JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, April 7, 2023

The House convened at 12:30 p.m., with Speaker D. Johnson presiding.

The prayer was offered by Chaplain Bobby GreyEagle, Nations Movement-Cru, Bismarck.

The roll was called and all members were present except Representatives B. Anderson, Christy, J. Johnson, McLeod, Mitskog, J. Olson, and Schauer.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. Bellew, Chairman)** has carefully examined the Journal of the Sixtieth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1700, line 47, remove "HB 1254,"

REP. BELLEW MOVED that the report be adopted, which motion prevailed.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 6, 2023, I have signed the following: HB 1111, HB 1128, HB 1141, HB 1167, HB 1173, HB 1235, HB 1257, HB 1260, HB 1265, HB 1316, HB 1346, HB 1368, HB 1375, HB 1392, HB 1423, HB 1431, HB 1485, and HB 1512.

CONSIDERATION OF MESSAGES FROM THE SENATE

REP. BOSCH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1002 as printed on HJ pages 1601-1606, in the Senate amendments to Engrossed HB 1008 as printed on HJ pages 1608-1610, in the Senate amendments to Engrossed HB 1010 as printed on HJ page 1625, in the Senate amendments to Engrossed HB 1013 as printed on HJ pages 1610-1611, in the Senate amendments to Engrossed HB 1025 as printed on HJ pages 1614-1616, and in the Senate amendments to Engrossed HB 1515 as printed on HJ page 1563 and that a conference committee be appointed to meet with a like committee from the Senate on each of these measures, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER APPOINTED as a Conference Committee on:
Engrossed HB 1002: Reps. Nathe, Swiontek, Hanson.
Engrossed HB 1008: Reps. Meier, Pyle, Monson.
Engrossed HB 1010: Reps. Strinden, B. Anderson, Mitskog.
Engrossed HB 1013: Reps. Kempenich, Bellew, Mock.
Engrossed HB 1025: Reps. B. Anderson, Kreidt, Strinden.
Engrossed HB 1515: Reps. Fisher, Henderson, Finley-DeVille.

APPOINTMENT OF CONFERENCE COMMITTEE

REP. BOSCH MOVED that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2238, Engrossed SB 2254, SB 2343, Reengrossed SB 2344, and Reengrossed SB 2380, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed SB 2238: Reps. Christensen, Bahl, Rios
Engrossed SB 2254: Reps. Hauck, Hager, Timmons
SB 2343: Reps. Marschall, Novak, Longmuir
Reengrossed SB 2344: Reps. Motschenbacher, Fisher, Finley-DeVille
Reengrossed SB 2380: Reps. Schreiber-Beck, Jonas, Sanford

MOTION

REP. BOSCH MOVED that HB 1273, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to SB 2080 and Engrossed SB 2274.

SB 2080 and Engrossed SB 2274, as amended, were placed on the Fourteenth order of business on the calendar.

MOTION

REP. BOSCH MOVED that Engrossed SB 2372, which is on the Fourteenth order, be rereferred to the **Energy and Natural Resources Committee**, which motion prevailed. Pursuant to Rep. Bosch's motion, Engrossed SB 2372 was rereferred.

MOTION

REP. TOMAN MOVED that the House reconsider its action whereby Reengrossed HB 1313 failed to pass.

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

The question being on the motion that the House reconsider its action whereby Reengrossed HB 1313 failed to pass, the motion prevailed on a verification vote.

MOTION

REP. BOSCH MOVED that HB 1313, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2032: A BILL for an Act to provide an appropriation to the department of public instruction for the paraprofessional-to-teacher program.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 80 YEAS, 7 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Christensen; Hauck; Heilman; Schatz; Timmons; Toman

ABSENT AND NOT VOTING: Anderson, B.; Christy; Johnson, J.; McLeod; Mitskog; Olson, J.; Schauer

SB 2032 passed.

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SECOND READING OF SENATE BILL

SB 2295: A BILL for an Act to amend and reenact subsection 2 of section 24-02-01.1 and section 26.1-25-15 of the North Dakota Century Code, relating to the unsatisfied judgment fund and the assigned risk plan; to repeal chapter 26.1-23 of the North Dakota Century Code, relating to the unsatisfied judgment fund; and to provide for a transfer.

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, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; 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; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; 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: Anderson, B.; Christy; Johnson, J.; McLeod; Mitskog; Olson, J.; Schauer

SB 2295, as amended, passed.

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SECOND READING OF SENATE BILL

SB 2107: A BILL for an Act to amend and reenact sections 12.1-17-03, 12.1-32-02.1, and 12.1-32-07.4 of the North Dakota Century Code, relating to reckless endangerment, mandatory prison terms for armed offenders, and presumptive probation; to provide for a legislative management study; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 64 YEAS, 23 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, K.; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Cory; Dakane; Dockter; Fegley; Fisher; Grueneich; Hager; Hagert; Hatlestad; Headland; Heilman; Heinert; Holle; Ista; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Ruby, M.; Sanford; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bahl; Conmy; Davis; Dobervich; Dyk; Finley-DeVille; Frelich; Hanson; Hauck; Henderson; Hoverson; Koppelman; Marschall; Olson, S.; Prichard; Rohr; Ruby, D.; Satrom; Schatz; Schneider; Timmons; Tveit; VanWinkle

ABSENT AND NOT VOTING: Anderson, B.; Christy; Johnson, J.; McLeod; Mitskog; Olson, J.; Schauer

Reengrossed SB 2107, as amended, passed.

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SECOND READING OF SENATE BILL

SB 2033: A BILL for an Act to create and enact a new section to chapter 15.1-02 of the North Dakota Century Code, relating to teacher shortage loan forgiveness; to amend and reenact section 15.1-02-04 of the North Dakota Century Code, relating to the duties of the superintendent of public instruction; 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 NOT PASS, the roll was called and there were 7 YEAS, 80 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Boschee; Hager; Hanson; Ista; Mock; Schneider; Vetter

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

ABSENT AND NOT VOTING: Anderson, B.; Christy; Johnson, J.; McLeod; Mitskog; Olson, J.; Schauer

Engrossed SB 2033, as amended, failed.

