau or central repository has requested the results of the criminal history background check and the agency, official, or entity of the other state has equivalent authority to subsection 2 of this section to request a statewide and nationwide criminal history check.
2. The bureau of criminal investigation shall provide to each agency, official, or entity listed in this subsection who has requested a statewide and nationwide criminal history record check, the response of the federal bureau of investigation and any statewide criminal history record information that may lawfully be made available under this chapter:
- a. The governing body of a city or a county, by ordinance or resolution, for a final applicant for a specified occupation with the city or county.
 - b. The agriculture commissioner for each applicant for a license to grow or process hemp under section 4.1-18.1-02.
 - c. The education standards and practices board for initial, re-entry, and reciprocal teacher licenses under sections 15.1-13-14 and 15.1-13-20 and school guidance and counseling services under section 15.1-13-23.
 - d. The North Dakota board of medicine for licenses or disciplinary investigations under section 43-17-07.1, except that criminal history record checks need not be made unless required by the board.
 - e. The private investigative and security board for licenses or registrations under section 43-30-06.
 - f. The department of health and human services for foster care licenses, approvals, and identified relatives under chapter 50-11, appointments of legal guardians under chapter 50-11.3, and petitions for adoptions under chapter 50-12, except that the criminal history record investigation must be conducted in accordance with those chapters. A criminal history record investigation completed under chapter 50-11, 50-11.3, or 50-12 may be used to satisfy the requirements of a criminal history record investigation under either of the other two chapters.

- g. The department of health and human services for criminal history record checks authorized under section 50-06-01.9.
- h. The chief information officer of the information technology department for certain individuals under section 54-59-20.
- i. A public peace officer training school that has been approved by the peace officer standards and training board for enrollees in the school. The school may only disclose the criminal history record information as authorized by law. The school shall pay the costs for securing the fingerprints, any criminal history record information made available under this chapter, and for the nationwide criminal history record check. This subdivision does not apply to the highway patrol law enforcement training center and enrollees who have a limited license under section 12-63-09.
- j. The North Dakota public employees retirement board for individuals first employed by the public employees retirement board after July 31, 2005, who have unescorted physical access to the office or any security-sensitive area of the office as designated by the executive director.
- k. The executive director of the retirement and investment office for individuals first employed by the retirement and investment office after July 31, 2005, who have unescorted physical access to the office or any security-sensitive area of the office as designated by the executive director.
- l. The Bank of North Dakota for a final applicant for a specified occupation with the Bank as designated by the president.
- m. Job service North Dakota for all employees, final applicants for employment with job service, and contractors with access to federal tax information.
- n. The department of health and human services for a final applicant for a job opening or a current employee with the department as designated by the state health officer; an individual being investigated by the department; or, when requested by the department, an applicant for registration as a designated caregiver or a compassion center agent under chapter 19-24.1.
- o. The state board of nursing for applicants, licensees, registrants, or disciplinary investigations under chapter 43-12.1, except that criminal history record checks need not be made unless required by the board.
- p. The state board of pharmacy for applicants or disciplinary investigations under chapter 43-15 and registrations, or revocation or suspension of registrations, under chapter 19-03.1, except that criminal history record checks need not be made unless required by the board.
- q. The state real estate commission for applicants, licensees, or investigations under chapter 43-23, except that criminal history record checks need not be made unless required by the commission.

- r. The North Dakota board of social work examiners for applicants for initial licensure or licensees under chapter 43-41, except that criminal history record checks for licensees need not be made unless required by the board.
- s. All agencies, departments, bureaus, boards, commissions, or institutions of the state, including the North Dakota university system, for all employees or final applicants for employment as a security guard or to otherwise provide security.
- t. The office of management and budget for each individual who has access to personal information as designated by the director.
- u. The department of corrections and rehabilitation for all agents and employees and a final applicant for employment designated by the director and for each agent, employee, or a final applicant for employment of a privately operated entity providing contract correctional services for the department who exercises direct authority over juveniles, inmates, probationers, or parolees.
- v. A city, county, or combination of cities or counties that operates a correctional facility subject to chapter 12-44.1, for each agent and employee and a final applicant for employment of the correctional facility who has direct contact with or exercises direct authority over any juvenile or inmate of the correctional facility, and for each agent, employee, or a final applicant for employment of a privately operated entity providing contract correctional services for the correctional facility who exercises direct authority over juveniles, inmates, probationers, or parolees.
- w. The North Dakota university system for a final applicant for or employee in a specified position in the university system or a university system institution or for each student applying for or admitted to a specified program of study, as designated by the chancellor.
- x.
 - (1) The board of a school district, for employees designated by the board, provided the board is responsible for paying the costs associated with obtaining a criminal history record check;
 - (2) The board of a multidistrict special education unit, for employees designated by the board, provided the board is responsible for paying the costs associated with obtaining a criminal history record check;
 - (3) The board of an area career and technology center, for employees designated by the board, provided the board is responsible for paying the costs associated with obtaining a criminal history record check;
 - (4) The board of a regional education association, for employees designated by the board, provided the board is responsible for paying the costs associated with obtaining a criminal history record check; and
 - (5) The superintendent of public instruction in the case of a nonpublic school or a state school with a superintendent appointed by or reporting to the superintendent of public instruction, for employees designated by the nonpublic or state school, provided the nonpublic or

state school is responsible for paying the costs associated with obtaining a criminal history record check.

- y. (1) The board of a school district, for a final applicant seeking employment with the district or otherwise providing services to the district, if that individual has unsupervised contact with students, provided the board is responsible for paying the costs associated with obtaining a criminal history record check;
 - (2) The board of a multidistrict special education unit, for a final applicant seeking employment with the unit or otherwise providing services to the unit, if that individual has unsupervised contact with students, provided the board is responsible for paying the costs associated with obtaining a criminal history record check;
 - (3) The board of an area career and technology center, for a final applicant seeking employment with the center or otherwise providing services to the center, if that individual has unsupervised contact with students, provided the board is responsible for paying the costs associated with obtaining a criminal history record check;
 - (4) The board of a regional education association, for a final applicant seeking employment with the association or otherwise providing services to the association if that individual has unsupervised contact with students, provided the board is responsible for paying the costs associated with obtaining a criminal history record check; and
 - (5) The superintendent of public instruction in the case of a nonpublic school or a state school with a superintendent appointed by or reporting to the superintendent of public instruction, for a final applicant seeking employment with the school or otherwise providing services to the school, if that individual has unsupervised contact with students, provided the board is responsible for paying the costs associated with obtaining a criminal history record check.
 - (6) For purposes of this subdivision, "unsupervised contact" with students means being in proximity to one or more students, on school grounds or at school functions, outside the presence of an individual who has been subject to a criminal history record check.
- z. The racing commission for applicants for licenses under chapter 53-06.2, except that criminal history record checks need not be made unless required by the commission.
- aa. A district court for a petition to change a name under chapter 32-28.
 - bb. The state board of pharmacy for a wholesale drug distributor seeking licensure under chapter 43-15.3.
 - cc. The board of dental examiners for investigations of applicants or dentists under section 43-28-11.2, except that criminal history record checks need not be made unless required by the board.
 - dd. The department of financial institutions for each applicant for a specified occupation with the department as specified by the commissioner and

- principal owners and managing officers of applicants for a license from the department of financial institutions.
- ee. The office of tax commissioner for all employees, final applicants for employment with the tax commissioner, and contractors with access to federal tax information.
 - ff. The state board of examiners for nursing home administrators for applicants for licensure or licensees under chapter 43-34, except that criminal history record checks for licensees need not be made unless required by the board.
 - gg. The marriage and family therapy licensure board for applicants, licensees, or investigations under chapter 43-53, except that criminal history record checks need not be made unless required by the board.
 - hh. The state board of chiropractic examiners for applicants, licensees, certificates, or investigations under chapter 43-06, except that criminal history record checks need not be made unless required by the board.
 - ii. Workforce safety and insurance for a final applicant for a specified occupation with workforce safety and insurance as designated by the director, or for contractors who may have access to confidential information as designated by the director.
 - jj. The board of counselor examiners for applicants for licensure or licensees under chapter 43-47, except that criminal history record checks for licensees need not be made unless required by the board.
 - kk. The state board of respiratory care for applicants, licensees, or investigations under chapter 43-42, except that criminal history record checks need not be made unless required by the board.
 - ll. The North Dakota real estate appraiser qualifications and ethics board for applicants for permits or registration or permittees, registrants, owners, or controlling persons under chapters 43-23.3 and 43-23.5, except that criminal history record checks for permittees, registrants, owners, or controlling persons need not be made unless required by the board.
 - mm. The insurance department for criminal history record checks authorized under chapters 26.1-26 and 26.1-26.8.
 - nn. The office of the adjutant general for employees and volunteers working with the recruiting and retention, sexual assault, and youth programs.
 - oo. The parks and recreation department for volunteers and final applicants for employment, as determined by the director of the parks and recreation department.
 - pp. The North Dakota medical imaging and radiation therapy board of examiners for licensure and licensees under chapter 43-62, except that criminal history record checks for licensees need not be made unless required by the board.

- qq. The game and fish department for volunteers and final applicants for employment, as determined by the director of the game and fish department.
- rr. The North Dakota board of massage for applicants, licensees, or investigations under chapter 43-25.
- ss. The North Dakota board of physical therapy for physical therapist and physical therapist assistant applicants and for licensees under investigation, except that criminal history record checks need not be made unless required by the board.
- tt. The department of commerce for volunteers and employees providing services through eligible organizations, as determined by the commissioner of commerce.
- uu. The state court administrator for a guardian ad litem who provides direct services to youth.
- vv. The department of environmental quality for a final applicant for a job opening or a current employee with the department; an individual being investigated by the department; or, when requested by the department, an applicant for a radioactive materials license under chapter 23.1-03 or a solid waste permit under chapter 23.1-08.
- ww. The housing finance agency for criminal history record checks authorized under section 54-17-07.13.
- xx. The office of state treasurer for each individual who has access to federal tax information.
- yy. The public service commission for initial applicant licenses under chapter 51-05.1, except that criminal history record checks need not be made unless required by the public service commission.
- zz. The department of health and human services for a criminal history record check for a children's advocacy center as authorized under section 50-25.1-11.1.
- aaa. The state historical society for volunteers and final applicants for employment, except that criminal history record checks need not be made unless requested by the society.
- bbb. The department of transportation for volunteers and final applicants for employment, as determined by the director of the department of transportation.
- ccc. The commission on legal counsel for indigents for a volunteer or final applicant for employment, as determined by the director of the commission on legal counsel for indigents.
- ddd. The board of dietetic practice for applications for licensure or renewal under chapter 43-44, except that criminal history record checks need not be made unless required by the board.

- eee. The secretary of state for employees with access to personally identifying information of residents or businesses of the state or with access to elections systems that are critical infrastructure under section 44-04-24.
- fff. The department of health and human services for applicants for initial licensure for emergency medical services personnel, such as emergency medical technicians, advanced emergency medical technicians, and paramedics, as required by subdivision d of subsection 3 of section 23-27.1-03.
3. a. The bureau of criminal investigation shall conduct a statewide and nationwide criminal history record check for the purpose of determining eligibility for a concealed weapons license for each applicant for an initial license or the renewal of a concealed weapons license under chapter 62.1-04. The nationwide criminal history record check must include an inquiry of the national instant criminal background check system, and if the applicant is not a United States citizen, an immigration alien query.
- b. Each applicant for a concealed weapons license shall provide to the bureau of criminal investigation written consent to conduct the criminal history record check, to maintain, release, and disclose the information in accordance with state and federal law, and to make a determination on the application; two sets of fingerprints from a law enforcement agency or other individual authorized to take fingerprints; and any other information required under chapter 62.1-04. The person who takes fingerprints under this subsection may charge a reasonable fee for fingerprinting.
- c. The bureau of criminal investigation shall resubmit the fingerprints to the federal bureau of investigation. Except as otherwise provided by law, federal bureau of investigation criminal history record information is confidential.

SECTION 2. Section 23-27-06 of the North Dakota Century Code is created and enacted as follows:

23-27-06. Criminal history record check.

The department may require an applicant for emergency medical services personnel licensure to submit to a statewide and nationwide criminal history record check. The nationwide criminal history record check must be conducted in the manner provided by section 12-60-24. All costs associated with the criminal history record check are the responsibility of the applicant.

SECTION 3. AMENDMENT. Section 50-06-41.3 of the North Dakota Century Code is amended and reenacted as follows:

50-06-41.3. Behavioral health bed management system.

The department shall establish and maintain a behavioral health bed management system to improve utilization of behavioral health bed capacity. Public and private providers of residential or inpatient behavioral health services, except the department of corrections and rehabilitation, shall participate in and report daily to the department the information and documentation necessary to maintain the behavioral health bed management system in the form and manner prescribed by the department.

SECTION 4. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state.

Approved November 12, 2021

Filed November 12, 2021

ELEMENTARY AND SECONDARY EDUCATION

CHAPTER 552

HOUSE BILL NO. 1507

(Legislative Management)
(Joint Technical Corrections Committee)

AN ACT to amend and reenact section 15.1-02-04 of the North Dakota Century Code, relating to the duties of the superintendent of public instruction to report to the legislative management regarding contemplated curriculum in computer science and cybersecurity; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15.1-02-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-02-04. Superintendent of public instruction - Duties. (Effective through June 30, 2023)

The superintendent of public instruction:

1. Shall supervise the provision of elementary and secondary education to the students of this state.
2. Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.
3. Shall supervise the development of course content standards.
4. Shall supervise the assessment of students.
5. Shall serve as an ex officio member of the board of university and school lands.
6. Shall keep a complete record of all official acts and appeals.
7. As appropriate, shall determine the outcome of appeals regarding education matters.
8. Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.
9. Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process

must include input and participation from a steering committee that includes representatives of all state-level entities receiving state education funding and education stakeholder groups. Each steering committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative report and any updates to the strategic vision to the legislative management during each interim and to a joint meeting of the education standing committees during each regular legislative session.

