JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, February 20, 2023

The House convened at 1:00 p.m., with Speaker D. Johnson presiding.

The prayer was offered by Pastor Matthew Aufenkemp, Assembly of God, Grafton.

The roll was called and all members were present except Representative Bellew.

A quorum was declared by the Speaker.

MOTION

REP. BOSCH MOVED that HB 1118 and HB 1538, which are on the Sixth order, be laid over one legislative day, which motion prevailed.

MOTION

REP. BOSCH MOVED that HB 1040, which is on the Sixth order, be laid over two legislative days, which motion prevailed.

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to HB 1004, HB 1016, HB 1024, HB 1151, HB 1153, HB 1167, HB 1186, HB 1239, HB 1260, HB 1278, HB 1285, Engrossed HB 1306, HB 1315, HB 1339, HB 1340, HB 1345, HB 1350, HB 1365, Engrossed HB 1366, HB 1368, HB 1384, HB 1423, HB 1425, HB 1429, HB 1441, HB 1446, HB 1455, HB 1512, HB 1515, HB 1519, HB 1529, and Engrossed HB 1530.

HB 1004, HB 1016, HB 1024, HB 1151, HB 1153, HB 1167, HB 1186, HB 1239, HB 1260, HB 1278, HB 1285, Engrossed HB 1306, HB 1315, HB 1339, HB 1340, HB 1345, HB 1350, HB 1365, Engrossed HB 1366, HB 1368, HB 1384, HB 1423, HB 1425, HB 1429, HB 1441, HB 1446, HB 1455, HB 1512, HB 1515, HB 1519, HB 1529, and Engrossed HB 1530, as amended, were placed on the Eleventh order of business on the calendar.

SIXTH ORDER OF BUSINESS

HB 1135: REP. BELTZ (Agriculture Committee) MOVED that the amendments on HJ pages 856-857 be adopted and then be placed on the Eleventh order with **DO PASS.**

REQUEST

REP. TVEIT REQUESTED that the House divide the amendments to Engrossed HB 1135, which request was granted on a voice vote.

DIVISION B: Exemptions of certain entities to own agricultural land

Page 3, line 28, insert:

> 9. Notwithstanding the provisions of this chapter, the prohibition on ownership of agricultural land does not apply to the following:
>
> a. Agricultural land used for research or experimental purposes, including testing, developing, or producing seeds or plants for sale or resale to farmers as seed stock.
>
> b. The acquisition of agricultural land or an interest in agricultural land by a foreign business entity which is not more than three hundred twenty acres [129.5 hectares].

Renumber accordingly

DIVISION A: Definitions relating to foreign governmental interest in agricultural land

Page 1, line 24, after "possessions" insert "or the government of Canada or its provinces or territories"

Page 2, line 1, after "4." insert ""Foreign governmental interest in agricultural land" includes the purchase, acquisition, or possession of any absolute or qualified ownership of land by a foreign government, except does not include a leasehold interest.

5."

Page 2, line 2, replace "5." with "6."

Page 3, line 26, remove "lease,"

Page 3, line 26, after "any" insert "foreign governmental"

Renumber accordingly

REQUEST

REP. TVEIT REQUESTED a recorded roll call vote on Division B of the proposed amendments to Engrossed HB 1135, which request was granted.

ROLL CALL

The question being the adoption of Division B of the proposed amendments to Engrossed HB 1135, the roll was called and there were 61 YEAS, 32 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Cory; Dakane; Davis; Dobervich; Dockter; Finley-DeVille; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Ista; Jonas; Karls; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Martinson; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, K.; Christensen; Conmy; Dyk; Fegley; Fisher; Frelich; Hauck; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Kasper; Koppelman; Louser; Marschall; McLeod; Meier; Novak; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Schatz; Schneider; Steiner; Timmons; Toman; Tveit

ABSENT AND NOT VOTING: Bellew

Division B of the proposed amendments to Engrossed HB 1135 was adopted on a recorded roll call vote.

REQUEST

REP. TVEIT REQUESTED a recorded roll call vote on Division A of the proposed amendments to Engrossed HB 1135, which request was granted.

ROLL CALL

The question being the adoption of Division A of the proposed amendments to Engrossed HB 1135, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman;

Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

Division A of the proposed amendments to Engrossed HB 1135 was adopted on a recorded roll call vote.

SECOND READING OF HOUSE BILL

HB 1135: A BILL for an Act to amend and reenact sections 47-10.1-01 and 47-10.1-02 of the North Dakota Century Code, relating to exceptions to the acquisition of agricultural land by foreign governments.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1135 passed.

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SIXTH ORDER OF BUSINESS

HB 1341: REP. HEINERT (Energy and Natural Resources Committee) MOVED that the amendments on HJ page 864 be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

REP. KOPPELMAN REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1341, the roll was called and there were 58 YEAS, 35 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVille; Fisher; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Ista; Jonas; Karls; Klemin; Kreidt; Lefor; Longmuir; Martinson; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, K.; Bahl; Christensen; Cory; Dyk; Frelich; Hauck; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Kasper; Kempenich; Kiefert; Koppelman; Louser; Marschall; McLeod; Meier; Motschenbacher; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Schatz; Schobinger; Steiner; Timmons; Toman; Tveit; VanWinkle; Vetter

ABSENT AND NOT VOTING: Bellew

The proposed amendments to HB 1341 were adopted on a recorded roll call vote.

MOTION

REP. BOSCH MOVED that Rule 601 (3a) be suspended and that HB 1341 be placed on the Eleventh order immediately for second reading and final passage, which motion prevailed.

MOTION

REP. BOSCH MOVED that after the completion of the vote on this bill all bills pertaining to this topic be considered next, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1341: A BILL for an Act to provide for a legislative management study relating to statutory provisions that restrict the location and manner in which firearms and dangerous weapons may be carried.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Dyk; Hoverson

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1341 passed.

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SECOND READING OF HOUSE BILL

HB 1194: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to the possession of a firearm or dangerous weapon at a public gathering.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 26 YEAS, 67 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Christensen; Dyk; Frelich; Hauck; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Kasper; Kempenich; Kiefert; Louser; Motschenbacher; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Schatz; Steiner; Thomas; Timmons; Tveit; VanWinkle; Vetter

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVille; Fisher; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Ista; Jonas; Karls; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Toman; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

HB 1194 failed.

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SECOND READING OF HOUSE BILL

HB 1404: A BILL for an Act to create and enact a new section to chapter 15-10 and a new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to carrying a concealed firearm on a college campus; to amend and reenact section 62.1-01-03 of the North Dakota Century Code, relating to the limitation on authority of a political subdivision regarding firearms; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 32 YEAS, 61 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Bahl; Christensen; Dyk; Frelich; Hauck; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Kasper; Kempenich; Kiefert; Koppelman; Louser; Marschall; McLeod; Motschenbacher; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Schatz; Schobinger; Steiner; Timmons; Toman; Tveit; VanWinkle

NAYS: Anderson, B.; Anderson, D.; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVille; Fisher; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Ista; Jonas; Karls; Klemin; Kreidt; Lefor; Longmuir; Martinson; Meier; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

HB 1404 failed.

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SECOND READING OF HOUSE BILL

HB 1483: A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to possession of a firearm at a public gathering or in a federal building or courthouse; to repeal section 62.1-02-04 of the North Dakota Century Code, relating to the possession of a firearm in a liquor establishment; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 32 YEAS, 61 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Christensen; Dyk; Fisher; Frelich; Hauck; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Kasper; Kempenich; Kiefert; Koppelman; Louser; Marschall; Motschenbacher; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Schatz; Schobinger; Steiner; Timmons; Toman; Tveit; VanWinkle; Vetter

NAYS: Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVille; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Ista; Jonas; Karls; Klemin; Kreidt; Lefor; Longmuir; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

HB 1483 failed.

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SECOND READING OF HOUSE BILL

HB 1479: A BILL for an Act to create and enact a new section to chapter 62.1-01 of the North Dakota Century Code, relating to restrictions on the possession, use, and manufacture of knives; and to amend and reenact subsection 1 of section 62.1-01-01 of the North Dakota Century Code, relating to the definition of dangerous weapon.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 28 YEAS, 65 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Christensen; Cory; Dyk; Frelich; Hauck; Headland; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Kasper; Kempenich; Koppelman; Marschall; McLeod; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Schatz; Timmons; Tveit; VanWinkle; Vetter

NAYS: Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVille; Fisher; Grueneich; Hager; Hagert; Hanson; Hatlestad; Heinert; Ista; Jonas; Karls; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

HB 1479 failed.

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SECOND READING OF HOUSE BILL

HB 1401: A BILL for an Act to create and enact section 62.1-01-03.2 of the North Dakota Century Code, relating to state prohibition on extreme risk protection provisions; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 33 YEAS, 60 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Christensen; Dyk; Frelich; Hauck; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Kasper; Kempenich; Kiefert; Koppelman; Louser; Marschall; McLeod; Motschenbacher; Novak; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Schatz; Schobinger; Steiner; Timmons; Toman; Tveit; VanWinkle; Vetter

NAYS: Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVille; Fisher; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Ista; Jonas; Karls; Klemin; Kreidt; Lefor; Longmuir; Martinson; Meier; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

HB 1401 failed.

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MOTION

REP. BOSCH MOVED that HB 1425, which is on the Eleventh order, be laid over one

legislative day, which motion prevailed.

MOTION

REP. BOSCH MOVED that HB 1039 and HB 1486, which are on the Eleventh order, be laid over two legislative days, which motion prevailed.

MOTION

REP. BOSCH MOVED that HB 1446 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1446: A BILL for an Act to create and enact two new sections to chapter 15-10 of the North Dakota Century Code, relating to a pilot program for tenured faculty review at institutions of higher education; to provide for a legislative management report; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 66 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bosch; Brandenburg; Christensen; Christy; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Headland; Heilman; Heinert; Henderson; Johnson, J.; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; McLeod; Meier; Monson; Motschenbacher; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Prichard; Pyle; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Beltz; Boschee; Conmy; Cory; Dakane; Davis; Dobervich; Finley-DeVille; Hager; Hanson; Hauck; Holle; Hoverson; Ista; Jonas; Martinson; Mitskog; Mock; Murphy; Porter; Richter; Schatz; Schauer; Schneider; Timmons; Toman; VanWinkle

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1446 passed and the emergency clause was declared carried.

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MOTION

REP. BOSCH MOVED that Engrossed HB 1522, which is on the Eleventh order, be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Rep. Bosch's motion, Engrossed HB 1522 was rereferred.

SECOND READING OF HOUSE BILL

HB 1429: A BILL for an Act to create and enact a new subdivision to subsection 7 of section 26.1-04-03 and a new section to chapter 54-06 of the North Dakota Century Code, relating to unfair discrimination in the business of insurance and the investment and management of public funds; to amend and reenact section 21-10-08.1 of the North Dakota Century Code, relating to the prohibition on social investments; and to provide for a legislative management study.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien;

Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1429 passed.

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SECOND READING OF HOUSE BILL

HB 1278: A BILL for an Act to amend and reenact sections 21-10-02, 21-10-06.1, 21-10-08.1, and subsection 10 of section 54-44.4-02 of the North Dakota Century Code, relating to the powers and duties of the state investment board, restrictions on perpetual contracts, required reports, and the prohibition on social investments; and to provide for a legislative management study.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Dakane

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1278 passed.

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SECOND READING OF HOUSE BILL

HB 1368: A BILL for an Act to create and enact a new section to chapter 54-06 and a new section to chapter 54-44.4 of the North Dakota Century Code, relating to contracts with companies that boycott Israel and a prohibition on investments.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Cory; Dakane; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Christensen; Conmy; Davis; Dobervich; Finley-DeVille; Heilman; Prichard

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1368 passed.

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SECOND READING OF HOUSE BILL

HB 1469: A BILL for an Act to create and enact a new section to chapter 21-06 and two new subsections to section 21-10-02 of the North Dakota Century Code, relating to the investment and management of public funds.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 6 YEAS, 87 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Hauck; Heilman; Henderson; Johnson, J.; Novak; Olson, S.

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Holle; Hoverson; Ista; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; O'Brien; Olson, J.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

HB 1469 failed.

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SECOND READING OF HOUSE BILL

HB 1283: A BILL for an Act to create and enact a new chapter to title 6 of the North Dakota Century Code, relating to fair access to financial products and services; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 85 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Christensen; Hauck; Heilman; Henderson; Hoverson; Prichard; Schatz; Steiner

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

HB 1283 failed.

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SECOND READING OF HOUSE BILL

HB 1339: A BILL for an Act to amend and reenact sections 62.1-02-10, 62.1-03-01, 62.1-04-02, 62.1-04-03, and 62.1-04-04 of the North Dakota Century Code, relating to carrying a loaded firearm in a vehicle, carrying a handgun, carrying a concealed firearm, a license to carry a concealed firearm, and producing a license upon request; to repeal section 2 of chapter 499 of the 2021 Session Laws, relating to a contingent expiration date for concealed weapon provisions; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1339 passed.

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SECOND READING OF HOUSE BILL

HB 1350: A BILL for an Act to amend and reenact sections 12.1-01-04, 12.1-32-02.1, and 62.1-01-01, and subsection 1 of section 62.1-02-01 of the North Dakota Century Code, relating to criminal code definitions, weapons definitions, mandatory prison terms for armed offenders, and persons who are not to possess firearms; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1350 passed.

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SECOND READING OF HOUSE BILL

HB 1340: A BILL for an Act to amend and reenact subsections 8 and 10 of section 11-09.1-05, subsections 12 and 14 of section 40-05.1-06, and section 62.1-01-03 of the North Dakota Century Code, relating to home rule in counties and cities and the limitation on authority of a political subdivision regarding firearms.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Brandenburg; Christensen; Christy; Cory; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Boschee; Conmy; Dakane; Davis; Dobervich; Finley-DeVille; Hager; Hanson; Ista; Schneider

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1340 passed.

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SECOND READING OF HOUSE BILL

HB 1455: A BILL for an Act to create and enact a new section to chapter 57-39.2 and a new subdivision to subsection 4 of section 57-40.2-03.3 of the North Dakota Century Code, relating to a sales and use tax exemption for materials used in the research and development of bioscience and biotechnology in the health care industry and manufacture of bioscience and biotechnology products for use in the health care industry; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 54 YEAS, 39 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Bahl; Beltz; Boschee; Brandenburg; Christy; Cory; Dakane; Davis; Dobervich; Dockter; Finley-DeVille; Grueneich; Hagert; Hanson; Hatlestad; Headland; Ista; Jonas; Karls; Kiefert; Klemin; Koppelman; Lefor; Longmuir; Marschall; Martinson; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Stemen; Strinden; Swiontek; Vetter; Wagner; Warrey; Speaker Johnson, D.

NAYS: Anderson, K.; Bosch; Christensen; Conmy; Dyk; Fegley; Fisher; Frelich; Hager; Hauck; Heilman; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Kasper; Kempenich; Kreidt; Louser; McLeod; Meier; Motschenbacher; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Schatz; Schobinger; Steiner; Thomas; Timmons; Toman; Tveit; VanWinkle; Vigesaa; Weisz

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1455 passed.

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MOTION

SPEAKER D. JOHNSON MOVED that the House stand in recess for 10 minutes, which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker D. Johnson presiding.

SECOND READING OF HOUSE BILL

HB 1016: A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota; and to provide for a report.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 13 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hanson; Hatlestad; Headland; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Christensen; Christy; Hagert; Hauck; Heilman; Henderson; Hoverson; Koppelman; Marschall; Prichard; Schatz; VanWinkle; Vetter

ABSENT AND NOT VOTING: Bellew; Mitskog

Engrossed HB 1016 passed.

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SECOND READING OF HOUSE BILL

HB 1024: A BILL for an Act to provide an appropriation for defraying the expenses of the department of environmental quality; and to amend and reenact sections 23.1-10-02 and 23.1-10-05 of the North Dakota Century Code, relating to the environmental quality restoration fund and revenue to the fund.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Heilman; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Headland; Henderson; Hoverson; Timmons; VanWinkle; Vetter

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1024 passed.

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SECOND READING OF HOUSE BILL

HB 1530: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to covered services for oumedical assistance.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

Reengrossed HB 1530 passed.

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SECOND READING OF HOUSE BILL

HB 1167: A BILL for an Act to create and enact a new subsection to section 37-17.1-05 of the North Dakota Century Code, relating to the governor's authority regarding polling places during a declared state of disaster or emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1167 passed.

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SECOND READING OF HOUSE BILL

HB 1441: A BILL for an Act to create and enact a new section to chapter 16.1-08.1 of the North Dakota Century Code, relating to reports of expenditures made in support of or opposition to legislative candidates; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0

NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew; Stemen

Engrossed HB 1441 passed.

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SECOND READING OF HOUSE BILL

HB 1515: A BILL for an Act to create and enact a new section to chapter 4.1-25 of the North Dakota Century Code, relating to the sale of raw milk directly to a consumer.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Jonas; Kasper; Kempenich; Kiefert; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; McLeod; Meier; Mitskog; Mock; Motschenbacher; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz

NAYS: Hanson; Ista; Karls; Klemin; Martinson; Monson; Murphy; Satrom; Schauer; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1515 passed.

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SECOND READING OF HOUSE BILL

HB 1239: A BILL for an Act to create and enact a new section to chapter 61-32 of the North Dakota Century Code, relating to smaller subsurface water management systems; to provide a penalty; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier;

Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew; Rohr

Engrossed HB 1239 passed and the emergency clause was declared carried.

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SECOND READING OF HOUSE BILL

HB 1153: A BILL for an Act to create and enact a new section to chapter 4.1-04 of the North Dakota Century Code relating to corn council contract services.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 12 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Holle; Ista; Johnson, J.; Jonas; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Porter; Prichard; Pyle; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, D.; Dakane; Hager; Hagert; Henderson; Hoverson; Karls; Ostlie; Richter; Satrom; Timmons; VanWinkle

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1153 passed.

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SECOND READING OF HOUSE BILL

HB 1345: A BILL for an Act to create and enact a new section to chapter 54-44.4 of the North Dakota Century Code, relating to state purchasing contracts.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Boschee; Brandenburg; Christensen; Christy; Cory; Dakane; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bosch; Conmy; Davis; Dobervich; Hager; Hanson; Ista; Schneider

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1345 passed.

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SECOND READING OF HOUSE BILL

HB 1423: A BILL for an Act to create and enact a new section to chapter 4.1-01 of the North Dakota Century Code, relating to a model zoning review task force; and to amend and reenact sections 11-33-02.1, 23.1-01-04, and 58-03-11.1 of the North Dakota Century Code, relating to a model zoning ordinance for animal feeding operations and the North Dakota insurance reserve fund.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 76 YEAS, 17 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Brandenburg; Christy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heinert; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Boschee; Christensen; Conmy; Finley-DeVille; Frelich; Hager; Hanson; Heilman; Henderson; Holle; Hoverson; Mitskog; Mock; Prichard; Schneider; Timmons; VanWinkle

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1423 passed.

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SECOND READING OF HOUSE BILL

HB 1529: A BILL for an Act to provide for a legislative management study relating to state elections law.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1529 passed.

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SECOND READING OF HOUSE BILL

HB 1186: A BILL for an Act to amend and reenact section 15.1-36-08 of the North Dakota

Century Code, relating to the school construction assistance revolving loan fund; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 11 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; Vetter; Wagner; Warrey; Speaker Johnson, D.

NAYS: Christensen; Cory; Frelich; Hauck; Heilman; Prichard; Schatz; Timmons; VanWinkle; Vigesaa; Weisz

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1186 passed and the emergency clause was declared carried.

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SECOND READING OF HOUSE BILL

HB 1306: A BILL for an Act to create and enact a new section to chapter 15.1-32 of the North Dakota Century Code, relating to establishing a dyslexia voucher program; to provide a report to the legislative management; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

Reengrossed HB 1306 passed.

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

MADAM PRESIDENT: The House has passed, and your favorable consideration is requested on: HB 1176, HB 1297, HB 1362, HB 1427, HB 1474, HB 1491.

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

MADAM PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1012, HB 1254.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2124, SB 2128, SB 2139, SB 2149, SB 2187, SB 2237, SB 2238, SB 2290, SB 2326, SB 2364, SB 2370, SB 2378.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2004, SB 2185.

MOTION

REP. BOSCH MOVED that the absent member be excused, which motion prevailed.

MOTION

REP. BOSCH MOVED that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 10:00 a.m., Tuesday, February 21, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1003: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1003 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first semicolon insert "to create and enact five new sections to chapter 15-10 and section 15-18.2-06.1 of the North Dakota Century Code, relating to a report on higher education trends, funding of severance agreements, academic program approval, disclosure of financial condition, and a minimum amount payable; to amend and reenact sections 15-10-38.1, 15-10-38.2, 15-10-38.3, subdivision c of subsection 1 of section 15-10-48, subdivision c of subsection 1 of section 15-10-49, subsection 2 of section 15-10-49, sections 15-10-57 and 15-10-63, subdivision k of subsection 1 of section 15-18.2-02, subsection 1 of section 15-18.2-05, section 15-54.1-02, subsection 1 of section 15-62.4-03, subdivision c of subsection 2 of section 54-07-12, and section 54-44.1-11 of the North Dakota Century Code, relating to the skilled workforce student loan repayment program, the skilled workforce scholarship program, matching grants for the advancement of academics, the workforce development council, higher education capital projects, state aid for institutions of higher education, the university system capital building fund, student financial assistance grants, the digitization of documents relating to Theodore Roosevelt, and the cancellation of unexpended appropriations; to repeal sections 15-10-48.1, 15-10-53, and 15-10-58 of the North Dakota Century Code, relating to matching grants for legal education, the definition of the advancement of academics, and the workforce education advisory council; to provide for a transfer; to provide for a pilot program;"

Page 1, line 2, remove "and"

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

Page 1, remove lines 12 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 31

Page 5, remove lines 1 through 31

Page 6, remove lines 1 through 30

Page 7, replace lines 1 and 2 with:

" NORTH DAKOTA UNIVERSITY SYSTEM

	Base Level	Adjustments or Enhancements	Appropriation
Capital assets - bond payments	$13,385,264	($2,187,368)	$11,197,896
Competitive research programs	5,685,750	0	5,685,750
System governance	8,605,570	2,703,085	11,308,655
Core technology services	62,962,817	7,863,991	70,826,808
Student financial assistance grants	23,917,306	12,000,000	35,917,306
Professional student exchange program	3,699,342	0	3,699,342
Academic and CTE scholarships	16,216,749	1,000,000	17,216,749
Scholars program	1,807,115	0	1,807,115
Native American scholarship	555,323	444,677	1,000,000
Tribally controlled community college grants	1,000,000	1,000,000	2,000,000
Education incentive programs	260,000	0	260,000
Student mental health	284,400	0	284,400
Veterans' assistance grants	277,875	177,000	454,875
Shared campus services	800,000	0	800,000
Nursing education consortium	1,356,000	0	1,356,000
NASA EPSCoR	342,000	0	342,000
Education challenge fund	0	36,000,000	36,000,000
Workforce education grants	0	10,000,000	10,000,000
Dual-credit tuition scholarship	1,500,000	0	1,500,000
Dakota digital academy	0	450,000	450,000
Support for single parents	0	4,500,000	4,500,000
Inflationary passthrough grants	0	20,100,000	20,100,000
Total all funds	$142,655,511	$94,051,385	$236,706,896
Less estimated income	25,757,035	872,198	26,629,233
Total general fund	$116,898,476	$93,179,187	$210,077,663
Full-time equivalent positions	158.83	4.00	162.83

Subdivision 2.