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MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has passed, unchanged: SB 2032.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has amended and subsequently passed: SB 2107, SB 2295.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has amended and subsequently failed to pass: SB 2033.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1002, HB 1008, HB 1010, HB 1013, HB 1025, and HB 1515, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1002: Reps. Nathe; Swiontek; Hanson
HB 1008: Reps. Meier; Pyle; Monson
HB 1010: Reps. Strinden; B. Anderson; Mitskog
HB 1013: Reps. Kempenich; Bellew; Mock
HB 1025: Reps. B. Anderson; Kreidt; Strinden
HB 1515: Reps. Fisher; Henderson; Finley-DeVille

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has appointed as a conference committee to act with a like committee from the House on:

HB 1052: Sens. Kessel; Larsen; Klein
HB 1088: Sens. Boehm; Klein; Barta
HB 1371: Sens. Luick; Myrdal; Lemm
HB 1413: Sens. K. Roers; Weston; Lee
HB 1415: Sens. Wobbema; Larson; Piepkorn
HB 1429: Sens. Larsen; Kessel; Boehm
HB 1438: Sens. Kannianen; Patten; Magrum
HB 1465: Sens. Kessel; Boehm; Barta
HB 1497: Sens. Paulson; Sickler; Luick

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2053, SB 2132, and SB 2155.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SCR 4017.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate does not concur in the House amendments to SB 2029, SB 2092, and SB 2341, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2029: Sens. K. Roers; Estenson; Cleary
SB 2092: Sens. Barta; Larsen; Klein
SB 2341: Sens. Cleary; K. Roers; Hogan

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has appointed as a conference committee to act with a like committee from the Senate on:

SB 2238: Reps. Christensen; Bahl; Rios
SB 2254: Reps. Hauck; Hager; Timmons
SB 2343: Reps. Marschall; Novak; Longmuir
SB 2344: Reps. Motschenbacher; Fisher; Finley-DeVille
SB 2380: Reps. Schreiber-Beck; Jonas; Sanford

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has appointed Sen. Cleary to replace Sen. Estenson for the Sixtieth legislative day on the Conference Committee on HB 1324.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has dissolved the Senate conference committee and has appointed as a new conference committee to act with a like committee from the House on:

HB 1501: Sens. Weber; Myrdal; Lemm

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: Your signature is respectfully requested on: HB 1006, HB 1016, HB 1030, HB 1044, HB 1057, HB 1070, HB 1160, HB 1232, HB 1242, HB 1277, HB 1309, HB 1334, HB 1376, HB 1416, HB 1529, HB 1530, HCR 3023.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1006, HB 1016, HB 1030, HB 1044, HB 1057, HB 1070, HB 1160, HB 1232, HB 1242, HB 1277, HB 1309, HB 1334, HB 1376, HB 1416, HB 1529, HB 1530.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1043, HB 1045, HB 1068, HB 1091, HB 1097, HB 1107, HB 1137, HB 1138, HB 1142, HB 1144, HB 1156, HB 1171, HB 1172, HB 1178, HB 1182, HB 1191, HB 1212, HB 1216, HB 1218, HB 1219, HB 1221, HB 1223, HB 1229, HB 1244, HB 1255, HB 1263, HB 1270, HB 1284, HB 1289, HB 1292, HB 1304, HB 1305, HB 1315, HB 1339, HB 1340, HB 1350, HB 1352, HB 1353, HB 1361, HB 1382, HB 1390, HB 1427, HB 1430, HB 1434, HB 1440, HB 1490.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HCR 3014, HCR 3017, HCR 3018, HCR 3021, HCR 3022, HCR 3025, HCR 3026, HCR 3034.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HCR 3023.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: HB 1043, HB 1045, HB 1068, HB 1091, HB 1097, HB 1107, HB 1137, HB 1138, HB 1142, HB 1144, HB 1156, HB 1171, HB 1172, HB 1178, HB 1182, HB 1191, HB 1212, HB 1216, HB 1218, HB 1219, HB 1221, HB 1223, HB 1229, HB 1244, HB 1255, HB 1263, HB 1270, HB 1284, HB 1289, HB 1292, HB 1304, HB 1305, HB 1315, HB 1339, HB 1340, HB 1350, HB 1352, HB 1353, HB 1361, HB 1382, HB 1390, HB 1427, HB 1430, HB 1434, HB 1440, HB 1490.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: HCR 3014, HCR 3017, HCR 3018, HCR 3021, HCR 3022, HCR 3025, HCR 3026, HCR 3034.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: SB 2097, SB 2145, SB 2282, SB 2286, SB 2297, SB 2338, SB 2381.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: SCR 4002.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2097, SB 2145, SB 2282, SB 2286, SB 2297, SB 2338, SB 2381.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SCR 4002.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS
The following bills were delivered to the Governor for approval on April 7, 2023: HB 1043, HB 1045, HB 1068, HB 1091, HB 1097, HB 1107, HB 1137, HB 1138, HB 1142, HB 1144, HB 1156, HB 1171, HB 1172, HB 1178, HB 1182, HB 1191, HB 1212, HB 1216, HB 1218, HB 1219, HB 1221, HB 1223, HB 1229, HB 1244, HB 1255, HB 1263, HB 1270, HB 1284, HB 1289, HB 1292, HB 1304, HB 1305, HB 1315, HB 1339, HB 1340, HB 1350, HB 1352, HB 1353, HB 1361, HB 1382, HB 1390, HB 1427, HB 1430, HB 1434, HB 1440, HB 1490.

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 8:00 a.m., Monday, April 10, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE
SB 2001, 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 SB 2001 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "provide an appropriation for defraying the expenses of the office of the governor; to"

Page 1, line 2, remove "to provide an"

Page 1, line 3, remove "appropriation for defraying the expenses of the office of the governor;"

Page 1, replace lines 13 through 21 with:

"Salaries and wages	$3,861,034	$427,289	$4,288,323
Operating expenses	421,635	217,696	639,331
Contingencies	10,000	0	10,000
Rough rider awards	10,800	0	10,800
Governor's salary	284,475	26,146	310,621
Transition in	0	15,000	15,000
Transition out	0	50,000	50,000
Total general fund	$4,587,944	$736,131	$5,324,075
Full-time equivalent positions	17.00	2.00	19.00"

Page 2, line 25, replace "$304,760" with "$310,621"

Page 3, line 5, replace "forty-nine thousand three hundred ninety two" with "fifty-two thousand two hundred sixty-five"

Page 3, line 6, remove "fifty-five thousand three hundred"

Page 3, line 7, replace "sixty-eight" with "fifty-eight thousand three hundred fifty-six"

Page 3, line 12, replace "sixteen thousand one hundred ninety-six" with "thirty thousand"

Page 3, line 13, replace "twenty thousand eight hundred forty-four" with "thirty-five thousand two hundred"

Page 3, remove lines 15 through 21

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Governor's Office - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	$3,861,034	$4,556,077	($267,754)	$4,288,323
Operating expenses	421,635	639,331		639,331
Capital assets	10,000	10,000		10,000
Rough Rider Awards	10,800	10,800		10,800
Governor's salary	284,475	304,760	5,861	310,621
Transition in		15,000		15,000
Transition out		50,000		50,000
Total all funds	$4,587,944	$5,585,968	($261,893)	$5,324,075
Less estimated income	0	0	0	0
General fund	$4,587,944	$5,585,968	($261,893)	$5,324,075
FTE	17.00	18.00	1.00	19.00

Department 101 - Governor's Office - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adds Elected Official Salary Equity Funding[2]	Adds New FTE Position[3]	Removes Salary Funding for Funding Pool[4]	Total House Changes
Salaries and wages	$101,702	$28,479	$250,904	($648,839)	($267,754)
Operating expenses					
Capital assets					
Rough Rider Awards					
Governor's salary	5,861				5,861
Transition in					
Transition out					
Total all funds	$107,563	$28,479	$250,904	($648,839)	($261,893)
Less estimated income	0	0	0	0	0
General fund	$107,563	$28,479	$250,904	($648,839)	($261,893)
FTE	0.00	0.00	1.00	0.00	1.00

[1] Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund
Salary increase	$109,505
Health insurance adjustment	(1,942)
Total	$107,563

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

[2] Salary equity funding is added to increase the Lieutenant Governor's salary to $130,000 on July 1, 2023.