10. Shall administer a student loan forgiveness program for individuals teaching at grade levels, in content areas, and in geographical locations identified as having a teacher shortage or critical need.
11. Shall facilitate the development and implementation of a North Dakota learning continuum in collaboration with the department of career and technical education, upon the recommendation of the kindergarten through grade twelve education coordination council.
12. Shall collaborate with workforce development stakeholders and the kindergarten through grade twelve education coordination council to determine how best to integrate computer science and cybersecurity into elementary, middle, and high school curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the superintendent shall provide a report to the legislative management regarding the outcome of this collaboration.

Superintendent of public instruction - Duties. (Effective after June 30, 2023)

The superintendent of public instruction:

1. Shall supervise the provision of elementary and secondary education to the students of this state.
2. Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.
3. Shall supervise the development of course content standards.
4. Shall supervise the assessment of students.
5. Shall serve as an ex officio member of the board of university and school lands.
6. Shall keep a complete record of all official acts and appeals.
7. As appropriate, shall determine the outcome of appeals regarding education matters.
8. Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.

9. Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process must include input and participation from a steering committee that includes representatives of all state-level entities receiving state education funding and education stakeholder groups. Each steering committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative report and any updates to the strategic vision to the legislative management during each interim and to a joint meeting of the education standing committees during each regular legislative session.
10. Shall facilitate the development and implementation of a North Dakota learning continuum in collaboration with the department of career and technical education, upon the recommendation of the kindergarten through grade twelve education coordination council.

SECTION 2. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state.

Approved November 12, 2021

Filed November 12, 2021

CHAPTER 553

SENATE BILL NO. 2350

(Senator Poolman)

(Approved by the Delayed Bills Committee)

AN ACT to amend and reenact section 15.1-21-02.4 of the North Dakota Century Code, relating to career and technical education scholarship eligibility requirements; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15.1-21-02.4 of the North Dakota Century Code is amended and reenacted as follows:

15.1-21-02.4. North Dakota career and technical education scholarship. (Repealed effective July 31, 2024)

1. Any resident student who graduates from a high school during or after the 2010-11 school year and any resident student who completes a program of home education supervised in accordance with chapter 15.1-23 during or after the 2012-13 school year is eligible to receive a North Dakota career and technical education scholarship provided the student:
 - a. Completed four units of English language arts from a sequence that includes literature, composition, and speech;
 - b. Completed three units of mathematics, including:
 - (1) One unit of algebra II, integrated mathematics II, or integrated mathematics III, as defined by the superintendent of public instruction; and
 - (2) Two units of any other mathematics, which may include one unit of computer science;
 - c. Completed three units of science, consisting of:
 - (1) (a) One unit of biology;
 - (b) One unit of chemistry; and
 - (c) One unit of physics; or
 - (2) (a) One unit of biology;
 - (b) One unit of physical science; and
 - (c) One unit or two one-half units of any other science;
 - d. Completed three units of social studies, including:

- (1) One unit of United States history;
 - (2) (a) One-half unit of United States government and one-half unit of economics; or
(b) One unit of problems of democracy; and
 - (3) One unit or two one-half units of any other social studies, which may include civics, civilization, geography and history, multicultural studies, North Dakota studies, psychology, sociology, and world history;
- e. (1) Completed one unit of physical education; or
(2) One-half unit of physical education and one-half unit of health;
- f. Completed:
- (1) One unit selected from:
 - (a) Foreign languages;
 - (b) Native American languages;
 - (c) American sign language;
 - (d) Fine arts; or
 - (e) Career and technical education courses; and
 - (2) Two units of a coordinated plan of study recommended by the department of career and technical education and approved by the superintendent of public instruction or an education pathway approved by the superintendent of public instruction. The education pathway must consist of ~~two units~~ one unit in teaching profession and educational methodology and at least one additional unit in advanced placement or dual-credit psychology, child development, peer-to-peer leadership, or child-related careers;
- g. Completed any five additional units, two of which must be in the area of career and technical education;
- h. (1) (a) Obtained a cumulative grade point average of at least 3.0 on a 4.0 grading scale, as determined by the superintendent of public instruction, based on all high school units in which the student was enrolled; and
(b) Obtained a grade of at least "C" in each unit or one-half unit, except as provided under subsection 2; or
- (2) (a) Obtained a cumulative grade point average of at least 3.0 on a 4.0 grading scale, as determined by the superintendent of public instruction, based only on the units required by subsections 1 through 7; and
(b) Obtained a grade of at least "C" in each unit or one-half unit, except as provided under subsection 2; and

i. Received:

- (1) A composite score of at least twenty-four on an ACT or an equivalent score on a nationally recognized standardized test approved by the state board of higher education; or
 - (2) A score of at least five on each of three WorkKeys assessments or an equivalent score on a nationally recognized standardized test, recommended by the department of career and technical education and approved by the superintendent of public instruction.
2. A resident high school student is exempt from the requirements in subparagraph b of paragraph 1 of subdivision h of subsection 1 and subparagraph b of paragraph 2 of subdivision h of subsection 1 for units earned during a semester, quarter, or term that includes March, April, or May of 2020.

SECTION 2. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state.

Approved November 12, 2021

Filed November 12, 2021

CHAPTER 554

HOUSE BILL NO. 1508

(Representatives Kasper, Becker, B. Koppelman, Meier, Rohr, D. Ruby)
(Senators Myrdal, Wanzek)
(Approved by the Delayed Bills Committee)

AN ACT to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to prohibiting the teaching of critical race theory in public schools; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-21 of the North Dakota Century Code is created and enacted as follows:

Curriculum - Critical race theory - Prohibited.

Each school district and public school shall ensure instruction of its curriculum is factual, objective, and aligned to the kindergarten through grade twelve state content standards. A school district or public school may not include instruction relating to critical race theory in any portion of the district's required curriculum under sections 15.1-21-01 or 15.1-21-02, or any other curriculum offered by the district or school. For purposes of this section, "critical race theory" means the theory that racism is not merely the product of learned individual bias or prejudice, but that racism is systemically embedded in American society and the American legal system to facilitate racial inequality. The superintendent of public instruction may adopt rules to govern this section.

SECTION 2. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state.

Approved November 12, 2021

Filed November 12, 2021

CHAPTER 555

SENATE BILL NO. 2346

(Legislative Management)
(Joint Technical Corrections Committee)

AN ACT to authorize the department of public instruction to withhold state school aid for information technology project upgrades to the state automated reporting system and the statewide longitudinal data system; to provide a statement of legislative intent; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. DEPARTMENT OF PUBLIC INSTRUCTION - STATE SCHOOL AID WITHHOLDING - LEGISLATIVE INTENT.

1. Integrated formula payments to school districts eligible to receive funding from the federal elementary and secondary school emergency education relief fund must be reduced by a one-time amount of \$88 per average daily membership based on 2021 fall enrollment to reimburse the department of public instruction for information technology project upgrades to the state automated reporting system and the statewide longitudinal data system. Funds must be withheld before April 1, 2022, and must be deposited in the public instruction fund for information technology project upgrades to the state automated reporting system and the statewide longitudinal data system, for the period beginning with the effective date of this Act and ending June 30, 2023.
2. It is the intent of the sixty-seventh legislative assembly that the department of public instruction use federal elementary and secondary school emergency education relief funding appropriated to the department by the sixty-seventh legislative assembly to reimburse eligible school districts for the amounts withheld under subsection 1 of this section.

SECTION 2. EFFECTIVE DATE. This Act becomes effective on December 1, 2021.

Approved November 12, 2021

Filed November 12, 2021

ELECTIONS

CHAPTER 556

HOUSE BILL NO. 1513

(Representatives Lefor, Devlin, Headland, Nathe, O'Brien, Pollert, M. Ruby, Schauer)
(Senators Bekkedahl, Sorvaag)
(Approved by the Delayed Bills Committee)

AN ACT to create and enact subsection 5 of section 16.1-03-07 of the North Dakota Century Code, relating to district party organization; to amend and reenact section 16.1-03-17 of the North Dakota Century Code, relating to political party reorganization after redistricting; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Subsection 5 of section 16.1-03-07 of the North Dakota Century Code is created and enacted as follows:

5. After redistricting of the legislative assembly becomes effective, the state party chair may appoint a temporary district party organization chair in any newly established district or a district that lacks a district committee able to carry out the responsibilities of this chapter. The temporary district party organization chair shall organize the district political party as closely as possible in conformance with this chapter to assure compliance with primary election filing deadlines.

SECTION 2. AMENDMENT. Section 16.1-03-17 of the North Dakota Century Code is amended and reenacted as follows:

16.1-03-17. Political party reorganization after redistricting.

If redistricting of the legislative assembly becomes effective after the organization of political parties as provided in this chapter and before the primary or the general election, the political parties; ~~in the newly established precincts and each of the following~~ districts; shall ~~proceed to organize or~~ reorganize as closely as possible in conformance with this chapter to assure compliance with primary election filing deadlines:

1. A district that does not share any geographical area with the pre-redistricting district having the same number.
2. A district with new geographic area that was not in that district for the 2020 election and which new geographic area has a 2020 population that is more than twenty-five percent of the district's population as determined in the 2020 federal decennial census.

SECTION 3. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state.

Approved November 11, 2021

Filed November 12, 2021

GOVERNMENTAL FINANCE

CHAPTER 557

HOUSE BILL NO. 1512

(Representatives Nathe, D. Anderson, Bosch, Headland, Lefor, Martinson)
(Senators Bell, Hogue, Meyer)
(Approved by the Delayed Bills Committee)

AN ACT to amend and reenact section 21-10-11 of the North Dakota Century Code, relating to the legacy and budget stabilization fund advisory board; to provide for the selection of a chairman; and to provide for an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 21-10-11 of the North Dakota Century Code is amended and reenacted as follows:

21-10-11. Legacy and budget stabilization fund advisory board.

1. The legacy and budget stabilization fund advisory board is created to develop recommendations for the investment of funds in the legacy fund and the budget stabilization fund to present to the state investment board.
2. The goal of investment for the legacy fund is principal preservation while maximizing total return and to provide a direct benefit to the state by investing a portion of the principal in the state. Preference must be given to qualified investment firms and financial institutions with a presence in the state for investment of the legacy fund.
3. The board shall determine the asset allocation for the investment of the principal of the legacy fund including:
 - a. A target allocation of ten percent to fixed income investments within the state, of which:
 - (1) Up to forty percent must be targeted for infrastructure loans to political subdivisions under section 6-09-49.1. The net return to the legacy fund under this paragraph must be fixed at a target rate of one and one-half percent;
 - (2) Up to sixty percent, with a minimum of four hundred million dollars, must be designated to the Bank of North Dakota's certificate of deposit match program with an interest rate fixed at the equivalent yield of United States treasury bonds having the same term, up to a maximum term of twenty years; and
 - (3) Any remaining amounts must be designated for other qualified fixed income investments within the state.

b. A target allocation of ten percent to equity investments in the state, of which at:

(1) At least three percent may be targeted for investment in one or more equity funds, venture capital funds, or alternative investment funds with a primary strategy of investing in emerging or expanding companies in the state. Equity investments under this subdivision~~paragraph~~ must:

(1)(a) Be managed by qualified investment firms, financial institutions, or equity funds which have a strategy to invest in qualified companies operating or seeking to operate in the state and which have a direct connection to the state; and

(2)(b) Have a benchmark investment return equal to the five-year average net return for the legacy fund, excluding in-state investments.

(2) The legacy and budget stabilization fund advisory board may develop guidelines for other eligible investments under this subdivision.

4. The board consists of ~~two~~three members of the senate appointed by the senate majority leader, ~~two~~three members of the house of representatives appointed by the house majority leader, ~~the director of the office of management and budget or designee, the president of the Bank of North Dakota or designee, and the tax commissioner or designee, the insurance commissioner or designee, and the state treasurer or designee.~~ The board shall select a member from the senate or house of representatives to serve as chairman for no more than one consecutive year and must meet at the call of the chairman.
5. The board shall report at least semiannually to the budget section.
6. Legislative members are entitled to receive compensation and expense reimbursement as provided under section 54-03-20 and reimbursement for mileage as provided by law for state officers. The legislative council shall pay the compensation and expense reimbursement for the legislative members.
7. The legislative council shall provide staff services to the legacy and budget stabilization fund advisory board.
8. The staff and consultants of the state retirement and investment office shall advise the board in developing asset allocation and investment policies.
9. The board ~~shall~~may develop a process to select a member of the board who is not a member of the state investment board to serve on the state investment board in a nonvoting capacity.

SECTION 2. LEGACY AND BUDGET STABILIZATION FUND ADVISORY BOARD - SELECTION OF CHAIRMAN. Pursuant to the requirement for the legacy and budget stabilization fund advisory board to select a chairman under subsection 4 of section 21-10-11, the advisory board shall select a new chairman during its first meeting after the effective date of this Act.

SECTION 3. EFFECTIVE DATE. This Act becomes effective on December 1, 2021.