BISMARCK STATE COLLEGE

	Base Level	Adjustments or Enhancements	Appropriation
Operations	$100,571,387	$6,815,663	$107,387,050
Capital assets	1,922,561	31,500,000	33,422,561
Behavioral health initiative	0	204,000	204,000
Total all funds	$102,493,948	$38,519,663	$141,013,611
Less estimated income	70,409,893	34,400,734	104,810,627
Total general fund	$32,084,055	$4,118,929	$36,202,984
Full-time equivalent positions	332.90	2.43	335.33

Subdivision 3.

LAKE REGION STATE COLLEGE

	Base Level	Adjustments or Enhancements	Appropriation
Operations	$39,150,913	$1,913,818	$41,064,731
Capital assets	362,667	600,000	962,667
Behavioral health initiative	0	109,000	109,000
Total all funds	$39,513,580	$2,622,818	$42,136,398
Less estimated income	25,271,428	1,655,128	26,926,556
Total general fund	$14,242,152	$967,690	$15,209,842
Full-time equivalent positions	115.76	4.83	120.59

Subdivision 4.

WILLISTON STATE COLLEGE

	Base Level	Adjustments or Enhancements	Appropriation
Operations	$34,044,304	$2,619,856	$36,664,160

Capital assets	1,261,968	43,913,939	45,175,907
Behavioral health initiative	0	169,140	169,140
Total all funds	$35,306,272	$46,702,935	$82,009,207
Less estimated income	24,019,535	44,830,555	68,850,090
Total general fund	$11,286,737	$1,872,380	$13,159,117
Full-time equivalent positions	101.29	1.54	102.83

Subdivision 5.

UNIVERSITY OF NORTH DAKOTA

	Base Level	Adjustments or Enhancements	Appropriation
Operations	$902,173,330	$52,555,093	$954,728,423
Capital assets	4,411,566	190,000,000	194,411,566
National security initiative	0	45,000,000	45,000,000
Research network	0	3,201,100	3,201,100
Behavioral health initiative	0	660,000	660,000
Total all funds	$906,584,896	$291,416,193	$1,198,001,089
Less estimated income	755,657,771	218,613,966	974,271,737
Total general fund	$150,927,125	$72,802,227	$223,729,352
Full-time equivalent positions	2,059.98	0.58	2,060.56

Subdivision 6.

NORTH DAKOTA STATE UNIVERSITY

	Base Level	Adjustments or Enhancements	Appropriation
Operations	$756,049,321	$40,359,558	$796,408,879
Capital assets	7,799,104	107,000,000	114,799,104
Workforce education	0	4,800,000	4,800,000
Research network	0	3,201,100	3,201,100
Behavioral health initiative	0	1,100,000	1,100,000
Total all funds	$763,848,425	$156,460,658	$920,309,083
Less estimated income	625,417,100	130,501,035	755,918,135
Total general fund	$138,431,325	$25,959,623	$164,390,948
Full-time equivalent positions	1,829.43	38.07	1,867.50

Subdivision 7.

NORTH DAKOTA STATE COLLEGE OF SCIENCE

	Base Level	Adjustments or Enhancements	Appropriation
Operations	$95,547,465	$4,650,059	$100,197,524
Capital assets	1,012,379	19,975,000	20,987,379
Behavioral health initiative	0	186,750	186,750
Total all funds	$96,559,844	$24,811,809	$121,371,653
Less estimated income	60,845,052	22,212,951	83,058,003
Total general fund	$35,714,792	$2,598,858	$38,313,650
Full-time equivalent positions	311.61	2.34	313.95

Subdivision 8.

DICKINSON STATE UNIVERSITY

	Base Level	Adjustments or Enhancements	Appropriation
Operations	$50,826,060	$4,755,696	$55,581,756
Capital assets	409,078	18,000,000	18,409,078
Behavioral health initiative	0	327,000	327,000
Total all funds	$51,235,138	$23,082,696	$74,317,834
Less estimated income	30,992,408	19,421,619	50,414,027

Total general fund	$20,242,730	$3,661,077	$23,903,807
Full-time equivalent positions	175.50	2.50	178.00

Subdivision 9.

MAYVILLE STATE UNIVERSITY

	Base Level	Adjustments or Enhancements	Appropriation
Operations	$50,603,276	$4,577,144	$55,180,420
Capital assets	358,992	0	358,992
Behavioral health initiative	0	308,734	308,734
Total all funds	$50,962,268	$4,885,878	$55,848,146
Less estimated income	32,282,440	1,763,104	34,045,544
Total general fund	$18,679,828	$3,122,774	$21,802,602
Full-time equivalent positions	230.35	(3.43)	226.92

Subdivision 10.

MINOT STATE UNIVERSITY

	Base Level	Adjustments or Enhancements	Appropriation
Operations	$104,154,777	$9,659,724	$113,814,501
Capital assets	1,099,620	11,865,000	12,964,620
Behavioral health initiative	0	170,000	170,000
Total all funds	$105,254,397	$21,694,724	$126,949,121
Less estimated income	64,047,767	15,504,561	79,552,328
Total general fund	$41,206,630	$6,190,163	$47,396,793
Full-time equivalent positions	403.04	20.59	423.63

Subdivision 11.

VALLEY CITY STATE UNIVERSITY

	Base Level	Adjustments or Enhancements	Appropriation
Operations	$50,083,400	$4,626,767	$54,710,167
Capital assets	455,823	35,500,000	35,955,823
Behavioral health initiative	0	236,000	236,000
Total all funds	$50,539,223	$40,362,767	$90,901,990
Less estimated income	26,377,846	36,936,844	63,314,690
Total general fund	$24,161,377	$3,425,923	$27,587,300
Full-time equivalent positions	202.77	9.17	211.94

Subdivision 12.

DAKOTA COLLEGE AT BOTTINEAU

	Base Level	Adjustments or Enhancements	Appropriation
Operations	$23,640,055	$2,023,135	$25,663,190
Capital assets	114,007	5,300,000	5,414,007
Behavioral health initiative	0	170,000	170,000
Total all funds	$23,754,062	$7,493,135	$31,247,197
Less estimated income	14,216,200	5,839,622	20,055,822
Total general fund	$9,537,862	$1,653,513	$11,191,375
Full-time equivalent positions	91.86	(7.86)	84.00

Subdivision 13.

UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES

	Base Level	Adjustments or Enhancements	Appropriation
Operations	$218,253,058	$17,796,430	$236,049,488
Healthcare workforce initiative	10,676,150	0	10,676,150
Total all funds	$228,929,208	$17,796,430	$246,725,638
Less estimated income	160,806,249	5,782,718	166,588,967
Total general fund	$68,122,959	$12,013,712	$80,136,671
Full-time equivalent positions	492.67	(3.84)	488.83

Subdivision 14.

NORTH DAKOTA FOREST SERVICE

	Base Level	Adjustments or Enhancements	Appropriation
Operations	$15,343,065	$9,252,937	$24,596,002
Capital assets	118,728	0	118,728
Total all funds	$15,461,793	$9,252,937	$24,714,730
Less estimated income	10,669,315	8,469,894	19,139,209
Total general fund	$4,792,478	$783,043	$5,575,521
Full-time equivalent positions	28.00	1.00	29.00

Subdivision 15.

TOTAL - SECTION 1

	Base Level	Adjustments or Enhancements	Appropriation
Grand total general fund	$686,328,526	$232,349,099	$918,677,625
Grand total special funds	1,926,770,039	546,804,929	2,473,574,968
Grand total all funds	$2,613,098,565	$779,154,028	$3,392,252,593"

Page 7, line 3, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY**"

Page 7, line 4, after "biennium" insert "and the 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 7, replace line 6 with:

"Capital projects - strategic investment and improvements fund	$0	$293,290,000
Capital projects - other funds	4,363,000	170,363,939
University of North Dakota national security initiative	0	45,000,000
North Dakota state university workforce education	0	4,800,000"

Page 7, replace lines 22 through 26 with:

"Higher education challenge grants	11,150,000	36,000,000
Dakota digital academy	475,000	450,000
Support for single parents	0	4,500,000
Workforce education grants	0	10,000,000
Behavioral health initiative	0	3,640,624
Financial aid software	0	1,554,354
Passthrough grants	0	20,100,000
Total all funds	$207,876,121	$589,698,917
Total other funds	190,851,121	463,653,939
Total general fund	$17,025,000	$126,044,978

The 2023-25 one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The state board of higher education shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 7, line 28, after "**APPROPRIATION**" insert "**- EXEMPTION**"

Page 8, line 5, after the period insert "Notwithstanding section 48-01.2-25, an institution receiving funds for capital projects in excess of the amounts appropriated in sections 1 and 4 of this Act may spend those funds for the capital project.

SECTION 4. APPROPRIATION - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - MAYVILLE STATE UNIVERSITY - OLD MAIN RENOVATION - ONE-TIME FUNDING. There is appropriated out of any moneys in the strategic investment and improvements fund in the state treasury, not otherwise appropriated, the sum of $49,970,100, or so much of the sum as may be necessary, to Mayville state university for the purpose of renovating old main, for the biennium beginning July 1, 2023, and ending June 30, 2025. This funding is considered a one-time funding item."

Page 8, line 8, after the second "institution" insert ", excluding the university of North Dakota and North Dakota state university,"

Page 8, line 8, replace "two dollars" with "one dollar"

Page 8, line 10, after the period insert "The university of North Dakota and North Dakota state university shall provide two dollars of matching funds from operations or other sources for each one dollar of extraordinary repairs funding used for a project.

SECTION 6. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The grand total special funds line item in subdivision 15 of section 1 of this Act includes $293,290,000 from the strategic investment and improvements fund for capital projects as follows:

Bismarck state college multipurpose academic and athletic center	$29,900,000
Williston state college medical healthcare building	34,750,000
University of North Dakota science, engineering, and national security corridor	57,400,000
University of North Dakota science, technology, engineering, and math building	52,000,000
North Dakota state university center for engineering and computational sciences	59,000,000
North Dakota state college of science agriculture, automation, and autonomous systems	18,975,000
Dickinson state university agriculture and technical education building	17,100,000
Minot state university Dakota hall demolition	765,000
Minot state university academic building	7,600,000
Valley City state university McCarthy hall renovation	11,500,000
Dakota college at Bottineau old main renovation	4,300,000
Total strategic investment and improvements fund	$293,290,000

SECTION 7. NORTH DAKOTA STATE UNIVERSITY - WORKFORCE EDUCATION - REPORT. The appropriation in subdivision 6 of section 1 of this Act includes $4,800,000 from the general fund for North Dakota state university for the purpose of creating or expanding programs and enrollment initiatives, as identified by the North Dakota state university president, to address the workforce needs of the state, for the biennium beginning July 1, 2023, and ending June 30, 2025. This funding may only be used to create or expand programs and initiatives and may not be used for programs that have been closed or reduced by North Dakota state university since July 1, 2021. North Dakota state university shall report to the legislative management during the 2023-24 interim on the use of the funding identified in this section.

SECTION 8. STUDENT SUPPORT FOR SINGLE MOTHERS - PILOT PROGRAM - REPORT.

1. The appropriation in subdivision 1 of section 1 of this Act includes the sum of $4,500,000 from the general fund for the purpose of supporting single mothers, for the biennium beginning July 1, 2023, and ending June 30, 2025.

2. The state board of higher education may provide up to $250,000 to each institution under its control, each tribally controlled community college in

this state, the university of Jamestown, and the university of Mary, to provide support to students who are pregnant or single mothers with a child or children under four years of age.

3. An eligible institution in subsection 2 must submit an application to the state board of higher education in order to receive funding under this section. The application must include the institution's plan identifying how the funding would benefit students enrolled at the institution, the estimated number of students impacted, and the estimated cost.

4. A student enrolled at an eligible institution in subsection 2 is eligible for support under this section if the student is residing in this state and is:

   a. An unmarried pregnant individual who is experiencing an unintended pregnancy;

   b. An unmarried mother who experienced an unintended birth while attending the institution; or

   c. An unmarried mother with a child or children under four years of age.

5. Funding awarded under this section may be used for on-campus room and board and the costs of providing on-campus day care for the children of students eligible pursuant to subsection 4.

6. If any available dollars have not been granted to an institution by the board before December 31, 2024, the board may allow institutions in subsection 2 to submit applications for any unused funding for the purposes of this section.

7. The state board of higher education may adopt policies and procedures as necessary to enact this section.

8. The state board of higher education shall report to the legislative management during the 2023-24 interim and to the appropriations committees of the sixty-ninth legislative assembly regarding the results of this program, including the number of students assisted at each institution.

SECTION 9. TRANSFER - NORTH DAKOTA UNIVERSITY SYSTEM OFFICE - NORTH DAKOTA STATE UNIVERSITY. Of the funding appropriated in subdivision 1 of section 1 of chapter 31 of the 2021 Session Laws for the biennium beginning July 1, 2021, and ending June 30, 2023, that is continued pursuant to section 54-44.1-11, the state board of higher education shall transfer $367,000 to the operations line item in subdivision 6 of section 1 of this Act by August 1, 2023. The North Dakota university system office may not assess institutions under the control of the state board of higher education to recover the cost of this transfer.

SECTION 10. TRANSFER - BANK OF NORTH DAKOTA PROFITS - STATE BOARD OF HIGHER EDUCATION SCHOLARSHIPS. The industrial commission shall transfer to the North Dakota university system office a total of $1,500,000 from the current earnings and accumulated undivided profits of the Bank of North Dakota during the biennium beginning July 1, 2023, and ending June 30, 2025, as requested by the commissioner of higher education. The estimated income line item in subdivision 1 of section 1 includes $1,500,000 for the North Dakota university system office for dual-credit tuition scholarships.

SECTION 11. TRANSFER - BANK OF NORTH DAKOTA PROFITS - SKILLED WORKFORCE STUDENT LOAN REPAYMENT PROGRAM FUND. The industrial commission shall transfer the sum of $7,500,000 from the current earnings and accumulated undivided profits of the Bank of North Dakota to the skilled workforce student loan repayment program fund during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 12. TRANSFER - BANK OF NORTH DAKOTA PROFITS - SKILLED WORKFORCE SCHOLARSHIP FUND. The industrial commission shall transfer the sum of $7,500,000 from the current earnings and accumulated undivided profits of the Bank of North Dakota to the skilled workforce scholarship fund during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 13. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - UNIVERSITY SYSTEM CAPITAL BUILDING FUND. The office of management and budget shall transfer $29,000,000 from the strategic investment and improvements fund to the university system capital building fund during the biennium beginning July 1, 2023, and ending June 30, 2025, as requested by the commissioner of higher education. Funding transferred pursuant to this section is to be allocated to each institution as follows:

	Tier II	Tier III	Total
Bismarck state college	$851,386	$500,000	$1,351,386
Lake Region state college	354,750	500,000	854,750
Williston state college	275,894	500,000	775,894
University of North Dakota	8,723,602	2,250,000	10,973,602
North Dakota state university	5,799,192	2,250,000	8,049,192
North Dakota state college of science	1,001,390	500,000	1,501,390
Dickinson state university	537,724	500,000	1,037,724
Mayville state university	480,058	500,000	980,058
Minot state university	1,145,602	500,000	1,645,602
Valley City state university	618,274	500,000	1,118,274
Dakota college at Bottineau	212,128	500,000	712,128
Total	$20,000,000	$9,000,000	$29,000,000

SECTION 14. CAPITAL BUILDING FUNDS - USES. The institutions listed may use funding from the respective institution's university system capital building fund allocation for the following projects authorized by the sixty-eighth legislative assembly:

Bismarck state college multipurpose academic and athletic center	$31,500,000
Lake region state college wind turbine gearbox replacement	600,000
Williston state college medical healthcare building	36,600,000
University of North Dakota science, engineering, and national security corridor	82,000,000
University of North Dakota science, technology, engineering, and math building	75,000,000
North Dakota state university center for engineering and computational sciences	84,000,000
North Dakota state college of science agriculture, automation, and autonomous systems	19,975,000
Dickinson state university agriculture and technical education building	18,000,000
Minot state university academic building	8,000,000
Valley City state university McCarthy hall renovation	13,500,000
Dakota college at Bottineau old main renovation	5,300,000
Total	$374,475,000

SECTION 15. CAMPUS CAPITAL PROJECTS - PROJECT REQUESTS - LEGISLATIVE INTENT.

1. The state board of higher education may not include requests for any state funds for capital projects in its budget request submitted to the sixty-ninth legislative assembly. The state board of higher education may request other funds appropriation authority from the sixty-ninth legislative assembly for projects funded from local funds, gifts, grants, donations, the institution's allocation in the university system capital building fund, or revenue bonds.

2. It is the intent of the sixty-eighth legislative assembly that this Act includes all capital projects to be appropriated funding from the state, excluding projects that receive funding solely from local funds, gifts, grants, donations, the institution's allocation in the university system capital building fund, or revenue bonds, during the period beginning July 1, 2023, and ending June 30, 2027.

3. An institution must have possession of local matching funds allocated to a project prior to expending any funding from the strategic investment and improvements fund for the project.

4. If an institution is unable to provide the appropriated amount of matching funds for a capital project provided for in this Act, the institution may only spend a proportional amount of funding from the strategic investment and improvements fund for the project. If an institution is unable to provide necessary matching funds by June 30, 2027, to complete the project in whole or in part, the appropriation from the strategic investment and improvements fund must be canceled.

5. Any inflationary or other costs associated with previously approved projects must be paid from the institution's local funds or the institution's allocation in the university system capital building fund.

SECTION 16. CAMPUS CAPITAL PROJECTS - PROJECT MANAGEMENT. During the biennium beginning July 1, 2023, and ending June 30, 2025, each capital project authorized by the state board of higher education must have adequate project management oversight by either an institution official or a representative of an external entity. An institution may seek assistance from the university system office for project management oversight of a capital project.

SECTION 17. UNIVERSITY OF NORTH DAKOTA - SCHOOL OF MEDICINE AND HEALTH SCIENCES - OPERATIONS. The operations line items in subdivision 5 and 13 of section 1 of this Act include a funding allocation from the higher education per student credit-hour funding formula attributable to inflation during the biennium beginning July 1, 2023, and ending June 30, 2025. Based on the recommendation of the commissioner of higher education a portion of the allocation may be transferred by the state board of higher education between the university of North Dakota school of medicine and health sciences and the university of North Dakota.

SECTION 18. A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

State commissioner of higher education - Higher education trends - Report to budget section.

The state commissioner of higher education shall provide an annual report to the budget section regarding trends in higher education, including state and regional student enrollment, North Dakota university system institution reserves, state and regional tuition rates, state and regional student financial assistance, and the North Dakota university system's response to the trends and changes, including new or expanded educational programs, closed programs, and future budget requests.

SECTION 19. A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

Severance agreements - Funding - Emergency commission and budget section approval.

The cost of any severance agreement approved by the state board of higher education must be paid from the North Dakota university system office budget. The North Dakota university system office may not assess institutions under the control of the state board of higher education to recover the cost of any severance agreement. Emergency commission and budget section approval is required before the board may expend any funds pursuant to this section. When considering the request, the budget section shall consider the amount obligated to the individual named in the severance agreement pursuant to the individual's employment contract with the board or institution under the control of the board, the cost of the severance agreement, and the justification for the severance agreement provided by the board.

SECTION 20. A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

Academic program approval.

The state board of higher education shall approve or deny a request from an institution under its control for a new or expanded academic program within thirty days of the institution submitting its request for the program to the commissioner of higher education.

SECTION 21. A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

Disclosure of financial condition.

The state board of higher education shall provide a disclosure of the financial condition of an institution to the qualified applicants designated as finalists pursuant to section 44-04-18.27 for the position of president of an institution. The disclosure of financial condition must identify the institution's reserves, recent audit findings, anticipated future funding changes pursuant to chapter 15-18.2, and the institution's composite financial index ratio. The state board of higher education may require the qualified applicants to sign a nondisclosure agreement prior to receiving the disclosure of financial condition.

SECTION 22. A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

Campus policies and procedures.

The president of an institution under the control of the state board of higher education may adopt policies, procedures, and directives for the institution, with input but no authoritative control from faculty and others through shared governance. The commissioner of higher education and the state board of higher education may overturn or amend the president's policies, procedures, and directives.

SECTION 23. AMENDMENT. Section 15-10-38.1 of the North Dakota Century Code is amended and reenacted as follows:

15-10-38.1. Skilled workforce student loan repayment program - Skilled workforce student loan repayment program fund - Continuing appropriation - Report. ~~(Repealed effective July 1, 2023)~~

1. There is created in the state treasury the skilled workforce student loan repayment program fund. The fund consists of moneys transferred into the fund by the legislative assembly, matching funds received, and loan repayments. Moneys in the fund are appropriated to the state board of higher education on a continuing basis for the purpose of distributing student loan repayment grants directly to the Bank of North Dakota or other participating lender to repay outstanding student loan principal balances for eligible applicants. The state board of higher education may transfer money between this fund and the skilled workforce scholarship fund established in section 15-10-38.2.

2. The state board of higher education shall adopt policies and procedures to develop, implement, promote, and administer a skilled workforce student loan repayment program in cooperation with the Bank of North Dakota and the North Dakota workforce development council with the intent of attracting and retaining individuals for professional or technical skills in high demand in this state.

3. The North Dakota workforce development council in cooperation with job service North Dakota shall use available labor market information to determine annually the eligible high-demand professional and technical skills and emerging occupations in this state.

4. Graduates of degree or certificate programs from institutions or entities in any state may apply for the skilled workforce student loan repayment

program. To be eligible to receive student loan repayment grants under the program, the applicant:

a. Must have successfully completed an educational program from an institution of higher education;

b. Must have a student loan with the Bank of North Dakota or other participating lender;

c. Following completion of an educational program, must reside and work in this state in an eligible high-demand or emerging occupation; and

d. Must have met and shall continue to meet any requirements established in applicable state board of higher education procedures.

5. The state board of higher education shall adopt procedures to ensure compliance with residency and occupation requirements after completion of the educational program.

6. The state board of higher education shall distribute student loan repayment grants from the skilled workforce student loan repayment program fund directly to the Bank of North Dakota or other participating lender to repay outstanding student loan principal balances for eligible applicants. The maximum annual student loan repayment grant amount for which an applicant may qualify is five thousand six hundred sixty-seven dollars, or one-third of the applicant's outstanding student loan principal balance upon initial application for the program, whichever is less. The maximum total student loan repayment grant amount for which any applicant may qualify is seventeen thousand dollars.

7. If an individual is receiving loan forgiveness under any other state program, the individual may not receive a student loan repayment grant under this section during the same application year. ~~An individual who received a skilled workforce scholarship under section 15-10-38.2 is not eligible for loan forgiveness under this section.~~

8. An individual may receive a combined total of no more than seventeen thousand dollars under this section and the skilled workforce scholarship program under section 15-10-38.2.