[3] Funding is provided for the Governor to add either a new communications or policy advisor FTE position.

[4] Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new

and vacant FTE funding pool.

	General Fund
New FTE positions	($501,808)
Vacant FTE positions	(147,031)
Total	($648,839)

This amendment also:

- Provides the statutory changes needed to increase the Governor's salary by 6 percent on July 1, 2023, and by 4 percent on July 1, 2024.
- Provides the statutory changes needed to increase the Lieutenant Governor's salary by 16.4 percent on July 1, 2023, and by 4 percent on July 1, 2024.
- Removes Sections 7 and 8 which provided line item transfer authority and carryover authority.

REPORT OF STANDING COMMITTEE

SB 2002, as engrossed: 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). Engrossed SB 2002 was placed on the Sixth order on the calendar.

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

Page 1, line 3, remove "to provide an exemption;"

Page 1, line 4, remove "and to provide for a transfer"

Page 1, replace lines 16 through 24 with:

"Salaries and wages	$5,528,082	$726,643	$6,254,725
Operating expenses	3,308,424	4,175,907	7,484,331
Grants	25,000	0	25,000
Petition review	8,000	0	8,000
Election reform	4,699,689	6,131,119	10,830,808
Total all funds	$13,569,195	$11,033,669	$24,602,864
Less estimated income	8,305,574	9,526,501	17,832,075
Total general fund	$5,263,621	$1,507,168	$6,770,789
Full-time equivalent positions	33.00	2.00	35.00"

Page 2, replace lines 11 through 13 with:

"Grand total general fund	$5,521,552	$1,520,572	$7,042,124
Grand total special funds	8,305,574	9,526,501	17,832,075
Grand total all funds	$13,827,126	$11,047,073	$24,874,199"

Page 2, replace lines 19 through 22 with:

"New campaign system and contracted website redesign	$0	$1,000,000
Election management system	0	5,000,000
FirstStop	0	1,000,000
Information technology system enhancements	0	500,000
Help America Vote Act	0	1,000,000
Total other funds	$0	$8,500,000

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The secretary of state 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. ESTIMATED INCOME - FEDERAL STATE FISCAL RECOVERY FUND. The estimated income line item in subdivision 1 of section 1 of this Act includes the sum of $6,000,000 from the federal state fiscal recovery fund for an election management system and to upgrade FirstStop."

Page 3, remove lines 6 through 9

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2002 - Summary of House Action

	Base Budget	Senate Version	House Changes	House Version
Secretary of State				
Total all funds	$13,569,195	$18,869,717	$5,733,147	$24,602,864
Less estimated income	8,305,574	12,033,075	5,799,000	17,832,075
General fund	$5,263,621	$6,836,642	($65,853)	$6,770,789
FTE	33.00	34.00	1.00	35.00
Public Printing				
Total all funds	$257,931	$271,335	$0	$271,335
Less estimated income	0	0	0	0
General fund	$257,931	$271,335	$0	$271,335
FTE	0.00	0.00	0.00	0.00
Bill total				
Total all funds	$13,827,126	$19,141,052	$5,733,147	$24,874,199
Less estimated income	8,305,574	12,033,075	5,799,000	17,832,075
General fund	$5,521,552	$7,107,977	($65,853)	$7,042,124
FTE	33.00	34.00	1.00	35.00

Senate Bill No. 2002 - Secretary of State - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	$5,528,082	$6,328,326	($73,601)	$6,254,725
Operating expenses	3,308,424	6,484,331	1,000,000	7,484,331
Grants	25,000	25,000		25,000
Petition review	8,000	8,000		8,000
Election reform	4,699,689	6,024,060	4,806,748	10,830,808
Total all funds	$13,569,195	$18,869,717	$5,733,147	$24,602,864
Less estimated income	8,305,574	12,033,075	5,799,000	17,832,075
General fund	$5,263,621	$6,836,642	($65,853)	$6,770,789
FTE	33.00	34.00	1.00	35.00

Department 108 - Secretary of State - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Reduces Funding for Elected Official Equity[2]	Adds Funding for Technology Support Position[3]	Removes Salary Funding for Funding Pool[4]	Adds One-Time Funding[5]	Total House Changes
Salaries and wages	$85,862	($5,600)	$180,000	($333,863)		($73,601)
Operating expenses					$1,000,000	1,000,000
Grants						
Petition review						
Election reform	3,180			(196,432)	5,000,000	4,806,748
Total all funds	$89,042	($5,600)	$180,000	($530,295)	$6,000,000	$5,733,147
Less estimated income	12,726	0	0	(213,726)	6,000,000	5,799,000
General fund	$76,316	($5,600)	$180,000	($316,569)	$0	($65,853)
FTE	0.00	0.00	1.00	0.00	0.00	1.00

[1] Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	$79,156	$13,200	$92,356
Health insurance adjustment	(2,840)	(474)	(3,314)
Total	$76,316	$12,726	$89,042

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

[2] Funding of $5,600 from the general fund is removed to provide a total of $21,148 from the general fund to increase the salary of the Secretary of State to $130,000 on July 1, 2023. The Senate provided $26,748 from the general fund to increase the salary of the Secretary of State to $130,000 on July 1, 2023. The reduction in necessary equity to provide a salary of $130,000 is due to the House providing a general salary increase of 6 percent on July 1, 2023, rather than 4 percent.

[3] Funding of $180,000 from the general fund is added for 1 new FTE technology support position. The Senate did not include this position.

[4] Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	($180,000)	($190,950)	($370,950)
Vacant FTE positions	(136,569)	(22,776)	(159,345)
Total	($316,569)	($213,726)	($530,295)

[5] One-time funding of $6 million from the federal State Fiscal Recovery Fund is added for an election management system ($5 million) and to upgrade FirstStop ($1 million). The Senate did not provide funding for these projects.