Approved November 12, 2021

Filed November 12, 2021

HEALTH AND SAFETY

CHAPTER 558

HOUSE BILL NO. 1511

(Representatives Weisz, Becker, Devlin, Lefor, Meier, Paulson, Porter, Schauer)
(Senators Lee, Wardner)
(Approved by the Delayed Bills Committee)

AN ACT to create and enact a new section to chapter 34-03 of the North Dakota Century Code, relating to employer-required COVID-19 vaccinations; to amend and reenact sections 23-01-05.3 and 23-12-20 of the North Dakota Century Code, relating to vaccine passports and limitations on requiring documentation of COVID-19 vaccinations, antibodies, and post-transmission recovery status; to repeal section 23-12-20 of the North Dakota Century Code and section 2 of this Act, relating to limitations on requiring documentation of COVID-19 vaccinations, antibodies, and post-transmission recovery status and employer-required COVID-19 vaccinations; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 23-01-05.3 of the North Dakota Century Code is amended and reenacted as follows:

23-01-05.3. Immunization data. (Effective through August 31, 2022)

1. The state department of health may establish an immunization information system and may require the childhood immunizations specified in subsection 1 of section 23-07-17.1 and other information be reported to the department. The state department of health may only require the reporting of childhood immunizations and other data upon completion of the immunization information reporting system. A health care provider who administers a childhood immunization shall report the patient's identifying information, the immunization that is administered, and other required information to the department. The report must be submitted using electronic media, and must contain the data content and use the format and codes specified by the department.
2. If a health care provider fails to submit an immunization report required under this section within four weeks of vaccination:
 - a. That health care provider may not order or receive any vaccine from the North Dakota immunization program until that provider submits all reports required under this section.
 - b. The state department of health shall make a report to that health care provider's occupational licensing entity outlining that provider's failure to comply with the reporting requirements under this section.

3. Notwithstanding any other provision of law, a health care provider, elementary or secondary school, early childhood facility, public or private postsecondary educational institution, city or county board of health, district health unit, and the state health officer may exchange immunization data in any manner with one another. Immunization data that may be exchanged under this section is limited to the date and type of immunization administered to a patient and may be exchanged regardless of the date of the immunization.
4. The state department of health may not create, administer, provide, or contract for electronic machine-readable code or a vaccine passport.

Immunization data. (Effective after August 31, 2022)

1. The department of health and human services may establish an immunization information system and may require the childhood immunizations specified in subsection 1 of section 23-07-17.1 and other information be reported to the department. The department of health and human services may only require the reporting of childhood immunizations and other data upon completion of the immunization information reporting system. A health care provider who administers a childhood immunization shall report the patient's identifying information, the immunization that is administered, and other required information to the department. The report must be submitted using electronic media, and must contain the data content and use the format and codes specified by the department.
2. If a health care provider fails to submit an immunization report required under this section within four weeks of vaccination:
 - a. That health care provider may not order or receive any vaccine from the North Dakota immunization program until that provider submits all reports required under this section.
 - b. The department of health and human services shall make a report to that health care provider's occupational licensing entity outlining that provider's failure to comply with the reporting requirements under this section.
3. Notwithstanding any other provision of law, a health care provider, elementary or secondary school, early childhood facility, public or private postsecondary educational institution, city or county board of health, district health unit, and the state health officer may exchange immunization data in any manner with one another. Immunization data that may be exchanged under this section is limited to the date and type of immunization administered to a patient and may be exchanged regardless of the date of the immunization.
4. The department of health and human services may not create, administer, provide, or contract for electronic machine-readable code or a vaccine passport.

¹ **SECTION 2. AMENDMENT.** Section 23-12-20 of the North Dakota Century Code is amended and reenacted as follows:

23-12-20. VaccineCOVID-19 vaccination and infection information.

¹ Section 23-12-20 was repealed by section 4 of House Bill No. 1511, chapter 558.

1. ~~Except as provided under sections 15-1-23-02, 23-01-05.3, and 23-07-17.1, neither~~Neither a state government entity nor any of its political subdivisions, agents, or assigns may:
 - a. Require documentation, whether physical or electronic, for the purpose of certifying or otherwise communicating the following before providing access to state property, funds, or services:
 - (1) An individual's COVID-19 vaccination status;
 - (2) The presence of COVID-19 pathogens, antigens, or antibodies; or
 - (3) An individual's COVID-19 post-transmission recovery status;
 - b. Otherwise publish or share an individual's COVID-19 vaccination record or similar health information, except as specifically authorized by the individual or otherwise authorized by statute; or
 - c. Require a private business to obtain documentation, whether physical or electronic, for purposes of certifying or otherwise communicating the following before employment or providing access to property, funds, or services based on:
 - (1) An individual's COVID-19 vaccination status;
 - (2) The presence of COVID-19 pathogens, antigens, or antibodies; or
 - (3) An individual's COVID-19 post-transmission recovery status.
2. Subsection 1 does not apply to the department of corrections and rehabilitation, a correctional facility as defined under section 12-44.1-01, the state hospital, or a public health unit.
3. A private business located in this state or doing business in this state may not require a patron, client, or customer in this state to provide any documentation certifying COVID-19 vaccination, the presence of COVID-19 pathogens, antigens, or antibodies, or COVID-19 post-transmission recovery to gain access to, entry upon, or services from the business. This subsection does not apply to a developmental disability residential facility or a health care provider, including a long-term care provider, basic care provider, and assisted living provider. As used in this subsection, a private business does not include a nonprofit entity that does not sell a product or a service.
- ~~3-4.~~ This section may not be construed to interfere with an individual's rights to access that individual's own personal health information or with a person's right to access personal health information of others which the person otherwise has a right to access.
- ~~4-5.~~ Subsection 1 is not applicable to the state board of higher education, the university system, or institutions under the control of the state board of higher education to the extent the entity has adopted policies and procedures governing the type of documentation required, the circumstances under which such documentation may be shared, and exemptions from providing such documentation.

- ~~5-6.~~ This section is not applicable during a public health disaster or emergency declared in accordance with chapter 37-17.1.
- ~~6.~~ This section is limited in application to a vaccination authorized by the federal food and drug administration pursuant to an emergency use authorization
- ~~7.~~ As used in this section, the term "COVID-19" means severe acute respiratory syndrome coronavirus 2 identified as SARS-CoV-2 and any mutation or viral fragments of SARS-CoV-2.

SECTION 3. A new section to chapter 34-03 of the North Dakota Century Code is created and enacted as follows:

COVID-19 vaccination requirements - Exemptions.

1. As used in this section, the term "COVID-19" means severe acute respiratory syndrome coronavirus 2 identified as SARS-CoV-2 and any mutation or viral fragments of SARS-CoV-2.
2. If an employer or contractor requires an employee, prospective employee, or independent contractor in this state to be vaccinated against COVID-19 as a condition of employment or a term of a contract:
 - a. The employer or contractor shall allow the employee, prospective employee, or independent contractor to submit proof of COVID-19 antibodies as an exemption to the vaccination requirement. Such proof is valid for six months from the date of the antibody test.
 - b. The employer or contractor shall allow the employee, prospective employee, or independent contractor to submit to periodic COVID-19 tests as an exemption to the vaccination requirement.
 - c. The employer or contractor shall allow the employee, prospective employee, or independent contractor to submit one of the following certificates as an exemption to the vaccination requirement:
 - (1) A certificate from a North Dakota licensed physician, physician assistant, or advanced practice registered nurse stating the physical condition of the employee, prospective employee, or independent contractor is such that immunization would endanger the life or health of the employee, prospective employee, or independent contractor; or
 - (2) A certificate signed by the employee, prospective employee, or independent contractor stating the employee's, prospective employee's, or independent contractor's religious, philosophical, or moral beliefs are opposed to such immunization.
3. This section does not apply to the extent an employer or an independent contractor is required to comply with federal law, rules, or guidance relating to requirements for vaccinations for COVID-19 or resulting from Title 42, Code of Federal Regulations, part 416 et seq. [86 FR 61555 et seq. (2021)]; Title 29, Code of Federal Regulations, part 1910 et seq. [86 FR 61555 et seq. (2021)]; or the presidential executive order on ensuring adequate COVID safety protocols for federal contractors, issued September 9, 2021.

² **SECTION 4. REPEAL.** Section 23-12-20 of the North Dakota Century Code and section 3 of this Act are repealed.

SECTION 5. EFFECTIVE DATE. Section 4 of this Act becomes effective August 1, 2023. The remainder of this Act becomes effective upon its filing with the secretary of state.

Approved November 12, 2021

Filed November 15, 2021

² Section 23-12-20 was amended by section 2 of House Bill No. 1511, chapter 558.

OCCUPATIONS AND PROFESSIONS

CHAPTER 559

HOUSE BILL NO. 1514

(Representatives Tveit, Fisher, Kasper, K. Koppelman, Paulson)
(Senators Clemens, O. Larsen, Luick)
(Approved by the Delayed Bills Committee)

AN ACT to create and enact a new section to chapter 43-12.1, a new section to chapter 43-15, and a new section to chapter 43-17 of the North Dakota Century Code, relating to disciplinary actions by the board of nursing, board of pharmacy, and board of medicine; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 43-12.1 of the North Dakota Century Code is created and enacted as follows:

Limitations on disciplinary actions.

The board may not take disciplinary action against an advanced practice registered nurse based solely on the advanced practice registered nurse prescribing or dispensing ivermectin for the off-label treatment or prevention of severe acute respiratory syndrome coronavirus 2 identified as SARS-CoV-2, or any mutation or viral fragments of SARS-CoV-2. This section does not limit the board from taking a disciplinary action on another basis, such as unlicensed practice, inappropriate documentation, or substandard care, or any basis that would in the board's determination harm the patient.

SECTION 2. A new section to chapter 43-15 of the North Dakota Century Code is created and enacted as follows:

Limitations on disciplinary actions.

The board may not take disciplinary action against a pharmacist based solely on the pharmacist dispensing ivermectin for the off-label treatment or prevention of severe acute respiratory syndrome coronavirus 2 identified as SARS-CoV-2, or any mutation or viral fragments of SARS-CoV-2. This section does not limit the board from taking a disciplinary action on another basis, such as unlicensed practice, inappropriate documentation, or substandard care, or any basis that would in the board's determination harm the patient.

SECTION 3. A new section to chapter 43-17 of the North Dakota Century Code is created and enacted as follows:

Limitations on disciplinary actions.

The board may not take disciplinary action against a licensee based solely on the licensee prescribing or dispensing ivermectin for the off-label treatment or prevention of severe acute respiratory syndrome coronavirus 2 identified as SARS-CoV-2, or any

mutation or viral fragments of SARS-CoV-2. This section does not limit the board from taking a disciplinary action on another basis, such as unlicensed practice, inappropriate documentation, or substandard care, or any basis that would in the board's determination harm the patient.

SECTION 4. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state.

Approved November 12, 2021

Filed November 15, 2021

PRINTING LAWS

CHAPTER 560

SENATE BILL NO. 2347

(Legislative Management)
(Joint Technical Corrections Committee)

AN ACT to amend and reenact sections 46-02-05, 46-02-06, 46-02-10, 46-02-20, 46-03-18, and 46-03-19 of the North Dakota Century Code, relating to printing legislative materials; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 46-02-05 of the North Dakota Century Code is amended and reenacted as follows:

46-02-05. ~~Proposals for printing~~ Printing services - Classifications 1, 2, and 4 - Form, style, quantity, timing specifications.

The legislative assembly may enter an agreement with central duplicating services of the office of management and budget to print materials in classifications 1, 2, and 4, before any regular, reconvened, or special session. Alternatively, the legislative assembly may request the office of management and budget, at least two months immediately preceding each regular session of the legislative assembly, shall invite sealed bids for doing all printing constituting each of classifications 1, 2, and 4, required by the legislative assembly for the two succeeding years commencing with the first day of December next following the date of the contract. The invitation for bids for the classes of printing under this section shall~~must~~ include the specifications for form, style, quantity, and timing in accordance with the rules of the senate and house of representatives of the previous legislative session or as directed by the legislative council. All bids must specify the price and cost for which the printing work will be performed and the stock furnished.

SECTION 2. AMENDMENT. Section 46-02-06 of the North Dakota Century Code is amended and reenacted as follows:

46-02-06. Opening of bids - Awards.

If the legislative assembly requests the office of management and budget to invite bids for printing materials in classifications 1, 2, and 4, the office of management and budget shall award the contract for classifications 1, 2, and 4 of printing to the lowest bidder therefor, subject to the provisions of this title. If two or more persons bid the same and the lowest price for any class of printing, the office of management and budget shall award the contract to such one or more of them as in its opinion the lowest bidders as the office of management and budget believes will best subserveserve the interests of the state.

SECTION 3. AMENDMENT. Section 46-02-10 of the North Dakota Century Code is amended and reenacted as follows:

46-02-10. Printing and binding done without unnecessary delay - Time within which laws and public documents must be delivered - How extension granted.

1. Each contractor under the ~~provisions of~~ this chapter, promptly and without unnecessary delay, shall execute all orders issued to that contractor by the legislative assembly, either branch thereof of the legislative assembly, ~~or by~~ the legislative council, or by the office of management and budget on behalf of the executive officers of the state.
2. Volumes of public documents must be delivered to the secretary of state in accordance with the deadline provided in the contract for printing. The session laws must be completed and delivered to the secretary of state in accordance with the deadline provided in the contract for printing.
3. The legislative council, with the assistance of the secretary of state, ~~shall~~, with reasonable expedition, shall furnish ~~the~~ printing contractor, if any, with true and correct copies of the laws and resolutions to be contained in the session laws and copy for the index to the session laws.
4. The office of management and budget, with the concurrence of the legislative council in the case of a contractor for the printing of the session laws or journals, ~~may~~, for good cause shown, may extend the time for the execution of any printing contract.

SECTION 4. AMENDMENT. Section 46-02-20 of the North Dakota Century Code is amended and reenacted as follows:

46-02-20. In-plant print shops.

~~Central~~Except for materials to be printed for the legislative assembly, central duplicating services of the office of management and budget ~~or by, and~~ departments, institutions, state offices, and printing services under the jurisdiction of the board of higher education, with the exception of the state college of science, university of North Dakota, North Dakota state university, and Valley City state university, may not provide the following services: printing or duplicating of all coated stock; continuous forms; snap-out forms; envelopes over twenty thousand; process color, except for jobs generated on computer printers which do not exceed eleven inches [27.94 centimeters] by seventeen inches [43.18 centimeters] and five hundred total image pages; and print or duplicate paper larger than eleven inches [27.94 centimeters] by seventeen inches [43.18 centimeters], excluding work done on plotters.