9. ~~The skilled workforce student loan repayment program must be a joint public and private effort.~~ The state board of higher education shall provide one dollar of funding for each one dollar of ~~funding~~funds raised from the private sector or other public sources. Any matching funds received must be deposited in the skilled workforce student loan repayment program fund.

10. The state board of higher education shall provide a biennial program report to the legislative management by September first of each even-numbered year. The report must include information regarding:

a. The eligible high-demand professional and technical skills and emerging occupations;

b. The number of applicants, eligible applicants, and applicants receiving awards;

c. The amount of ~~private funding~~matching funds raised; and

d. The average and total amounts awarded under the program.

SECTION 24. AMENDMENT. Section 15-10-38.2 of the North Dakota Century Code is amended and reenacted as follows:

15-10-38.2. Skilled workforce scholarship program - Skilled workforce scholarship fund - Continuing appropriation - Report. ~~(Repealed effective July 1, 2023)~~

1. There is created in the state treasury the skilled workforce scholarship fund. The fund consists of moneys transferred into the fund by the legislative assembly, matching funds received, and scholarship repayments. Moneys in the fund are appropriated to the state board of higher education on a continuing basis for the purpose of providing grants to institutions of higher education related to skilled workforce scholarships. Institutions of higher education include institutions under the control of the state board of higher education, North Dakota nonpublic accredited institutions of higher education, tribally controlled community colleges, state-approved educator training programs, and North Dakota institutions approved to operate by the North Dakota board of career and technical education. The state board of higher education may transfer money between this fund and the skilled workforce student loan repayment program fund established in section 15-10-38.1.

2. The state board of higher education shall adopt policies and procedures to develop, implement, promote, and administer a skilled workforce scholarship program in cooperation with the Bank of North Dakota and the North Dakota workforce development council with the intent of attracting and retaining individuals for professional or technical skills in high demand in this state.

3. The North Dakota workforce development council in cooperation with job service North Dakota shall use available labor market information to determine annually the eligible high-demand professional and technical skills and emerging occupations in this state.

4. The state board of higher education and the workforce development council shall compile a list of qualifying educational programs annually. A qualifying educational program is a program resulting in attainment of an associate's degree or lower credential ~~upon successful completion or a~~ program that may be completed within four semesters ~~or,~~ six quarters, or the final two years of a baccalaureate program. A qualifying educational program also must pertain to the professional and technical skills and emerging occupations in high demand in this state, as determined under subsection 3. Qualifying educational programs may include degree or certificate programs.

5. Individuals enrolled in a qualifying educational program in this state may apply for a scholarship under this section. Scholarships are limited to the amount charged each quarter, semester, or term by the educational institution for the tuition, fees, books, and supplies required for the qualifying educational program. The scholarships are intended to supplement any other scholarship or financial aid grant received by a student to assist the student with the costs of the qualifying educational program. An individual may not receive a combined total exceeding seventeen thousand dollars under this section and the skilled workforce loan repayment program under section 15-10-38.1.

6. To be eligible for a scholarship ~~and~~ payment under this section, a student must be enrolled full time in an eligible program and have at least a 2.5 cumulative grade point average, based on a 4.0 grading system, or maintain academic progress in the program according to program requirements. A student may not receive scholarships under this section for more than the equivalent of four semesters of full-time enrollment or six quarters of full-time enrollment.

7. Upon completion of a qualifying educational program, a student who received a scholarship under this section must reside and work in this state in an eligible high-demand or emerging occupation for a minimum of three years.

8. An individual shall repay the scholarship pursuant to the terms in the individual's scholarship award agreement if the individual fails to maintain either a 2.5 cumulative grade point average or academic progress according to program requirements while enrolled, withdraws voluntarily or involuntarily before the completion of the program for which a scholarship has been received, or fails to reside and work in this state in an eligible high-demand or emerging occupation for at least three years following degree or certificate completion.

9. The state board of higher education, in conjunction with the Bank of North Dakota, may allow an individual who received payment under this section to delay or cancel repayment under this section due to financial difficulty, military service, death, or total disability.

10. Each quarter, semester, or term, the state board of higher education shall distribute grants to institutions of higher education to provide the amounts necessary for the scholarships awarded to the students enrolled in each institution.

11. ~~The skilled workforce scholarship program must be a joint public and private effort. The state board of higher education may distribute grants only to the extent that the private sector has provided one dollar of matching funds for each dollar of funding provided by the state.~~The state board of higher education shall provide one dollar of funding for each one dollar raised from the private sector or other public sources. Any matching funds received must be deposited in the skilled workforce scholarship fund.

12. The state board of higher education shall provide a biennial program report to the legislative management by September first of each even-numbered year. The report must include information regarding:

    a. The eligible high-demand professional and technical skills and emerging occupations;

    b. The qualifying educational programs;

    c. The number of applicants, eligible applicants, and applicants receiving awards;

    d. The amount of ~~private funding~~matching funds raised; and

    e. The average and total amounts awarded under the program.

SECTION 25. AMENDMENT. Section 15-10-38.3 of the North Dakota Century Code is amended and reenacted as follows:

15-10-38.3. Scholarship and loan forgiveness administrative costs - ~~Continuing appropriation~~. ~~(Effective through July 31, 2023)~~

The state board of higher education shall retain up to one and one-half percent of any funds appropriated to the board under subsection 1 of section 15-10-38.1 and subsection 1 of section 15-10-38.2. The retained funds must be used for promotion and administration of the programs under those sections.

~~**Scholarship and loan forgiveness administrative costs - Continuing appropriation. (Effective after July 31, 2023)** The state board of higher education shall retain up to one-half of one percent of any funds appropriated to the board under subsection 1 of section 15-10-38.1 and subsection 1 of section 15-10-38.2. The retained funds must be used for administration of the programs under those sections.~~

SECTION 26. AMENDMENT. Subdivision c of subsection 1 of section 15-10-48 of the North Dakota Century Code is amended and reenacted as follows:

c. The board may award up to ~~one million seven hundred thousand~~five million dollars in matching grants each to the university of North Dakota and North Dakota state university; and up to ~~one million five hundred thousand~~four million dollars in matching grants ~~for projects at~~each to the university of North Dakota school of medicine and health sciences and the North Dakota state university main research center. Of the amount available to the university of North Dakota, two hundred fifty thousand dollars must be awarded for projects dedicated to projects at the school of law.

SECTION 27. AMENDMENT. Subdivision c of subsection 1 of section 15-10-49 of the North Dakota Century Code is amended and reenacted as follows:

c. The board may award up to:

(1) ~~Nine hundred fifty thousand~~Three million dollars each to Bismarck state college, Minot state university, and the North Dakota state college of science;

(2) ~~Seven hundred thousand~~Two million dollars each to Dickinson state university, Mayville state university, and Valley City state university; and

(3) ~~Three hundred fifty thousand~~One million dollars each to Dakota college at Bottineau, Lake Region state college, and Williston state college.

SECTION 28. AMENDMENT. Subsection 2 of section 15-10-49 of the North Dakota Century Code is amended and reenacted as follows:

2. a. If any available dollars have not been awarded by the board before January first of each odd-numbered year, in accordance with subsection 1, any institution listed in subsection 1 may apply for an additional matching grant.

b. An application submitted under this subsection must meet the same criteria as an original application.

c. The board shall prioritize available dollars allocated in paragraph 1 of subdivision c of subsection 1 to applicants in paragraph 1 of subdivision c of subsection 1. The board shall prioritize available dollars allocated in paragraph 2 of subdivision c of subsection 1 to applicants in paragraph 2 of subdivision c of subsection 1. The board shall prioritize available dollars allocated in paragraph 3 of subdivision c of subsection 1 to applicants in paragraph 3 of subdivision c of subsection 1.

d. After considering applications pursuant to subdivision c, the board shall consider each application submitted under this subsection in chronological order.

~~d.~~e. If the remaining dollars are insufficient to provide a matching grant in the amount of one dollar for every two dollars raised by the institutional foundation, the board shall award a lesser amount.

SECTION 29. AMENDMENT. Section 15-10-57 of the North Dakota Century Code is amended and reenacted as follows:

15-10-57. Unified workforce, vocational, and technical education program system.

The state board of higher education shall establish and maintain a unified system to offer workforce training, vocational education, and technical education programs at institutions under its control. The board shall periodically review programs offered by institutions under its control and revise program offerings based

on the workforce needs of the state identified by the workforce ~~education advisory~~development council. The board shall develop administrative arrangements that make possible the efficient use of facilities and staff. The board shall limit administrative costs by eliminating duplicative administrative positions.

SECTION 30. AMENDMENT. Section 15-10-63 of the North Dakota Century Code is amended and reenacted as follows:

15-10-63. Capital projects.

1. The university of North Dakota and North Dakota state university shall identify other funds from gifts, grants, donations, the university system capital building fund, or other local funds for at least thirty percent of the total estimated cost of a capital project request submitted to the legislative assembly.

2. Bismarck state college, lake region state college, Williston state college, the North Dakota state college of science, Dickinson state university, Mayville state university, Minot state university, Valley City state university, and Dakota college at Bottineau shall identify other funds from gifts, grants, donations, the university system capital building fund, or other local funds for at least five percent of the total estimated cost of a capital project request submitted to the legislative assembly.

3. An institution under the control of the state board of higher education may undertake a facility renovation project only if the project will reduce the deferred maintenance amount of the facility by no less than seventy five percent of the total cost of the renovation. The institution shall maintain documentation that demonstrates the cost and scope of the deferred maintenance reduction that results directly from the renovation. This subsection does not apply to projects undertaken solely to correct building code deficiencies or to installations of infrastructure determined by the board to be essential to the mission of the institution.

~~2.~~4. Facility construction and renovation projects undertaken by an institution under the control of the state board of higher education must conform to campus master plan and space utilization requirements approved by the state board of higher education.

SECTION 31. AMENDMENT. Subdivision k of subsection 1 of section 15-18.2-02 of the North Dakota Century Code is amended and reenacted as follows:

k. The ~~factors~~factor for credits completed in career and technical education ~~are:~~

~~(1) 3.0 for lower division credits; and~~

~~(2) 5.0 for upper division credits~~is 5.0.

SECTION 32. AMENDMENT. Subsection 1 of section 15-18.2-05 of the North Dakota Century Code is amended and reenacted as follows:

1. Except as provided under subsections 2 and 3, to determine the state aid payment to which each institution under its control is entitled, the state board of higher education shall multiply the product determined under section 15-18.2-03 by a base amount of:

a. ~~$61.81~~$72.39 in the case of North Dakota state university and the university of North Dakota;

b. ~~$92.60~~$102.78 in the case of Dickinson state university, Mayville state university, Minot state university, and Valley City state university; and

c. ~~$98.84~~$109.30 in the case of Bismarck state college, Dakota college at Bottineau, Lake Region state college, North Dakota state college of science, and Williston state college.

SECTION 33. Section 15-18.2-06.1 of the North Dakota Century Code is created and enacted as follows:

Base funding - Minimum amount payable.

Notwithstanding any calculations required by this chapter, during each biennium an institution may not receive less than ninety-six percent of the state aid to which the institution was entitled under this chapter during the previous biennium.

SECTION 34. AMENDMENT. Section 15-54.1-02 of the North Dakota Century Code is amended and reenacted as follows:

15-54.1-02. Capital building funds - Uses - Reports.

Subject to tier II and tier III capital building fund matching requirements under this chapter, each institution may use its allocation of funds from the university system capital building fund for projects specifically authorized by the legislative assembly to use university system capital building fund moneys. In addition, after an institution has matched and committed seventy-five percent of the funding appropriated for the institution's tier I extraordinary repairs and subject to state board of higher education approval and matching requirements under this chapter, each institution may use its allocation of funds from the university system capital building fund for extraordinary repairs and deferred maintenance projects for academic and student housing facilities that do not increase the overall square footage of a building. The state board of higher education shall report biennially to the legislative management and to the appropriations committees of the legislative assembly on the use of funding in the university system capital building fund, the source of matching funds, and each institution's five-year plan for capital construction spending.

SECTION 35. AMENDMENT. Subsection 1 of section 15-62.4-03 of the North Dakota Century Code is amended and reenacted as follows:

1. The state board of higher education shall provide to each eligible student a financial assistance grant in an amount not exceeding:

   a. One thousand ~~one hundred~~six hundred fifty dollars per semester; or

   b. ~~Seven hundred thirty-three~~One thousand one hundred dollars per quarter.

SECTION 36. AMENDMENT. Subdivision c of subsection 2 of section 54-07-12 of the North Dakota Century Code is amended and reenacted as follows:

c. The private entity agrees to donate ten million dollars from the one hundred million dollars identified in subsection 1 to a higher education institution foundation in North Dakota, of which two million dollars is for the purpose of ~~creating an endowment to digitize~~digitizing documents relating to Theodore Roosevelt and eight million dollars is for the purpose of creating an endowment for the creation of a Theodore Roosevelt conservation scholars program and related academic mission at a North Dakota higher education institution in collaboration with the private entity; and

SECTION 37. AMENDMENT. Section 54-44.1-11 of the North Dakota Century Code is amended and reenacted as follows:

54-44.1-11. Office of management and budget to cancel unexpended appropriations - When they may continue. (Effective through July 31, ~~2023~~2025)

Except as otherwise provided by law, the office of management and budget, thirty days after the close of each biennial period, shall cancel all unexpended

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

1. New construction projects.

2. Major repair or improvement projects.

3. Purchases of new equipment costing more than ten thousand dollars per unit if it was ordered during the first twelve months of the biennium in which the funds were appropriated.

4. The purchase of land by the state on a "contract for deed" purchase if the total purchase price is within the authorized appropriation.

5. Purchases by the department of transportation of roadway maintenance equipment costing more than ten thousand dollars per unit if the equipment was ordered during the first twenty-one months of the biennium in which the funds were appropriated.

6. Authorized ongoing information technology projects.

Office of management and budget to cancel unexpended appropriations - When they may continue. (Effective after July 31, ~~2023~~2025)
The office of management and budget, thirty days after the close of each biennial period, shall cancel all unexpended appropriations or balances of appropriations after the expiration of the biennial period during which they became available under the law. Unexpended appropriations for the state historical society are not subject to this section and the state historical society shall report on the amounts and uses of funds carried over from one biennium to the appropriations committees of the next subsequent legislative assembly. The chairmen of the appropriations committees of the senate and house of representatives of the legislative assembly with the office of the budget may continue appropriations or balances in force for not more than two years after the expiration of the biennial period during which they became available upon recommendation of the director of the budget for:

1. New construction projects.

2. Major repair or improvement projects.

3. Purchases of new equipment costing more than ten thousand dollars per unit if it was ordered during the first twelve months of the biennium in which the funds were appropriated.

4. The purchase of land by the state on a "contract for deed" purchase if the total purchase price is within the authorized appropriation.

5. Purchases by the department of transportation of roadway maintenance equipment costing more than ten thousand dollars per unit if the equipment was ordered during the first twenty-one months of the biennium in which the funds were appropriated.

6. Authorized ongoing information technology projects.

SECTION 38. REPEAL. Sections 15-10-48.1, 15-10-53, and 15-10-58 of the North Dakota Century Code are repealed."

Page 8, after line 22, insert:

"**SECTION 41. EXEMPTION - CAPITAL BUILDING FUND - LAKE REGION STATE COLLEGE - ESTIMATED INCOME.** The estimated income line item in subdivision 3 of section 1 of this Act includes $600,000 from the Lake Region state college allocation in the university system capital building fund. This amount is for the replacement of the wind turbine gear box and is not subject to matching requirements under chapter 15-54.1.

SECTION 42. EXEMPTION - PROJECT AUTHORIZATIONS. Any unexpended amounts remaining from the $49,900,000 appropriated from the general fund for capital projects at institutions under the control of the state board of higher education in section 2 of chapter 53 of the 2019 Session Laws are not subject to section 54-44.1-11 and any unexpended funds from the appropriations are available to the respective institutions to complete the projects during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 43. EXEMPTION - FEDERAL STATE FISCAL RECOVERY FUND. The amounts appropriated from federal funds derived from the state fiscal recovery fund to the state board of higher education and institutions under the control of the state board of higher education in section 1 of chapter 548 and section 1 of chapter 550 of the 2021 Special Session Session Laws are not subject to section 54-44.1-11 and any unexpended funds from these projects and programs are available for the projects and programs during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 44. TUITION RATE INCREASE LIMITATIONS.

1. Except as provided in this section, notwithstanding any other provision of law, the state board of higher education may not increase tuition and fee rates for resident students attending institutions of higher education under its control during the 2023-24 academic year as compared to the tuition rate in effect during the 2023 spring semester.

2. Except as provided in this section, notwithstanding any other provision of law, the state board of higher education may not increase tuition and fee rates for resident students attending institutions of higher education under its control during the 2024-25 academic year as compared to the tuition rate in effect during the 2024 spring semester.

3. Tuition rates charged for high-cost undergraduate differentiated tuition programs and for graduate level programs, including programs offered through the university of North Dakota school of medicine and health sciences, the university of North Dakota school of law, or the North Dakota state university school of pharmacy, may be increased by up to one percent for the 2023-24 academic year as compared to the tuition rate in effect during the 2023 spring semester.

4. Tuition rates charged for high-cost undergraduate differentiated tuition programs and for graduate level programs, including programs offered through the university of North Dakota school of medicine and health sciences, the university of North Dakota school of law, or the North Dakota state university school of pharmacy, may be increased by up to one percent for the 2024-25 academic year as compared to the tuition rate in effect during the 2024 spring semester.

5. This section does not apply to tuition rates for nonresident students attending institutions of higher education under the control of the state board of higher education. For purposes of this section, the residency of students for tuition purposes must be determined under section 15-10-19.1.

6. This section does not apply to tuition rates determined under tuition reciprocity agreements entered into by the state board of higher education with other states or state education compacts.

7. For purposes of this section, an institution must calculate a resident tuition rate increase based on the tuition rate paid by an average full-time resident student.

SECTION 45. LEGISLATIVE INTENT - WEIGHTED CREDIT-HOURS - INSTRUCTIONAL PROGRAM CLASSIFICATION FACTORS. It is the intent of the sixty-eighth legislative assembly that dental hygienist courses be transferred to the career and technical education instructional program classification within the higher education funding formula.

SECTION 46. EMERGENCY. Section 35 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1003 - Summary of House Action

	Base Budget	House Changes	House Version
University System Office			
Total all funds	$142,655,511	$94,051,385	$236,706,896
Less estimated income	25,757,035	872,198	26,629,233
General fund	$116,898,476	$93,179,187	$210,077,663
FTE	158.83	4.00	162.83
Bismarck State College			
Total all funds	$102,493,948	$38,519,663	$141,013,611
Less estimated income	70,409,893	34,400,734	104,810,627
General fund	$32,084,055	$4,118,929	$36,202,984
FTE	332.90	2.43	335.33
Lake Region State College			
Total all funds	$39,513,580	$2,622,818	$42,136,398
Less estimated income	25,271,428	1,655,128	26,926,556
General fund	$14,242,152	$967,690	$15,209,842
FTE	115.76	4.83	120.59
Williston State College			
Total all funds	$35,306,272	$46,702,935	$82,009,207
Less estimated income	24,019,535	44,830,555	68,850,090
General fund	$11,286,737	$1,872,380	$13,159,117
FTE	101.29	1.54	102.83
University of North Dakota			
Total all funds	$906,584,896	$291,416,193	$1,198,001,089
Less estimated income	755,657,771	218,613,966	974,271,737
General fund	$150,927,125	$72,802,227	$223,729,352
FTE	2,059.98	0.58	2,060.56
UND Medical Center			
Total all funds	$228,929,208	$17,796,430	$246,725,638
Less estimated income	160,806,249	5,782,718	166,588,967
General fund	$68,122,959	$12,013,712	$80,136,671
FTE	492.67	(3.84)	488.83
North Dakota State University			
Total all funds	$763,848,425	$156,460,658	$920,309,083
Less estimated income	625,417,100	130,501,035	755,918,135
General fund	$138,431,325	$25,959,623	$164,390,948
FTE	1,829.43	38.07	1,867.50
State College of Science			
Total all funds	$96,559,844	$24,811,809	$121,371,653
Less estimated income	60,845,052	22,212,951	83,058,003
General fund	$35,714,792	$2,598,858	$38,313,650

FTE	311.61	2.34	313.95
Dickinson State University			
Total all funds	$51,235,138	$23,082,696	$74,317,834
Less estimated income	30,992,408	19,421,619	50,414,027
General fund	$20,242,730	$3,661,077	$23,903,807
FTE	175.50	2.50	178.00
Mayville State University			
Total all funds	$50,962,268	$54,855,978	$105,818,246
Less estimated income	32,282,440	51,733,204	84,015,644
General fund	$18,679,828	$3,122,774	$21,802,602
FTE	230.35	(3.43)	226.92
Minot State University			
Total all funds	$105,254,397	$21,694,724	$126,949,121
Less estimated income	64,047,767	15,504,561	79,552,328
General fund	$41,206,630	$6,190,163	$47,396,793
FTE	403.04	20.59	423.63
Valley City State University			
Total all funds	$50,539,223	$40,362,767	$90,901,990
Less estimated income	26,377,846	36,936,844	63,314,690
General fund	$24,161,377	$3,425,923	$27,587,300
FTE	202.77	9.17	211.94
Dakota College at Bottineau			
Total all funds	$23,754,062	$7,493,135	$31,247,197
Less estimated income	14,216,200	5,839,622	20,055,822
General fund	$9,537,862	$1,653,513	$11,191,375
FTE	91.86	(7.86)	84.00
Forest Service			
Total all funds	$15,461,793	$9,252,937	$24,714,730
Less estimated income	10,669,315	8,469,894	19,139,209
General fund	$4,792,478	$783,043	$5,575,521
FTE	28.00	1.00	29.00
Bill total			
Total all funds	$2,613,098,565	$829,124,128	$3,442,222,693
Less estimated income	1,926,770,039	596,775,029	2,523,545,068
General fund	$686,328,526	$232,349,099	$918,677,625
FTE	6,533.99	71.92	6,605.91

House Bill No. 1003 - North Dakota University System - General Fund Summary

	Base Budget	House Changes	House Version
University System Office	$116,898,476	$93,179,187	$210,077,663
Bismarck State College	32,084,055	4,118,929	36,202,984
Lake Region State College	14,242,152	967,690	15,209,842
Williston State College	11,286,737	1,872,380	13,159,117
University of North Dakota	150,927,125	72,802,227	223,729,352
UND Medical Center	68,122,959	12,013,712	80,136,671
North Dakota State University	138,431,325	25,959,623	164,390,948
State College of Science	35,714,792	2,598,858	38,313,650
Dickinson State University	20,242,730	3,661,077	23,903,807
Mayville State University	18,679,828	3,122,774	21,802,602
Minot State University	41,206,630	6,190,163	47,396,793
Valley City State University	24,161,377	3,425,923	27,587,300
Dakota College at Bottineau	9,537,862	1,653,513	11,191,375
Forest Service	4,792,478	783,043	5,575,521
Total general fund	$686,328,526	$232,349,099	$918,677,625

