JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, March 27, 2023

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

The prayer was offered by Chaplain Greg Carr, Lead Chaplain, Crisis Care Chaplaincy, Bismarck.

The roll was called and all members were present except Representatives Christy, Fegley, and Kempenich.

A quorum was declared by the Speaker.

MOTION

REP. BOSCH MOVED that SB 2362, which is on the Fourteenth order, be laid over three legislative days, which motion prevailed.

MOTION

REP. BOSCH MOVED that Engrossed SB 2285, which is on the Fourteenth order, be rereferred to the **Transportation Committee**, which motion prevailed. Pursuant to Rep. Bosch's motion, Engrossed SB 2285 was rereferred.

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to Engrossed SB 2026, SB 2261, Engrossed SB 2311, and Engrossed SB 2364.

Engrossed SB 2026, SB 2261, Engrossed SB 2311, and Engrossed SB 2364, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

SB 2196: REP. BOSCH (Energy and Natural Resources Committee) MOVED that the amendments on HJ page 1356 be adopted and then be placed on the Fourteenth order with **DO PASS**.

The proposed amendments to SB 2196 were adopted on a verification vote.

MOTION

REP. BOSCH MOVED to suspend Rule 601 (3a) and place Senate Bill 2196 immediately on the Fourteenth order, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

REP. NATHE rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE NATHE

MR. SPEAKER: Mr Speaker and members of the assembly, today I have the distinct honor and privilege of introducing Commanding officer of the USS North Dakota…Commander Robert L Edmonson III to our chamber.

Commander Edmonson was raised in Jackson, California and graduated from Argonaut High School in June of 1997 and enlisted in the Navy in November of 1997. He holds a Bachelor of Science Degree in Nuclear Engineering from Oregon State University and a Master of Science in Applied Physics, focused on combat systems, from the Naval Postgraduate School in Monterey, California.

Commander Edmonson’s at-sea assignments began with his Division Officer Tour on USS Chicago. He then served as the Engineer on the USS Wyoming. His Executive Officer tour began on USS City of Corpus Christi. He also served as Executive Officer on USS Santa Fe.

In January 2021, he reported onboard the USS North Dakota and took Command on February 12, 2021.

Commander Edmonson lives in Mystic, Connecticut with his wife Melissa of Jackson, California and two daughters, Bridget and Carly.

Mr Speaker/members of the assembly we are extremely proud to have a submarine named after our great state and even more grateful to have her commanded by someone of such high character and quality as Commander Robert Edmanson III…. who along with his fellow sailors of the USS North Dakota are sacrificing and working every day to protect this great country of ours …..Thank you Mr Speaker.

MOTION

REP. BOSCH MOVED that a committee of two be appointed to escort Commander Robert Edmonson to the podium, which motion prevailed.

SPEAKER D. JOHNSON APPOINTED Reps. Mitskog and M. Ruby to the Escort Committee.

REMARKS OF COMMANDER ROBERT EDMONSON
Commanding Officer, USS North Dakota (SSN-784)

Mr. Speaker and Members of the North Dakota House,
from the Officers and Crew of the USS NORTH DAKOTA, the 11th Ship of the VIRGINIA Class, thank you for your continued support. I am delighted to be here as their representative. It is my honor and privilege to report on the current status of YOUR warship.

I am proud to report that YOUR ship and the men who fight it are BOLD and LETHAL, ready to deliver unstoppable combat power to deter or defeat any adversary.

On February 12, 2021, I became the fourth Commanding Officer of the NORTH DAKOTA following her return from a 2nd successful Deployment. From the first day, I was in awe of what a great ship and crew I had the opportunity to lead and together we began the incredible journey that was to unfold. We were immediately tasked with completing a shortened, strenuous Deployed Preparations Period, the workup prior to our most recent, 3rd deployment. We got to work.