SECTION 5. AMENDMENT. Section 46-03-18 of the North Dakota Century Code is amended and reenacted as follows:

46-03-18. Copies of journals and legislative documents to be furnished printer.

The secretary of the senate and the chief clerk of the house shall furnish journal copy for their respective houses and copies of legislative documents to the ~~contract~~ printer of the legislative documents or daily journals. ~~No~~A contractor is ~~not~~ accountable under section 46-02-10 for any delay occasioned by the failure to furnish ~~such~~the copy on a timely basis.

SECTION 6. AMENDMENT. Section 46-03-19 of the North Dakota Century Code is amended and reenacted as follows:

46-03-19. When documents officially printed - Faith and credit given.

All laws, journals, and documents printed and published by central duplicating services of the office of management and budget or any contractor under this title, and duly certified by the secretary of state and the legislative council as provided in section 46-03-15 or rules of the senate and house of representatives, are deemed officially to be printed and published, and full faith and credit must be given to them as such.

SECTION 7. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state.

Approved November 12, 2021

Filed November 12, 2021

PUBLIC BUILDINGS

CHAPTER 561

SENATE BILL NO. 2349

(Legislative Management)
(Joint Technical Corrections Committee)

AN ACT to amend and reenact section 48-08-04 of the North Dakota Century Code, relating to the use of legislative assembly rooms; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 48-08-04 of the North Dakota Century Code is amended and reenacted as follows:

48-08-04. Use of legislative assembly rooms and halls.

During the interim between legislative sessions, the committee rooms, halls, passageways, and other space in the capitol used by the legislative assembly, including the pioneer room ~~and three additional meeting rooms comprising approximately four thousand square feet in the judicial wing of the capitol, the coteau room, the Sheyenne River room, judicial wing room 216, and judicial wing rooms 327 B, C, and E,~~ may not be used without authorization of the legislative council.

SECTION 2. EFFECTIVE DATE. This Act is becomes effective on December 1, 2021.

Approved November 12, 2021

Filed November 15, 2021

SPORTS AND AMUSEMENTS

CHAPTER 562

HOUSE BILL NO. 1509

(Representatives Dockter, Headland, Porter)
(Senator Bell)
(Approved by the Delayed Bills Committee)

AN ACT to amend and reenact section 53-06.1-12 of the North Dakota Century Code, relating to charitable gaming tax; to provide for retroactive application; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 53-06.1-12 of the North Dakota Century Code is amended and reenacted as follows:

53-06.1-12. Gaming tax - Deposits.

1. ~~A~~Except as provided in subsection 2, a gaming tax is imposed on the total adjusted gross proceeds received by a licensed organization in a quarter and ~~the tax~~ must be computed and paid to the attorney general on a quarterly basis on the tax return. This tax must be paid from adjusted gross proceeds and is not part of the allowable expenses. For a licensed organization with adjusted gross proceeds:
 - a. Not exceeding fifty thousand dollars the tax is one percent of adjusted gross proceeds.
 - b. Exceeding fifty thousand dollars the tax is five hundred dollars plus twelve percent of adjusted gross proceeds exceeding fifty thousand dollars.
2. For a licensed organization permitted to conduct raffles in this state with adjusted gross proceeds exceeding fifty thousand dollars, a gaming tax of one percent of gross proceeds is imposed on the total gross proceeds received by the licensed organization from raffles in a quarter. The tax must be computed and paid to the attorney general on a quarterly basis on the tax return. The tax must be paid from adjusted gross proceeds and is not part of the allowable expenses.
3. The tax must be paid to the attorney general at the time tax returns are filed.
- ~~3-4.~~ The attorney general shall deposit gaming taxes, monetary fines, and interest and penalties collected in the charitable gaming operating fund.

SECTION 2. RETROACTIVE APPLICATION. This Act applies retroactively to raffles conducted after June 30, 2021.

SECTION 3. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state.

Approved November 12, 2021

Filed November 12, 2021

STATE GOVERNMENT

CHAPTER 563

HOUSE BILL NO. 1504

(Legislative Management)
(Redistricting Committee)

AN ACT to authorize the secretary of state to modify election deadlines and procedures; to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to legislative redistricting and staggering of terms of members of the legislative assembly; to repeal sections 54-03-01.12 and 54-03-01.13 of the North Dakota Century Code, relating to legislative districts and staggering of terms of members of the legislative assembly; to provide a statement of legislative intent; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 54-03 of the North Dakota Century Code is created and enacted as follows:

Legislative districts.

Each legislative district is entitled to one senator and two representatives. Districts 4 and 9 are divided into subdistricts, and one representative must be elected from each subdistrict. A representative elected from a subdistrict must be, on the day of election, a qualified elector in the subdistrict from which the representative was chosen. The legislative districts of the state are formed as follows:

1. District 1 consists of that part of the city of Williston and Stony Creek and Williston Townships in Williams County bound by a line commencing at the point where the centerline of thirty-second avenue west intersects with the centerline of twenty-sixth street west, then east on twenty-sixth street west and an extended straight line until it becomes twenty-sixth street east, then east on twenty-sixth street east until it becomes thirteenth avenue east, then north on thirteenth avenue east and an extended straight line until its intersection with the centerline of fifty-fourth street northwest, then east on fifty-fourth street northwest until its intersection with the centerline of one hundred thirty-fourth avenue northwest, also identified as United States highway 85 bypass, then south on one hundred thirty-fourth avenue northwest and an extended straight line until its intersection with the Williston city limit, then south, east, north, and south on the Williston city limit until its intersection with the centerline of state highway 1804, then west on state highway 1804 until its intersection with the centerline of thirty-seventh avenue southeast, then south on thirty-seventh avenue southeast until its intersection with the centerline of forty-ninth lane northwest, then west on forty-ninth lane northwest and an extended straight line until its intersection with the south boundary of Williams County, then west on the south boundary of Williams County until its intersection with an extended line from the centerline of thirty-second avenue west, also identified as one hundred thirty-eighth avenue northwest, then north

on a straight line extended from thirty-second avenue west and on thirty-second avenue west to the point of beginning.

2. District 2 consists of all of Burke County and Divide County; all of Williams County except those portions contained in Districts 1 and 23; and Bicker, Cottonwood, Idaho, James Hill, Lostwood, Manitou, Myrtle, Powers, Powers Lake, Ross, Sorkness, and White Earth Townships in Mountrail County.
3. District 3 consists of New Prairie, Sundre, and Surrey Townships in Ward County; and that part of the city of Minot and Nedrose Township in Ward County bound by a line commencing at the point where the centerline of twenty-seventh street northeast intersects with the north boundary of Nedrose Township, also identified as forty-sixth avenue northeast, then east on the north boundary of Nedrose Township until its intersection with the east boundary of Nedrose Township, then south on the east boundary of Nedrose Township until its intersection with the south boundary of Nedrose Township, then west on the south boundary of Nedrose Township until its intersection with the Minot city limit, then south and west on the Minot city limit until its intersection with the west boundary of Sundre Township, then north on the west boundary of Sundre Township until its intersection with the centerline of thirteenth street southeast, then north on thirteenth street southeast until its intersection with the centerline of soo street southeast, then north and west on soo street southeast until its intersection with the centerline of seventh street southeast, then north on seventh street southeast until its intersection with the centerline of valley street, then north and west on valley street until its intersection with the centerline of burdick expressway, then west on burdick expressway until its intersection with the centerline of United States highway 83, also identified as south Broadway, then north on United States highway 83 until its intersection with the centerline of nineteenth avenue, then east on nineteenth avenue until its intersection with airport road, then east on airport road until its intersection with the centerline of nineteenth avenue northeast, then east on nineteenth avenue northeast and an extended straight line until its intersection with the centerline of twenty-seventh street northeast, then north on twenty-seventh street northeast to the point of beginning.
4. District 4 consists of those portions of Dunn County, McKenzie County, McLean County, Mercer County, Mountrail County, and Ward County within the Fort Berthold reservation; all of Mountrail County except those portions contained in District 2; all of Ward County except those portions contained in Districts 3, 5, 6, 38, and 40; and that part of McLean County bound by a line commencing at the intersection of the Fort Berthold reservation boundary and the north boundary of McLean County, then east on the north boundary of McLean County until its intersection with the centerline of United States highway 83, then south on United States highway 83 until its intersection with the south boundary of Snow Township, then west on the south boundary of Snow Township until its intersection with the southeast corner of North Central McLean Unorganized Township, then west and south on the south boundary of North Central McLean Unorganized Township until its intersection with the south boundary of McLean County, then west on the south boundary of McLean County until its intersection with the Fort Berthold reservation boundary, then north, west, and north on the Fort Berthold reservation boundary to the point of beginning.

- a. District 4A consists of those portions of Dunn County, McKenzie County, McLean County, Mercer County, Mountrail County, and Ward County within the Fort Berthold reservation.
 - b. District 4B consists of all of Mountrail County except those portions contained in Districts 2 and 4A; all of Ward County except those portions contained in Districts 3, 4A, 5, 6, 38, and 40; and that part of McLean County bound by a line commencing at the intersection of the Fort Berthold reservation boundary and the north boundary of McLean County, then east on the north boundary of McLean County until its intersection with the centerline of United States highway 83, then south on United States highway 83 until its intersection with the south boundary of Snow Township, then west on the south boundary of Snow Township until its intersection with the southeast corner of North Central McLean Unorganized Township, then west and south on the south boundary of North Central McLean Unorganized Township until its intersection with the south boundary of McLean County, then west on the south boundary of McLean County until its intersection with the Fort Berthold reservation boundary, then north, west, and north on the Fort Berthold reservation boundary to the point of beginning.
5. District 5 consists of that part of the city of Minot and Harrison Township in Ward County bound by a line commencing at the point where the centerline of sixteenth street northwest intersects with the centerline of fourth avenue northwest, then east on fourth avenue northwest until it becomes third avenue northwest, then east on third avenue northwest until its intersection with the centerline of United States highway 83, also identified as north Broadway, then south on United States highway 83 until its intersection with Burdick Expressway, then east on Burdick Expressway until its intersection with the centerline of Valley Street, then south and east on Valley Street until its intersection with the centerline of seventh street southeast, then south on seventh street southeast until its intersection with the centerline of Soo Street, then south and east on Soo Street until its intersection with the centerline of thirteenth street southeast, then south on thirteenth street southeast until its intersection with the centerline of eleventh avenue southeast, then east on eleventh avenue southeast until its intersection with the centerline of thirteenth street southeast, then south on thirteenth street southeast until its intersection with the centerline of United States highway 2, also identified as United States highway 52, until its intersection with the centerline of United States highway 83, also identified as south Broadway, then south on United States highway 83 until its intersection with the centerline of thirty-seventh avenue southwest, then west on thirty-seventh avenue southwest until its intersection with the centerline of thirtieth street southwest, then north on thirtieth street southwest until its intersection with the centerline of twentieth avenue southwest, then north and west on twentieth avenue southwest until its intersection with the centerline of thirty-third street southwest, then north on thirty-third street southwest until its intersection with the centerline of United States highway 2, then east on United States highway 2 until its intersection with the centerline of the United States highway 83 bypass, then north on the United States highway 83 bypass until its intersection with the centerline of the Canadian Pacific railway company right of way, then east on the Canadian Pacific railway right of way until its intersection with the centerline of sixteenth street northwest, then north on sixteenth street northwest to the point of beginning.

6. District 6 consists of all of Bottineau County, McHenry County, and Renville County; all of McLean County except those portions contained in Districts 4 and 33; and that part of Ward County bound by a line commencing at the point where the centerline of United States highway 83 intersects with the north boundary of Freedom Township, also identified as one hundred twenty-first avenue southeast, then east on the north boundaries of Freedom, Sawyer, and Willis Townships to the east boundary of Ward County, then south on the east boundary of Ward County to the south boundary of Ward County, then west on the south boundary of Ward County until its intersection with the centerline of United States highway 83, then north on United States highway 83 to the point of beginning.
7. District 7 consists of that part of the city of Bismarck and Hay Creek Township in Burleigh County bound by a line commencing at the point where the north boundary of Hay Creek Township intersects with the centerline of the Missouri River, then east and south on the boundary of Hay Creek Township until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 until its intersection with the centerline of United States highway 83, also identified as state street, then north on United States highway 83 until its intersection with the centerline of forty-third avenue northeast, then west on forty-third avenue northeast until its intersection with the centerline of north washington street, then north on north washington street until its intersection with the centerline of fifty-seventh avenue northwest, then west on fifty-seventh avenue northwest and an extended straight line until its intersection with the centerline of river road, then north and west on river road until its intersection with the centerline of the north segment of burnt creek loop, then west and south on burnt creek loop until its intersection with the centerline of a straight line extended east from magnolia drive, then southwest on an extended straight line until its intersection with olive tree drive, then west on olive tree drive and an extended straight line until its intersection with the centerline of the Missouri River, then north and west on the Missouri River to the point of beginning.
8. District 8 consists of all of Emmons County; the city of Wilton in Burleigh and McLean Counties; Boyd, Burnt Creek-Riverview, Gibbs, Glenview, Logan, Long Lake, Menoken, Morton, Naughton, Taft, Telfer, Thelma, Painted Woods, and Wild Rose Townships in Burleigh County; that part of Ecklund Township bound by a line commencing at the point where the north boundary of Ecklund Township intersects with the west boundary of Ecklund Township, then east, south, east, north, and east on the north boundary of Ecklund Township until its intersection with the centerline of twenty-sixth street northeast, then south on twenty-sixth street northeast until its intersection with the south boundary of Ecklund Township, then east and north on the south boundary of Ecklund Township to the point of beginning; that part of the city of Bismarck in Burleigh County bound by a line commencing at the point where the centerline of interstate highway 94 intersects with the centerline of business interstate highway 94, also identified as centennial road, then east on interstate highway 94 until its intersection with the west boundary of Gibbs Township and the Bismarck city limit, then south on the west boundary of Gibbs Township until its intersection with the centerline of seventeenth avenue northeast, then west on seventeenth avenue northeast until its intersection with the centerline of fifty-sixth street northeast, then north on fifty-sixth street northeast until its intersection with the extended centerline of miriam avenue, then west on the extended centerline of miriam avenue and on miriam avenue until its intersection with the centerline of business interstate highway 94, also

identified as centennial road, then north on business interstate highway 94 to the point of beginning; and that part of Apple Creek and Missouri Townships in Burleigh County bound by a line commencing at the point where the west boundary of Apple Creek Township intersects with the east boundary of the Bismarck city limit, then east and south on the west boundary of Apple Creek Township until its intersection with the east boundary of Missouri Township, then south and west on the east boundary of Missouri Township until its intersection with the centerline of the Missouri River, then north on the centerline of the Missouri River until its intersection with an extended line from the centerline of ninety-third street southeast, then north on a straight line extended from ninety-third street southeast and on ninety-third street southeast until its intersection with the centerline of seventy-sixth avenue southeast, then west on seventy-sixth avenue southeast, also identified as the south boundary of Apple Creek Township, until its intersection with the centerline of sixty-sixth street southeast, then north on sixty-sixth street southeast until its intersection with the centerline of forty-eighth avenue southeast, then west on forty-eighth avenue southeast until its intersection with the west boundary of Apple Creek Township, then north on the west boundary of Apple Creek Township to the point of beginning.