Detail of House Changes to the General Fund

	Adjusts Funding for University System Office[1]	Provides Funding Formula Adjustments[2]	Adjusts Special Funds and FTE Positions[3]	Adds Funding for Research Network	Adds Funding for Behavioral Health[4]	Adds Funding for Capital Projects[5]
University System Office	$93,179,187					
Bismarck State College		$3,914,929			$204,000	
Lake Region State College		858,690			109,000	
Williston State College		1,703,240			169,140	
University of North Dakota		23,941,127		$3,201,100	660,000	
UND Medical Center		12,013,712				
North Dakota State University		16,858,523		3,201,100	1,100,000	
State College of Science		2,412,108			186,750	
Dickinson State University		3,334,077			327,000	
Mayville State University		2,814,040			308,734	
Minot State University		6,020,163			170,000	
Valley City State University		3,189,923			236,000	
Dakota College at Bottineau		1,483,513			170,000	
Forest Service						
Total general fund	$93,179,187	$78,544,045	$0	$6,402,200	$3,640,624	$0

	Adds Other One-Time Funding[6]	Adjusts Forest Service Funding[7]	Total the General Fund Changes
University System Office			$93,179,187
Bismarck State College			4,118,929
Lake Region State College			967,690
Williston State College			1,872,380
University of North Dakota	$45,000,000		72,802,227
UND Medical Center			12,013,712
North Dakota State University	4,800,000		25,959,623
State College of Science			2,598,858
Dickinson State University			3,661,077
Mayville State University			3,122,774
Minot State University			6,190,163
Valley City State University			3,425,923
Dakota College at Bottineau			1,653,513
Forest Service		$783,043	783,043
Total general fund	$49,800,000	$783,043	$232,349,099

House Bill No. 1003 - North Dakota University System - Other Funds Summary

	Base Budget	House Changes	House Version
University System Office	$25,757,035	$872,198	$26,629,233
Bismarck State College	70,409,893	34,400,734	104,810,627
Lake Region State College	25,271,428	1,655,128	26,926,556
Williston State College	24,019,535	44,830,555	68,850,090
University of North Dakota	755,657,771	218,613,966	974,271,737
UND Medical Center	160,806,249	5,782,718	166,588,967
North Dakota State University	625,417,100	130,501,035	755,918,135
State College of Science	60,845,052	22,212,951	83,058,003
Dickinson State University	30,992,408	19,421,619	50,414,027
Mayville State University	32,282,440	51,733,204	84,015,644
Minot State University	64,047,767	15,504,561	79,552,328
Valley City State University	26,377,846	36,936,844	63,314,690
Dakota College at Bottineau	14,216,200	5,839,622	20,055,822
Forest Service	10,669,315	8,469,894	19,139,209
Total other funds	$1,926,770,039	$596,775,029	$2,523,545,068

Detail of House Changes to Other Funds

	Adjusts Funding for University System Office[1]	Provides Funding Formula Adjustments[2]	Adjusts Special Funds and FTE Positions[3]	Adds Funding for Research Network	Adds Funding for Behavioral Health[4]	Adds Funding for Capital Projects[5]
University System Office	$872,198					
Bismarck State College			$2,900,734			$31,500,000
Lake Region State College			1,055,128			600,000
Williston State College			916,616			43,913,939
University of North Dakota			28,613,966			190,000,000
UND Medical Center			5,782,718			
North Dakota State University			23,501,035			107,000,000
State College of Science			2,237,951			19,975,000
Dickinson State University			1,421,619			18,000,000
Mayville State University			1,763,104			49,970,100
Minot State University			3,639,561			11,865,000
Valley City State University			1,436,844			35,500,000
Dakota College at Bottineau			539,622			5,300,000
Forest Service						
Total other funds	$872,198	$0	$73,808,898	$0	$0	$513,624,039

	Adds Other One-Time Funding[6]	Adjusts Forest Service Funding[7]	Total Other Funds Changes
University System Office			$872,198
Bismarck State College			34,400,734
Lake Region State College			1,655,128
Williston State College			44,830,555
University of North Dakota			218,613,966
UND Medical Center			5,782,718
North Dakota State University			130,501,035
State College of Science			22,212,951
Dickinson State University			19,421,619
Mayville State University			51,733,204
Minot State University			15,504,561
Valley City State University			36,936,844
Dakota College at Bottineau			5,839,622
Forest Service		$8,469,894	8,469,894
Total other funds	$0	$8,469,894	$596,775,029

House Bill No. 1003 - North Dakota University System - All Funds Summary

	Base Budget	House Changes	House Version
University System Office	$142,655,511	$94,051,385	$236,706,896
Bismarck State College	102,493,948	38,519,663	141,013,611
Lake Region State College	39,513,580	2,622,818	42,136,398
Williston State College	35,306,272	46,702,935	82,009,207
University of North Dakota	906,584,896	291,416,193	1,198,001,089
UND Medical Center	228,929,208	17,796,430	246,725,638
North Dakota State University	763,848,425	156,460,658	920,309,083
State College of Science	96,559,844	24,811,809	121,371,653
Dickinson State University	51,235,138	23,082,696	74,317,834
Mayville State University	50,962,268	54,855,978	105,818,246
Minot State University	105,254,397	21,694,724	126,949,121
Valley City State University	50,539,223	40,362,767	90,901,990
Dakota College at Bottineau	23,754,062	7,493,135	31,247,197
Forest Service	15,461,793	9,252,937	24,714,730
Total all funds	$2,613,098,565	$829,124,128	$3,442,222,693
FTE	6,533.99	71.92	6,605.91

Detail of House Changes to All Funds

	Adjusts Funding for University System Office[1]	Provides Funding Formula Adjustments[2]	Adjusts Special Funds and FTE Positions[3]	Adds Funding for Research Network	Adds Funding for Behavioral Health[4]	Adds Funding for Capital Projects[5]
University System Office	$94,051,385					
Bismarck State College		$3,914,929	$2,900,734		$204,000	$31,500,000
Lake Region State College		858,690	1,055,128		109,000	600,000
Williston State College		1,703,240	916,616		169,140	43,913,939
University of North Dakota		23,941,127	28,613,966	$3,201,100	660,000	190,000,000
UND Medical Center		12,013,712	5,782,718			
North Dakota State University		16,858,523	23,501,035	3,201,100	1,100,000	107,000,000
State College of Science		2,412,108	2,237,951		186,750	19,975,000
Dickinson State University		3,334,077	1,421,619		327,000	18,000,000
Mayville State University		2,814,040	1,763,104		308,734	49,970,100
Minot State University		6,020,163	3,639,561		170,000	11,865,000
Valley City State University		3,189,923	1,436,844		236,000	35,500,000
Dakota College at Bottineau		1,483,513	539,622		170,000	5,300,000
Forest Service						
Total all funds	$94,051,385	$78,544,045	$73,808,898	$6,402,200	$3,640,624	$513,624,039
FTE	4.00	0.00	66.92	0.00	0.00	0.00

	Adds Other One-Time Funding[6]	Adjusts Forest Service Funding[7]	Total All Funds Changes
University System Office			$94,051,385
Bismarck State College			38,519,663
Lake Region State College			2,622,818
Williston State College			46,702,935
University of North Dakota	$45,000,000		291,416,193
UND Medical Center			17,796,430
North Dakota State University	4,800,000		156,460,658
State College of Science			24,811,809
Dickinson State University			23,082,696
Mayville State University			54,855,978
Minot State University			21,694,724
Valley City State University			40,362,767
Dakota College at Bottineau			7,493,135
Forest Service		$9,252,937	9,252,937
Total all funds	$49,800,000	$9,252,937	$829,124,128
FTE	0.00	1.00	71.92

[1] Funding for the University System office is adjusted as detailed in the schedules below.

The following schedule details funding adjustments for system governance:

System Governance

	FTE Positions	General Fund	Other Funds	Total Funds
Base payroll changes	4.00	$74,578		$74,578
Salary increase		398,183	$16,289	414,472
Health insurance increase		112,614	5,262	117,876
Financial aid staff		125,000		125,000
New financial aid system ongoing costs		273,180		273,180
New financial aid system one-time costs		1,554,354		1,554,354
Capitol space rent model		143,625		143,625
Total	4.00	$2,681,534	$21,551	$2,703,085

The following schedule details funding adjustments for Core Technology Services:

Core Technology Services

	General Fund	Other Funds	Total Funds
Base payroll changes	$137,190	$82,198	$219,388
Salary increase	1,041,551	525,737	1,567,288
Health insurance increase	395,293	242,712	638,005
Software and a security operations center	4,500,000		4,500,000
Replace funding from tuition for salaries and wages	939,310		939,310
Total	$7,013,344	$850,647	$7,863,991

The following schedule details funding for inflationary passthrough grants:

	General Fund
Fort Abraham Lincoln Foundation Heritage River Landing	$500,000
Bismarck State College polytechnic building	10,000,000
Minot children's science center	1,000,000
Dickinson State University projects and document digitization	3,600,000
North Dakota Gateway to Science	5,000,000
Total passthrough grants	$20,100,000

The following schedule details funding adjustments in other line items in the University System office budget:

	Base Level	General Fund Adjustment	House Version
Capital assets - Bond payments	$13,385,264	($2,187,368)	$11,197,896
Student financial assistance grants	23,917,306	12,000,000	35,917,306
Academic and CTE scholarships	16,216,749	1,000,000	17,216,749
Native American scholarship	555,323	444,677	1,000,000
Tribally controlled community college grants	1,000,000	1,000,000	2,000,000
Veterans' assistance grants	277,875	177,000	454,875
Challenge grants (one-time)	0	36,000,000	36,000,000
Dakota Digital Academy (one-time)	0	450,000	450,000
Workforce education innovation (one-time)	0	10,000,000	10,000,000
Single parent support (one-time)	0	4,500,000	4,500,000
Total	$55,352,517	$63,384,309	$118,736,826

[2] The following adjustments are made to institution general fund appropriations through the higher education funding formula:

	Credit-Hour Completion Adjustment	Formula Adjustment	Hold Harmless	Cost to Continue	Salary Increase	Health Insurance Increase	Total Increase
Bismarck State College	($843,194)	$1,306,862		$156,583	$2,043,190	$1,251,488	$3,914,929
Dakota College at Bottineau	428,768			49,819	696,639	308,287	1,483,513
Lake Region State College	(1,157,713)	412,756	$175,271	65,404	894,717	468,255	858,690
State College of Science	(4,001,780)	2,765,148		156,925	2,367,340	1,124,475	2,412,108
Williston State College	137,487	322,613		57,105	866,939	319,096	1,703,240
Dickinson State University	998,877			98,272	1,450,501	786,427	3,334,077
Mayville State University	685,147			89,590	1,365,632	673,671	2,814,040
Minot State University	1,342,514			196,850	2,944,280	1,536,519	6,020,163
Valley City State University	480,872			114,005	1,635,744	959,302	3,189,923
North Dakota State University	(7,591,732)		2,054,479	696,301	14,538,568	7,160,907	16,858,523
University of North Dakota	(1,616,355)			720,276	18,985,262	5,851,944	23,941,127
UND School of Medicine	1,861,864			389,953	8,400,006	1,361,889	12,013,712
Total	($9,275,245)	$4,807,379	$2,229,750	$2,791,083	$56,188,818	$21,802,260	$78,544,045

Funding is added from the general fund for the 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from $1,429 to $1,648 per month. In addition, approximately $44.7 million from the general fund to pay the tuition portion of a 6 percent and 4 percent salary increase and the tuition portion of the health insurance increase is included in the salary increase and health insurance increase columns.

[3] The following adjustments are made to institution other funds appropriations and FTE positions:

FTE Position Adjustments

	FTE Positions	Salary Increase	Health Insurance Increase	Other Adjustments	Total
Bismarck State College	2.43	$1,636,581	$974,448	$289,705	$2,900,734
Dakota College at Bottineau	(7.86)	296,773	199,582	43,267	539,622
Lake Region State College	4.83	618,726	336,358	100,044	1,055,128
State College of Science	2.34	1,250,439	800,793	186,719	2,237,951
Williston State College	1.54	556,396	278,619	81,601	916,616
Dickinson State University	2.50	816,325	484,388	120,906	1,421,619
Mayville State University	(3.43)	907,083	730,912	125,109	1,763,104
Minot State University	20.59	2,113,443	1,193,878	332,240	3,639,561
Valley City State University	9.17	777,588	539,086	120,170	1,436,844
North Dakota State University	38.07	13,934,225	7,487,950	2,078,860	23,501,035
University of North Dakota	0.58	17,040,090	8,846,162	2,727,714	28,613,966
UND School of Medicine	(3.84)	3,786,917	1,405,057	590,744	5,782,718
Total	66.92	$43,734,586	$23,277,233	$6,797,079	$73,808,898

[4] One-time funding of $3,640,624 is added for the behavioral health initiative.

[5] One-time funding is added for the following capital building projects:

	Strategic Investment and Improvements Fund	Other Funds	Total Funds
BSC multipurpose academic and athletic center	$29,900,000	$1,600,000	$31,500,000
LRSC wind turbine gearbox		600,000	600,000
WSC medical healthcare building	34,750,000	1,850,000	36,600,000
WSC turf project		7,313,939	7,313,939
UND EERC facility		33,000,000	33,000,000
UND science, engineering, and national security corridor	57,400,000	24,600,000	82,000,000
UND science, technology, engineering, and math building	52,000,000	23,000,000	75,000,000
NDSU music building		20,000,000	20,000,000
NDSU Sudro Hall expansion		3,000,000	3,000,000
NDSU center for engineering and computational sciences	59,000,000	25,000,000	84,000,000
NDSCS agriculture, automation, and autonomous systems building	18,975,000	1,000,000	19,975,000
DSU agriculture and technical education building	17,100,000	900,000	18,000,000
MaSU Old Main renovation	49,970,100		49,970,100
MiSU Dakota Hall demolition	765,000		765,000
MiSU academic building	7,600,000	400,000	8,000,000
MiSU student center renovation		3,100,000	3,100,000
VCSU Osmon Fieldhouse addition		20,000,000	20,000,000
VCSU Student Center renovation		2,000,000	2,000,000
VCSU McCarthy Hall	11,500,000	2,000,000	13,500,000
DCB Old Main renovation	4,300,000	1,000,000	5,300,000
Total capital projects	$343,260,100	$170,363,939	$513,624,039

[6] One-time funding of $49.8 million from the general fund is added for the UND national security initiative ($45 million) and NDSU workforce education ($4.8 million).

[7] The following funding adjustments are made for the Forest Service:

Forest Service

	FTE Positions	General Fund	Other Funds	Total Funds
Base payroll changes		$30,847		$30,847
Salary increase of 4 percent per year		233,644	$6,491	240,135
Health insurance increase to $1,648 per month		131,552	5,262	136,814
Towner state nursery			200,000	200,000
Cooperative fire protection initiative	1.00	187,000		187,000
Forest recreation enhancements		200,000		200,000
Grant funding to enhance services			8,258,141	8,258,141
Total	1.00	$783,043	$8,469,894	$9,252,937

House Bill No. 1003 - Other Changes - House Action

This amendment also adds sections to:

- Identify $293,290,000 for various institution capital projects is from SIIF;
- Identify $4.8 million from the general fund appropriated to NDSU is for creating or expanding programs and enrollment initiatives to address workforce needs;
- Identify $4.5 million from the general fund appropriated to the University System office is for support for single mothers;
- Provide for a transfer of $367,000 from University System office carryover to NDSU operations for the costs of a severance package;
- Provide future severance agreements be paid from the University System office budget;
- Provide for $1.5 million from Bank of North Dakota profits for the dual-credit tuition scholarship program;
- Continue and expand the career builders program and to provide $15 million from Bank of North Dakota profits for the program;
- Continue the capital building fund program and to provide $29 million from SIIF for the program;
- Restrict the State Board of Higher Education from requesting funding for capital projects from the 69th Legislative Assembly;
- Provide for an annual report to the Budget Section on higher education trends;
- Require the approval of requests for new academic programs within 30 days;
- Require the State Board of Higher Education to provide a disclosure of financial condition to final applicants for the position of president;
- Continue the challenge grant program and to provide $36 million from the general fund for the program;

- Replace the Workforce Education Advisory Council with the Workforce Development Council;
- Require institutions to identify local matching funds for capital project requests;
- Amend the higher education funding formula, including to increase funding for career and technical education credits and to restore the minimum amount payable;
- Increase the maximum award under the student financial assistance grant program;
- Allow Dickinson State University to use funds donated for the digitization of documents relating to Theodore Roosevelt without establishing an endowment;
- Allow the University System to continue unexpended appropriations into the 2023-25 biennium;
- Allow Lake Region State College to use funds from the University System capital building fund to replace a wind turbine gearbox without providing matching funds;
- Allow institutions to continue appropriation authority for various capital projects into the 2023-25 biennium; and
- Limit tuition increases.

REPORT OF STANDING COMMITTEE

HB 1015: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1015 was placed on the Sixth order on the calendar.

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

Page 1, replace lines 10 through 17 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Adult services	$258,140,591	$217,522,126	$475,662,717
Youth services	24,584,845	2,998,878	27,583,723
Total all funds	$282,725,436	$220,521,004	$503,246,440
Less estimated income	64,865,627	153,138,764	218,004,391
Total general fund	$217,859,809	$67,382,240	$285,242,049
Full-time equivalent positions	907.79	24.00	931.79"

Page 1, line 18, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-NINTH LEGISLATIVE ASSEMBLY**"

Page 1, line 19, after "biennium" insert "and the 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 7 with:

"Equipment	$191,000	$1,720,800
Kitchen equipment	115,000	0
Roughrider industries equipment	1,281,988	2,019,000
Roughrider industries storage warehouse	500,000	0
Federal payroll expenses	7,000,000	0
Radios	2,057,384	0
County jail stipends	4,800,000	0
Free through recovery program	2,995,200	0
Heart River correctional center facility	0	161,200,000
Inflationary costs	0	3,478,998
Transitional facility contract inflation	0	2,759,222
Dakota women's correctional and rehabilitation center contract	0	2,450,000
Dickinson adult detention center contract	0	1,003,434
Staff and resident development and training	0	100,000
Offender management system review	0	757,000
New cameras	0	275,000

Maintenance and extraordinary repairs	0	4,000,000
DOCSTARS maintenance	0	307,000
James River correctional center maintenance shop	0	1,550,000
Information technology needs	0	2,000,000
Roughrider industries supplies	0	4,083,681
Roughrider industries information technology costs	0	642,080
Total all funds	$18,940,572	$188,346,215
Less estimated income	18,634,572	171,876,761
Total general fund	$306,000	$16,469,454

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 2, after line 15, insert:

"**SECTION 4. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line item in section 1 of this Act includes $165,057,000 from the strategic investment and improvements fund, including $161,200,000 for a new Heart River correctional center facility, $1,550,000 for a new James River correctional center maintenance shop, and $2,307,000 for information technology needs.

SECTION 5. HEART RIVER CORRECTIONAL CENTER FACILITY - STEERING COMMITTEE. The department of corrections and rehabilitation shall establish a Heart River correctional center facility steering committee to oversee the design and construction of the new Heart River correctional center facility for the biennium beginning July 1, 2023, and ending June 30, 2025. The committee must include one member of the senate appointed by the senate majority leader, one member of the house appointed by the house majority leader, and one member of the minority party from either the senate or the house appointed by the minority leaders of the senate and the house.

SECTION 6. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM. The amount of $8,000,000 from the general fund appropriated for the community behavioral health program in section 1 of chapter 43 of the 2021 Session Laws is not subject to section 54-44.1-11, and any unexpended funds from this appropriation may be used for the community behavioral health program during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 7. EXEMPTION - DEFERRED MAINTENANCE AND EXTRAORDINARY REPAIRS. The amount of $6,000,000 from the general fund appropriated to the department of corrections and rehabilitation in section 1 of chapter 15 of the 2019 Session Laws and continued in section 9 of chapter 43 of the 2021 Session Laws is not subject to section 54-44.1-11, and any unexpended funds from this appropriation may be used for deferred maintenance, capital planning, and extraordinary repairs projects by the department of corrections and rehabilitation during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 8. EXEMPTION - FEDERAL STATE FISCAL RECOVERY FUND. Section 54-44.1-11 does not apply to the appropriation authority transferred from the office of management and budget to the department of corrections and rehabilitation from the amounts appropriated from federal funds derived from the state fiscal recovery fund in subsection 10 of section 1 of chapter 550 of the 2021 Special Session Session Laws, and any unexpended funds from this transferred appropriation authority may be used for the purpose of deferred maintenance and extraordinary repairs projects during the biennium beginning July 1, 2023, and ending June 30, 2025."

SECTION 9. EMERGENCY. Funding of $161,200,000 from the strategic investment and improvements fund appropriated in section 1 for the Heart River correctional facility project and sections 4 and 5 of this Act are declared to be an emergency measure.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehab. - House Action

	Base Budget	House Changes	House Version
Adult services	$258,140,591	$217,522,126	$475,662,717
Youth services	24,584,845	2,998,878	27,583,723
Total all funds	$282,725,436	$220,521,004	$503,246,440
Less estimated income	64,865,627	153,138,764	218,004,391
General fund	$217,859,809	$67,382,240	$285,242,049
FTE	907.79	24.00	931.79

Department 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Adjusts FTE Positions[3]	Adjusts Funding for Salaries and Wages[4]	Adjusts Operating Funding[5]	Adds One-Time Funding for a New Female Facility[6]
Adult services	$2,997,147	$10,897,416	$3,797,323	$223,430	$11,661,835	$161,200,000
Youth services	329,500	1,284,550	10,872	45,652	927,064	
Total all funds	$3,326,647	$12,181,966	$3,808,195	$269,082	$12,588,899	$161,200,000
Less estimated income	49,473	654,422	0	(18,371,718)	(1,070,174)	161,200,000
General fund	$3,277,174	$11,527,544	$3,808,195	$18,640,800	$13,659,073	$0
FTE	0.00	0.00	24.00	0.00	0.00	0.00

	Adds Other One-Time Funding[7]	Total House Changes
Adult services	$26,744,975	$217,522,126
Youth services	401,240	2,998,878
Total all funds	$27,146,215	$220,521,004
Less estimated income	10,676,761	153,138,764
General fund	$16,469,454	$67,382,240
FTE	0.00	24.00

[1] Funding is adjusted for base payroll changes, including the cost to continue 2021-23 biennium salary increases.

[2] The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from $1,429 to $1,648 per month:

	General Fund	Other Funds	Total
Salary increase	$7,495,942	$393,933	$7,889,875
Health insurance increase	4,031,602	260,489	4,292,091
Total	$11,527,544	$654,422	$12,181,966

[3] The following FTE positions and related funding are added or removed:

	FTE Positions	General Fund
Converts temporary positions to FTE	5.00	$80,687
Parole and probation	6.00	802,757
Pretrial services	4.00	493,397
Inmate case managers	8.00	1,031,032
Heart River Correctional Center residential treatment	2.00	529,624
Heart River Correctional Center behavioral health	1.00	170,698
IT unification	(2.00)	700,000
Total	24.00	$3,808,195

[4] Funding for salaries and wages is adjusted as follows:

	General Fund	Federal Funds	Total Funds
Restores funding from the general fund	$18,371,718	($18,371,718)	$0
Teacher composite schedule increase	269,082	0	269,082
Total	$18,640,800	($18,371,718)	$269,082

[5] Operating funding is adjusted as follows:

	General Fund	Other Funds	Total
Adds funding for new FTE operating costs	$323,029	$0	$323,029
IT data processing	2,040,121	11,673	2,051,794
Electronic medical records maintenance and support	546,700	0	546,700
Juvenile contract housing	1,681,300	0	1,681,300
Female treatment recovery impact program	1,973,700	0	1,973,700
Free through recovery program	8,300,000	0	8,300,000
Community behavioral telehealth services	1,000,000	0	1,000,000
Adult education and career readiness programming	306,300	0	306,300
Debt service	(348,979)	(8,181)	(357,160)
Various operating adjustments	(2,163,098)	(1,073,666)	(3,236,764)
Total	$13,659,073	($1,070,174)	$12,588,899

[6] One-time funding of $161.2 million from the strategic investment and improvements fund (SIIF) is added for a new female correctional and rehabilitation facility at the Heart River Correctional Center in Mandan.