The crew executed the preparations period flawlessly, consistently delivering exceptional performance in the face of immense operational, material, and schedule pressure. Here are a few highlights of those important preparations:

USS NORTH DAKOTA was chosen to participate in the Submarine Command Course. This is one of the Submarine Force's pinnacle events, where hopeful Commanding Officers and Executive Officers are challenged to lead a crew through intense and complicated peace and wartime operations. During these exercises the officers and the crew practice tactics that challenge the full spectrum of submarine operations. They are pitted against other submerged, surfaced and air combatants in preparation for the day when we are called into action.

Following this exercise, we had the pleasure of hosting Midshipmen, young naval officers at the beginning of their careers, while operating near Mayport, Florida. The crew shared their stories of service, sacrifice and operating the ship, and warmly welcomed these Midshipmen into the Navy Family. The crew's excellence and motivation helped ensure that only the best Midshipmen would be chosen to lead the Submarine Force in their future career.

The crew operated off the coast of Florida in joint operations with Seal Delivery Vehicle – Team Two, an exercise that included multiple special ops teams who conducted diving operations in and out of the ship's lock out trunk, developing new procedures and refining tactics. This was impactful and prepared the crew and our Special Forces teams for future missions.

The crew worked tirelessly and completed multiple intense maintenance periods to ensure that YOUR ship was in the highest state of material and combat readiness. I had the pleasure of reporting to Admiral Houston, the Commander of Submarine Forces, prior to our most recent deployment on NORTH DAKOTA's readiness. He stated we were deploying with the highest state of operational and material readiness that he'd ever seen.

I soon realized just how important these preparations were.

NORTH DAKOTA deployed for the 3rd time on March 29th of last year, almost one month to the day after Russia had invaded Ukraine. We pushed off the pier from New London, CT - the Submarine Capital of the world – cheered on by all of the family and fellow shipmates we had to leave behind. They proudly sang Anchors Away and chanted the ship's motto "Strength from the Soil, Reapers of the Deep" as we cast off lines and sounded the whistle, one long blast to indicate a warship underway.

There was a sense of urgency, the entire crew and their families felt the call to duty that we would answer in Theatre. However, I later learned how challenging, dynamic, and important this deployment would be; one of the most difficult I've seen in my 25 years of Naval service.

The deployment was hard and the operational tempo was high, but YOUR crew didn't show it. Their performance and their achievements were so impactful that our time at sea was extended from 6 months to 7 months. Our missions were so crucial to our national security, that we were requested from the highest levels of command to stay at sea 94 percent of those 7 long months. For over two months, we were in total communications blackout.

One of the important strategic resources we enjoyed was our network of allies, both at sea and in port. We made port calls in Tromso, Norway; Faslane, Scotland; Rota, Spain; and Toulon; France. As you can see from the ports visited, we operated everywhere! Your crew represented NORTH DAKOTA with honor while they recovered from intense operations and resupplied.

Across the deployment we traveled over 40,000 total miles, including going above the Arctic Circle and sailing throughout the Atlantic and Mediterranean Sea.

We made a huge investment developing the leaders to inherit our future, achieving the highest levels of retention, qualification, and advancement across all submarines in the Atlantic Fleet. Often sailors testified their commitment to service grew because of what they had accomplished on deployment and that their personal efforts allowed the ship to answer the call, every single time – with excellence.

The return from deployment celebrations were commensurate with their achievements. I had the pleasure to brief our deployment to multiple commanders including a brief in Washington DC to your very own, Senator Cramer.

The crew was recognized for employing several new tactics and techniques during operations that involved surfaced ships, aircraft, and other submarines. They dominated the undersea domain and came home heroes. They also received many congratulatory letters from submarine force leaders, personal, and ship awards that recognized a "new high bar" of excellence. I am proud to say they fully embodied the motto "Strength from the Soil - Reapers of the Deep." All of this was possible because of the effort and sacrifice of the crew and their families. We are grateful and stronger because of your community's support.