9. District 9 consists of all of Rolette County; all of Towner County except that portion contained in District 15; and all of Cavalier County except that portion contained in District 19.
 - a. District 9A consists of all of Rolette County except that portion contained in District 9B.
 - b. District 9B consists of all of Towner County except that portion contained in District 15; all of Cavalier County except that portion contained in District 19; and that part of Rolette County bound by a line commencing at the intersection of the centerline of United States highway 281, also identified as thirtieth avenue northeast, and the north boundary of Rolette County, then east on the north boundary of Rolette County to the east boundary of Rolette County, then south on the east boundary of Rolette County until its intersection with the centerline of ninety-sixth street northeast, then west on ninety-sixth street northeast until its intersection with the centerline of BIA road 1, also identified as forty-eighth avenue northeast, then north on BIA road 1 until its intersection with the centerline of BIA road 4, also identified as one hundred second street northeast, then west on BIA road 4 until its intersection with the centerline of BIA road 23, then south on BIA road 23 until its intersection with the centerline of BIA road 8, also identified as jackrabbit road, then west on BIA road 8 until its intersection with the centerline of BIA road 25, also identified as thirty-first avenue northeast, then south on BIA road 25 until its intersection with the centerline of ninety-seventh street northeast, then west on ninety-seventh street northeast until its intersection with the Dunseith city limit, then south, west, and north on the Dunseith city limit until its intersection with the centerline of ninety-seventh street northeast, then east on ninety-seventh street northeast until its intersection with United States highway 281, also identified as thirtieth avenue northeast, then north on United States highway 281 to the point of beginning.
10. District 10 consists of that part of the city of Fargo in Cass County bound by a line commencing at the point where the centerline of seventh avenue east intersects the centerline of seventeenth street east, also identified as fifty-

second street southwest, then east on seventh street east until its intersection with the centerline of forty-fifth street south, then south on forty-fifth street south until its intersection with the centerline of thirteenth avenue south, then east on thirteenth avenue south until its intersection with the centerline of interstate highway 29, then south on interstate highway 29 until its intersection with the centerline of fortieth avenue south, then west on fortieth avenue south until its intersection with the centerline of forty-fifth street south, then north on forty-fifth street south until its intersection with the centerline of thirty-third avenue south, then west on thirty-third avenue south until its intersection with the centerline of veterans boulevard, also identified as ninth street east, then north on veterans boulevard until its intersection with the centerline of seter parkway south, then east on seter parkway south until its intersection with the centerline of fifty-fifth street south, then north on fifty-fifth street south until its intersection with the centerline of twenty-eighth avenue south, then east on twenty-eighth avenue south until its intersection with the centerline of fifty-first street south, then north on fifty-first street south until its intersection with the centerline of interstate highway 94, then east on interstate highway 94 until its intersection with the west boundary of the West Fargo city limit, then north on the West Fargo city limit, also identified as seventeenth street east, to the point of beginning.

11. District 11 consists of that part of the city of Fargo in Cass County bound by a line commencing at the point where the centerline of thirteenth avenue south intersects the centerline of interstate highway 29, then east on thirteenth avenue south until its intersection with the centerline of twenty-fifth street south, then north on twenty-fifth street south until its intersection with the centerline of ninth avenue south, then east on ninth avenue south until its intersection with the centerline of tenth street south, then south on tenth street south until its intersection with the centerline of thirteenth avenue south, then east on thirteenth avenue south until its intersection with the centerline of the Red River, also identified as the east boundary of Cass County, then south on the centerline of the Red River until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 until its intersection with the centerline of United States highway 81, also identified as south university drive, then south on United States highway 81 until its intersection with the centerline of twenty-fourth avenue south, then west on twenty-fourth avenue south until its intersection with the centerline of twenty-fifth avenue south, then west on twenty-fifth avenue south until its intersection with the centerline of twenty-fifth street south, then north on twenty-fifth street south until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 until its intersection with the centerline of interstate highway 29, then north on interstate highway 29 to the point of beginning.
12. District 12 consists Ashland, Bloom, Corinne, Courtenay, Durham, Fried, Gray, Nogosek, Rose, Spiritwood, and Winfield Townships in Stutsman County; and that part of the city of Jamestown and Woodbury Township in Stutsman County bound by a line commencing at the point where the north boundary of Jamestown Township intersects with the centerline of Pipestem Creek, then west, north, west, south, west, south, east, north, east, south, west, south, east, south, east, south, west, north, west, southeast, northwest, and south on the boundary of Jamestown Township until its intersection with the centerline of eighty-fifth avenue southeast, also identified as county road 39, then south on eighty-fifth avenue southeast until its intersection with the centerline of thirty-seventh street southeast, then west on thirty-seventh street southeast until its intersection with the centerline of tenth avenue southwest, then north

- on tenth avenue southwest until its intersection with the south boundary of Jamestown Township, then west on an extended south boundary and the south boundary of Jamestown Township until its intersection with the west boundary of Jamestown Township, then north, west, north, east, north, west, north, east, north, and east on the boundary of Jamestown Township until its intersection with the centerline of business interstate highway 94, then east on business interstate highway 94 until its intersection with the centerline of United States highway 52, then north on United States highway 52 until its intersection with the centerline of Pipestem Creek, also identified as the James River, then northwest on the Pipestem Creek until its intersection with the west boundary of the Jamestown city limit, then north on the Jamestown city limit until its intersection with the centerline of Pipestem Creek, then north on Pipestem Creek to the point of beginning.
13. District 13 consists of that part of the city of West Fargo and Barnes and Mapleton Townships in Cass County bound by a line commencing at the point where the centerline of county road 10, also identified as twelfth avenue northwest, intersects the centerline of thirty-eighth street northwest, then east on county road 10 until its intersection with the centerline of the Sheyenne River, then south on the Sheyenne River until its intersection with the centerline of business interstate highway 94, also identified as United States highway 10, then east on business interstate highway 94 until its intersection with the centerline of seventeenth street east, then south on seventeenth street east until its intersection with the centerline of seventeenth avenue east, then west on seventeenth avenue east until its intersection with the centerline of ninth street east, also identified as nineteenth avenue east, then south on ninth street east until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 until its intersection with the centerline of thirty-eighth street northwest, then north on thirty-eighth street northwest to the point of beginning.
14. District 14 consists of all of Kidder County, Pierce County, Sheridan County, and Wells County; all of Benson County except Lallie, Lohnes, Minco, Mission, Oberon, Rock, Twin Tree, Warwick, West Bay, and Wood Lake Townships and Fort Totten and Lallie North Unorganized Townships; all of Eddy County except that part within the Spirit Lake reservation and that part of Freeborn Township bound by a line commencing at the point where the east boundary of the Spirit Lake reservation intersects the north boundary of Eddy County, then east and south on the boundary of Eddy County until its intersection with the boundary of the Spirit Lake reservation, then north and west on the Spirit Lake reservation boundary to the point of beginning; and those portions of Burleigh County not contained in Districts 7, 8, 30, 32, 35, and 47.
15. District 15 consists of all of Ramsey County; Atkins, Bethel, Cando, Coolin, Maza, Olson, Springfield, and Zion Townships in Towner County; Lallie, Lohnes, Minco, Mission, Oberon, Rock, Twin Tree, Warwick, West Bay, and Wood Lake Townships and Fort Totten and Lallie North Unorganized Townships in Benson County; those portions of Eddy County within the Spirit Lake reservation; and that part of Freeborn Township in Eddy County bound by a line commencing at the intersection of the Spirit Lake reservation boundary and the north boundary of Eddy County, also identified as thirtieth street northeast, then east on the north boundary of Eddy County until its intersection with the east boundary of Eddy County, also identified as ninety-sixth avenue northeast, then south on the east boundary of Eddy County until

- its intersection with the Spirit Lake reservation boundary, then north on the Spirit Lake reservation boundary to the point of beginning.
16. District 16 consists of that part of the cities of Fargo and West Fargo and Barnes Township in Cass County bound by a line commencing at the point where the centerline of interstate highway 94 intersects an extended centerline of fourteenth street west, then southeast on interstate highway 94 until its intersection with the centerline of ninth street east, then north on ninth street east until its intersection with the centerline of seventeenth avenue east, then east on seventeenth avenue east until its intersection with the east boundary of the West Fargo city limit, then south on the east boundary of the West Fargo city limit until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 until its intersection with an extended line from the centerline of fifty-first street south, then south on a straight line extending from fifty-first street south and on fifty-first street south until its intersection with the centerline of twenty-eighth avenue south, then west on twenty-eighth avenue south until its intersection with the centerline of fifty-fifth street south, then south on fifty-fifth street south until its intersection with the centerline of seter parkway south, then west on seter parkway south until its intersection with the centerline of veterans boulevard, also identified as ninth street east, then south on veterans boulevard until its intersection with the centerline of fortieth avenue south, then west on fortieth avenue south until its intersection with the centerline of ninth street west, then north on ninth street west until its intersection with the south boundary of the fortieth avenue west park, then northwest along the south boundary of the fortieth avenue west park and on an extended straight line until its intersection with the centerline of fifteenth street west, then north on fifteenth street west and an extended straight line until its intersection with the centerline of fourteenth street west, then north on fourteenth street west and an extended straight line to the point of beginning.
 17. District 17 consists of that part of the city of Grand Forks and Grand Forks and Walle Townships in Grand Forks County bound by a line commencing at the intersection of the centerline of thirty-second avenue south and the centerline of interstate highway 29, then east on thirty-second avenue south until its intersection with the centerline of south columbia road, then south on south columbia road until its intersection with the centerline of fortieth avenue south, then east on fortieth avenue south until its intersection with the centerline of United States business highway 81, then north on United States business highway 81 until its intersection with the centerline of seventeenth avenue south, then east on seventeenth avenue south and an extended straight line until its intersection with the centerline of the Red River, then south on the Red River until its intersection with the south boundary of Walle Township, then west on the south boundary of Walle Township until its intersection with the centerline of interstate highway 29, then north on interstate highway 29 to the point of beginning.
 18. District 18 consists of that part of the city of Grand Forks and Falconer, Ferry, and Turtle River Townships in Grand Forks County bound by a line commencing at the point where the centerline of eighteenth street northeast intersects with the north boundary of Grand Forks County, also identified as thirty-sixth avenue northeast, then east on the north boundary of Grand Forks County until its intersection with the centerline of the Red River, then south on the Red River until its intersection with an extended straight line from the centerline of seventeenth avenue south, then west on a straight line extended

from seventeenth avenue south and on seventeenth avenue south until its intersection with the centerline of United States business highway 81, then south on United States business highway 81 until its intersection with the centerline of twenty-eighth avenue south, then west on twenty-eighth avenue south until its intersection with the centerline of south seventeenth street, then north on south seventeenth street until its intersection with the centerline of twenty-fourth avenue south, then east on twenty-fourth avenue south until its intersection with the centerline of south twentieth street, then north on south twentieth street until its intersection with the centerline of the BNSF railway company right of way, then east on the BNSF railway company right of way until its intersection with the centerline of north sixteenth street, then north on north sixteenth street until its intersection with the centerline of sixth avenue north, then west on sixth avenue north until its intersection with the centerline of north twentieth street, then north on north twentieth street until its intersection with the centerline of United States highway 2, also identified as gateway drive, then west on United States highway 2 until its intersection with the centerline of interstate highway 29, then north and west on interstate highway 29 until its intersection with the centerline of twenty-fourth avenue northeast, then west on twenty-fourth avenue northeast until its intersection with the centerline of eighteenth street northeast, then north on eighteenth street northeast to the point of beginning.