REPORT OF STANDING COMMITTEE

SB 2003, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2003 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "50-06" with "54-12"

Page 1, line 3, replace "an opioid settlement fund" with "a retired law enforcement dogs program"

Page 1, line 3, after "sections" insert "53-06.1-11.2,"

Page 1, line 3, after "53-12.1-09" insert a comma

Page 1, line 4, after "to" insert "transfers from the charitable gaming operating fund,"

Page 1, line 5, after "fund" insert a comma

Page 1, line 6, remove "to provide for a report; and"

Page 1, line 7, after "study" insert "; and to declare an emergency"

Page 1, remove lines 16 through 24

Page 2, replace lines 1 through 9 with:

"Salaries and wages	$50,832,646	($537,204)	$50,295,442
Operating expenses	15,237,498	3,533,607	18,771,105
Capital assets	648,055	4,585,572	5,233,627
Grants	3,903,440	400,000	4,303,440
Human trafficking victims grants	1,101,879	3,525	1,105,404
Forensic nurse examiners grants	250,691	791	251,482
Statewide litigation funding pool	0	5,000,000	5,000,000
Litigation fees	127,500	0	127,500
Medical examinations	660,000	0	660,000
Children's medical examinations	0	304,560	304,560
North Dakota lottery	5,254,844	61,790	5,316,634
Arrest and return of fugitives	8,500	0	8,500

Gaming commission	7,489	0	7,489
Criminal justice information sharing	4,074,968	412,169	4,487,137
Law enforcement	3,048,927	82,770	3,131,697
Total all funds	$85,156,437	$13,847,580	$99,004,017
Less estimated income	42,509,719	4,836,388	47,346,107
Total general fund	$42,646,718	$9,011,192	$51,657,910
Full-time equivalent positions	253.00	13.00	266.00"

Page 2, after line 22, insert

"State crime laboratory capital improvements	0	250,000"

Page 2, replace line 26 with:

"Anti-methamphetamine program	0	1,772,038"

Page 2, replace lines 28 through 30 with:

"Total all funds	$8,536,706	$11,439,468
Total other funds	8,536,706	6,832,122
Total general fund	$0	$4,607,346"

Page 3, after line 11, insert:

"**SECTION 4. TRANSFER - LOTTERY OPERATING FUND TO GAMING AND EXCISE TAX ALLOCATION FUND - STATEWIDE LITIGATION FUNDING POOL.** Notwithstanding sections 53-12.1-09 and 53-12.1-10, the attorney general shall transfer $2,760,000 from the lottery operating fund to the gaming and excise tax allocation fund by June 30, 2023, for the purpose of defraying litigation expenses of the state through the statewide litigation funding pool during the period beginning with the effective date of this Act, and ending June 30, 2025."

Page 3, line 15, replace "$4,557,748" with "$1,797,748"

Page 3, line 15, replace "$442,252" with "$3,202,252"

Page 3, line 18, after "the" insert "statewide"

Page 3, line 18, after "litigation" insert "funding"

Page 3, line 26, replace "$1,111,480" with "$1,105,404"

Page 4, line 6, replace "$252,872" with "$251,482"

Page 4, remove lines 17 through 29

Page 5, remove lines 1 through 12

Page 5, remove lines 24 through 31

Page 6, replace lines 1 through 3 with:

"**SECTION 10. AMENDMENT.** Section 53-06.1-11.2 of the North Dakota Century Code is amended and reenacted as follows:

53-06.1-11.2. Charitable gaming operating fund - Attorney general - State treasurer - Allocations - Transfer to the general fund.

1. There is created in the state treasury the charitable gaming operating fund. The fund consists of all gaming taxes, monetary fines, and interest and penalties collected under this chapter.

2. Excluding moneys in the charitable gaming operating fund appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming, the attorney general shall allocate

remaining moneys in the charitable gaming operating fund on a quarterly basis as follows:

a. Ten thousand dollars to the gambling disorder prevention and treatment fund.

b. Subject to legislative appropriations, five percent of the total moneys deposited in the charitable gaming operating fund to cities and counties in proportion to the taxes collected under section 53-06.1-12 from licensed organizations conducting games within each city, for sites within city limits, or within each county, for sites outside city limits. If a city or county allocation is less than two hundred dollars, that city or county is not entitled to receive a payment for the quarter and the undistributed amount must be included in the total amount to be distributed to other cities and counties for the quarter.

3. ~~On or before June thirtieth of each odd-numbered year~~Before the final accounting has closed for each biennium, the attorney general shall certify to the state treasurer the ~~amount of accumulated funds~~balance in the charitable gaming operating fund which exceed the amount appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming for the subsequent biennium. The state treasurer shall transfer the certified amount from the charitable gaming operating fund to the ~~general fund prior to~~following funds at the end of each biennium:

a. The first twenty-five million dollars to the general fund;

b. The next four million dollars to the attorney general operating fund;

c. Any remaining amounts to the general fund.

SECTION 11. A new section to chapter 54-12 of the North Dakota Century Code is created and enacted as follows:

Retired law enforcement dogs - Reimbursement.

1. The attorney general shall create a program to assist local and state law enforcement dogs that are retired by reason of age or medical condition.

2. The attorney general shall reimburse the handler of a law enforcement dog if the handler:

a. Is authorized to retain possession of a retired law enforcement dog in a private setting at the handler's home; and

b. Submits itemized receipts each quarter for medical bills of the law enforcement dog.

3. Reimbursements under this section may not exceed one thousand dollars per retired law enforcement dog per calendar year.

4. The attorney general shall adopt any rules necessary to implement this section."

Page 7, line 10, replace "seventy-five" with "seventy-nine"

Page 7, line 11, replace "nine" with "three"

Page 7, line 11, replace "twenty-eight" with "twelve"

Page 7, line 12, replace "eighty-two" with "eighty-six"

Page 7, line 12, replace "nine" with "four"

Page 7, line 12, replace "sixty-five" with "eighty-four"

Page 7, after line 21, insert:

"**SECTION 16. EXEMPTION - GAMING TAX REVENUE GRANTS.** Notwithstanding section 53-06.1-12, the attorney general may distribute gaming tax revenue grants to cities and counties relating to the seventh and eighth quarters of the 2021-23 biennium through October 31, 2023."

Page 7, after line 31, insert:

"**SECTION 19. EXEMPTION - LEGAL CASE MANAGEMENT SYSTEM.** The amount appropriated to the attorney general from other funds for the statewide automated victim information and notification system as contained in sections 1 and 8 of chapter 3 of the 2017 Session Laws, continued into the 2019-21 biennium for the statewide automated victim information and notification system, and continued into the 2021-23 biennium for the legal case management system, is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the attorney general for the legal case management system during the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 8, after line 5, insert:

"**SECTION 21. EXEMPTION - AUTOMATED BIOMETRIC IDENTIFICATION SYSTEM.** The amount of $300,000 appropriated from federal funds to upgrade the automated biometric identification system during the 2021-23 biennium in section 1 of chapter 3 of the 2021 Session Laws is not subject to section 54-44.1-11 and is available for the system during the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 8, line 13, replace "$1,350,000" with "$1,000,000"

Page 8, line 13, remove ", of"

Page 8, line 14, remove "which $300,000 was for a missing persons database, $1,000,000 was"

Page 8, line 15, remove ", and $50,000 was for charitable gaming information"

Page 8, line 16, replace "technology costs, in subsections 19," with "in subsection"

Page 8, line 16, remove ", and 42"

Page 8, after line 29, insert:

"**SECTION 25. ATTORNEY COST-SAVINGS - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The attorney general shall report to the appropriations committees of the sixty-ninth legislative assembly regarding any cost-savings realized by hiring full-time equivalent attorney positions instead of contracting for third-party legal counsel during the 2023-25 biennium.