I want to conclude with letting you know that your name sake, the USS NORTH DAKOTA and her crew have represented you with honor and have achieved the highest levels of excellence. Because of this we were awarded the Battle "E", an honor given to warships that have met and excelled at every possible task throughout the year, demonstrating the highest levels of readiness and performance. It is impressive that the North Dakota has earned this on two occasions while completed three deployments.

YOUR ship and crew are the toughest, most capable, and highly motivated men I have ever served with. They have sacrificed time with family to be our underwater front line, and they have come through in herculean efforts to stay on mission.

Thank you for the honor you have given me today to appear before you and report on your ship.

MOTION

REP. BOSCH MOVED that the remarks of Rep. Nathe and Commander Robert Edmonson be printed in the Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2196: A BILL for an Act to create and enact two new sections to chapter 61-40 of the North Dakota Century Code, relating to the infrastructure revolving loan fund and accrued and unpaid interest in western area water supply authority loans; to amend and reenact section 61-02-79, subsection 13 of section 61-40-05, and sections 61-40-09, 61-40-10, and 61-40-11 of the North Dakota Century Code, relating to the operation and oversight of the western area water supply authority and the authorized line of credit.

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, 10 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hauck; Headland; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemin; Koppelman; Kreidt; Lefor; 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; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, B.; Bellew; Christensen; Hatlestad; Heilman; Henderson; Hoverson; Longmuir; Prichard; Timmons

ABSENT AND NOT VOTING: Christy; Fegley; Kempenich

SB 2196, as amended, passed.

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SECOND READING OF SENATE BILL

SB 2331: A BILL for an Act to create and enact a new section to chapter 47-16 of the North Dakota Century Code, relating to move-in and post move-out inspections of leased property.

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 23 YEAS, 68 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bellew; Beltz; Boschee; Christensen; Dakane; Davis; Finley-DeVille; Hager; Hanson; Heilman; Henderson; Hoverson; Johnson, J.; Karls; Kiefert; Ostlie; Schatz; Schauer; Schneider; Schobinger; Strinden; VanWinkle; Wagner

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bosch; Brandenburg; Conmy; Cory; Dobervich; Dockter; Dyk; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heinert; Holle; Ista; Jonas; Kasper; 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; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schreiber-Beck; Steiner; Stemen; Swiontek; Thomas; Timmons; Toman; Tveit; Vetter; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Fegley; Kempenich

Engrossed SB 2331, as amended, failed.

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SECOND READING OF SENATE BILL

SB 2132: A BILL for an Act to create and enact section 34-07-15.1 of the North Dakota

Century Code, relating to labor exceptions for minors performing sports-attendant services; to amend and reenact section 34-07-15 of the North Dakota Century Code, relating to maximum hours of labor for minors; 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 90 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; 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; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: VanWinkle

ABSENT AND NOT VOTING: Christy; Fegley; Kempenich

SB 2132, as amended, passed and the emergency clause was declared carried.

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SECOND READING OF SENATE BILL

SB 2227: A BILL for an Act to amend and reenact sections 23-01-02 and 23-01-03 of the North Dakota Century Code, relating to the membership and duties of the health council.

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 61 YEAS, 30 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Anderson, K.; Bellew; Christensen; Dockter; Dyk; Fisher; Frelich; Headland; Heilman; Henderson; Holle; Hoverson; Kasper; Koppelman; Kreidt; Louser; Marschall; Motschenbacher; Olson, S.; Prichard; Rios; Rohr; Schatz; Steiner; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa

ABSENT AND NOT VOTING: Christy; Fegley; Kempenich

SB 2227, as amended, passed.

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SECOND READING OF SENATE BILL

SB 2247: A BILL for an Act to create and enact chapter 15-10.6 of the North Dakota Century Code, relating to specified concepts at institutions of higher education; to provide a report; to provide an appropriation; and to provide an expiration date.