19. District 19 consists of all of Pembina County; all of Walsh County except that portion contained in District 20; and Alma, East Alma, Fremont, Hay, Hope, Loam, Montrose, North Olga, Osford, and South Olga Townships in Cavalier County.
20. District 20 consists of all of Traill County; all of Grand Forks County except for those portions contained in Districts 17, 18, 42, and 43; and Ardoch, Forest River, Ops, Prairie Centre, Walsh Centre, and Walshville Townships in Walsh County.
21. District 21 consists of that part of the cities of Fargo and West Fargo in Cass County bound by a line commencing at the point where the centerline of United States highway 10, also identified as business interstate highway 94, intersects with the centerline of seventeenth street east, then east on United States highway 10 until its intersection with the centerline of interstate highway 29, then north on interstate highway 29 until its intersection with the centerline of twelfth avenue north, then east on twelfth avenue north until its intersection with the centerline of the BNSF railway company right of way, then south on the BNSF railway company right of way until its intersection with the centerline of seventh avenue north, then east on seventh avenue north until its intersection with the centerline of twelfth street north, then south on twelfth street north until its intersection with the centerline of the BNSF railway company right of way, then east on the BNSF railway company right of way until its intersection with the centerline of tenth street north, also identified as United States highway 81, then south on tenth street north until its intersection with the centerline of business interstate highway 94, also identified as United States highway 10, then east on interstate highway 94 until its intersection with the centerline of the Red River, then south on the Red River until its intersection with the centerline of thirteenth avenue south, then west on thirteenth avenue south until its intersection with the centerline of tenth street south, then north on tenth street south until its intersection with the centerline of ninth avenue south, then west on ninth avenue south until its intersection with the centerline of twenty-fifth street south, then south on twenty-fifth street

- south until its intersection with the centerline of thirteenth avenue south, then west on thirteenth avenue south until its intersection with forty-fifth street south, then north on forty-fifth street south until its intersection with the centerline of seventh avenue east, then west on seventh avenue east until its intersection with the centerline of seventeenth street east, then north on seventeenth street east to the point of beginning.
22. District 22 consists of all of Cass County except those portions contained in Districts 10, 11, 13, 16, 21, 27, 41, 44, 45, and 46.
23. District 23 consists of Buford, Hardscrabble, and Trenton Townships in Williams County; and that part of the city of Williston and Judson, Missouri Ridge, Mont. Pherrin, Round Prairie, and Williston Townships in Williams County bound by a line commencing at a point where the centerline of a straight line extending west from fiftieth street northwest intersects the west boundary of Round Prairie Township, then east on the extended line and fiftieth street northwest until its intersection with the centerline of one hundred fifty-fourth avenue northwest, then south on one hundred fifty-fourth avenue northwest until its intersection with the centerline of United States highway 2, then east on United States highway 2 until its intersection with the centerline of United States highway 85, then north, west, and east on United States highway 85 until its intersection with the centerline of one hundred thirty-fourth avenue northwest, also identified as state business highway 85, then south on one hundred thirty-fourth avenue northwest until its intersection with the centerline of fifty-fourth street northwest, then west on fifty-fourth street northwest until its intersection with an extended straight line from the centerline of thirteenth avenue east, then south on a straight line extended from thirteenth avenue east and on thirteenth avenue until it becomes twenty-sixth street east, then west on twenty-sixth street east and an extended straight line until its intersection with the centerline of thirty-second avenue west, then south on thirty-second avenue west until its intersection with the centerline of one hundred thirty-eighth avenue northwest, then south on one hundred thirty-eighth avenue northwest and an extended straight line until its intersection with the centerline of the Missouri River, then west, south, east, and north on the Missouri River until its intersection with the west boundary of Round Prairie Township, then north on the west boundary of Round Prairie Township to the point of beginning.
24. District 24 consists of all of Barnes County and Ransom County.
25. District 25 consists of all of Richland County and Marboe and Tewaukon Townships in Sargent County.
26. District 26 consists of all of McKenzie County except that portion contained in the Fort Berthold reservation; all of Halliday and Killdeer Townships in Dunn County; and that part of South Dunn Township in Dunn County bound by a line commencing at the point where the north boundary of South Dunn Township intersects the centerline of one hundred first avenue southwest, then east on the north boundary of South Dunn Township until its intersection with the east boundary of Dunn County, then south on the east boundary of Dunn County until its intersection with an extended line from the centerline of eighteenth street southwest, then west on a straight line extending from eighteenth street southwest and on eighteenth street southwest until its intersection with the centerline of one hundred first avenue southwest, then north on one hundred first avenue southwest to the point of beginning.

27. District 27 consists of that part of Pleasant and Stanley Townships in Cass County; and that part of the cities of Fargo and Horace in Cass County bound by a line commencing at the point where the centerline of fifty-second avenue intersects the extended centerline of seventy-sixth street south, then east on fifty-second avenue until its intersection with the centerline of veterans boulevard south, then north on veterans boulevard south until its intersection with the centerline of thirty-third avenue south, then east on thirty-third avenue south until its intersection with the centerline of forty-fifth street south, then south on forty-fifth street south until its intersection with the north boundary of Stanley Township, then east on the north boundary of Stanley Township and the extended centerline of the north boundary of Stanley Township until its intersection with the centerline of interstate highway 29, then south on interstate highway 29 until its intersection with the centerline of sixty-fourth avenue south, then east on sixty-fourth avenue south until its intersection with the east boundary of Stanley Township, then south on the east boundary of Stanley Township until its intersection with an extended straight line from the centerline of seventy-third avenue south, then east on the straight line extended from seventy-third avenue south and on seventy-third avenue south until its intersection with the centerline of seventy-fifth avenue south, also identified as sixteenth street south, then south and east on seventy-fifth avenue south until its intersection with the centerline of eagle point drive south, then south on eagle point drive south until its intersection with the centerline of seventy-sixth avenue south, then east on seventy-sixth avenue south until its intersection with the centerline of south university drive, then south on south university drive until its intersection with the north boundary of Stanley Township, then east and north on the north boundary of Stanley Township until its intersection with the centerline of chrisan boulevard, then northeast on chrisan boulevard until its intersection with the centerline of seventy-first avenue south, then west on seventy-first avenue south until its intersection with the west boundary of Stanley Township, then north, west, north, and east on the boundary of Stanley Township until its intersection with the centerline of the Red River, then south on the Red River until its intersection with the south boundary of Pleasant Township, then west and north on the south boundary of Pleasant Township until its intersection with the south boundary of the Horace city limit, then west on the south boundary of the Horace city limit until its intersection with the west boundary of the Horace city limit, then north on the west boundary of the Horace city limit to the point of beginning.
28. District 28 consists of all of Dickey County, LaMoure County, Logan County, and McIntosh County; and all of Sargent County except that portion contained in District 25.
29. District 29 consists of all of Foster County, Griggs County, Nelson County, and Steele County; and all of Stutsman County except that portion contained in District 12.
30. District 30 consists of those parts of the city of Bismarck, and Apple Creek, Hay Creek, Lincoln-Fort Rice, and Missouri Townships in Burleigh County bound by a line commencing at a point where the centerline of the Missouri River intersects with the centerline of west bismarck expressway, then east on west bismarck expressway until its intersection with the east property line of the riverwood golf course, then south on the east property line of the riverwood golf course until its intersection with a straight line extended west from tucson avenue, then east on the extended line until its intersection with

the centerline of south washington street, then south on south washington street until its intersection with the centerline of east burleigh avenue, then east on east burleigh avenue until its intersection with the centerline of south twelfth street, then north on south twelfth street until its intersection with the centerline of basin avenue, then east on basin avenue until its intersection with the centerline of airport road, then north and east on airport road until its intersection with the centerline of east Broadway avenue, then west on east Broadway avenue until its intersection with the centerline of north nineteenth street, then north on north nineteenth street and a straight line extended north from north nineteenth street until its intersection with the centerline of east boulevard avenue, then east on east boulevard avenue until its intersection with the centerline of north twenty-sixth street, then north on north twenty-sixth street until its intersection with the centerline of east divide avenue, then east on east divide avenue until its intersection with the centerline of east Bismarck expressway, then north on east Bismarck expressway until its intersection with the centerline of interstate highway 94, then east and north on interstate highway 94 until its intersection with a straight line extending north from brigade street, then south on the extended line until its intersection with the centerline of miriam avenue, then east on miriam avenue until its intersection with the centerline of fifty-second street northeast, then south on fifty-second street northeast until its intersection with the boundary of Apple Creek Township, then west and south on the boundary of Apple Creek Township until its intersection with a straight line extending south from cavalry drive, then south on the extended line until its intersection with the centerline of lincoln road, then east on lincoln road until its intersection with the centerline of fifty-second street southeast, then south on fifty-second street southeast until its intersection with the centerline of forty-eighth avenue southeast, then east on forty-eighth avenue southeast until its intersection with the centerline of sixty-sixth street southeast, then south on sixty-sixth street southeast until its intersection with the centerline of seventy-sixth avenue southeast, then east on seventy-sixth avenue southeast until its intersection with the centerline of ninety-third street southeast, then south on ninety-third street southeast until its intersection with the centerline of the Missouri River, then north, west, and east on the Missouri River to the point of beginning.

31. District 31 consists of all of Grant County and Sioux County; Acme, Beery, Brittan, Campbell, Cannon Ball, Castle Rock, Central Hettinger, Chilton, Farina, Highland, Mott, Odessa, Solon, Steiner, and Walker Townships in Hettinger County; and that part of Morton County not contained in Districts 33, 34, and 36.
32. District 32 consists of those parts of the city of Bismarck and Lincoln-Fort Rice Township in Burleigh County bound by a line commencing at the point where the centerline of business interstate highway 94, also identified as west main avenue, intersects the centerline of the Missouri River, then east on business interstate highway 94 until its intersection with the centerline of Rosser avenue, then east on Rosser avenue until its intersection with the centerline of Bell street, then north on Bell street until its intersection with the centerline of West Avenue C, then east on West Avenue C until its intersection with the centerline of Griffin street, then north on Griffin street until its intersection with the centerline of Tom O'Leary trail, then east on Tom O'Leary trail until its intersection with the centerline of north Washington street, then south on north Washington street until its intersection with the centerline of West Avenue C, then east on West Avenue C until its intersection with the centerline of First street, then south on First street until its intersection with the centerline of east Broadway avenue.

then east on east roadway avenue until its intersection with the centerline of north ninth street, then north on north ninth street until its intersection with the centerline of east avenue e, then east on east avenue e until its intersection with the centerline of north nineteenth street, then south on north nineteenth street until its intersection with the centerline of east roadway avenue, then east on east roadway avenue until its intersection with the centerline of airport road, then south on airport road until its intersection with the centerline of basin avenue, then west on basin avenue until its intersection with the centerline of south twelfth street, then south on south twelfth street until its intersection with the centerline of east burleigh avenue, then west on east burleigh avenue until its intersection with the centerline of south washington street, then north on south washington street until its intersection with a straight line extended west from tucson avenue, then west on the straight line until its intersection with the east property line of the riverwood golf course, then north on the east property line of the riverwood golf course until its intersection with the centerline of west bismarck expressway, then west on west bismarck expressway until its intersection with the centerline of the Missouri River, then north and west on the Missouri River to the point of beginning.

33. District 33 consists of all of Oliver County; all of Mercer County except that portion within in the Fort Berthold reservation; that part of the city of Mandan and East Morton Township in Morton County bound by a line commencing at the point where the north boundary of Morton County intersects the west boundary of East Morton Township, then east on the north boundary of Morton County until its intersection with the centerline of the Missouri River, then south and east on the Missouri River until its intersection with the centerline of a straight line extended east from old red trail, then west on the extended line until its intersection with the Mandan city limit, then north, west, and south on the Mandan city limit until its intersection with a straight line extending north from the east property line of union cemetery, then south on the extended straight line until its intersection with the north property line of union cemetery, then west on the north property line of union cemetery and an extended straight line until its intersection with the centerline of old red trail, then west on old red trail until its intersection with the centerline of eighth avenue northwest, then north on eighth avenue northwest until its intersection with the centerline of twenty-seventh street northwest, then west on twenty-seventh street northwest until its intersection with the centerline of twelfth avenue northwest, then south on twelfth avenue northwest and an extended straight line until its intersection with the centerline of old red trail, then west on old red trail until its intersection with the centerline of highland road, then north and west on highland road until its intersection with the Mandan city limit, then west and south on the Mandan city limit until its intersection with the centerline of old red trail, then west on old red trail until its intersection with the centerline of twenty-fifth avenue, then south on twenty-fifth avenue until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 until its intersection with the west boundary of East Morton Township, then north on the west boundary of East Morton Township to the point of beginning; and that part of Longfellow, South McLean, Underwood, and Victoria Townships in McLean County bound by a line commencing at a point where the centerline of the Missouri River intersects the north boundary of Underwood Township, then north and east on the boundary of Underwood Township until its intersection with the north boundary of Victoria Township, then east on the north boundary of Victoria Township until its intersection with the centerline of United States highway 83, then south on United States

highway 83 until its intersection with the Washburn city limit, then north, east, and south on the Washburn city limit until its intersection with the centerline of ninth street southwest, then east on ninth street southwest until its intersection with the centerline of state highway 41, then south on state highway 41 until its intersection with the centerline of twenty-sixth street northeast, then west and south on twenty-sixth street northeast until its intersection with the south boundary of McLean County, then west on the south boundary of McLean County until its intersection with the Wilton city limit, then west, north, and south on the Wilton city limit until its intersection with the south boundary of McLean County, then west on the south boundary of McLean County until its intersection with the centerline of the Missouri River, then north and west on the Missouri River to the point of beginning.