[7] One-time funding is added for the following:

	General Fund	Other Funds	Total Funds
Inflationary costs, including food, medical, clothing, and resident payroll	$3,478,998	$0	$3,478,998
Transitional facility contract inflation	2,759,222	0	2,759,222
Dakota Women's Correctional and Rehabilitation Center contract inflation	2,450,000	0	2,450,000
Dickinson Adult Detention Center contract for 16 female beds	1,003,434	0	1,003,434
Staff and resident development and training	100,000	0	100,000
Consultant review of the offender management system	757,000	0	757,000
New cameras	275,000	0	275,000
Equipment, including washing machines, kitchen equipment, a lawnmower, a utility tractor, a body scanner, radios, IT applications, other equipment, and a federally funded tattoo removal machine	1,645,800	75,000	1,720,800
Maintenance and extraordinary repairs, including plumbing and HVAC repairs at the State Penitentiary and electrical and building repairs at the Youth Correctional Center and HRCC	4,000,000	0	4,000,000
DOCSTARS computer system maintenance (SIIF)	0	307,000	307,000
James River Correctional Center maintenance shop (SIIF)	0	1,550,000	1,550,000
IT needs, including an infrastructure review and medical, free through recovery, and human resources enhancements (SIIF)	0	2,000,000	2,000,000
Roughrider Industries supplies	0	4,083,681	4,083,681
Roughrider Industries equipment	0	2,019,000	2,019,000
Roughrider Industries IT costs	0	642,080	642,080
Total	$16,469,454	$10,676,761	$27,146,215

This amendment also:

- Adds a section to identify $165,057,000 is from the strategic investment and improvements fund, including $161.2 million for the new Heart River Correctional Center facility, $1,550,000 for a new James River Correctional Center maintenance shop, and $2,307,000 for information technology needs.
- Adds a section to provide for legislative membership on a steering committee to oversee the design and construction of the new Heart River Correctional Center facility.
- Adds sections to allow the Department of Corrections and Rehabilitation to continue funding appropriated for the 2021-23 biennium into the 2023-25 biennium, including funding for the free through recovery program, deferred maintenance, and extraordinary repairs.
- Adds a section to declare the funding and steering committee for the Heart River Correctional Center to be an emergency.

REPORT OF STANDING COMMITTEE

HB 1018: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1018 was placed on the Sixth order on the calendar.

Page 1, line 2, after "commerce" insert "; to amend and reenact sections 6-09.18-01, 6-09.18-02, 6-09.18-03, 6-09.18-04, 6-09.18-05, 6-09.18-06, and 6-09.18-07, subsection 4 of section 21-10-13, sections 54-60-22, 54-60-28, 54-60-29, 54-60-29.1, and 54-60.2-02 of the North Dakota Century Code and subsection 35 of section 1 of chapter 550 of the 2021 Special Session Session Laws, relating to the legacy investment for technology program, the workforce enhancement council, the administration of uncrewed aircraft system programs, workforce development grants

to tribally controlled community colleges, and a North Dakota development fund grant program; to provide a transfer; to provide an exemption; and to provide for a report"

Page 1, replace lines 10 through 22 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	$12,835,431	$3,929,103	$16,764,534
Operating expenses	17,317,760	16,226,440	33,544,200
Grants	50,232,330	126,115,351	176,347,681
Discretionary funds	2,150,000	350,000	2,500,000
COVID-19 response	0	16,167,553	16,167,553
Partner programs	1,562,531	0	1,562,531
Entrepreneurship grants and vouchers	948,467	0	948,467
Total all funds	$85,046,519	$162,788,447	$247,834,966
Less estimated income	53,544,379	118,005,090	171,549,469
Total general fund	$31,502,140	$44,783,357	$76,285,497
Full-time equivalent positions	58.80	4.00	62.80"

Page 1, line 23, after the boldfaced period insert "**ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY.**"

Page 1, line 24, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 2 through 24 with:

"Unmanned aircraft system	$1,000,000	$0
Beyond visual line of sight uncrewed aircraft system	20,000,000	30,000,000
Enhanced use lease grant	7,000,000	28,000,000
Workforce grants to tribally controlled community colleges	500,000	5,000,000
Workforce safety grant	1,500,000	1,500,000
Job development and economic growth grant	1,500,000	0
Tourism marketing	7,000,000	5,000,000
Tourism destination development initiative	0	25,000,000
Technical skills training grants	6,000,000	2,000,000
Motion picture production and recruitment grant	100,000	0
Travel agent and tour operator emergency resiliency grants	2,000,000	0
Event center emergency resiliency grants	2,000,000	0
Tourism transportation improvement grant	565,432	0
Discretionary funds	1,000,000	350,000
Small business credit initiative	56,234,176	0
Workforce community service Americorps program	1,074,888	785,000
Community development planning grants	1,000,000	0
Workforce innovation network grant program	100,000	0
North Dakota development fund	5,000,000	0
Autonomous agriculture grant program	10,000,000	0
Local workforce development incentive grant program	15,000,000	0
Rural workforce housing grant program	0	7,000,000
Workforce talent attraction initiative	0	8,000,000
Workforce investment grant program	0	15,000,000
Automation workforce training grants	0	5,000,000
Automation workforce equipment grants	0	5,000,000
Main street initiative community development grants	0	400,000
New Americans workforce training grants	0	2,000,000
Parks and recreation grants	0	1,550,000
Energy conservation grant program	0	14,081,719
Heating and cooling grant program	0	1,172,250
Total all funds	$138,574,496	$156,838,969
Less estimated income	135,409,064	116,088,969
Total general fund	$3,165,432	$40,750,000

The 2023-25 biennium one-time funding amounts are not part of the entity's base budget for the 2025-27 biennium. The department of commerce shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 2, line 26, replace "$755,000" with "$1,006,896"

Page 2, after line 28, insert:

"**SECTION 4. TRANSFER - LEGACY EARNINGS FUND TO LEGACY INVESTMENT FOR TECHNOLOGY FUND - INNOVATION TECHNOLOGY LOANS.** Pursuant to the designation of funding for other legislative purposes under subdivision c of subsection 4 of section 21-10-13, the office of management and budget shall transfer the sum of $20,000,000 from the legacy earnings fund to the legacy investment for technology fund for the purpose of providing legacy investment technology loans, for the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 5. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO NORTH DAKOTA DEVELOPMENT FUND. The office of management and budget shall transfer the sum of $30,000,000 from strategic investment and improvements fund to the North Dakota development fund for programs under chapter 10-30.5, during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 6. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO NORTH DAKOTA DEVELOPMENT FUND - FERTILIZER DEVELOPMENT ADVISORY COUNCIL - EXEMPTION.

1. The office of management and budget shall transfer the sum of $120,000,000 from the strategic investment and improvements fund to the North Dakota development fund under chapter 10-30.5 for the purpose of a fertilizer development grant program, during the biennium beginning July 1, 2023, and ending June 30, 2025.

2. Notwithstanding any other provision under chapter 10-30.5, the board of directors shall distribute grant funding to entities to support the development of fertilizer plants in the state based on recommendations from the fertilizer development advisory board. In consultation with the advisory board, the board of directors shall develop program guidelines including eligibility criteria.

3. To be eligible for a grant, a fertilizer development project must be located within the state, and the owner of the fertilizer development project must be an entity domiciled in the United States or Canada. Fifty percent of the grant awards must be designated for one or more fertilizer development projects that use hydrogen produced by the electrolysis of water, and fifty percent of the grant awards must be designated for one or more fertilizer development projects that use natural gas or lignite resources.

4. The fertilizer development advisory board consists of the following members:

   a. The commissioner of commerce or the commissioner's designee to serve as chairman;

   b. The agriculture commissioner or the commissioner's designee;

   c. A representative of the soybean industry appointed by the agriculture commissioner;

   d. A representative of the corn industry appointed by the agriculture commissioner;

e. A representative of the hydrogen or wind industry appointed by the agriculture commissioner;

f. A representative of the ethanol industry appointed by the agriculture commissioner;

g. A representative of the grain growers industry appointed by the agriculture commissioner;

h. A representative of the petroleum industry appointed by the governor; and

i. A representative of the lignite industry appointed by the governor.

5. a. To the extent the board of directors, fertilizer development advisory board, or department of commerce determines any materials or data consist of trade secrets or commercial, financial, or proprietary information of entities applying for a fertilizer development grant, materials and data submitted to, made by, or received by the board of directors, fertilizer development advisory board, or department of commerce, are not public records subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota, but are subject to section 44-04-18.4.

b. A person may file a request with the board of directors, fertilizer development advisory board, or department of commerce to have material designated as confidential under subdivision a. The request must contain any information required by the board of directors, fertilizer development advisory board, or department of commerce and must include at least the following:

(1) A general description of the nature of the information sought to be protected.

(2) An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.

(3) An explanation of why the information is not readily ascertainable by proper means of other persons.

(4) A general description of any person that may obtain economic value from disclosure or use of the information, and how the person may obtain this value.

(5) A description of the efforts used to maintain the secrecy of the information.

c. Any request under subdivision b is confidential. The board of directors, fertilizer development advisory board, or department of commerce shall examine the request and determine whether the information is relevant to the matter at hand and is a trade secret under the definition in section 44-04-18.4 or 47-25.1-01. If the board of directors, fertilizer development advisory board, or department of commerce determines the information is either not relevant or not a trade secret, the board of directors, fertilizer development advisory board, or department of commerce shall notify the requester and the requester may ask for the return of the information and the request within ten days of the notice. If no return is sought, the information and request are open records.

6. A fertilizer development grant is not a business incentive under chapter 54-60.1.

SECTION 7. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - LEGISLATIVE INTENT. The estimated income line item in section 1 of this Act includes the sum of $98,500,000 from the strategic investment and improvements fund, of which $7,000,000 is for the rural workforce housing grant program, $5,000,000 is for the tourism marketing awareness initiative, $25,000,000 is for the tourism destination development initiative grant program, $30,000,000 is for the beyond visual line of sight uncrewed aircraft system program, $28,000,000 is for the enhanced use lease grant program, $2,000,000 is for new Americans workforce development and training grants, and $1,500,000 is for a workforce safety grant to an organization that provides workforce safety. It is the intent of the sixty-eighth legislative assembly that the department of commerce not hire a third-party consultant when determining how funding for the tourism destination development initiative grant program will be spent.

SECTION 8. RURAL WORKFORCE HOUSING GRANT PROGRAM. The grants line item in section 1 of this Act includes the sum of $6,500,000 from the general fund for the purpose of providing rural workforce housing grants. The department of commerce shall develop guidelines for the grants, including eligibility criteria, maximum grant awards, and reporting requirements. Grants may be awarded to cities with a population of fewer than 10,000 residents. Grant funding may be used to:

1. Conduct a housing study in the city to identify workforce housing needs, blighted property, and vacant lots within the city;

2. Purchase blighted properties or vacant lots;

3. Remove hazards or structures from blighted properties or vacant lots; and

4. Provide up to $10,000 per business for repairs or improvements if the business is located in a mixed-use property that will be used for rural workforce housing."

Page 2, line 30, replace "$250,000" with "$444,000"

Page 3, after line 4, insert:

"**SECTION 10. DISCRETIONARY FUNDS - STATE MAGAZINE.** Of the funding appropriated from the general fund in the discretionary funds line item in section 1 of this Act, $150,000 is designated for supporting the continuation of the North Dakota state magazine.

SECTION 11. WORKFORCE DEVELOPMENT GRANTS TO TRIBALLY CONTROLLED COMMUNITY COLLEGES - LEGISLATIVE MANAGEMENT REPORT. The grants line item in section 1 of this Act includes $5,000,000 from the general fund for workforce development grants to tribally controlled community colleges. To be eligible for a grant under this section, a tribally controlled community college must partner with at least one high school in the state for programs under section 54-60.2-02. During the 2023-24 interim, each tribally controlled community college receiving funding under this program shall report to the department of commerce by August 1, 2024, regarding the use of grant funds and the department of commerce shall provide a report to the legislative management by October 1, 2024, regarding the use of grant funds.

SECTION 12. AMENDMENT. Section 6-09.18-01 of the North Dakota Century Code is amended and reenacted as follows:

6-09.18-01. Definitions.

In this chapter, unless the context otherwise requires:

1. "Commissioner" means the commissioner of the department of commerce.

2. "Committee" means the ~~innovation loan fund to support technology advancement~~legacy investment for technology committee.

3. "Diversification sectors" means the following industries:

   a. Advanced computing and data management;

   b. Agriculture technology;

   c. Autonomous and ~~unmanned~~uncrewed vehicles and related technologies;

   d. Energy;

   e. Health care;

   f. Value-added agriculture;

   g. Value-added energy; and

   h. Any industry or area specifically identified by the committee as an industry that will contribute to the diversification of the state's economy.

SECTION 13. AMENDMENT. Section 6-09.18-02 of the North Dakota Century Code is amended and reenacted as follows:

6-09.18-02. ~~Innovation loan fund to support technology advancement~~Legacy investment for technology committee - Membership - Meetings.

1. The ~~innovation loan fund to support technology advancement~~legacy investment for technology committee consists of:

   a. The commissioner or the commissioner's designee who shall serve as the chairperson of the committee and is a nonvoting member of the committee;

   b. Three members representing active venture capital firms, private entities, or angel capital funds;

   c. One member with finance-related experience, knowledge, or education; and

   d. Three members from the private sector with expertise in the diversification sectors.

2. The commissioner, in consultation with the president of the Bank of North Dakota, shall appoint the members of the committee. The term of office of the appointed members of the committee is four years, and the terms must be staggered so that no more than one of the members' terms appointed under subdivisions b and c of subsection 1 expires each year, and so that no more than one of the members' terms appointed under subdivision d of subsection 1 expires each year. Each term of office commences on the first day of July. Members serve at the pleasure of the commissioner and may be reappointed for additional terms. Members of the committee may not invest or otherwise participate in applied research, experimentation, or operational testing associated with a loan awarded under this chapter. If a committee member appointed under subdivision b of subsection 1 ceases to represent an active venture capital firm, private entity, or angel capital fund, that individual's membership on the committee ceases immediately and the commissioner, in consultation with the president of the Bank of North Dakota, shall appoint a new member to the committee for the remainder of the term.

3. A committee member representing the private sector is eligible to receive compensation in an amount not exceeding one hundred thirty-five dollars per day and travel and expense reimbursement as provided by law for state officers for attending meetings of the committee.

4. The committee shall meet as necessary to make loan recommendations and provide ongoing review of research, development, and commercialization activities.

SECTION 14. AMENDMENT. Section 6-09.18-03 of the North Dakota Century Code is amended and reenacted as follows:

6-09.18-03. ~~Innovation loan fund to support technology advancement - Innovation~~Legacy investment technology loan program.

The department of commerce shall administer the ~~innovation~~legacy investment technology loan program in consultation with the Bank of North Dakota to provide loans for activities identified in this chapter. The department of commerce shall provide administrative support for the program, including the drafting of application forms, receiving applications, reviewing applications for completeness and compliance with committee policy, and forwarding complete applications to the committee in accordance with the guidelines established by the committee. Program guidelines relating to ownership of intellectual property, inventions, and discoveries must address activities and issues unique to technologies, patents, and companies created as a result of a legacy ~~innovation~~investment technology loan.

SECTION 15. AMENDMENT. Section 6-09.18-04 of the North Dakota Century Code is amended and reenacted as follows:

6-09.18-04. ~~Innovation~~Legacy investment technology loans - Eligibility.

1. The committee shall establish guidelines for entities to qualify for ~~an innovation~~a legacy investment technology loan under this section. The committee shall consider and process applications in a timely manner that does not jeopardize an applicant's opportunity to leverage other funds.

2. In determining whether to recommend approval of an application, the committee shall consider the extent to which the proposal will:

   a. Deliver applied research, experimentation, or operational testing in one or more of the diversification sectors to create information or data to enhance North Dakota companies or industries or companies making investments in North Dakota;

   b. Lead to the commercialization or patent of an innovation technology solution; or

   c. Result in the development of a new company or expansion of an existing company that will diversify the state's economy through new products, investment, or skilled jobs.

3. The Bank of North Dakota shall review the business plan, financial statements, and other information necessary for the Bank to determine which applications recommended for approval by the committee will be approved by the Bank for final loan approval. The terms of the loan must include:

   a. Zero percent interest for the first three years of the loan;

   b. Two percent interest for the next two years of the loan; and

   c. An interest rate equal to a standard Bank of North Dakota loan for all subsequent years.

4. To be eligible for a loan under this chapter, an entity shall agree to provide the Bank of North Dakota with information as requested by the Bank.

SECTION 16. AMENDMENT. Section 6-09.18-05 of the North Dakota Century Code is amended and reenacted as follows:

6-09.18-05. ~~Innovation loan fund to support technology advancement~~Legacy investment for technology fund - Continuing appropriation.

The ~~innovation loan fund to support technology advancement~~legacy investment for technology fund is a special fund in the state treasury and must be administered by the department of commerce. All moneys in the fund are appropriated to the department of commerce on a continuing basis for the purpose of providing ~~innovation~~legacy investment technology loans and for administrative expenses. The department of commerce shall deposit in the ~~innovation loan fund to support technology advancement~~legacy investment for technology fund all principal and interest paid on loans made from the fund. Interest earned on moneys in the fund must be credited to the fund.

SECTION 17. AMENDMENT. Section 6-09.18-06 of the North Dakota Century Code is amended and reenacted as follows:

6-09.18-06. Use of loan funds.

Loan recipients shall use ~~innovation~~legacy investment technology loan funds to enhance capacity and, to the extent possible, leverage state, federal, and private sources of funding. An entity receiving a loan under this chapter may not use the funds for capital or building investments or for research or other activities not identified in this chapter. The funds may not be used for academic or instructive programming, workforce training, administrative costs, or to supplant funding for regular operations of institutions of higher education. Unless otherwise approved by the committee, loan recipients may use funding only to conduct applied research, experimentation, or operational testing within the state. If an entity awarded a loan no longer conducts its activities in the state, the interest rate of the loan shall default to the rate of a standard Bank of North Dakota loan.

SECTION 18. AMENDMENT. Section 6-09.18-07 of the North Dakota Century Code is amended and reenacted as follows:

6-09.18-07. ~~Innovation loan fund to support technology advancement -~~ Postaward monitoring.

Upon completion of work performed from funding provided by a legacy investment technology loan, the department of commerce shall provide an independent review of the results. Evaluation criteria may include:

1. How the work performed has contributed to the development of a company or the expansion of an existing company, has enhanced the ability of a company to make investments in the state, or otherwise enticed a company to invest or move to the state.

2. How the work performed has led to additional economic investment of capital from public and private sector entities within and outside North Dakota.

3. How the work performed has led to or may lead to a patent or research that is commercially viable.

SECTION 19. AMENDMENT. Subsection 4 of section 21-10-13 of the North Dakota Century Code is amended and reenacted as follows:

4. On July first of each odd-numbered year, from the amount available for appropriation or transfer from the legacy earnings fund for the biennium, the state treasurer shall transfer funding in the following order:

   a. The first one hundred fifty million dollars to the legacy sinking and interest fund under section 6-09.4-10.1.

   b. The next sixty million dollars to the highway tax distribution fund for allocations under section 54-27-19.

   c. Any remaining funds for other purposes as designated by the legislative assembly, including:

      (1) Up to fifty million dollars for tax relief pursuant to appropriations or transfers authorized by the legislative assembly;

      (2) Up to thirty million dollars to the clean sustainable energy fund pursuant to appropriations or transfers authorized by the legislative assembly; and

      (3) Up to thirty million dollars for university research programs, the ~~innovation loan fund to support technology advancement~~legacy investment for technology fund, and workforce enrichment initiatives pursuant to appropriations or transfers authorized by the legislative assembly.

SECTION 20. AMENDMENT. Section 54-60-22 of the North Dakota Century Code is amended and reenacted as follows:

54-60-22. Workforce enhancement council - Grants.

The workforce enhancement council shall recommend to the commissioner the approval of grants to training providers, businesses, and institutions of higher education assigned primary responsibility for workforce training in this state to be used to create or enhance training programs that address workforce needs of private sector companies. A grant made under this section may be used for curriculum development, equipment, recruitment of participants, and training and certification for instructors but may not be used to supplant funding for current operations. The department may distribute funds under this section after:

1. The division of workforce development certifies that a proposed training program meets a critical workforce shortage in a target industry or other high-demand occupation and is expected to lead to employment in this state; and

2. The proposed recipient provides the department with detailed documentation of private sector participation, including the availability of one dollar of matching funds for each dollar of state funds.

SECTION 21. AMENDMENT. Section 54-60-28 of the North Dakota Century Code is amended and reenacted as follows:

54-60-28. ~~Unmanned~~Uncrewed aircraft systems program - Report to legislative management.

The department may ~~establish~~operate and administer an ~~unmanned~~uncrewed aircraft systems test site, contingent upon receiving official designation by the federal aviation administration. The department ~~shall~~may cooperate and contract with the university of North Dakota, the North Dakota aeronautics commission, the adjutant general, and other public or private ~~parties appointed by the governor~~entities as determined by the commissioner in the operation and administration of the test site. The department may charge fees sufficient to operate the test site. The department shall, to the extent possible, use competitive bidding in the ~~establishment~~operation and administration of the test site. The commissioner may charter a public corporation to operate the test site. The

corporation must possess all of the powers of a business corporation consistent with this chapter. The department shall report to the legislative management semiannually on the status of the program.

SECTION 22. AMENDMENT. Section 54-60-29 of the North Dakota Century Code is amended and reenacted as follows:

54-60-29. ~~Unmanned~~Uncrewed aircraft systems program fund - Continuing appropriation.

1. There is created in the state treasury a special fund known as the ~~unmanned~~uncrewed aircraft systems fund, which may be used to defray the expenses of the:

   a. Operations of an ~~unmanned~~uncrewed aircraft systems test site officially designated by the federal aviation administration;

   b. Beyond visual line of sight ~~unmanned~~uncrewed aircraft system program; and

   c. Enhanced use lease grant program.

2. The fund consists of fees collected for the administration of the test site and other funds appropriated by the legislative assembly. All moneys in the fund are appropriated to the department of commerce on a continuing basis for the purpose of defraying the expenses of the programs identified in subsection 1. Interest earned on moneys in the fund must be credited to the fund.