ROLL CALL

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

committee recommendation of DO NOT PASS, the roll was called and there were 51 YEAS, 40 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Bahl; Bellew; Bosch; Brandenburg; Christensen; Cory; Dockter; Dyk; Fisher; Frelich; Hatlestad; Hauck; Headland; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Karls; Kasper; Kiefert; Koppelman; Kreidt; Lefor; Louser; Marschall; McLeod; Meier; Motschenbacher; Novak; Olson, J.; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Schobinger; Steiner; Stemen; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa

NAYS: Anderson, B.; Anderson, D.; Beltz; Boschee; Conmy; Dakane; Davis; Dobervich; Finley-DeVille; Grueneich; Hager; Hagert; Hanson; Heinert; Ista; Jonas; Klemin; Longmuir; Martinson; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; O'Brien; Ostlie; Porter; Pyle; Richter; Roers Jones; Sanford; Schneider; Schreiber-Beck; Strinden; Swiontek; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Fegley; Kempenich

Engrossed SB 2247, as amended, passed.

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MOTION

REP. BOSCH MOVED that Engrossed SB 2247, as amended, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Bosch's motion, Engrossed SB 2247, as amended, was rereferred.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2201, SB 2286.

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

MADAM PRESIDENT: The House has amended and subsequently failed to pass: SB 2296.

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

MADAM PRESIDENT: The House has amended and subsequently failed to pass: SCR 4019.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1037, HB 1476.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1061, HB 1294, HB 1364, HB 1438.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1061

Page 1, line 3, replace "section" with "paragraph 16 of subdivision a of subsection 3 of section 39-06.1-10 and sections 39-10-16 and"

Page 1, line 3, after the second "to" insert "entries against driving record, rotary traffic islands, and"

Page 1, after line 5, insert:

"**SECTION 1. AMENDMENT.** Paragraph 16 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code is amended and reenacted as follows:

(16)	Driving on wrong side of road in violation of section 39-10-08, 39-10-14, or <u>subsection 1, 2, or 3 of section</u> 39-10-16, or equivalent ordinances	2 points

SECTION 2. AMENDMENT. Section 39-10-16 of the North Dakota Century Code is amended and reenacted as follows:

39-10-16. One-way roadways and rotary traffic islands.

1. The director and local authorities with respect to highways under their respective jurisdictions may designate any highway, roadway, part of a roadway, or specific lanes upon which vehicular traffic shall proceed in one direction at all or such times as shall be indicated by official traffic-control devices.

2. Upon a roadway so designated for one-way traffic, a vehicle shall be driven only in the direction designated at all or at such times as shall be indicated by official traffic-control devices.

3. A vehicle passing around a rotary traffic island must be driven only to the right of such island.

4. After a vehicle enters a rotary traffic island, the vehicle may not exit from any position within the rotary traffic island without first giving a signal of intention to exit the rotary traffic island."

Page 1, line 17, after "roadways" insert "and shall yield the right of way to any other vehicle previously stopped for another stop sign at the intersection if the intersection is clear for each driver to proceed"

Page 1, line 17, remove "If more than"

Page 1, remove lines 18 through 21

Page 2, line 16, replace "**Windows**" with "**Windshield**"

Page 2, line 17, replace "Glass or glazing material on the front or side windows" with "A windshield"

Page 2, line 17, remove "broken, shattered, or"

Page 2, line 18, replace "distorted to the extent it impairs the vision of the driver" with "shattered or in such a defective condition that the windshield materially impairs or obstructs the driver's clear view"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1294

Page 1, line 14, replace "sixty" with "one hundred twenty-five"

Page 1, line 15, replace "sixty" with "one hundred twenty-five"

Page 2, line 3, after "3." insert "The maximum total grant calculation for each operation, after accounting for the deductions in subsection 2, may not exceed two hundred twenty-five thousand dollars.

4."

Page 2, line 7, replace "4." with "5."

Page 2, line 10, replace "5." with "6."