SECTION 26. EMERGENCY. The $250,000 appropriated from the general fund in the capital assets line item in section 1 for state crime laboratory capital improvements and sections 4 and 16 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2003 - Attorney General - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	$50,295,349	$56,475,611	($6,180,169)	$50,295,442
Operating expenses	15,237,498	17,688,435	1,082,670	18,771,105

Capital assets	648,055	3,560,577	1,673,050	5,233,627
Grants	3,903,440	3,903,440	400,000	4,303,440
Litigation fees	127,500	127,500		127,500
Medical examinations	660,000	660,000		660,000
North Dakota lottery	5,254,844	5,433,446	(116,812)	5,316,634
Arrest and return of fugitives	8,500	8,500		8,500
Gaming commission	7,489	7,489		7,489
Criminal justice information sharing	4,074,968	4,546,645	(59,508)	4,487,137
Law enforcement	3,048,927	7,194,705	(4,063,008)	3,131,697
Human trafficking victims grants	1,101,879	1,111,480	(6,076)	1,105,404
Forensic nurse examiners grants	250,691	252,872	(1,390)	251,482
State Crime Laboratory salary equity	537,297			
Statewide litigation pool		5,000,000		5,000,000
Additional income		250,000		250,000
Children's medical examinations			304,560	304,560
Total all funds	$85,156,437	$106,220,700	($6,966,683)	$99,254,017
Less estimated income	42,509,719	42,633,849	4,962,258	47,596,107
General fund	$42,646,718	$63,586,851	($11,928,941)	$51,657,910
FTE	253.00	260.00	6.00	266.00

Department 125 - Attorney General - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adds Funding for Salary Equity Increases and Reclassifications[2]	Adjusts Funding for Prior Biennium Salary Equity Increases[3]	Adds Funding for FTE Positions[4]	Removes Salary Funding for Funding Pool[5]	Adjusts Base Level Funding[6]
Salaries and wages	$701,762	$258,668		$1,271,188	($8,411,787)	
Operating expenses				447,682		$64,000
Capital assets						222,000
Grants						
Litigation fees						
Medical examinations						
North Dakota lottery	33,740				(150,552)	
Arrest and return of fugitives						
Gaming commission						
Criminal justice information sharing	17,294				(76,802)	
Law enforcement	48,223				(211,231)	
Human trafficking victims grants	1,738				(7,814)	
Forensic nurse examiners grants	398				(1,788)	
State Crime Laboratory salary equity						
Statewide litigation pool						
Additional income						
Children's medical examinations						
Total all funds	$803,155	$258,668	$0	$1,718,870	($8,859,974)	$286,000
Less estimated income	355,283	14,487	1,866,992	0	(2,157,983)	46,881
General fund	$447,872	$244,181	($1,866,992)	$1,718,870	($6,701,991)	$239,119
FTE	0.00	0.00	0.00	6.00	0.00	0.00

	Adds Funding for Children's Medical Examinations[7]	Adjusts One-Time Funding[8]	Adjusts One-Time Funding for the Litigation Funding Pool[9]	Total House Changes
Salaries and wages				($6,180,169)
Operating expenses		$570,988		1,082,670
Capital assets		1,451,050		1,673,050
Grants		400,000		400,000
Litigation fees				
Medical examinations				
North Dakota lottery				(116,812)
Arrest and return of fugitives				
Gaming commission				
Criminal justice information sharing				(59,508)
Law enforcement		(3,900,000)		(4,063,008)
Human trafficking victims grants				(6,076)
Forensic nurse examiners grants				(1,390)
State Crime Laboratory salary equity				
Statewide litigation pool				
Additional income				
Children's medical examinations	$304,560			304,560
Total all funds	$304,560	($1,477,962)	$0	($6,966,683)
Less estimated income	304,560	1,772,038	2,760,000	4,962,258
General fund	$0	($3,250,000)	($2,760,000)	($11,928,941)
FTE	0.00	0.00	0.00	6.00

[1] Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	$464,271	$365,724	$829,995
Health insurance reduction	(16,399)	(10,441)	(26,840)
Total	$447,872	$355,283	$803,155

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

[2] Funding of $223,000 is added from the general fund for salary equity funding and $35,668 is added to reclassify employee positions, including $21,181 from the general fund for finance staff and $14,487 from the Attorney General refund fund for Consumer Protection and Antitrust Division staff. The Senate did not add funding for these purposes.

[3] Funding of $1,866,992 for prior biennium salary equity increases for attorneys, Bureau of Criminal Investigation (BCI), and Medicaid Fraud Control Unit (MFCU) positions is transferred from the general fund to the Attorney General refund fund to restore the funding to the base level. The Senate transferred this funding from the Attorney General refund fund to the general fund.

The Senate also transferred $537,297 for prior biennium salary equity increases for State Crime Laboratory positions from the Attorney General refund fund to the general fund. The House did not adjust this funding.

[4] Funding is added from the general fund for the following FTE positions:

	FTE Positions	Salaries and Wages	Operating Expenses	Total
Attorney positions	2.00	$461,954	$96,060	$558,014
State Crime Laboratory positions	2.00	356,452	262,389	618,841
IT programmers and analyst positions	2.00	452,782	51,761	501,543
MFCU positions authorized by the Senate	0.00	0	37,472	37,472
Total	6.00	$1,271,188	$447,682	$1,718,870

The House did not change the 15 FTE positions added by the Senate, including 2 FTE attorney positions, 3 FTE BCI cybercrime positions, 3 FTE BCI criminal investigator positions, 4 FTE State Crime Laboratory positions, and 3 FTE MFCU positions, totaling $4,206,994, of which $3,593,367 is from the general fund and $613,627 is from federal funds.

Funding for salaries and wages and operating expenses of 21 new FTE positions, as

approved by the House, totals $5,925,864, of which $5,312,237 is from the general fund and $613,627 is from federal funds, prior to the removal of funding for the new and vacant FTE position pool.