SECTION 23. AMENDMENT. Section 54-60-29.1 of the North Dakota Century Code is amended and reenacted as follows:

54-60-29.1. Beyond visual line of sight ~~unmanned~~uncrewed aircraft system program - Requirements - Report to legislative management.

The department may establish and administer a beyond visual line of sight ~~unmanned~~uncrewed aircraft system program for the design, purchase, implementation, and operating costs of a beyond visual line of sight ~~unmanned~~uncrewed aircraft system. The department shall require any entity receiving funding for this program which is operating the beyond visual line of sight ~~unmanned~~uncrewed aircraft system to provide quarterly payments to the state treasurer ~~equal to three percent of the entity's gross income associated with the operation of the beyond visual line of sight unmanned aircraft system as reported in the entity's prior year financial statements~~based on a fee structure determined by the commissioner. The state treasurer shall deposit any funds received under this section in the state general fund. The department shall provide semiannual reports to the legislative management regarding the development of the beyond visual line of sight ~~unmanned~~uncrewed aircraft system program and the total amount deposited by the state treasurer in the state general fund.

SECTION 24. AMENDMENT. Section 54-60.2-02 of the North Dakota Century Code is amended and reenacted as follows:

54-60.2-02. Purpose of grants.

1. ~~Any~~A grant awarded under section 54-60.2-01 may be used at the discretion of the college:

   a. ~~For development or enhancement of~~To develop or enhance programs that assist in providing certificates or degrees to North Dakota students attending the college that qualify the student to obtain jobs for which applicants are being sought within the state, as identified by the department of commerce, job service North Dakota, or any of the federally recognized Indian tribes within North Dakota; ~~or~~

b. To assist any North Dakota student attending the college to establish, or to assist in establishing, a new business operating within North Dakota that will employ North Dakota citizens; or

c. To develop or enhance career and technical education programs.

2. Any funds provided to tribally controlled community colleges must be used to supplement, not supplant, ~~any~~an existing program or funding source of the college.

SECTION 25. AMENDMENT. Subsection 35 of section 1 of chapter 550 of the 2021 Special Session Session Laws is amended and reenacted as follows:

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 for the purpose of a North Dakota development fund grant program during the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 26. EXEMPTION - UNEXPENDED APPROPRIATIONS. The following appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into the biennium beginning July 1, 2023, and ending June 30, 2025:

1. The sum of $320,000 that was continued into the 2021-23 biennium in section 17 of chapter 46 of the 2021 Session Laws from the appropriation from the general fund for the nonresident nurse employment recruitment program in section 27 of chapter 40 of the 2019 Session Laws;

2. The sum of $11,393,078 appropriated from federal funds derived from the Coronavirus Aid, Relief, and Economic Security Act, of which $3,000,000 was for the community development block grant program, $7,393,078 was for the community services block grant program, and $1,000,000 was for the emergency solutions grant program in section 1 of chapter 27 of the 2021 Session Laws;

3. The sum of $56,234,176 appropriated from federal funds derived from COVID-19 response funds for the state small business credit initiative program in section 2 of chapter 28 of the 2021 Session Laws;

4. The sum of $2,150,000 appropriated from the general fund for discretionary funds in section 1 of chapter 46 of the 2021 Session Laws;

5. The sum of $1,000,000 appropriated from the general fund for discretionary funds in section 10 of chapter 15 of the 2021 Session Laws;

6. The sum of $3,000,000 appropriated from the general fund for the unmanned aircraft system program in section 1 of chapter 46 of the 2021 Session Laws;

7. The sum of $19,000,000 appropriated from the general fund for the beyond visual line of sight unmanned aircraft system program in section 1 of chapter 46 of the 2021 Session Laws;

8. The sum of $1,000,000 appropriated from the strategic investment and improvements fund for beyond visual line of sight unmanned aircraft system program matching funds in section 1 of chapter 46 of the 2021 Session Laws and amended in section 22 of chapter 549 of the 2021 Special Session Session Laws;

9. The sum of $7,000,000 appropriated from the strategic investment and improvements fund for the enhanced use lease grant program in section 1 of chapter 46 of the 2021 Session Laws;

10. The sum of $1,330,212 appropriated from the general fund for the homeless shelter grant program in section 1 of chapter 46 of the 2021 Session Laws;

11. The sum of $1,074,888 appropriated from federal funds for the workforce community services Americorps program in section 19 of chapter 549 of the 2021 Special Session Session Laws;

12. The sum of $1,000,000 appropriated from federal funds for the community development planning grant program in section 20 of chapter 549 of the 2021 Special Session Session Laws;

13. The sum of $10,000,000 appropriated from federal funds derived from the state fiscal recovery fund for autonomous agriculture matching grants in subsection 37 of section 1 of chapter 550 of the 2021 Special Session Session Laws, which shall be awarded without any matching fund requirements;

14. The sum of $15,000,000 appropriated from federal funds derived from the state fiscal recovery fund for the workforce development incentive grant program in subsection 38 of section 1 of chapter 550 of the 2021 Special Session Session Laws; and

15. The sum of $5,000,000 appropriated from federal funds derived from the state fiscal recovery fund for the technical skills training grants program in subsection 39 of section 1 of chapter 550 of the 2021 Special Session Session Laws.

SECTION 27. LEGISLATIVE MANAGEMENT REPORT - DEPARTMENT OF COMMERCE GRANT PROGRAMS. During the 2023-24 interim, the department of commerce shall report to the legislative management regarding the status of each grant program administered by the department during the 2023-25 biennium, including funding spent to date, the number of individuals or businesses awarded funding, the name and amount of funding awarded to each individual and business, the date funding was awarded, criteria used when awarding funding, a detailed listing of how the funding has been used, current and future estimated return on investment statistics and the economic effect on the state's economy as a result of each program, future plans for the use of remaining grant funds, any funding the department anticipates requesting to continue into the 2025-27 biennium, and any anticipated requests to the sixty-ninth legislative assembly for additional funding for each program. The department of commerce shall provide information regarding actual and expected revenue received as a result of the beyond visual line of sight uncrewed aircraft system program under section 54-60-29.1. The department of commerce shall provide one report by December 31, 2023, and no fewer than two reports during the period beginning January 1, 2024, and ending October 31, 2024."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1018 - Department of Commerce - House Action

	Base Budget	House Changes	House Version
Salaries and wages	$12,835,431	$3,929,103	$16,764,534
Operating expenses	17,317,760	16,226,440	33,544,200
Grants	50,232,330	126,115,351	176,347,681
Discretionary funds	2,150,000	350,000	2,500,000
COVID-19 response		16,167,553	16,167,553
Partner programs	1,562,531		1,562,531
Entrepreneurship grants and vouchers	948,467		948,467
Total all funds	$85,046,519	$162,788,447	$247,834,966
Less estimated income	53,544,379	118,005,090	171,549,469
General fund	$31,502,140	$44,783,357	$76,285,497
FTE	58.80	4.00	62.80

Department 601 - Department of Commerce - Detail of House Changes

	Adds Funding for Base Payroll Changes[1]	Adds Funding for the Cost to Continue Salaries[2]	Adds Funding for Salary and Benefit Increases[3]	Adds Funding for FTE Positions[4]	Adjusts Base Level Funding[5]	Transfers Funding to the Housing Finance Agency[6]
Salaries and wages	$727,512	$100,495	$1,056,624	$967,642	$731,000	($84,538)
Operating expenses				1,057,642	1,966,282	(62,803)
Grants					(26,000)	(2,570,212)
Discretionary funds						
COVID-19 response					2,085,834	
Partner programs						
Entrepreneurship grants and vouchers						
Total all funds	$727,512	$100,495	$1,056,624	$2,025,284	$4,757,116	($2,717,553)
Less estimated income	283,274	20,345	176,239	0	2,583,604	(1,147,341)
General fund	$444,238	$80,150	$880,385	$2,025,284	$2,173,512	($1,570,212)
FTE	0.00	0.00	0.00	4.00	0.00	0.00

	Adds One-Time Funding for Community and Workforce Initiatives[7]	Adds One-Time Funding for Tourism Initiatives[8]	Adds One-Time Funding for UAS Programs[9]	Adds One-Time Funding for Federal Community Service Programs[10]	Adds One-Time Funding for Discretionary Funds[11]	Total House Changes
Salaries and wages	$300,000			$130,368		$3,929,103
Operating expenses	8,200,000	$5,000,000		65,319		16,226,440
Grants	42,400,000	25,000,000	$58,000,000	3,311,563		126,115,351
Discretionary funds					$350,000	350,000
COVID-19 response				14,081,719		16,167,553
Partner programs						
Entrepreneurship grants and vouchers						
Total all funds	$50,900,000	$30,000,000	$58,000,000	$17,588,969	$350,000	$162,788,447
Less estimated income	10,500,000	30,000,000	58,000,000	17,588,969	0	118,005,090
General fund	$40,400,000	$0	$0	$0	$350,000	$44,783,357
FTE	0.00	0.00	0.00	0.00	0.00	4.00

[1] Funding is adjusted for base payroll changes for promotions, reclassifying existing positions to 4 new FTE deputy division director positions, and other salary adjustments.

[2] Funding is added for the cost to continue salary increases.

[3] The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from $1,429 to $1,648 per month:

	General Fund	Other Funds	Total
Salary increase	$632,902	$118,204	$751,106
Health insurance increase	247,483	58,035	305,518
Total	$880,385	$176,239	$1,056,624

[4] Funding of $2,025,284 is added from the general fund for 4 FTE positions as follows:

	Salaries and Wages	Operating Expenses	Total
FTE position - Workforce talent attraction initiative	$202,940	$0	$202,940
FTE Position - Workforce investment grant program	202,940	0	202,940
FTE position - Office of Automation	310,858	689,142	1,000,000
FTE position - Global Engagement Office	250,904	368,500	619,404
Total	$967,642	$1,057,642	$2,025,284

[5] Base level funding is adjusted as follows:

	General Fund	Other Funds	Total
Restores funding for salaries underfunded during the 2021-23 biennium	$140,000	$0	$140,000
Adds funding for temporary salaries, including $500,000 from federal funds, to provide a total of $900,000 for temporary salaries	91,000	500,000	591,000
Adds funding for travel to provide a total of $1,606,976 in the operating expenses line item	490,534	0	490,534
Adjusts funding for operating expenses, including a decrease from the community service fund, primarily related to professional development, services, and fees	1,006,896	(2,230)	1,004,666
Adds funding for the Operation Intern program to provide a total of $1,006,082	251,082	0	251,082
Transfers $220,000 of federal funding for the AmeriCorps workforce community services program from the grants line item to the operating expenses line item	0	0	0
Adds federal funding in the COVID-19 response line item for weatherization and furnace cooling assistance programs	0	2,085,834	2,085,834
Adds funding for the rural health care grant program to provide a total of $444,000 from the general fund	194,000	0	194,000
Total	$2,173,512	$2,583,604	$4,757,116

[6] Funding of $1,330,212 from the general fund for the homeless shelter grant program and $1,387,341 for the emergency shelter grant program, including $240,000 from the general fund and $1,147,341 from federal funds, is transferred to the Housing Finance Agency.

[7] One-time funding is added for community and workforce initiatives as follows:

	General Fund	Other Funds	Total
Rural workforce housing grant program, including $300,000 for temporary salaries, $200,000 for operating expenses, and $6.5 million for grants. Funding is provided from the strategic investment and improvements fund (SIIF)	$0	$7,000,000	$7,000,000
Workforce talent attraction initiative operating expenses	8,000,000	0	8,000,000
Workforce investment program grants	15,000,000	0	15,000,000
Automation workforce transition training grants	5,000,000	0	5,000,000
Automation workforce equipment grants	5,000,000	0	5,000,000
Technical skills training grants	2,000,000	0	2,000,000
Main Street Initiative community development grants	400,000	0	400,000
New Americans workforce development and training grants (SIIF)	0	2,000,000	2,000,000
Workforce grants to tribally controlled community colleges	5,000,000	0	5,000,000
Workforce safety grant (SIIF)	0	1,500,000	1,500,000
Total	$40,400,000	$10,500,000	$50,900,000

[8] One-time funding of $30 million is added from SIIF for tourism initiatives, including $5 million for tourism awareness marketing operating expenses and $25 million for a tourism destination development initiative grant program.

[9] One-time funding from SIIF is added for the beyond visual line of sight (BVLOS) uncrewed aircraft system (UAS) grant program ($30 million) and the enhanced use lease grant program ($28 million).

[10] One-time funding from federal funds is added for the following programs previously approved by the Emergency Commission and Budget Section during the 2021-22 interim:

	Federal Funds
Americorps workforce community services program	$785,000
Parks and recreation grant program	1,550,000
Energy conservation grant program	14,081,719
Heating and cooling grant program, of which $130,368 is for temporary salaries and wages, $65,319 is for operating expenses, and $976,563 is for grants	1,172,250
Total	$17,588,969

[11] One-time funding of $350,000 is added from the general fund for discretionary funds to provide a total of $2.5 million from the general fund, of which $2.15 million is ongoing funding.

This amendment also:

- Amends a section identifying the transfer of $1,006,896 from the general fund to the internship fund for the Operation Intern program.
- Adds a section to provide a $20 million transfer from the legacy earnings fund to the newly named legacy investment fund for technology for the purpose of providing legacy investment technology loans.
- Adds a section to provide a $30 million transfer from SIIF to the North Dakota

Development Fund for programs under North Dakota Century Code Chapter 10-30.5.

- Adds a section to provide a $120 million transfer from SIIF to the North Dakota Development Fund for the purpose of a fertilizer development grant program.
- Adds a section to identify $98.5 million from SIIF for the rural workforce housing grant program ($7 million), tourism marketing awareness initiative ($5 million), tourism destination development initiative grant program ($25 million), BVLOS UAS program ($30 million), enhanced use lease grant program ($28 million), new Americans workforce development and training grants ($2 million), and a workforce safety grant to be awarded to an organization that provides workforce safety ($1.5 million). Legislative intent is provided that the Department of Commerce not hire a third-party consultant when determining how funding for the tourism destination development initiative grant program will be spent.
- Adds a section to identify $6.5 million appropriated from the general fund in the grants line item is for the rural workforce housing grant program. The Department of Commerce is required to develop guidelines for awarding grants. Funding may be awarded to cities with a population of fewer than 10,000 residents.
- Amends a section to identify $444,000 appropriated from the general fund is for the rural health care grant program, which requires the grant recipient to provide matching funds from nonstate sources on a dollar-for-dollar basis.
- Adds a section to identify of the $2.5 million appropriated from the general fund for discretionary funds, $150,000 is designated for supporting the continuation of the North Dakota state magazine.
- Adds a section to identify $5 million appropriated from the general fund in the grants line item is for workforce development grants to tribally controlled community colleges. To be eligible for a grant under this section, a tribally controlled community college must partner with at least one high school in the state for programs under Section 54-60.2-02.
- Adds eight sections to amend Chapter 6-09.18 to change the innovation loan fund to support technology advancement program name to the legacy investment for technology program.
- Adds a section to amend Section 54-60-22 to expand recommendations provided by the Workforce Enhancement Council to the Commissioner of the Department of Commerce regarding the approval of training grants to include training providers and businesses, rather than only providing recommendations for grants to institutions of higher education.
- Adds three sections to amend Sections 54-60-28, 54-60-29, and 54-60-29.1 related to administration of UAS-related programs.
- Adds a section to amend Section 54-60.2-02 to allow workforce development grants to tribally controlled community colleges to be spent on the development or enhancement of career and technical education programs.
- Adds a section to amend the 2021 Special Session Session Laws to allow the transfer of $5 million from the federal State Fiscal Recovery Fund to the North Dakota Development Fund to be used for grant programs.
- Adds a section to provide the Department of Commerce 15 exemptions to continue funding appropriated for programs in previous bienniums into the 2023-25 biennium. The exemptions relate to the nonresident nurse employment recruitment program, Coronavirus Aid, Relief, and Economic Security (CARES) Act funding, the state small business credit initiative, discretionary funds, UAS program, BVLOS UAS program, enhanced use lease grant program, homeless shelter grant program, workforce community services program, community development planning grant program, autonomous agriculture matching grant program, workforce development incentive grant program, and technical skills grants program. Subsection 13 of Section 24 provides funding remaining after the 2021-23 biennium for the autonomous agriculture matching grant program may be spent during the 2023-25 biennium without requiring matching funds.
- Adds a section to require the Department of Commerce to report to the Legislative Management during the 2023-24 interim regarding the status of grant programs administered by the department.

REPORT OF STANDING COMMITTEE

HB 1021: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1021 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "and" with "to provide a transfer;"

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

Page 1, remove lines 10 through 24

Page 2, replace lines 1 and 2 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	$101,734,629	$13,403,736	$115,138,365
Operating expenses	114,588,112	38,416,587	153,004,699
Capital assets	3,443,909	466,662	3,910,571
Statewide longitudinal data system	4,486,278	123,913	4,610,191
Edutech	9,691,939	1,297,519	10,989,458
K-12 wide area network	4,679,718	2,505,240	7,184,958
Geographic information system	1,101,806	123,641	1,225,447
Health information technology office	8,725,871	76,117	8,801,988
Statewide interoperable radio network	14,193,796	4,236,103	18,429,899
Broadband infrastructure	0	148,250,000	148,250,000
Total all funds	$262,646,058	$208,899,518	$471,545,576
Less estimated income	233,670,105	188,005,063	421,675,168
Total general fund	$28,975,953	$20,894,455	$49,870,408
Full-time equivalent positions	479.00	28.00	507.00"

Page 2, line 3, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY**"

Page 2, line 4, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace line 7 with:

"Health information technology office	6,000,000	3,000,000"

Page 2, replace lines 9 and 10 with:

"North Dakota stockmen's association grant	401,000	0
Enterprise digitization project	0	10,000,000
Governance, risk, and compliance costs	0	5,456,876
Customer relationship management program	0	6,500,000
Universal vulnerability management project	0	3,000,000
Capitol security upgrade and fiber replacement project	0	2,499,467
Inflationary increases	0	7,825,000
Broadband, equity, access, and deployment program	0	148,250,000
Total all funds	$57,901,000	$186,531,343
Less estimated income	57,901,000	180,081,343
Total general fund	$0	$6,450,000

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The information technology department shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 3. ADDITIONAL INCOME - APPROPRIATION. All federal funds received by the information technology department in excess of those funds appropriated in section 1 of this Act are appropriated to the information technology department for the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 4. ESTIMATED INCOME - TRANSFER - HEALTH INFORMATION TECHNOLOGY PLANNING LOAN FUND TO ELECTRONIC HEALTH INFORMATION EXCHANGE FUND. Notwithstanding section 6-09-43, the estimated income line item in section 1 of this Act includes the sum of $3,000,000, or so much of the sum as may be necessary, which the Bank of North Dakota shall transfer, as requested by the chief information officer, from the health information technology planning loan fund to the electronic health information exchange fund for the purpose of defraying the expenses of the health information technology office and the health information network during the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 2, after line 16, insert:

"**SECTION 6. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line item in section 1 of this Act includes the sum of $16,500,000 from the strategic investment and improvements fund, of which $10,000,000 is for the enterprise digitization project and $6,500,000 is for the customer relationship management program.

SECTION 7. ESTIMATED INCOME - FEDERAL STATE FISCAL RECOVERY FUND. The estimated income line item in section 1 of this Act includes the sum of $2,499,467 from federal funds derived from the state fiscal recovery fund for the capitol security software upgrade and fiber replacement project.

SECTION 8. EXEMPTION - BROADBAND INFRASTRUCTURE GRANTS. The amount of $45,000,000 appropriated from federal funds derived from the coronavirus capital projects fund for the broadband infrastructure grants program in section 9 of chapter 548 of the 2021 Special Session Session Laws is not subject to section 54-44.1-11 and is available for the program during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 9. EXEMPTION - NORTH DAKOTA STOCKMEN'S ASSOCIATION BRANDING INSPECTION SYSTEM. The amount of $401,000 appropriated from federal funds derived from the state fiscal recovery fund 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 in subsection 23 of section 1 of chapter 550 of the 2021 Special Session Session Laws is not subject to section 54-44.1-11 and is available for the program during the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1021 - Information Technology Department - House Action

	Base Budget	House Changes	House Version
Salaries and wages	$101,734,629	$13,403,736	$115,138,365
Operating expenses	114,588,112	38,416,587	153,004,699
Capital assets	3,443,909	466,662	3,910,571
Statewide longitudinal data system	4,486,278	123,913	4,610,191
EduTech	9,691,939	1,297,519	10,989,458
K-12 wide area network	4,679,718	2,505,240	7,184,958
Geographic information system	1,101,806	123,641	1,225,447
Health information technology office	8,725,871	76,117	8,801,988
Statewide interoperable radio network	14,193,796	4,236,103	18,429,899
Broadband infrastructure		148,250,000	148,250,000
Total all funds	$262,646,058	$208,899,518	$471,545,576
Less estimated income	233,670,105	188,005,063	421,675,168
General fund	$28,975,953	$20,894,455	$49,870,408
FTE	479.00	28.00	507.00

Department 112 - Information Technology Department - Detail of House Changes

	Adds Funding for the Cost to Continue Salaries[1]	Adds Funding for Salary and Benefit Increases[2]	Adjusts Base Level Funding[3]	Adds Funding for the Customer Success Management Program[4]	Adds Funding for an Enterprise Digitization Project[5]	Adds Funding for Governance, Risk, and Compliance Costs[6]
Salaries and wages	$773,445	$7,620,837	$41,791	$501,816	$981,138	$298,868
Operating expenses			(27,122)	17,000	2,615,000	
Capital assets						
Statewide longitudinal data system	5,810	118,103				
EduTech	50,888	421,631				
K-12 wide area network	7,665	91,687				
Geographic information system	2,677	20,964				
Health information technology office	6,725	69,392				
Statewide interoperable radio network	190	35,913	4,200,000			
Broadband infrastructure						
Total all funds	$847,400	$8,378,527	$4,214,669	$518,816	$3,596,138	$298,868
Less estimated income	726,602	7,139,683	4,205,284	(2,050,884)	1,096,138	0
General fund	$120,798	$1,238,844	$9,385	$2,569,700	$2,500,000	$298,868
FTE	0.00	0.00	0.00	2.00	5.00	1.00

	Adds Funding for a Customer Relationship Management Program[7]	Adds FTE Positions to Support State IT Systems[8]	Adds Funding for IT Unification[9]	Adds Funding for a Universal Vulnerability Management Project[10]	Adds Funding for Capitol Security Software and Fiber Replacement[11]	Adds Funding for the K-12 ClassLink Project[12]
Salaries and wages	$989,751	$1,707,170	$488,920			
Operating expenses	1,364,000	260,172	70,956	$500,000	$226,900	
Capital assets						
Statewide longitudinal data system						
EduTech						
K-12 wide area network						$1,905,888
Geographic information system						
Health information technology office						
Statewide interoperable radio network						
Broadband infrastructure						
Total all funds	$2,353,751	$1,967,342	$559,876	$500,000	$226,900	$1,905,888
Less estimated income	501,808	1,745,213	559,876	0	0	0
General fund	$1,851,943	$222,129	$0	$500,000	$226,900	$1,905,888
FTE	4.00	11.00	3.00	0.00	0.00	2.00

	Adjusts Funding for the Health Information Network[13]	Adds One-Time Funding for Projects and Programs[14]	Adds One-Time Funding for IT Inflationary Increases[15]	Adds Funding for the Broadband Equity Program[16]	Total House Changes
Salaries and wages					$13,403,736
Operating expenses		$26,989,681	$6,400,000		38,416,587
Capital assets		466,662			466,662
Statewide longitudinal data system					123,913
EduTech			825,000		1,297,519
K-12 wide area network			500,000		2,505,240
Geographic information system			100,000		123,641
Health information technology office	($3,000,000)	3,000,000			76,117
Statewide interoperable radio network					4,236,103
Broadband infrastructure				$148,250,000	148,250,000
Total all funds	($3,000,000)	$30,456,343	$7,825,000	$148,250,000	$208,899,518
Less estimated income	(6,000,000)	26,856,343	4,975,000	148,250,000	188,005,063
General fund	$3,000,000	$3,600,000	$2,850,000	$0	$20,894,455
FTE	0.00	0.00	0.00	0.00	28.00

[1] Funding is added for the cost to continue salary increases.