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1364

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

Page 1, line 1, after "42-03-01" insert ", 42-03-02, 42-03-03, and 42-03-04"

Page 1, line 2, replace "dogs" with "animals"

Page 1, line 6, overstrike "**dogs**" and insert immediately thereafter "**animals**"

Page 1, after line 6 insert:

"1."

Page 1, line 7, overstrike "dog" and insert immediately thereafter "animal"

Page 1, line 7, remove the overstrike over "~~molests~~"

Page 1, line 7, remove "harasses"

Page 1, line 7, after "individual" insert "or a person's property"

Page 1, line 8, replace "dog" with "animal"

Page 1, line 9, replace "dog's" with "animal's"

Page 1, line 10, replace "harasses" with "habitually molests a person's property or one or more"

Page 1, line 11, replace "a dog" with "an animal"

Page 1, line 11, replace "dog's" with "animal's"

Page 1, line 12, after the underscored period insert:

"2."

Page 1, line 13, overstrike the first "dog" and insert immediately thereafter "animal"

Page 1, line 13, overstrike the second "dog" and insert immediately thereafter "animal"

Page 1, line 14, overstrike "dog's" and insert immediately thereafter "animal's"

Page 1, line 14, overstrike "dog" and insert immediately thereafter "animal"

Page 1, line 15, overstrike "dog's" and insert immediately thereafter "animal's"

Page 1, line 16, overstrike "dog" and insert immediately thereafter "animal"

Page 1, line 16, remove the overstrike over "~~molesting~~"

Page 1, line 16, remove "harassing"

Page 1, line 16, overstrike "persons" and insert immediately thereafter "individuals or a person's property"

Page 1, line 17, overstrike "dog" and insert immediately thereafter "animal"

Page 1, line 18, overstrike "dog" and insert immediately thereafter "animal"

Page 1, after line 21, insert:

"3. A county, township, or city, including home rule counties and cities, may enact ordinances governing animals as public nuisances which are not less restrictive than this chapter.

4. For purposes of this section:

a. "Animal" does not include livestock as defined under section 36-11-01.1.

b. "Molest" means to annoy, disturb, or harass, especially with injurious effect.

SECTION 2. AMENDMENT. Section 42-03-02 of the North Dakota Century Code is amended and reenacted as follows:

42-03-02. Owner of ~~dog~~animal not known.

If it appears from the complaint that the owner is not known, ten days' notice ~~shall~~must be given by publication in one issue of a newspaper having wide circulation in the area. ~~Such~~The notice ~~shall~~must contain a description of the ~~dog~~animal as given in the complaint, a statement that ~~such~~the complaint has been made, and the time and place of the hearing ~~thereon~~on the complaint.

SECTION 3. AMENDMENT. Section 42-03-03 of the North Dakota Century Code is amended and reenacted as follows:

42-03-03. Hearing - Judgment - Execution.

On the day of the hearing the district or municipal judge shall hear the evidence in the case. If the judge finds that the ~~dog~~animal is a public nuisance, judgment must be entered accordingly, and the judge ~~shall~~may order any peace officer to ~~kill and bury the dog, which order the peace officer shall forthwith execute~~capture the animal and cause the animal to be removed or relocated or require the animal to be euthanized and disposed of humanely.

SECTION 4. AMENDMENT. Section 42-03-04 of the North Dakota Century Code is amended and reenacted as follows:

42-03-04. Costs.

Costs ~~shall~~must be paid by the complainant, but if the ~~dog~~animal is adjudged a nuisance, and the owner is known, judgment ~~shall~~must be entered against the owner for ~~such~~the costs."

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1438

Page 1, line 14, replace "an institution of public charity" with "a public hospital or nursing home licensed pursuant to section 23-16-01 under the control of a religious or charitable institution"

Page 1, line 15, replace "institution" with "public hospital or nursing home"

Page 1, line 17, replace "institution" with "public hospital or nursing home"

Page 1, line 18, replace "institution" with "public hospital or nursing home"

Page 1, line 20, remove "an institution"

Page 1, line 21, replace "of public charity" with "a public hospital or nursing home licensed pursuant to section 23-16-01 under the control of a religious or charitable institution"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1292.