34. District 34 consists of that part of the city of Mandan and Mandan Unorganized Township in Morton County bound by a line commencing at a point where the Mandan city limit intersects a straight line extending west from the centerline of division street northwest, then east on the straight line and division street northwest until its intersection with the centerline of collins avenue, then north on collins avenue until its intersection with the centerline of interstate highway 94, then east and south on interstate highway 94 until its intersection with the centerline of Mandan avenue, then south on Mandan avenue until its intersection with the centerline of business interstate highway 94, also identified as memorial highway, then south and east on business interstate highway 94 until its intersection with the centerline of the Missouri River, then south on the Missouri River until its intersection with a straight line extending east from forty-seventh street, then west on the extended line and forty-seventh street until its intersection with the centerline of state highway 1806, then north on state highway 1806 until its intersection with the centerline of fort lincoln road, then north on fort lincoln road until its intersection with the centerline of state highway 1806, then north and west on state highway 1806 until its intersection with the centerline of nineteenth street southeast, then west on nineteenth street southeast until its intersection with the Mandan city limit, then south, east, west, and north on the Mandan city limit until its intersection with the centerline of twenty-seventh street southeast, then east on twenty-seventh street southeast until its intersection with the centerline of fourteenth avenue, then south and east on fourteenth avenue until its intersection with the centerline of percheron drive, then south and west on percheron drive until its intersection with the centerline of buckskin road, then north and west on buckskin road until its intersection with the centerline of tenth avenue, then north on tenth avenue until its intersection with the centerline of twenty-seventh street, then west on twenty-seventh street and an extended straight line until it intersects with the Mandan city limit, then west and north on the Mandan city limit until it intersects with a straight line extending south from the centerline of ridge drive, then north on the extended line until it intersects with the centerline of lincoln court, then east on lincoln court until its intersection with the centerline of westview place, then north on westview place until its intersection with the centerline of twenty-third street southeast, then west on twenty-third street southeast until its intersection with a straight line extending south from the centerline of ridge drive, then north on the extended line and ridge drive until its intersection with the centerline of nineteenth street southeast, then west on nineteenth street southeast until its intersection with the centerline of state highway 6, then north on state highway 6 until its intersection with the centerline of sunny road, then west on sunny road and an extended straight line until its intersection with the centerline of sixteenth avenue southwest, then north and east on the extended

line and sixteenth avenue southwest until its intersection with the Mandan city limit, then north, east, and west on the Mandan city limit to the point of beginning.

35. District 35 consists of that part of the city of Bismarck in Burleigh County bound by a line commencing at a point where the centerline of the Missouri River intersects the centerline of interstate highway 94, then east on interstate highway 94 until its intersection with the centerline of east bismarck expressway, then south on east bismarck expressway until its intersection with the centerline of east divide avenue, then west on east divide avenue until its intersection with the centerline of north twenty-sixth street, then south on north twenty-sixth street until its intersection with the centerline of east boulevard avenue, then west and south on east boulevard avenue until its intersection with the centerline of north nineteenth street, then south on north nineteenth street and a straight line extended south from north nineteenth street until its intersection with the centerline of east avenue e, then west on east avenue e until its intersection with the centerline of north ninth street, then south on north ninth street until its intersection with the centerline of east Broadway avenue, then west on east Broadway avenue until its intersection with the centerline of north first street, then north on north first street until its intersection with the centerline of west avenue c, then west on west avenue c until its intersection with the centerline of north Washington street, then north on north Washington street until its intersection with the centerline of Tom O'Leary trail, then west on Tom O'Leary trail until its intersection with the centerline of Griffin street, then south on Griffin street until its intersection with the centerline of west avenue c, then west on west avenue c until its intersection with the centerline of Bell street, then south on Bell street until its intersection with the centerline of Rosser avenue, then west on Rosser avenue until its intersection with the centerline of business interstate highway 94, also identified as west main avenue, then west on business interstate highway 94 until its intersection with the centerline of the Missouri River, then north and west on the Missouri River to the point of beginning.
36. District 36 consists of all of West Morton Township in Morton County; that part of South Dunn Township in Dunn County not contained in Districts 26 and 39; that part of East Morton Township in Morton County bound by a line commencing at the point where the centerline of county road 84 intersects with the centerline of interstate highway 94, then east on interstate highway 94 until its intersection with the centerline of Sweet Briar Creek, then south on Sweet Briar Creek until its intersection with the centerline of old highway 10, then east on old highway 10 until its intersection with an extended straight line from the centerline of thirty-eighth avenue, then south on a straight line extended from thirty-eighth avenue, on thirty-eighth avenue, and on a straight line extended from thirty-eighth avenue until its intersection with an extended line from the centerline of forty-first street, then west on a straight line extended from forty-first street and on forty-first street until its intersection with the centerline of county road 84, then north on county road 84 to the point of beginning; and those portions of the city of Dickinson and Dickinson North and East Stark Townships in Stark County bound by a line commencing at the point where the centerline of one hundred seventh avenue southwest intersects with the centerline of thirtieth street southwest, then east on thirtieth street southwest until its intersection with the centerline of ninety-third avenue southwest, then north on ninety-third avenue southwest until its intersection with the centerline of twenty-ninth street southwest, then east on twenty-ninth street southwest until its intersection with the centerline of ninety-first avenue

southwest, then north on ninety-first avenue southwest and on an extended straight line until its intersection with the centerline of twenty-eighth street southwest, then east on twenty-eighth street southwest and on an extended straight line until its intersection with seventy-eighth avenue southwest, then south on seventy-eighth avenue southwest until its intersection with the centerline of thirtieth street southwest, then east on thirtieth street southwest until its intersection with the east boundary of Stark County, then south on the east boundary of Stark County until its intersection with the south boundary of Stark County, then west on the south boundary of Stark County until its intersection with the west boundary of East Stark Township, then north on the west boundary of East Stark Township until its intersection with the centerline of fortieth street southwest, then west on fortieth street southwest until its intersection with the centerline of tenth avenue southeast, then north on tenth avenue southeast until its intersection with the centerline of twentieth street southeast, then west on twentieth street southeast until its intersection with the centerline of sixth avenue southeast, then north on sixth avenue southeast until its intersection with the Dickinson city limit, then west and north on the Dickinson city limit until its intersection with the centerline of fifteenth street southeast, then east on fifteenth street southeast until its intersection with the centerline of southview avenue, then north on southview avenue until its intersection with the centerline of eighth street southwest, then west on eighth street southwest until its intersection with the centerline of eighth avenue southwest, then north on eighth avenue southwest until its intersection with the centerline of fifth street southwest, then west on fifth street southwest until its intersection with the Dickinson city limit, then north and west on the Dickinson city limit until its intersection with the centerline of state street, then north on state street until its intersection with the centerline of villard street, also identified as business interstate highway 94, then east on villard street until its intersection with the centerline of tenth avenue east, then north on tenth avenue east until its intersection with the centerline of fourteenth street east, then west on fourteenth street east until its intersection with the centerline of fourth avenue east, then north on fourth avenue east and an extended straight line until its intersection with the centerline of twenty-first street east, then west on twenty-first street east until its intersection with the centerline of tenth avenue west, then north on tenth avenue west until its intersection with the centerline of thirty-fourth street southwest, then east on thirty-fourth street southwest until its intersection with the centerline of state highway 22, then north on state highway 22 until its intersection with the centerline of thirty-third street southwest, then east on thirty-third street southwest until its intersection with the centerline of one hundred ninth avenue southwest, then north on one hundred ninth avenue southwest until its intersection with the centerline of thirty-second street southwest, then east on thirty-second street southwest until its intersection with the centerline of one hundred eighth avenue southwest, then south on one hundred eighth avenue southwest until its intersection with the centerline of thirty-third street southwest, then east on thirty-third street southwest until its intersection with the centerline of one hundred seventh avenue southwest, then north on one hundred seventh avenue southwest to the point of beginning.

37. District 37 consists of that part of the city of Dickinson in Stark County bound by a line commencing at the point where the centerline of thirty-fourth street southwest intersects the centerline of one hundred fourteenth avenue southwest, then east on thirty-fourth street southwest until its intersection with the centerline of tenth avenue west, then south on tenth avenue west until its intersection with the centerline of twenty-first street west, then east on twenty-

first street west, also identified as twenty-first street east, until its intersection with the extended centerline of fourth avenue east, then south on the extended centerline of fourth avenue east until its intersection with the centerline of fourteenth street east, then east on fourteenth street east until its intersection with the centerline of tenth avenue east, then south on tenth avenue east until its intersection with the centerline of villard street, also identified as business interstate highway 94, then west on villard street until its intersection with the centerline of thirtieth avenue west, then north on thirtieth avenue west and a straight line extending north until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 until its intersection with the centerline of one hundred fourteenth avenue southwest, then north on one hundred fourteenth avenue southwest to the point of beginning.

38. District 38 consists of all of Afton, Burlington, Burt, Des Lacs, Foxholm, Kirkelie, Rolling Green, and St. Marys Townships in Ward County; and those parts of Afton, Eureka, Harrison, and Waterford Townships and those portions of the city of Minot in Ward County not contained in Districts 3, 5, and 40.
39. District 39 consists of all of Adams County, Bowman County, Billings County, Golden Valley County, and Slope County; all of Stark County except those portions contained in Districts 36 and 37; all of Hettinger County except that part contained in District 31; and that part of Dunn County bound by a line commencing at the point where the north boundary of South Dunn Township intersects with the centerline of one hundred twentieth avenue, then west on the north boundary of South Dunn Township until its intersection with the centerline of eighteenth street southwest, then east on eighteenth street southwest and an extended straight line until its intersection with the east boundary of South Dunn Township, then south on the east boundary of South Dunn Township until its intersection with the centerline of the Knife River, then southwest on the Knife River until its intersection with the centerline of twenty-first street southwest, then west on twenty-first street southwest until its intersection with the centerline of eighty-second avenue southwest, then south on eighty-second avenue southwest until its intersection with an extended centerline of twenty-fourth street southwest, then west on an extended centerline and on twenty-fourth street southwest until its intersection with the centerline of state highway 8, then south on state highway 8 until its intersection with the centerline of twenty-eighth street southwest, then west on twenty-eighth street southwest until its intersection with an extended straight line from the centerline of ninety-first avenue southwest, then south on a straight line extended from ninety-first avenue southwest and on ninety-first avenue southwest until its intersection with the centerline of twenty-ninth street southwest, then west on twenty-ninth street southwest until its intersection with the centerline of ninety-third avenue southwest, then south on ninety-third avenue southwest until its intersection with the centerline of thirtieth street southwest, then west on thirtieth street southwest until its intersection with the centerline of one hundred twentieth avenue southwest, then north on one hundred twentieth avenue southwest to the point of beginning.
40. District 40 consists of all of Margaret, Maryland, McKinley, and Tatman Townships in Ward County, that part of Waterford Township and the Minot air force base bound by a line commencing at the point where the east boundary of Waterford Township intersects with the centerline of bomber boulevard, then northwest on bomber boulevard until its intersection with the centerline of

peacekeeper place, then northeast on peacekeeper place until its intersection with the east boundary of Waterford Township, and then south on the east boundary of Waterford Township to the point of beginning; and those parts of Eureka, Harrison, and Nedrose Townships, and that part of the city of Minot bound by a line commencing at the point where the centerline of thirtieth street northwest intersects with the north boundary of Eureka Township, also identified as one hundred twenty-eighth avenue northwest, then east and south on the north boundary of Eureka Township until its intersection with the northwest corner of Nedrose Township, then east on the north boundary of Nedrose Township until its intersection with the centerline of twenty-seventh street northeast, then south on twenty-seventh street northeast until its intersection with an extended line from the centerline of nineteenth avenue, then west on a straight line extended from nineteenth avenue and on nineteenth avenue until its intersection with the centerline of airport road, then west on airport road until its intersection with the centerline of nineteenth avenue, then west on nineteenth avenue until its intersection with the centerline of north Broadway, also identified as United States highway 83, then south on north Broadway until its intersection with the centerline of third avenue northwest until it becomes fourth avenue northwest, then west on fourth avenue northwest until its intersection with the centerline of sixteenth street northwest, then north on sixteenth street northwest until its intersection with the centerline of twenty-first avenue northwest, then west on twenty-first avenue northwest until its intersection with the centerline of thirtieth street northwest, then north on thirtieth street northwest to the point of beginning.

41. District 41 consists of the cities of Frontier and Prairie Rose in Cass County and that part of the city of Fargo and Stanley Township in Cass County bound by a line commencing at the point where the centerline of interstate highway 94 intersects the centerline of interstate highway 29, then east on interstate highway 94 until its intersection with the centerline of twenty-fifth street south, then south on twenty-fifth street south until its intersection with the centerline of twenty-fifth avenue south, then east on twenty-fifth avenue south until its intersection with the centerline of eighteenth street south, then south on eighteenth street south until its intersection with the centerline of thirtieth avenue south, then west on thirtieth avenue south until its intersection with the centerline of twenty-second street south, then south on twenty-second street south until its intersection with the centerline of thirty-second avenue south, then west on thirty-second avenue south until its intersection with the centerline of twenty-fifth street south, then south on twenty-fifth street south until its intersection with the centerline of fifty-second avenue south, also identified as county road 6, then west on fifty-second avenue south until its intersection with the centerline of prosperity way south, then south on prosperity way south and an extended straight line until its intersection with the centerline of sixty-fourth avenue south, then west on sixty-fourth avenue south and an extended straight line until its intersection with the centerline of interstate highway 29, then north on interstate highway 29 until its intersection with an extended line from the north boundary of Stanley Township, then west on the extended boundary of Stanley Township and on the north boundary of Stanley Township until its intersection with the centerline of forty-fifth street south, then north on forty-fifth street south until its intersection with the centerline of fortieth avenue south, then east on fortieth avenue south until its intersection with the centerline of interstate highway 29, then north on interstate highway 29 to the point of beginning.