[2] The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums

from $1,429 to $1,648 per month:

	General Fund	Other Funds	Total
Salary increase	$942,005	$5,079,371	$6,021,376
Health insurance increase	296,839	2,060,312	2,357,151
Total	$1,238,844	$7,139,683	$8,378,527

[3] Base level funding is adjusted as follows:

	General Fund	Other Funds	Total
Transfers $41,791 from the operating expenses line item to the salaries and wages line item for an existing 0.50 FTE position	$0	$0	$0
Adds funding for information technology rate increases	9,385	5,284	14,669
Adds funding for the statewide interoperable radio network (SIRN) from the SIRN fund to provide a total of $18,429,899, of which $1,858,240 is from the general fund and $16,571,659 is from the SIRN fund	0	4,200,000	4,200,000
Total	$9,385	$4,205,284	$4,214,669

[4] Funding is added from the general fund for 2 FTE positions related to the customer success management program, including $501,816 for salaries and wages and $17,000 for related operating expenses. Funding of $2,050,884 is adjusted from the Information Technology Department (ITD) operating service fund to the general fund for 6 existing FTE positions for the program.

[5] Funding of $3,596,138, of which $2,500,000 is from the general fund and $1,096,138 is from the ITD operating service fund, is added for an enterprise digitization project to modernize state technology, including $981,138 for salaries and wages of 5 FTE positions and $2,615,000 for IT software, data processing, and contractual services.

[6] Funding of $298,868 is added from the general fund for salaries and wages of 1 FTE position related to governance, risk, and compliance costs and the Department of Public Instruction lighthouse project.

[7] Funding of $2,353,751, of which $1,851,943 is from the general fund and $501,808 is from the ITD operating services fund, is added for an enterprise customer relationship management program, including $989,751 for salaries and wages of 4 FTE positions and $1,364,000 for software licensing costs.

[8] Funding of $1,967,342, of which $222,129 is from the general fund and $1,745,213 is from the ITD operating service fund, is added for 11 FTE positions for additional support of state agency IT systems, of which $1,707,170 is for salaries and wages and $260,172 is for related operating expenses. The 11 FTE positions include 6 FTE apprenticeship positions, 1 FTE desktop support position, 1 FTE public safety support position, 1 FTE transportation support position, 1 FTE network technician position, and 1 FTE cybersecurity position.

[9] Funding of $559,876 is added from the ITD operating service fund for the transfer of 3 FTE positions, including 2 FTE positions from the Department of Corrections and Rehabilitation and 1 FTE position from the Insurance Commissioner, to ITD. Of the total, $488,920 is for salaries and wages and $70,956 is for operating expenses.

[10] Funding of $500,000 from the general fund is added for software costs related to a universal vulnerability management project.

[11] Funding of $226,900 is added from the general fund for Capitol security software upgrades and the fiber replacement project.

[12] Funding of $1,905,888 is added from the general fund for the K-12 ClassLink project, including $405,888 for salaries and wages of 2 FTE positions and $1,500,000 for IT software and supplies.

[13] Funding is adjusted for the North Dakota Health Information Network by reducing federal funds ($6 million) and increasing the general fund ($3 million). A separate entry is provided to add one-time funding of $3 million from the electronic health information exchange fund. Total funding for the network is $8,801,988, of which $3 million is from the general fund and $5,801,988 is from the electronic health information exchange fund.

[14] One-time funding is added for the following projects and programs:

	General Fund	Other Funds	Total
Adds funding from the strategic investment and improvements fund (SIIF) for an enterprise digitization project	$0	$10,000,000	$10,000,000
Adds funding from the general fund for governance, risk, and compliance costs and from the ITD operating service fund for the Department of Public Instruction lighthouse project	600,000	4,856,876	5,456,876
Adds funding from SIIF for an enterprise customer relationship management program	0	6,500,000	6,500,000
Adds funding for a universal vulnerability management project	3,000,000	0	3,000,000
Adds federal funding from the State Fiscal Recovery Fund for the Capitol security software upgrade and fiber replacement project, including $2,032,805 for operating expenses and $466,662 for capital assets	0	2,499,467	2,499,467
Adds funding from the electronic health information exchange fund for the North Dakota Health Information Network, which is provided from a transfer from the health information technology planning loan fund	0	3,000,000	3,000,000
Total	$3,600,000	$26,856,343	$30,456,343

[15] One-time funding of $7,825,000 is added for IT inflationary increases, of which $2,850,000 is from the general fund, $325,000 is from the PowerSchool fund, and $4,650,000 is from the ITD operating service fund.

[16] One-time funding of $148,250,000 is added from federal funds made available as a result of the Infrastructure Investment and Jobs Act for the broadband, equity, access, and deployment (BEAD) program.

This amendment also:

- Adds a section to appropriate all federal funds received by ITD in excess of the funds appropriated in Section 1 to ITD for the 2023-25 biennium.
- Adds a section to provide for a transfer of $3 million from the health information technology planning loan fund to the electronic health information exchange fund.
- Adds a section to identify $16.5 million from SIIF, of which $10 million is for the enterprise digitization project and $6.5 million is for the customer relationship management program.
- Adds a section to identify $2,499,467 from the federal State Fiscal Recovery Fund for the Capitol security software upgrade and fiber replacement project.
- Adds a section to provide an exemption to allow ITD to continue $45 million appropriated from the federal Coronavirus Capital Projects Fund during the November 2021 special legislative session for broadband infrastructure grants into the 2023-25 biennium.
- Adds a section to provide an exemption to allow ITD to continue $401,000 appropriated from the federal State Fiscal Recovery Fund during the November 2021 special legislative session to convert a North Dakota Stockmen's Association paper-based branding system to an electronic system into the 2023-25 biennium.

REPORT OF STANDING COMMITTEE

HB 1034: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO NOT PASS** (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1034 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1158: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1158 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1240: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO NOT PASS** (21 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1240 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1241, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1241 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "and"

Page 1, line 3, remove "; and to provide an appropriation"

Page 1, line 15, remove "Awards under this section must be reviewed by a committee consisting of seven"

Page 1, remove lines 16 through 20

Page 1, line 21, remove "3."

Page 2, remove lines 7 through 14

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1307: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1307 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "Of the funding appropriated in this section, $1,250,000"

Page 1, remove line 11

Page 1, line 12, replace "working in a law enforcement capacity" with "The attorney general shall provide grants to each city and county law enforcement agency in the state based on the proportional number of licensed peace officers and correctional officers employed by the city or county law enforcement agency compared to the total number of licensed peace officers and correctional officers employed by all city and county law enforcement agencies. Funding appropriated in this section may be used for providing hiring and retention bonuses to new and current law enforcement and correctional officers and providing tuition and fee payments on behalf of law enforcement trainees"

Page 1, remove lines 13 through 23

Page 2, remove lines 1 and 2

Page 2, line 3, replace "c. Shall" with "Law enforcement agencies receiving funding under this section shall report to the attorney general regarding the use and effectiveness of the funding. The attorney general shall"

Page 2, line 3, after the second "the" insert "use and effectiveness of grant funds and the"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1321: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1321 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 5, after "coverage" insert "; to provide an effective date; and to declare an emergency"

Page 2, line 4, remove "The majority leader of the house of representatives shall appoint three members of"

Page 2, remove lines 5 and 6

Page 2, line 7, remove "3."

Page 2, line 7, overstrike "One member" and insert immediately thereafter "The majority leader of the house of representatives shall appoint three members of the

house of representatives and the majority leader of the senate shall appoint three members of the senate. The members appointed under this subsection shall serve a term of two years.

3. Three members"

Page 2, line 8, overstrike "The" and insert immediately thereafter "Each"

Page 2, line 8, after "appointee" insert "under this subsection"

Page 2, line 10, after "The" insert "governor shall appoint one"

Page 2, line 10, overstrike "is" and insert immediately thereafter "to serve as"

Page 2, line 11, remove "4."

Page 2, line 11, overstrike "One member of the board must be appointed by the attorney general from the"

Page 2, overstrike line 12

Page 2, line 15, overstrike "5. Three" and insert immediately thereafter:

"4. Two"

Page 2, line 25, overstrike "6."

Page 2, line 30, after "~~7.~~" insert "5."

Page 3, line 4, replace "7." with "6."

Page 3, line 4, overstrike "a five-year term and"

Page 3, line 10, after "**for**" insert "**life**"

Page 3, line 10, after "**insurance**" insert "**, Medicare part D, employee assistance program services, dental plans, vision plans, and long-term care plans**"

Page 3, line 11, overstrike "hospital benefits coverage, medical"

Page 3, line 12, overstrike "benefits coverage," and insert immediately thereafter "any"

Page 3, line 12, after the second comma insert "Medicare part D prescription drug coverage, a dental plan, a vision plan, a long-term care plan,"

Page 3, line 13, overstrike "may receive bids separately for all or part of the"

Page 3, line 14, overstrike "prescription drug benefits coverage component of medical benefits coverage;"

Page 4, overstrike lines 6 through 8

Page 4, remove lines 9 and 10

Page 4, line 22, overstrike "initial"

Page 4, line 22, overstrike "or the renewal term"

Page 4, line 26, overstrike "a."

Page 4, line 26, after "may" insert "not"

Page 4, line 26, overstrike "without soliciting a bid"

Page 4, overstrike lines 27 through 31

Page 5, overstrike lines 1 through 15

Page 5, line 16, overstrike "solicit a bid under section 54-52.1-04"

Page 5, line 17, replace "d." with "This subsection does not apply to a contract for Medicare part D prescription drug coverage, vision plans, dental plans, or long-term care plans."

Page 5, line 21, after "1." insert "The board shall receive bids for the providing of hospital benefits coverage, medical benefits coverage, and prescription drug benefits coverage; may receive bids separately for all or part of the prescription drug benefits coverage component of medical benefits coverage; and subject to approval of the legislative assembly shall accept one or more bids with the carriers.

2. Solicitations must be made no later than ninety days before the expiration of an existing uniform group insurance contract. Bids must be solicited by advertisement in a manner selected by the board which will provide reasonable notice to prospective bidders. In preparing bid proposals and evaluating bids, the board may utilize the services of consultants on a contract basis in order that the bids received may be uniformly compared and properly evaluated. In reviewing bids, the board shall determine which bid or bids best serve the interests of the state and the state's eligible employees. In determining which bid, if any, will best serve the interests of eligible employees in the state, the board shall give adequate consideration to the following factors:

a. The economy to be effected.

b. The ease of administration.

c. The adequacy of the coverages.

d. The financial position of the carrier, with special emphasis on the solvency of the carrier.

e. The reputation of the carrier and any other information available tending to show past experience with the carrier in matters of claim settlement, underwriting, and services.

3. The board may reject any or all bids received under this section. If the board rejects all bids received, the board again shall solicit bids as provided under this section.

4. Under sections 54-52.1-04 and 54-52.1-04.2 the board may contract for health benefits coverage through a health maintenance organization or establish a self-insurance health plan.

5."

Page 5, line 21, replace "an initial or renewal" with "a"

Page 5, line 23, after "assembly" insert "by passage of a bill"

Page 5, line 23, after the underscored period insert:

"a."

Page 5, line 24, replace "legislation" with "a bill"

Page 5, line 25, after the underscored period insert "The bill introduced by the board must include an emergency clause.

b. The standing committees to which the bill is referred may hold a joint hearing on the bill introduced by the board under this subsection. If

the bill passes the house of introduction after the joint hearing, the members of the joint committee from the second house may report the bill to that house and another hearing is not necessary unless the bill was amended in the first house.

c. If the legislative assembly authorizes the board's proposed action by passage of the bill by a majority vote of both houses of the legislative assembly and filing of the bill with the secretary of state, the board may enter the contract.

d. If the legislative assembly does not authorize the board's proposed action, the board again shall solicit bids as provided under this section and may not enter a contract unless the board has received authorization of the legislative assembly by a bill that has passed both houses of the legislative assembly and has been filed with the secretary of state."

Page 5, line 26, replace "2." with "6."

Page 5, line 27, after "coverage" insert ", a vision plan, a dental plan, or a long-term care plan"

Page 5, after line 28, insert:

"**SECTION 5. EFFECTIVE DATE.** Section 1 of this Act becomes effective June 1, 2023, and sections 2, 3, and 4 of this Act become effective August 1, 2023.

SECTION 6. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1371: Agriculture Committee (Rep. Thomas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1371 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact four new sections to chapter 10-06.1 of the North Dakota Century Code, relating to authorized livestock farm corporation requirements, initial and annual reporting requirements for authorized livestock farm corporations, and authorized livestock farm limited liability companies; to"

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

Page 1, line 1, replace the second "and" with ", 10-06.1-02, and 10-06.1-04,"

Page 1, line 2, after "10-06.1-12" insert ", and sections 10-06.1-13, 10-06.1-14, 10-06.1-17, 10-06.1-21, 10-06.1-22, 10-06.1-26, and 10-06.1-27"

Page 1, line 4, remove "and"

Page 1, line 4, after "landholdings" insert ", and required reporting for corporate farming; and to provide a penalty"

Page 1, line 16, remove ""Beekeeping" means the breeding or rearing of bee colonies or the owning,"

Page 1, line 17, replace "maintenance, or management of bee apiaries" with ""Authorized livestock farm corporation" means a corporation formed for cattle backgrounding, cattle finishing, or the production of poultry or poultry products, milk or dairy products, or swine or swine products which, at all times, complies with the requirements of this chapter"

Page 1, after line 17, insert:

"4. "Authorized livestock farm limited liability company" means a limited liability company formed for cattle backgrounding, cattle finishing, or the production of poultry products, milk or dairy products, or swine or swine products which, at all times, complies with the requirements of this chapter."

Page 1, line 18, replace "4." with "5."

Page 1, replace lines 20 through 23 with:

"6. "Cattle finishing" means the feeding or growing of cattle for the purpose of expeditiously preparing the cattle for harvest."

Page 2, line 1, replace "6." with "7."

Page 2, line 3, replace "7. a." with "8."

Page 2, line 3, remove the overstrike over "~~cultivating~~"

Page 2, line 3, remove the underscored colon

Page 2, line 4, remove "(1) Cultivating"

Page 2, line 4, remove the overstrike over the overstruck comma

Page 2, line 4, remove the underscored semicolon

Page 2, line 4, remove the overstrike over "~~the~~"

Page 2, line 5, remove "(2) The"

Page 2, line 6, remove the overstrike over "~~It~~"

Page 2, line 7, remove "b. Notwithstanding subdivision a, "farming or ranching""

Page 2, remove line 8

Page 2, line 9, replace "(2)" with "a."

Page 2, line 10, replace "(3)" with "b."

Page 2, line 11, replace "(4)" with "c."

Page 2, line 12, replace "(5)" with "d."

Page 2, line 12, remove "Cattle backgrounding or cattle finishing feedlot operations, or the raising or"

Page 2, remove lines 13 and 14

Page 2, line 15, replace "hundred sixty acres [64.75 hectares]" with "Custom harvesting"

Page 2, line 16, replace "(6)" with "e."

Page 2, line 16, remove ", hydroponic agriculture,"

Page 2, line 19, replace "(7)" with "f."

Page 2, line 21, replace "8." with "9."

Page 2, line 24, replace "9." with "10."

Page 2, line 26, replace "10." with "11."

Page 2, remove lines 29 and 30

Page 3, line 13, after "in" insert "day-to-day"

Page 3, line 13, after the second "or" insert "day-to-day"

Page 3, line 14, after "contribute" insert "significantly"

Page 3, after line 14, insert:

"**SECTION 2. AMENDMENT.** Section 10-06.1-02 of the North Dakota Century Code is amended and reenacted as follows:

10-06.1-02. Farming or ranching by corporations and limited liability companies prohibited.

All corporations and limited liability companies, except as otherwise provided in this chapter, are prohibited from owning or leasing land used for farming or ranching and from engaging in the business of farming or ranching. A corporation or a limited liability company may be a partner in a partnership that is in the business of farming or ranching only if that corporation or limited liability company complies with this chapter. Notwithstanding any other provision, an authorized livestock farm corporation or authorized livestock farm limited liability company is prohibited from being a partner in a partnership owning or leasing land used for farming or ranching or engaging in the business of farming or ranching, a shareholder of an authorized livestock farm corporation, or a member of an authorized livestock farm limited liability company.

SECTION 3. AMENDMENT. Section 10-06.1-04 of the North Dakota Century Code is amended and reenacted as follows:

10-06.1-04. Conversion of corporations.

A business corporation regulated under chapter 10-19.1 may convert to a farming or ranching corporation by adopting an amendment to its articles of incorporation or by applying for an amended certificate of authority which specifies that the corporation elects to be subject to this chapter and by complying with all requirements of this chapter. The amendment must be filed with the secretary of state with the prescribed fee and with the initial report required by section 10-06.1-15. A farming or ranching corporation may convert to a business corporation by adopting an amendment to its articles of incorporation or by applying for an amended certificate of authority. The amendment must be filed with the secretary of state with the prescribed fee. The amendment must be accompanied by a report outlining the information, as of the date of the amendment, which is required under section 10-06.1-17 and section 11 of this Act, and the manner in which the corporation has divested itself of its owned or leased land holdings and its business of farming or ranching."

Page 3, after line 21, insert:

"**SECTION 5.** A new section to chapter 10-06.1 of the North Dakota Century Code is created and enacted as follows:

Authorized livestock farm corporation or limited liability company - Requirements.

This chapter does not prohibit an authorized livestock farm corporation or an authorized livestock farm limited liability company from owning or leasing real estate and engaging in the business of farming or ranching if the corporation meets all the requirements of chapter 10-19.1 or the limited liability company meets all the requirements of chapter 10-32.1 which are not inconsistent with this chapter. The following requirements also apply:

1. If a corporation, the corporation may not have more than ten shareholders. If a limited liability company, the limited liability company may not have more than ten members.

2. If a corporation, shareholders holding seventy-five percent or more of the shares entitled to vote and the shares entitled to distributions must be individuals who are actively engaged in operating a farm or ranch, corporations that meet the requirements of chapter 10-06.1-12, or limited liability companies that meet the requirements of chapter 10-06.1-12. If a limited liability company, members holding fifty-one percent or more of interests entitled to vote and interests entitled to distributions in the limited liability company must be individuals who are actively engaged in operating a farm or ranch, corporations that meet the requirements of chapter 10-06.1-12, or limited liability companies that meet the requirements of chapter 10-06.1-12.

3. If a corporation, all shareholders who are individuals must be citizens of the United States or permanent resident aliens of the United States, and all shareholders that are persons otherwise eligible under this chapter, and any controlling person of the corporation, must be organized in the United States and one hundred percent of the stock must be owned by citizens of the United States or permanent resident aliens. If a limited liability company, all members who are individuals must be citizens of the United States or permanent resident aliens of the United States, and all members that are persons otherwise eligible under this chapter, and any controlling person limited liability company, must be organized in the United States and one hundred percent of the interests must be owned by citizens of the United States or permanent resident aliens.

4. The authorized livestock farm corporation or authorized livestock farm limited liability company may not at any time, directly or indirectly, own, lease, or otherwise have an interest in more than one hundred sixty acres [64.75 hectares] of land.

5. If a corporation, none of its shareholders are shareholders in other authorized livestock farm corporations, or members in authorized livestock farm limited liability companies, that directly or indirectly in combination with the corporation own, lease, or otherwise have an interest in more than six hundred forty acres [259 hectares] of land. If a limited liability company, none of its members are members in other authorized livestock farm limited liability companies or shareholders in authorized livestock farm corporations that directly or indirectly in combination with the limited liability company own, lease, or otherwise have an interest more than six hundred forty acres [259 hectares] of land.

6. If a corporation, the officers and directors of the corporation must be shareholders who are actively engaged in operating the authorized livestock farm corporation. If a limited liability company, the governors, managers, and officers must be members who are actively engaged in operating the authorized farm limited liability company.

7. An annual average of at least sixty-five percent of the gross income of the corporation or limited liability company over the previous five years, or for each year of its existence, if less than five years, must have been derived from the production of cattle, poultry or poultry products, milk or dairy products, or swine or swine products.

8. The income of the corporation or limited liability company from nonfarm rent, nonfarm royalties, dividends, interest, and annuities may not exceed twenty percent of the gross income of the corporation or limited liability company.

9. The corporation or limited liability company may not directly or indirectly engage in the cultivation of land for the production of crops or the grazing of livestock.

10. The corporation or limited liability company must begin construction of the facilities used in the animal feeding operation or concentrated animal

feeding operation within one year of obtaining the agricultural landholding.

11. The corporation or limited liability company must have a fully operational animal feeding operation or concentrated animal feeding operation within three years of obtaining the agricultural landholding.

12. An authorized livestock farm corporation or limited liability company violating subsection 10 or 11, or which is inactive for three consecutive years as determined by the agriculture commissioner, is subject to the divestment provisions of section 10-06.1-24.

SECTION 6. AMENDMENT. Section 10-06.1-13 of the North Dakota Century Code is amended and reenacted as follows:

10-06.1-13. Applicability of North Dakota Business Corporation Act.

Chapter 10-19.1 is applicable to farming or ranching corporations and authorized livestock farm corporations, which have the powers and privileges and are subject to the duties, restrictions, and liabilities of other business corporations except when inconsistent with the intent of this chapter. This chapter takes precedence in the event of any conflict with the provisions of chapter 10-19.1.

SECTION 7. AMENDMENT. Section 10-06.1-14 of the North Dakota Century Code is amended and reenacted as follows:

10-06.1-14. Applicability of North Dakota limited liability company laws.

Chapter 10-32.1, except those sections which pertain to foreign limited liability companies, is applicable to farming or ranching limited liability companies and authorized livestock farm limited liability companies, which have the powers and privileges and are subject to the duties, restrictions, and liabilities of other business limited liability companies, except when inconsistent with the intent of this chapter. This chapter takes precedence in the event of any conflict with the provisions of chapter 10-32.1.

SECTION 8. A new section to chapter 10-06.1 of the North Dakota Century Code is created and enacted as follows:

Applicability of restriction on alien ownership of land.

The provisions of chapter 47-10.1 supersede this chapter in the event of any conflict.

SECTION 9. A new section to chapter 10-06.1 of the North Dakota Century Code is created and enacted as follows:

Initial report - Authorized livestock farm corporations and authorized livestock farm limited liability companies.