SENATE AMENDMENTS TO HOUSE BILL NO. 1292

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

Page 3, line 4, insert:"

SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1422.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: Your signature is respectfully requested on: HB 1046, HB 1149, HB 1195, HB 1241, HB 1262, HB 1264, HB 1323, HB 1359, HB 1381.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SCR 4009, SCR 4011.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1046, HB 1149, HB 1195, HB 1241, HB 1262, HB 1264, HB 1323, HB 1359, HB 1381.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: HB 1009, HB 1181, HB 1189, HB 1246, HB 1286, HB 1417.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: SCR 4009, SCR 4011.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SCR 4009, SCR 4011.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS
The following bills were delivered to the Governor for approval on March 27, 2023: HB 1009, HB 1181, HB 1189, HB 1246, HB 1286, HB 1417.

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

MOTION
REP. BOSCH MOVED that the House be on the Fourth, Fifth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, March 28, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE
SB 2064: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). SB 2064 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE
SB 2065, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2065 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE
SB 2071, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2071 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE
SB 2140, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee**

(8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2140 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2181, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2181 was placed on the Sixth order on the calendar.

Page 3, line 5, remove the overstrike over "~~Except in cases of pregnancy resulting from rape or incest, not increase~~"

Page 3, line 5, remove "Increase"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2221, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2221 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2258: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SB 2258 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "that has" with ", special education unit, regional education association, regional career and technical education center, or the North Dakota center for distance education to fill"

Page 1, line 14, after "district" insert ", special education unit, regional education association, regional career and technical education center, or the North Dakota center for distance education"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2328, as engrossed: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2328 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 a school funding task force; to provide for a legislative management report; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. SCHOOL FUNDING TASK FORCE - REPORT TO LEGISLATIVE MANAGEMENT.

1. During the 2023-24 interim, the legislative management shall establish and provide staffing and administrative services to a school funding task force facilitated by a nonpartisan leadership organization. The task force may include public school administrators or business managers, public school teachers, five members of the legislative assembly appointed by the legislative management, parents of public school students, representatives from the department of public instruction, a representative from the governor's office, and a representative from a regional education association.

2. During the 2023-24 interim, the school funding task force shall:

a. Review litigation the state was a party to relating to school funding and the resulting implications for school funding models;

b. Analyze higher education funding sources to determine whether the sources may be used in whole or in part for the kindergarten through grade twelve system;

c. Review school payment formulas to determine whether education costs can be equalized across the state;

d. Study the size, student population, and economics of school districts and the number of facilities within the district per square mile compared with student population;

e. Develop and study sliding-scale models within school districts based on size, student populations, and economics;

f. Assess the negative impacts of the current funding formula;

g. Study school funding formulas used by other states;

h. Determine the benefits of and incentives to promote school district consolidation;

i. Review school transportation costs considering location, size, and student enrollment; and

j. Study high-cost student and special education student costs as those costs relate to the formula weighting factors.

3. The task force may:

a. Study the funding of school building maintenance and repairs considering location and whether buildings are located in a rural or urban area; and

b. Review ending fund balances and analyze how the current funding formula impacts ending fund balances.

4. The task force shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly.

SECTION 2. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION - SCHOOL DISTRICT OPERATING GRANTS - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $3,095,040, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing operating grants to school districts, for the biennium beginning July 1, 2023, and ending June 30, 2025. The funding provided in this section is to be considered one-time funding. The department of public instruction shall provide grants to school districts as follows:

School District	Grant
Hope-Page public school district	$150,000
Dakota prairie school district	409,316
Midkota public school district	264,437
North border school district	687,145
TGU school district	809,927

Lewis and Clark public school district	774,215
Total	$3,095,040

Renumber accordingly

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

Buell J. Reich, Chief Clerk