[5] Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	($4,066,038)	($536,813)	($4,602,851)
Vacant FTE positions	(2,635,953)	(1,621,170)	(4,257,123)
Total	($6,701,991)	($2,157,983)	($8,859,974)

[6] Base level funding is adjusted as follows:

	General Fund	Other Funds	Total
Adjusts funding from the Attorney General refund fund as a result of settlement proceeds from the JUUL Labs, Inc. lawsuit no longer being available to the Attorney General for salaries and operating expenses. The Senate did not adjust funding for this purpose.	$809,381	($809,381)	$0
Adjusts funding for Information Technology Division and Criminal Justice Information Sharing Division operating expenses by adding funding from the Attorney General refund fund to restore funding to the base level. The Senate provided this funding from the general fund.	(856,262)	856,262	0
Adds funding to the $419,297 from the general fund added by the Senate for increased software maintenance and subscription costs.	34,000	0	34,000
Adds funding for a retired law enforcement dogs program. The Senate did not add funding for this program.	30,000	0	30,000
Adds funding for State Crime Laboratory building and equipment maintenance contract costs. The Senate did not add funding for this purpose.	222,000	0	222,000
Total	$239,119	$46,881	$286,000

[7] Funding of $304,560 from the insurance regulatory trust fund is added in a new line item for children's medical examinations related to North Dakota Century Code Section 12.1-34-07. This amount is in addition to $660,000 of base level funding from the insurance regulatory trust fund for medical examinations. The Senate did not add funding for this purpose.

[8] One-time funding is adjusted as follows:

	General Fund	Other Funds	Total
Adds funding for State Crime Laboratory capital improvements. The Senate did not add funding for this purpose.	$250,000	$0	$250,000
Removes funding approved by the Senate for the back the blue grant program.	(3,500,000)	0	(3,500,000)
Transfers $400,000 from the general fund approved by the Senate for the law enforcement resiliency grant program from the law enforcement line item to the grants line item.	0	0	0
Adds federal funding for the United States Department of Justice Community Oriented Policing Services (COPS) anti-methamphetamine program, of which $570,988 is for operating expenses and $1,201,050 is for capital assets. In December 2022, the Emergency Commission and Budget Section approved $2,000,000 for the program for the 2021-23 biennium, of which approximately $227,962 will be spent by the end of the 2021-23 biennium. The Senate did not add funding for this purpose.	0	1,772,038	1,772,038
Total	($3,250,000)	$1,772,038	($1,477,962)

[9] One-time funding of $2,760,000 is adjusted for the statewide litigation funding pool by reducing the general fund and increasing funding from the gaming and excise tax allocation fund. A section is added to the bill to provide for the transfer of $2,760,000 from the lottery operating fund to the gaming and excise tax allocation fund. This will reduce 2021-23 biennium general fund revenues by $2,760,000.

Total funding for the statewide litigation funding pool as approved by the House is $5,000,000 of which $1,797,748 is from the general fund and $3,202,252 is from the gaming and excise tax allocation fund. The Senate approved $5,000,000, of which $4,557,748 was from the general fund and $442,252 was from the gaming and excise tax allocation fund.

This amendment also:

- Adds a section to transfer funding from the lottery operating fund to the gaming and excise tax allocation fund for the statewide litigation funding pool.

- Amends a section authorizing the transfer of funding from the gaming and excise tax allocation fund and the general fund to state agencies for litigation expenses through the statewide litigation funding pool.
- Amends a section identifying the amount of funding included in Section 1 for the human trafficking victims grants program.
- Amends a section identifying the amount of funding included in Section 1 for the forensic nurse examiners grant program.
- Removes a section identifying an appropriation for back the blue grants. Funding for this program is proposed in House Bill No. 1307.
- Removes a section creating an opioid settlement fund. The creation of this fund is proposed in House Bill No. 1447.
- Adds a section to amend Section 53-06.1-11.2 to provide up to $4 million of gaming tax revenues be deposited in the Attorney General operating fund instead of the general fund.
- Adds a section to add a new section to Chapter 54-12 to establish a retired law enforcement dog program.
- Amends a section providing for the salary of the Attorney General reflecting a 6 percent 1st year and 4 percent 2nd year salary increase.
- Adds a section to provide an exemption allowing the Attorney General to distribute quarters 7 and 8 of 2021-23 biennium gaming tax revenues to cities and counties through October 31, 2023.
- Adds a section to allow the Attorney General to continue any remaining funding from the 2017-19 biennium that was continued into the 2019-21 biennium for the statewide automated victim information and notification program and into the 2021-23 biennium for the legal case management system to be continued into the 2023-25 biennium for the legal case management system. The Attorney General anticipates $117,000 will be continued into the 2023-25 biennium.
- Adds a section to provide an exemption to allow the Attorney General to continue any remaining funding of the $300,000 appropriated from federal funds during the 2021-23 biennium for the automated biometric identification system, formerly known as the automated fingerprint identification system, into the 2023-25 biennium.
- Amends a section authorizing the Attorney General an exemption to continue funding appropriated from the federal State Fiscal Recovery Fund during the November 2021 special legislative session.
- Adds a section to require the Attorney General to provide a report to the 69th Legislative Assembly regarding cost-savings realized by hiring FTE attorney positions instead of contracting for third-party legal counsel.
- Adds a section to declare $250,000 appropriated in Section 1 for State Crime Laboratory capital improvements and Sections 4 and 16 to be an emergency measure.

REPORT OF STANDING COMMITTEE

SB 2005, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 2 NAYS, 5 ABSENT AND NOT VOTING). Engrossed SB 2005 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 16 with:

"Salaries and wages	$1,430,495	$145,203	$1,575,698
Operating expenses	157,423	135,748	293,171
Coal severance payments	118,000	0	118,000
Total general fund	$1,705,918	$280,951	$1,986,869
Full-time equivalent positions	7.00	0.00	7.00"

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 2 with:

"Township allocations	$20,000,000	$0
Distributions to political subdivisions	50,160,000	0

Supplemental distributions to political subdivisions	3,014,975	0
Information technology costs	0	27,825
Total all funds	$73,174,975	$27,825
Less estimated income	73,174,975	0
Total general fund	$0	$27,825"

Page 2, line 3, replace "entities" with "entity's"

Page 2, line 10, replace "nineteen" with "thirty"

Page 2, line 11, remove "sixty-five"

Page 2, line 12, replace "twenty-three" with "thirty-five"

Page 2, line 12, replace "eight" with "two"

Page 2, line 12, remove "twenty-eight"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2005 - State Treasurer - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	$1,430,495	$1,552,006	$23,692	$1,575,698
Operating expenses	157,423	286,346	6,825	293,171
Coal severance payments	118,000	118,000		118,000
Total all funds	$1,705,918	$1,956,352	$30,517	$1,986,869
Less estimated income	0	0	0	0
General fund	$1,705,918	$1,956,352	$30,517	$1,986,869
FTE	7.00	7.00	0.00	7.00

Department 120 - State Treasurer - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adds Salary Equity Funding for Elected Officials[2]	Removes Salary Funding for a Funding Pool[3]	Increases One-Time Funding for IT Costs[4]	Total House Changes
Salaries and wages	$23,634	$21,148	($21,090)		$23,692
Operating expenses				$6,825	6,825
Coal severance payments					
Total all funds	$23,634	$21,148	($21,090)	$6,825	$30,517
Less estimated income	0	0	0	0	0
General fund	$23,634	$21,148	($21,090)	$6,825	$30,517
FTE	0.00	0.00	0.00	0.00	0.00

[1] Salaries and wages funding is adjusted for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	$24,462	$0	$24,462
Health insurance adjustment	(828)	0	(828)
Total	$23,634	$0	$23,634

The Senate provided salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024.