42. District 42 consists of that part of the city of Grand Forks and Blooming, Brenna, Grand Forks, Mekinock, and Rye Townships in Grand Forks County bound by a line commencing at the point where the centerline of twenty-eighth street northeast intersects with the centerline of twenty-fourth avenue northeast, then east on twenty-fourth avenue northeast until it intersects with the centerline of interstate highway 29, then south on interstate highway 29 until it intersects with the centerline of twelfth avenue northeast, then west on twelfth avenue northeast until it intersects with an extended straight line from the centerline of nineteenth street, then north on a straight line extended from nineteenth street and on nineteenth street until it intersects with the centerline of United States highway 2, also identified as eighteenth avenue, then west on United States highway 2 until it intersects with the centerline of twenty-eighth street northeast, then north on twenty-eighth street northeast to the point of beginning.
43. District 43 consists of that part of Grand Forks Township and that part of the city of Grand Forks in Grand Forks County bound by a line commencing at the intersection of the centerline of interstate highway 29 and the centerline of the BNSF railway company right of way, then east on the BNSF railway company right of way until its intersection with the centerline of south twentieth street, then south on south twentieth street until its intersection with the centerline of twenty-fourth avenue south, then east on twenty-fourth avenue south until its intersection with the centerline of south seventeenth street, then south on south seventeenth street until its intersection with the centerline of twenty-eighth avenue south, then east on twenty-eighth avenue south until its intersection with the centerline of United States highway 81, then south on United States highway 81 until its intersection with the centerline of fortieth avenue south, then west on fortieth avenue south until its intersection with the centerline of south columbia road, then north on south columbia road until its intersection with the centerline of thirty-second avenue south, then west on thirty-second avenue south until its intersection with the centerline of interstate highway 29, then north on interstate highway 29 to the point of beginning.
44. District 44 consists of that part of the city of Fargo and Cass County bound by a line commencing at the point where the centerline of north university drive intersects the centerline of twenty-eighth avenue north, then east on twenty-eighth avenue north until its intersection with the centerline of Broadway north, then north on Broadway north until its intersection with the centerline of twenty-eighth avenue north, then east on twenty-eighth avenue north until its intersection with the centerline of Elm street north, then south on Elm street north until its intersection with the centerline of twenty-second avenue north, then east on an extended straight line from twenty-second avenue north until its intersection with the centerline of the Red River, then south, west, and east on the Red River until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 until its intersection with the centerline of tenth street north, then north on tenth street north until its intersection with the centerline of the BNSF railway company right of way, then north and west on the BNSF railway company right of way until its intersection with the centerline of twelfth street north, then north on twelfth street north until its intersection with the centerline of seventh avenue north, then west on seventh avenue north until its intersection with the centerline of the BNSF railway company right of way, then north and west on the BNSF railway company right of way until its intersection with the centerline of twelfth avenue north, then east on twelfth avenue north until its intersection with the centerline of north university drive, then north on north university drive to the point of beginning.

45. District 45 consists of all of Berlin, Gardner, Harwood, Kinyon, Noble, and Wisner Townships and the cities of Harwood, North River, and Reile's Acres in Cass County; and that portion of the cities of Fargo and West Fargo and Reed Township in Cass County bound by a line commencing at the point where the north boundary of Reed Township intersects the west boundary of Reed Township, then west on the north boundary of Reed Township until its intersection with the centerline of the Red River, then south and east on the Red River until its intersection with a straight line extending east from the centerline of twenty-second avenue north, then west on the straight line until its intersection with the centerline of elm street north, then north on elm street north until its intersection with the centerline of twenty-eighth avenue north, then west on twenty-eighth avenue north until its intersection with the centerline of Broadway north, then south on Broadway north until its intersection with the centerline of twenty-eighth avenue north, then west on twenty-eighth avenue north until its intersection with the centerline of north university drive, then south on north university drive until its intersection with the centerline of twelfth avenue north, then west on twelfth avenue north until its intersection with the centerline of interstate highway 29, then south on interstate highway 29 until its intersection with the centerline of business interstate highway 94, also identified as main avenue, then west on business interstate highway 94 until its intersection with the centerline of the Sheyenne River, then north, east, and west on the Sheyenne River until its intersection with the centerline of state highway 10, then west on state highway 10 until its intersection with the west boundary of Reed Township, then north on the west boundary of Reed Township to the point of beginning.
46. District 46 consists of the city of Briarwood and that part of the city of Fargo and Stanley Township in Cass County bound by a line commencing at the point where the centerline of thirty-second avenue south intersects the centerline of twenty-fifth street south, then east on thirty-second avenue south until its intersection with the centerline of twenty-second avenue south, then north on twenty-second avenue south until its intersection with the centerline of thirtieth avenue south, then east on thirtieth avenue south until its intersection with the centerline of eighteenth street south, then north on eighteenth street south until it intersects with the centerline of twenty-fifth avenue south, then east on twenty-fifth avenue south until its intersection with the centerline of south university drive, then north on south university drive until its intersection with the centerline of interstate highway 94, then east on interstate highway 94 until its intersection with the centerline of the Red River, then south on the Red River until its intersection with the south boundary of Stanley Township, then west, south, east, and south on the boundary of Stanley Township until its intersection with the centerline of seventy-first avenue south, then east on seventy-first avenue south until its intersection with the centerline of chrisan boulevard, then south on chrisan boulevard until its intersection with the east boundary of Stanley Township, then south on the east boundary of Stanley Township until its intersection with the centerline of seventy-sixth avenue south, then east on seventy-sixth avenue south until its intersection with the centerline of eagle point drive south, then north on eagle point drive south until its intersection with the centerline of seventy-fifth avenue south, then west and north on seventy-fifth avenue south, also identified as sixteenth street south, until its intersection with the centerline of seventy-third avenue south, then west on seventy-third avenue south and an extended straight line until its intersection with the east boundary of Stanley Township, then north on the east boundary of Stanley Township until its intersection with an extended line from the centerline of prosperity way south,

then north on the straight line extended from prosperity way south until its intersection with the centerline of county road 6, also identified as fifty-second avenue south, then east on county road 6 until its intersection with the centerline of twenty-fifth street south, then north on twenty-fifth street south to the point of beginning.

47. District 47 consists of that part of the city of Bismarck and Hay Creek Township in Burleigh County bound by a line commencing at a point where the centerline of the north segment of burnt creek loop intersects the centerline of river road, then south and east on river road until its intersection with a straight line extending west from the centerline of fifty-seventh avenue north, then east on the straight line and fifty-seventh avenue north until its intersection with the centerline of north washington street, then south on north washington street until its intersection with the centerline of forty-third avenue northeast, then west on forty-third avenue northeast until its intersection with the centerline of United States highway 83, also identified as state street, then south on United States highway 83 until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 until its intersection with the centerline of the Missouri River, then north and west on the Missouri River until its intersection with a straight line extending west from the centerline of olive tree drive, then east on olive tree drive until its intersection with a straight line extending southwest from a point on the centerline of burnt creek loop that is east on an extended straight line from the centerline of magnolia drive, then north and east on burnt creek loop to the point of beginning.

SECTION 2. A new section to chapter 54-03 of the North Dakota Century Code is created and enacted as follows:

Staggering of terms of members of the legislative assembly.

1.
 - a. A senator must be elected from each odd-numbered district in 2022 for a term of four years.
 - b. Two representatives must be elected from each odd-numbered district not comprised of subdistricts in 2022 for a term of four years.
 - c. A representative must be elected from each odd-numbered subdistrict in 2022 for a term of four years.
2. A senator and two representatives from districts ten and twenty-six must be elected in 2022 for a term of two years.
3.
 - a. A senator must be elected from each even-numbered district in 2024 for a term of four years.
 - b. Two representatives must be elected from each even-numbered district not comprised of subdistricts in 2024 for a term of four years.
 - c. A representative must be elected from each even-numbered subdistrict in 2022 for a term of two years and in 2024 for a term of four years.
 - d. The term of office of a representative elected in 2020 from an even-numbered district who as a result of redistricting is placed in an even-numbered district with more than one other representative elected in 2020 from an even-numbered district terminates December 1, 2022, and

- two representatives must be elected from that district in 2022 for a term of two years.
- e. The term of office of a senator elected in 2020 from an even-numbered district who as a result of redistricting is placed in an even-numbered district with one or more other senators elected in 2020 from an even-numbered district terminates December 1, 2022, and one senator must be elected from that district in 2022 for a term of two years.
 4. The term of office of a member of the legislative assembly elected in an even-numbered district in 2020 for a term of four years and who as a result of legislative redistricting is placed in an odd-numbered district terminates December 1, 2022.
 5. The term of office of a member of the legislative assembly elected in a district comprised of subdistricts as a result of legislative redistricting terminates on December 1, 2022.
 6. Except as provided in subsection 7, a member of the legislative assembly elected from an even-numbered district in 2020 for a term of four years and who as a result of legislative redistricting is placed in an odd-numbered district may continue to serve the remainder of the term for which the member was elected beyond December 1, 2022, if the member changes the member's place of residence by February 1, 2022, to a location within the even-numbered district from which the member was elected and certifies in writing to the secretary of state and the chairman of the legislative management the member has established a new residence in that district as determined by section 54-01-26. If the member does not establish residency within the district from which the member was elected by February 1, 2022, the term of office of the member terminates on December 1, 2022.
 7. The term of office of a member of the legislative assembly in an even-numbered district with new geographic area which area was not in that member's district for the 2020 election and which new geographic area has a 2020 population more than four thousand one hundred forty-four terminates on December 1, 2022.
 8. For purposes of section 5 of article IV of the Constitution of North Dakota, a member of the legislative assembly elected from a district with boundaries that changed as a result of legislative redistricting is deemed to live in the district from which the member was elected until December 1, 2022.

SECTION 3. REPEAL. Sections 54-03-01.12 and 54-03-01.13 of the North Dakota Century Code are repealed.

SECTION 4. SECRETARY OF STATE TO MODIFY ELECTION DEADLINES AND PROCEDURES. If, as a result of a delay in implementation of this Act, it becomes necessary to modify election deadlines and procedures for the conduct of the 2022 primary election, the secretary of state, in consultation with city and county election officials, shall adopt modified election deadlines and procedures to allow the conduct of the 2022 primary election as scheduled. The modified deadlines and procedures may address filing and publishing deadlines and any other matters necessary to accommodate the conduct of the primary election.

SECTION 5. LEGISLATIVE INTENT - BOUNDARIES. It is the intent of the legislative assembly that, although this Act is effective on the day on which it is filed,

the members of the legislative assembly elected under the redistricting plan in effect the day before this Act becomes effective shall continue to serve until implementation of this Act. Any reference in the legislative district descriptions to a city limit or a reservation boundary as a boundary line refers to the limit or boundary as it existed on January 1, 2020, as shown on the 2020 census maps. A legislative district boundary using a reservation boundary or city limit lines does not migrate as the reservation boundary or city limits migrate. For purposes of legislative district descriptions, unless cities are otherwise specifically named, townships encompass all the territory within their outer boundaries.

SECTION 6. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state.

Approved November 11, 2021

Filed November 12, 2021

TAXATION

CHAPTER 564

SENATE BILL NO. 2351

(Senators Hogue, Dever, Schaible)
(Representatives Louser, Nathe, Steiner)
(Approved by the Delayed Bills Committee)

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.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 4 of section 57-38-01.28 of the North Dakota Century Code is amended and reenacted as follows:

4. For purposes of this section:
 - a. "Qualifying income" means the sum of the following, to the extent included in North Dakota taxable income:
 - (1) Earned income as defined in section 32(c)(2) of the Internal Revenue Code; and
 - (2) Income received from a retirement pension, profit-sharing, stock bonus, or annuity plan; ~~and~~
 - (3) ~~Social security benefits as defined in section 86(d)(1) of the Internal Revenue Code to the extent included in North Dakota taxable income.~~
 - b. "Qualifying income of the lesser-earning spouse" means the qualifying income of the spouse with the lesser amount of qualifying income for the taxable year minus the sum of:
 - (1) The amount for one exemption under section 151(d) of the Internal Revenue Code; and
 - (2) One-half of the amount of the standard deduction under section 63(c)(2)(A)(4) of the Internal Revenue Code.

³ **SECTION 2. AMENDMENT.** Subdivision t of subsection 2 of section 57-38-30.3 of the North Dakota Century Code is amended and reenacted as follows:

³ Section 57-38-30.3 was also amended by section 2 of House Bill No. 1515, chapter 565.

- t. ~~For taxpayers with federal adjusted gross income of fifty thousand dollars or less, or one hundred thousand dollars or less if married filing jointly, reduced~~ Reduced by an amount equal to ~~of~~ social security benefits included in a taxpayer's federal adjusted gross income under section 86 of the Internal Revenue Code.

SECTION 3. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 2020.

Approved November 12, 2021

Filed November 12, 2021

CHAPTER 565

HOUSE BILL NO. 1515

(Representatives Heinert, Bosch, Klemin, Meier, Nehring, Porter)
(Senators Bell, Dever, Larson, Poolman)

AN ACT to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an individual income tax credit; to provide an effective date; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 57-38 of the North Dakota Century Code is created and enacted as follows:

Individual income tax credit.

A resident of this state is entitled to a nonrefundable credit against the resident's income tax liability as determined under section 57-38-30.3 for the taxable year. The maximum credit that may be claimed by a resident under this section for the taxable year is three hundred fifty dollars. The amount claimed may not exceed the amount of the resident's income tax liability as determined under this chapter for the taxable year. Any credit amount exceeding a resident's income tax liability for the taxable year may not be claimed as a carryback or carryforward.

4 SECTION 2. A new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code is created and enacted as follows:

Individual income tax credit under section 1 of this Act.

SECTION 3. EFFECTIVE DATE - EXPIRATION DATE. This Act is effective for the first two taxable years beginning after December 31, 2020, and is thereafter ineffective.

Approved November 12, 2021

Filed November 12, 2021

⁴ Section 57-38-30.3 was also amended by section 2 of Senate Bill No. 2351, chapter 564.

HOUSE CONCURRENT RESOLUTIONS

CHAPTER 566

HOUSE CONCURRENT RESOLUTION NO. 3049

(Representative Christensen)
(Approved by the Delayed Bills Committee)

A concurrent resolution recognizing parents as the chief stakeholders of the future and education of their children.

WHEREAS, in most instances, the parents are the primary caretakers and guardians of their children; and

WHEREAS, parents should be recognized as the primary stakeholders in their children's futures; and

WHEREAS, parents should repudiate weaponizing labels and government agencies for merely participating in the political process; and

WHEREAS, it is necessary to restore the balance of respect and power between parents and the government for the benefit of children by recognizing parents as the chief stakeholders of children's futures;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Sixty-seventh Legislative Assembly recognizes parents as the chief stakeholders of the future and education of the their children; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, each member of the North Dakota Congressional Delegation, the Attorney General of the United States, and the Executive Director of the National School Boards Association.

Filed November 12, 2021

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