1. Every authorized livestock farm corporation or authorized livestock farm limited liability company shall file an initial report with its articles of incorporation or articles of organization. The report must be signed by the incorporators or organizers, and must contain the following:

   a. The name of the corporation or limited liability company.

   b. With respect to each shareholder or member:

      (1) The name and address of each, including the names and addresses and relationships of trusts and estates that own shares or membership interests;

      (2) If an organization, the state of domicile;

(3) The number of shares or membership interests;

(4) Each person's percentage of shares entitled to vote or membership interests entitled to vote; and whether any voting agreement exists;

(5) Each person's percentage of capital and financial interests;

(6) A statement of whether each is a citizen or permanent resident alien of the United States; and

(7) As to individuals, a statement of whether each will be actively engaged in operating the farm or ranch and whether each will reside on the farm or ranch.

c. With respect to management:

(1) If a corporation, the names and addresses of the officers and members of the board of directors.

(2) If a limited liability company, the names and addresses of the managers, members of the board of governors, and officers.

d. A statement that the corporation or limited liability company does not and will not directly or indirectly own, lease, or hold any interest in more than one hundred sixty acres [64.75 hectares].

e. If the purchase or lease of land is final at the time of the initial report, a statement listing the acreage and the number of hectares and location listed by section, township, range, and county of all land in the state in which the corporation or limited liability company has an ownership, leasehold, or other interest. If the purchase or lease of land is not final at the time of the initial report, a statement that there is a bona fide and imminent intent and a plan to purchase or lease land in the state.

f. A statement that no investors are shareholders or members in any other authorized livestock farm corporation or authorized livestock farm limited liability company that directly or indirectly with the corporation or limited liability company own, lease, or hold any interest in more than six hundred forty acres [259 hectares].

g. A statement that at least sixty-five percent of the gross income of the corporation or limited liability company will be derived from farming or ranching operations, and that twenty percent or less of the gross income of the corporation or limited liability company will be from nonfarm rent, nonfarm royalties, dividends, interest, and annuities.

h. A statement that the corporation or limited liability company will not engage in the cultivation of land for the production of crops.

i. If the facility is not operational, a statement as to the planned date of operations.

j. A statement that the corporation or limited liability company does not hold an interest in any other authorized livestock farm corporation or authorized livestock farm limited liability company.

2. A corporation or a limited liability company may not commence farming or ranching in this state until the secretary of state has received and filed the initial report required by this section and the articles of incorporation or articles of organization. The corporation or limited liability company shall furnish to the official county newspaper of each county or counties in which it has any interest in any land a legal notice reporting the following:

a. The name of the corporation or limited liability company and its shareholders or members as listed in the initial report.

b. A statement to the effect that the corporation or limited liability company has reported that it holds an interest in land in the county, the use of the land, and that a description of that land is available for inspection at the secretary of state's office.

c. A statement to the effect that each of the shareholders of the corporation or members of the limited liability company do not directly or indirectly in combination with interests in any other person own more than six hundred forty acres [259 hectares] of agricultural land.

SECTION 10. AMENDMENT. Section 10-06.1-17 of the North Dakota Century Code is amended and reenacted as follows:

10-06.1-17. Annual report - Contents - Filing requirements.

Except for the first annual report, the annual report of a corporation engaged in farming or ranching after June 30, 1981, and a limited liability company engaged in farming or ranching must be delivered to the secretary of state before April sixteenth of each year. The first annual report must be delivered before April sixteenth in the year following the calendar year of the effective date of the articles of incorporation, articles of organization, or certificate of authority. The annual report must be signed as provided in subsection 58 of section 10-19.1-01 if a corporation and subsection 49 of section 10-32.1-02 if a limited liability company, and submitted on a form prescribed by the secretary of state. If the corporation or limited liability company is in the hands of a receiver or trustee, it must be signed on behalf of the corporation or limited liability company by the receiver or trustee. An annual report must include the following information with respect to the preceding calendar year:

1. The name of the corporation or limited liability company.

2. The name of the registered agent of the corporation or limited liability company as provided in chapter 10-01.1 and, if a noncommercial registered agent, the address of the registered office of the corporation or limited liability company in this state.

3. With respect to each corporation:

   a. A statement of the aggregate number of shares the corporation has authority to issue, itemized by classes, par value of shares, shares without par value, and series, if any, within a class.

   b. A statement of the aggregate number of issued shares, itemized by classes, par value of shares, shares without par value, and series, if any, within a class.

4. With respect to each limited liability company:

   a. A statement of the aggregate number of units the limited liability company has authority to issue, itemized by classes and series, if any, within a class.

   b. A statement of the aggregate number of issued units, itemized by classes and series, if any, within a class.

5. With respect to each shareholder or member:

   a. The name and address of each, including the names and addresses and relationships of beneficiaries of trusts and estates which own shares or membership interests;

b. The number of shares or membership interests or percentage of shares or membership interests owned by each;

c. The relationship of each;

d. A statement of whether each is a citizen or permanent resident alien of the United States; and

e. A statement of whether at least one is an individual residing on or operating the farm or ranch.

~~5.~~6. With respect to management:

a. If a corporation, then the name and address of each officer and member of the board of directors, and a statement of whether each is a shareholder actively engaged in operating the farm or ranch; or

b. If a limited liability company, then the name and address of each manager and member of the board of governors, and a statement of whether each is a member actively engaged in operating the farm or ranch.

~~6.~~7. A statement providing the land description and listing the acreage [hectarage] and location listed by section, township, range, and county of all land in the state owned or leased by the corporation or limited liability company and used for farming or ranching. The statement must also designate which, if any, of the acreage [hectarage] is leased from or jointly owned with any shareholder or member and list the name of the shareholder or member with that acreage [hectarage].

~~7.~~8. A statement of the percentage of the annual average gross income of the corporation or limited liability company which has been derived from farming or ranching operations over the previous five years or for each year of existence if less than five years.

~~8.~~9. A statement of the percentage of gross income of the corporation or limited liability company derived from nonfarm rent, nonfarm royalties, dividends, interest, and annuities during the period covered by the report.

~~9.~~10. A corporation engaged in farming which fails to file an annual report is subject to the penalties for failure to file an annual report as provided in chapter 10-19.1, except that the penalties must be calculated from the date of the report required by this section.

~~10.~~11. A limited liability company engaged in farming which fails to file an annual report is subject to the penalties for failure to file an annual report as provided in chapter 10-32.1, except that the penalties must be calculated from the date of the report required by this section.

SECTION 11. A new section to chapter 10-06.1 of the North Dakota Century Code is created and enacted as follows:

Annual report - Contents - Filing requirements.

1. Except for the first annual report, the annual report of an authorized livestock farm corporation or authorized livestock farm limited liability company must be delivered to the secretary of state before April sixteenth of each year. The first annual report must be delivered before April sixteenth in the year following the calendar year of the effective date of the articles of incorporation or articles of organization. The annual report must be signed as defined in section 10-19.1-01 if a corporation or section 10-32.1-02 if a limited liability company and submitted on a form prescribed by the secretary of state. If the corporation or limited liability company is in the hands of a receiver or trustee, the annual report must be signed on behalf of the corporation or limited liability company by the

receiver or trustee. An annual report must include the following information with respect to the preceding calendar year:

a. The name of the registered agent of the corporation or limited liability company as provided in chapter 10-01.1 and, if a noncommercial registered agent, the address of the registered office of the corporation or limited liability company in this state.

b. The name of the corporation or limited liability company.

c. With respect to each corporation:

(1) A statement of the aggregate number of shares the corporation has authority to issue, itemized by classes, par value of shares, shares without par value, and series, if any, within a class.

(2) A statement of the aggregate number of issued shares, itemized by classes, par value of shares, shares without par value, and series, if any, within a class.

d. With respect to each limited liability company:

(1) A statement of the aggregate number of units the limited liability company has authority to issue, itemized by classes and series, if any, within a class.

(2) A statement of the aggregate number of issued units, itemized by classes and series, if any, within a class.

e. With respect to each shareholder or member:

(1) The name and address of each, including the names and addresses and relationships of trusts and estates that own shares or membership interests;

(2) If an organization, the state of domicile;

(3) The number of shares or membership interests;

(4) Each person's percentage of shares entitled to vote, or membership interests entitled to vote, and whether any voting agreement exists;

(5) Each person's percentage of capital and financial interests;

(6) A statement of whether each is a citizen or permanent resident alien of the United States; and

(7) As to individuals, a statement of whether each will be actively engaged in operating the farm or ranch and whether each will reside on the farm or ranch.

f. With respect to management:

(1) If a corporation, the names and addresses of the officers and members of the board of directors.

(2) If a limited liability company, the names and addresses of the managers and members of the board of governors.

g. A statement that the corporation or limited liability company does not directly or indirectly own, lease, or hold any interest in more than one hundred sixty acres [64.75 hectares].

h. A statement providing the land description and listing the acreage, the total number of hectares and location listed by section, township, range, and county of all land in the state in which the corporation or limited liability company has an ownership, leasehold, or other interest.

i. A statement that no investors are shareholders or members in any other authorized livestock farm corporation or authorized livestock farm limited liability company that directly or indirectly with the corporation or limited liability company own, lease, or hold any interest in more than six hundred forty acres [259 hectares].

j. A statement that at least sixty-five percent of the gross income of the corporation or limited liability company will be derived from farming or ranching operations, and that twenty percent or less of the gross income of the corporation or limited liability company is from nonfarm rent, nonfarm royalties, dividends, interest, and annuities.

k. A statement that the corporation or limited liability company does not engage in the cultivation of land for the production of crops or the grazing of livestock.

l. The first date of operations.

m. A statement that the corporation or limited liability company does not hold an interest in any other authorized livestock farm corporation or authorized livestock farm limited liability company.

n. The statement also must designate which, if any, of the acreage and the total number of hectares is leased from or jointly owned with any shareholder or member and list the name of the shareholder or member with that acreage and the total number of hectares.

o. A statement of the percentage of the annual average gross income of the corporation or limited liability company which has been derived from farming or ranching operations over the previous five years or for each year of existence if less than five years.

p. A statement of the percentage of gross income of the corporation or limited liability company derived from nonfarm rent, nonfarm royalties, dividends, interest, and annuities during the period covered by the report.

2. A corporation engaged in farming which fails to file an annual report is subject to the penalties for failure to file an annual report as provided in chapter 10-19.1, except the penalties must be calculated from the date of the report required by this section.

3. A limited liability company engaged in farming which fails to file an annual report is subject to the penalties for failure to file an annual report as provided in chapter 10-32.1, except the penalties must be calculated from the date of the report required by this section.

SECTION 12. AMENDMENT. Section 10-06.1-21 of the North Dakota Century Code is amended and reenacted as follows:

10-06.1-21. Secretary of state to transmit information of noncompliance.

If the secretary of state finds from the annual report that the corporation or limited liability company is not in compliance with the requirements of section 10-06.1-12 or section 5 of this Act, the secretary of state shall transmit such information to the attorney general and the governor.

SECTION 13. AMENDMENT. Section 10-06.1-22 of the North Dakota Century Code is amended and reenacted as follows:

10-06.1-22. Tax commissioner to compare returns and reports.

Each year the tax commissioner shall select at random at least five percent of the income tax returns filed by corporations or limited liability companies which report on income from farming or ranching operations and shall compare such returns with the annual report required to be filed with the secretary of state by section 10-06.1-17 and section 11 of this Act and shall forward any apparent violations to the attorney general and the governor.

SECTION 14. AMENDMENT. Section 10-06.1-26 of the North Dakota Century Code is amended and reenacted as follows:

10-06.1-26. Protection of minority shareholders.

If a shareholder owns less than fifty percent of the shares of a farming or ranching corporation or authorized livestock farm corporation doing business under this chapter, and if the terms and conditions for the repurchase of those shares by the corporation or by the other shareholders are not set forth in the bylaws or the instrument which transferred the shares to the shareholder, or are not the subject of a shareholders' agreement or an agreement between that shareholder and the corporation, then the disposition of such shares must be determined by this section upon the withdrawal of the shareholder. Any shareholder who desires to withdraw from the corporation shall first offer the shares for sale to the remaining shareholders in proportion to the shares owned by them. If not all of the shareholders wish to purchase the shares, any one shareholder may purchase all of the shares of the withdrawing shareholder. If no shareholder desires to purchase the shares of a withdrawing shareholder, then the corporation may purchase the shares. If the corporation chooses not to purchase the shares of the withdrawing shareholder, then the withdrawing shareholder may sell the shares to any other person eligible to be a shareholder. If the withdrawing shareholder is unable to sell the shares to any other person eligible to become a shareholder, then the withdrawing shareholder may bring an action in district court to dissolve the corporation. Upon a finding that the withdrawing shareholder cannot sell the shares at a fair price, the court shall enter an order directing that the corporation itself or any or all of the remaining shareholders pro rata or otherwise shall have twelve months from the date of the court's order to purchase the shares of the withdrawing shareholder at a fair price as determined by the court and that if the shares of the withdrawing shareholder are not completely purchased at said price, the corporation shall be dissolved and the assets of the corporation shall be first used to pay all the liabilities of the corporation with the remaining net assets to be distributed pro rata to the shareholders in proportion to their ownership of shares. For the purpose of this section, a fair price for the shares of the withdrawing shareholder must be determined as though the shares were being valued for federal gift tax purposes under the Internal Revenue Code.

SECTION 15. AMENDMENT. Section 10-06.1-27 of the North Dakota Century Code is amended and reenacted as follows:

10-06.1-27. Protection of minority members.

If a member owns less than fifty percent of the membership interest of a farming or ranching limited liability company or authorized livestock farm limited liability company doing business under this chapter and if the terms and conditions for the repurchase of that membership interest by the limited liability company or by the other members are not set forth in the bylaws, the instrument that transferred the membership interest to the member, or are not the subject of a member-control agreement or other agreement between that member and the limited liability company, the disposition of the membership interest must be determined by this section upon the withdrawal of the member. Any member who desires to withdraw from the limited liability company shall first offer the membership interest for sale to the remaining members in proportion to the membership interests owned by the remaining members. If not all of the members wish to purchase the membership interest, any one member can purchase all of the membership interest of the withdrawing member. If no member desires to purchase the membership interest of the withdrawing member, the limited liability company may purchase the membership interest. If the limited liability company chooses not to purchase the membership

interest of the withdrawing member, the withdrawing member may sell the membership interest to any other person eligible to be a member. If the withdrawing member is unable to sell the membership interest to any other person eligible to become a member, the withdrawing member may bring an action in district court to terminate the limited liability company. Upon a finding that the withdrawing member cannot sell the membership interest at a fair price, the court shall enter an order directing that the limited liability company or any of the remaining members pro rata or otherwise, have twelve months from the date of the court's order to purchase the membership interest of the withdrawing member at a fair price as determined by the court and that if the membership interest of the withdrawing member is not completely purchased at the fair price, the limited liability company must be dissolved and the assets of the limited liability company must be first used to pay all liabilities of the limited liability company with the remaining net assets to be distributed pro rata to the members in proportion to the member's membership interest ownership. For the purpose of this section, a fair price for the membership interest of the withdrawing member must be determined as though the membership interest was being valued for federal gift tax purposes under the Internal Revenue Code."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1421: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO NOT PASS** (21 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1421 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1451, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO NOT PASS** (16 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). Engrossed HB 1451 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1464: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO NOT PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1464 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1485: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1485 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 54-66 of the North Dakota Century Code, relating to legislative assembly conflict of interest rules; to provide for application; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 54-66 of the North Dakota Century Code is created and enacted as follows:

Conflicts of interest - Legislative assembly.

1. Each legislative assembly shall adopt conflict of interest rules. The rules must:

   a. Require the disclosure by a member of a potential conflict of interest relating to any bill in which the member may have a direct, unique, substantial, or individual interest.

   b. Ensure a mechanism is in place to record each disclosure and make it readily available to the public.

2. If the legislative assembly adopts rules under subsection 1 which are at least as restrictive as the conflict of interest rules adopted by the ethics commission, the disclosure process portion of the conflict of interest rules adopted by the ethics commission may not apply to members of the legislative assembly.

SECTION 2. APPLICATION. House Rule 321, Senate Rule 321, and associated rules relating to conflicts of interest of legislators, as enacted by the sixty-eighth legislative assembly, are at least as restrictive as the conflict of interest rules adopted by the ethics commission and control conflict of interest disclosure for members of the legislative assembly.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1496: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO NOT PASS** (18 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1496 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1503: Agriculture Committee (Rep. Thomas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1503 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 54-12-01 and a new section to chapter 54-12 of the North Dakota Century Code, relating to ownership of real property and commercial assets by foreign adversaries; to provide for a legislative management study; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 54-12-01 of the North Dakota Century Code is created and enacted as follows:

Conduct reviews and issue permits to a covered person as provided under section 2 of this Act and continue to assess threats to the state from malign activities, efforts, or influence by persons owned by a foreign adversary.

SECTION 2. A new section to chapter 54-12 of the North Dakota Century Code is created and enacted as follows:

Regulation of covered persons.

Notwithstanding any other provision of law:

1. For purposes of this section:

   a. "Covered person" means a person that owns or controls any real estate or commercial assets or operates a business within this state which is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary or an individual acting on behalf of or in conjunction with a foreign adversary, except the term does not include a person that, as of the effective date of this Act, has been a registered business and in good standing in this state for seven years or longer, or a person that has been approved by the committee on foreign investment in the United States and maintains an active national security agreement with the federal government of the United States.

b. "Foreign adversary" means an individual or a government identified as a foreign adversary in 15 CFR 7.4(a).

2. A covered person may not own real estate, commercial assets, or operate a business within this state without first registering as a covered person and obtaining a permit from the attorney general. The registration of a covered person must include the beneficial or ownership interests of any person associated with the covered person, including the nation in which the covered person is domiciled, operated within and from, or owned wholly or in part.

3. Upon receiving the information in subsection 2, the attorney general shall conduct a state security review. The review must:

a. Be completed within ninety days of receiving the information under subsection 2;

b. Include information from any federal and state military and intelligence organizations operating within this state;

c. Be conducted in conjunction with any relevant state, county, or municipal bodies to assess the potential impacts to any federal or state military and intelligence organizations operating within this state; and

d. Be made available as a public record if the covered person conducts business in this state and to the extent the review does not reflect information provided by the covered person and identified as confidential or proprietary, as provided by section 44-04-18.4.

4. All criminal violations committed by a covered person, constituting a threat to the state, must be reported immediately to the attorney general. If deemed necessary by the attorney general, the attorney general may report criminal violations to any state and federal authorities. If the attorney general review uncovers proof of any criminal violation under county, state, or federal law that constitutes a threat to this state within the previous five-year period, the permit must be revoked. If a covered person's permit is revoked, the covered person has thirty business days to appeal the attorney general's decision to the appropriate district court in the county where the covered person is domiciled. Failure to appeal revocation within the permitted period constitutes a waiver of appeal. If the permit ultimately is revoked by the attorney general or the district court, the attorney general shall notify the covered person of the official revocation, and the covered person must be provided:

a. Twelve months to wind down all business enterprises in the state; and

b. Thirty-six months to divest of ownership of all real property and commercial assets within this state.

5. An active, registered business that has maintained a status of good standing with the secretary of state for seven years or longer, or a business approved by the committee on foreign direct investment, is not exempt from a state security review directed by the attorney general under this section.

6. This section applies to any covered person that:

a. Is domiciled in this state;

b. Operates a duly registered business in this state;

c. Operates a charitable enterprise in this state; or

d. Obtains any beneficial interest in real estate, commercial assets, or a business or charitable organization in this state.

7. Any organization, on the effective date of this Act, owning real estate or commercial assets or operating a business, that would otherwise be considered a covered person under this section, is subject to the annual permit review process effective one hundred eighty days from the effective date of this Act.

SECTION 3. LEGISLATIVE MANAGEMENT STUDY - NUMBER OF COVERED PERSONS IN NORTH DAKOTA. During the 2023-24 interim, the legislative management shall consider studying the number of persons that own or control any real estate or commercial assets or operate a business within this state which is owned by, controlled by, or subject to the jurisdiction or direction of foreign adversaries or individuals acting on behalf of or in conjunction with foreign adversaries. This study must attempt to ascertain the number of such persons residing in this state which operate a business or a charitable enterprise or have obtained a beneficial interest in real estate, commercial assets, or a business or charitable organization in this state. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

SECTION 4. EXPIRATION DATE. Sections 1 and 2 of this Act are effective through July 31, 2025, and after that date are ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1508: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1508 was placed on the Sixth order on the calendar.

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

Page 1, line 1, remove ", 54-10-14, and 54-10-27"

Page 1, line 2, remove "audit fees of state institutions, political subdivisions, and"

Page 1, line 3, replace "occupational and professional boards; and to provide for retroactive application" with "duties of the state auditor"

Page 1, line 7, remove " **- Exception**"

Page 1, line 22, remove the overstrike over "~~the cost of the~~"

Page 1, line 23, remove the overstrike over "~~audit and other services rendered by the state auditor~~"

Page 1, line 23, remove "one thousandth of one"

Page 1, line 24, remove "percent of the agency's total biennial operating budget"

Page 3, line 25, remove "Notwithstanding subdivision c of subsection 1 and subdivision d of subsection 2, the"

Page 3, remove lines 26 and 27

Page 3, line 28, remove "4."

Page 3, remove lines 30 and 31

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 30

Page 7, remove lines 1 through 6

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3017: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3017 was placed on the Tenth order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Conmy, Nelson and Sen. Hogan introduced:

HCR 3018: A concurrent resolution directing the Legislative Management to consider studying strategies to increase the number of North Dakotans who receive health benefits coverage.

Was read the first time and referred to the **Human Services Committee**.

Reps. Kasper, Dockter, Koppelman, Lefor, Louser, Rohr, D. Ruby, Steiner, Vetter and Sens. Luick, Myrdal, Paulson introduced:

HCR 3019: A concurrent resolution to amend and reenact sections 1 and 2 of article XV of the Constitution of North Dakota, relating to term limits for members of the legislative assembly and statewide elected officers; to repeal section 4 of article XV of the Constitution of North Dakota, relating to prohibiting the legislative assembly from proposing certain amendments to article XV of the Constitution of North Dakota; and to provide for application.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Kasper, Headland, Kempenich, Koppelman, Lefor, Louser, Rohr, D. Ruby and Sens. Larsen, Paulson, Vedaa introduced:

HCR 3020: A concurrent resolution to amend and reenact sections 7 and 13 of article IV of the Constitution of North Dakota, relating to annual sessions of the legislative assembly; and to provide an effective date.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Dobervich, Davis, Fegley, Mock, Nelson, Schneider and Sens. Hogan, K. Roers introduced:

HCR 3021: A concurrent resolution directing the Legislative Management to consider studying whether the services provided in the state relating to the care and treatment of individuals with brain injury are adequate, including a review of the state's existing programs to identify potential pathways and treatment options for individuals with brain injury, gap identification with programmatic recommendations identifying potential strategies to address the gaps, potential federal and state funding sources for services, and developing a method to evaluate the efficacy of new programs.

Was read the first time and referred to the **Human Services Committee**.

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

Buell J. Reich, Chief Clerk