[2] Funding is added for providing a salary equity increase for the State Treasurer. The State Treasurer's annual salary is increased from the current level of $114,486 to $130,000 (13.6 percent) effective July 1, 2023. This funding is in addition to the funding added for the general 6 percent July 1, 2023, increase for state employees. The Senate did not include a salary equity increase for the State Treasurer.

[3] Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	$0	$0	$0
Vacant FTE positions	(21,090)	0	(21,090)
Total	($21,090)	$0	($21,090)

The Senate did not remove funding for a new a vacant FTE funding pool.

[4] One-time funding from the general fund is increased by $6,825 to provide total funding of $27,825 for information technology programming costs. The Senate provided $21,000 of one-time funding for information technology programming costs.

The section is changed to provide the statutory changes necessary to increase the State Treasurer's annual salary to $130,000 (13.6 percent) effective July 1, 2023, and to $135,200 (4 percent) effective July 1, 2024. The Senate provided salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024.

REPORT OF STANDING COMMITTEE

SB 2006, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2006 was placed on the Sixth order on the calendar.

Page 1, line 6, after "57-01-04" insert ", subsection 2 of section 57-02-53,"

Page 1, line 7, after "commissioner" insert ", property assessment increase notices,"

Page 1, remove lines 20 through 24

Page 2, replace lines 1 through 4 with:

"Salaries and wages	$22,594,196	$730,838	$23,325,034
Operating expenses	7,466,120	1,647,250	9,113,370
Capital assets	6,000	0	6,000
Homestead tax credit	18,000,000	900,000	18,900,000
Disabled veterans' tax credit	16,300,000	2,445,000	18,745,000
Total all funds	$64,366,316	$5,723,088	$70,089,404
Less estimated income	125,000	0	125,000
Total general fund	$64,241,316	$5,723,088	$69,964,404
Full-time equivalent positions	118.00	(1.00)	117.00"

Page 3, line 2, replace "thirty" with "thirty-one"

Page 3, line 3, after "~~eight~~" insert "seven"

Page 3, line 3, remove the overstrike over "~~hundred~~"

Page 3, line 3, after "~~fourteen~~" insert "five"

Page 3, line 3, remove "thirty-"

Page 3, line 4, replace "five" with "thirty-six"

Page 3, line 4, overstrike "two" and insert immediately thereafter "nine"

Page 3, line 4, after "~~fifty~~" insert "seventy-three"

Page 3, after line 4, insert:

"**SECTION 6. AMENDMENT.** Subsection 2 of section 57-02-53 of the North Dakota Century Code is amended and reenacted as follows:

2. The form of notice prescribed by the tax commissioner must require a statement to inform the taxpayer that an assessment increase ~~does not~~may mean property taxes on the parcel will increase. The notice may ~~not~~ contain an estimate of a tax increase resulting from the assessment increase."

Page 4, line 24, replace "6" with "7"

Page 4, line 24, replace "7" with "8"

Page 4, line 26, replace "6" with "7"

Page 4, line 26, replace "7" with "8"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2006 - State Tax Commissioner - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	$22,594,196	$24,250,398	($925,364)	$23,325,034
Operating expenses	7,466,120	9,113,370		9,113,370
Capital assets	6,000	6,000		6,000
Homestead tax credit	18,000,000	18,900,000		18,900,000
Disabled veterans' credit	16,300,000	18,745,000		18,745,000
Total all funds	$64,366,316	$71,014,768	($925,364)	$70,089,404
Less estimated income	125,000	125,000	0	125,000
General fund	$64,241,316	$70,889,768	($925,364)	$69,964,404
FTE	118.00	117.00	0.00	117.00

Department 127 - State Tax Commissioner - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adjusts Equity Funding[2]	Removes Salary Funding for a Funding Pool[3]	Total House Changes
Salaries and wages	$361,341	($859)	($1,285,846)	($925,364)
Operating expenses				
Capital assets				
Homestead tax credit				
Disabled veterans' credit				
Total all funds	$361,341	($859)	($1,285,846)	($925,364)
Less estimated income	0	0	0	0
General fund	$361,341	($859)	($1,285,846)	($925,364)
FTE	0.00	0.00	0.00	0.00

[1] Salaries and wages funding is adjusted for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	$373,766	$0	$373,766
Health insurance adjustment	(12,425)	0	(12,425)
Total	$361,341	0	$361,341

The Senate provided salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024.

[2] Funding of $859, which was added by the Senate for a salary equity increase for the Tax Commissioner, is removed because the salary increase of 6 percent on July 1, 2023, exceeds the equity increase needed to provide a salary of $130,000 for the Tax Commissioner.

[3] Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	$0	$0	$0
Vacant FTE positions	(1,285,846)	0	(1,285,846)
Total	($1,285,846)	$0	($1,285,846)

The Senate did not remove funding for a new vacant FTE funding pool.

This amendment also:

- Provides the statutory changes necessary to increase the State Treasurer's annual salary to $131,705 (6 percent) effective July 1, 2023, and to $136,973 (4 percent) effective July 1, 2024. The Senate provided salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024.
- Adds a section to allow property assessment increase notices to include an estimate of a tax increase.

REPORT OF STANDING COMMITTEE

SB 2007, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2007 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 17 with:

"Salaries and wages	$2,394,979	$334,160	$2,729,139
Operating expenses	338,358	40,049	378,407
Total all funds	$2,733,337	$374,209	$3,107,546
Less estimated income	486,868	16,530	503,398
Total general fund	$2,246,469	$357,679	$2,604,148
Full-time equivalent positions	13.00	0.00	13.00"

Page 1, line 18, after the boldfaced period insert "**ONE-TIME FUNDING.**"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2007 - Labor Commissioner - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	$2,394,979	$2,888,274	($159,135)	$2,729,139
Operating expenses	338,358	378,407		378,407
Total all funds	$2,733,337	$3,266,681	($159,135)	$3,107,546
Less estimated income	486,868	509,398	(6,000)	503,398
General fund	$2,246,469	$2,757,283	($153,135)	$2,604,148
FTE	13.00	13.00	0.00	13.00

Department 406 - Labor Commissioner - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Reduces Funding for FTE Reclassification[2]	Removes Salary Funding for Funding Pool[3]	Total House Changes
Salaries and wages	$44,752	($124,722)	($79,165)	($159,135)
Operating expenses				
Total all funds	$44,752	($124,722)	($79,165)	($159,135)
Less estimated income	7,776	0	(13,776)	(6,000)
General fund	$36,976	($124,722)	($65,389)	($153,135)
FTE	0.00	0.00	0.00	0.00

[1] Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Federal Funds	Total
Salary increase	$37,938	$7,997	$45,935
Health insurance adjustment	(962)	(221)	(1,183)
Total	$36,976	$7,776	$44,752

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

[2] Funding is reduced by $124,722 from the general fund to provide a total of $186,140, of which $139,510 is from the general fund and $46,630 is from federal funds. The Senate added $310,862, of which $264,232 was from the general fund and $46,630 was from federal funds, to reclassify a previously unfunded FTE compliance investigator II position. The House reclassified an FTE compliance investigator II position with funding included in the base budget instead of the unfunded FTE position.

[3] Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Federal Funds	Total
New FTE positions	$0	$0	$0
Vacant FTE positions	(65,389)	(13,776)	(79,165)
Total	($65,389)	($13,776)	($79,165)

REPORT OF STANDING COMMITTEE

SB 2010, as engrossed: 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). Engrossed SB 2010 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "section" with "sections"

Page 1, line 2, after "26.1-01-09" insert ", 26.1-23.1-02, and 26.1-23.1-06"

Page 1, line 3, replace "; and to provide a transfer" with "and government self-insurance pools; and to provide for a legislative management report"

Page 1, replace lines 12 through 17 with:

"Salaries and wages	$8,076,281	$2,578,635	$10,654,916
Operating expenses	1,507,359	938,278	2,445,637
Capital assets	0	147,540	147,540
Grants	0	2,400,000	2,400,000
Total special funds	$9,583,640	$6,064,453	$15,648,093
Full-time equivalent positions	38.00	8.00	46.00"

Page 1, after line 23, insert:

"State fire marshal equipment	0	72,540"

Page 2, replace line 4 with:

"Total special funds	$1,162,000	$245,840"

Page 2, replace lines 20 through 25 with:

"**SECTION 5. AMENDMENT.** Section 26.1-23.1-02 of the North Dakota Century Code is amended and reenacted as follows:

26.1-23.1-02. Government self-insurance pools not insurers.

Any government self-insurance pool organized under chapter 32-12.1 is not an insurance company or insurer. The coverages provided by ~~such~~the pools and the administration of ~~such~~the pools do not constitute the transaction of insurance business. Participation in a government self-insurance pool under this chapter does not constitute a waiver of any existing immunities otherwise provided by the constitution or laws of this state. In all respects not specifically provided for under this chapter, a government self-insurance pool is subject to chapters 26.1-01, 26.1-02, 26.1-04, 26.1-25, and 26.1-26 relating to insurance companies generally.

SECTION 6. AMENDMENT. Section 26.1-23.1-06 of the North Dakota Century Code is amended and reenacted as follows:

26.1-23.1-06. Pool reserve records confidential - Open records.

1. Information regarding that portion of the funds or liability reserves of a government self-insured ~~government~~ pool established for purposes of satisfying a specific claim or cause of action is confidential. A person is not entitled to discover that portion of the funds or liability reserves established for purposes of satisfying a claim or cause of action, except that the reserve is discoverable in any supplementary or ancillary proceeding to enforce a judgment against the pool or a governmental entity participating in the pool.

2. Unless otherwise provided by law, a government self-insurance pool record, as defined under section 44-04-17.1, is subject to chapter 44-04."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2010 - Insurance Department - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	$8,076,281	$11,452,759	($797,843)	$10,654,916
Operating expenses	1,507,359	2,903,986	(458,349)	2,445,637
Capital assets		75,000	72,540	147,540
Grants		2,400,000		2,400,000
Insurance tax payments	20,728,540			
Total all funds	$30,312,180	$16,831,745	($1,183,652)	$15,648,093
Less estimated income	30,312,180	16,831,745	(1,183,652)	15,648,093
General fund	$0	$0	$0	$0
FTE	38.00	49.00	(3.00)	46.00

Department 401 - Insurance Department - Detail of House Changes

	Adds Funding for Salary and Benefit Increases[1]	Adjusts Salary Equity Funding for Elected Officials[2]	Removes FTE Positions for Fire Marshal[3]	Removes Salary Funding for Funding Pool[4]	Removes Funding for Travel Expenses[5]	Adds One-Time Funding for State Fire Marshal Equipment[6]
Salaries and wages	$284,102	($5,600)	($635,289)	($441,056)		
Operating expenses			(276,091)		($182,258)	
Capital assets						$72,540
Grants						
Insurance tax payments						
Total all funds	$284,102	($5,600)	($911,380)	($441,056)	($182,258)	$72,540
Less estimated income	284,102	(5,600)	(911,380)	(441,056)	(182,258)	72,540
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	(3.00)	0.00	0.00	0.00

	Total House Changes
Salaries and wages	($797,843)
Operating expenses	(458,349)
Capital assets	72,540
Grants	
Insurance tax payments	
Total all funds	($1,183,652)
Less estimated income	(1,183,652)
General fund	$0
FTE	(3.00)

[1] Salaries and wages funding is adjusted to provide for the 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	Other Funds
Salary increase	$246,975
Health insurance adjustment	37,127
Total	$284,102

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

[2] Funding is adjusted from special funds for a salary equity increase for the Insurance Commissioner. The salary equity increase is adjusted from $26,748 to $21,148 as the House has approved salary adjustments of 6 percent on July 1, 2023, and 4 percent on July 1, 2024. The Senate had approved salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024.

[3] Funding of $911,380 from other funds is removed for 3 FTE deputy fire marshal positions, of which $635,289 is salaries and wages and $276,091 is related operating expenses.

[4] Funding for the new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency by submitting to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	Other Funds
New FTE positions	($203,690)
Vacant FTE positions	(237,366)
Total	($441,056)

[5] Funding for travel is reduced by $182,258 from other funds to provide a total of $400,000.

[6] One-time funding of $72,540 is added from other funds for State Fire Marshal equipment.

This amendment also:

- Removes sections transferring any remaining balance from the unsatisfied judgment fund to the insurance regulatory trust fund and providing a contingent effective date for the transfer. Senate Bill No. 2295 has a section relating to the transfer of the balance in the unsatisfied judgment fund. The Senate had added these sections.
- Amends Sections 26.1-23.1-02 and 26.1-23.1-06 relating to government self-insurance pools.

REPORT OF STANDING COMMITTEE

SB 2011, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2011 was placed on the Sixth order on the calendar.

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

Page 1, replace lines 10 through 12 with:

"Salaries and wages	$2,213,881	$138,421	$2,352,302
Operating expenses	595,103	311,327	906,430
Total special funds	$2,808,984	$449,748	$3,258,732"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2011 - Securities Department - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	$2,213,881	$2,380,936	($28,634)	$2,352,302
Operating expenses	595,103	906,430		906,430
Total all funds	$2,808,984	$3,287,366	($28,634)	$3,258,732
Less estimated income	2,808,984	3,287,366	(28,634)	3,258,732
General fund	$0	$0	$0	$0
FTE	10.00	10.00	0.00	10.00

Department 414 - Securities Department - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Removes Salary Funding for Funding Pool[2]	Total House Changes
Salaries and wages	$37,528	($66,162)	($28,634)
Operating expenses			
Total all funds	$37,528	($66,162)	($28,634)
Less estimated income	37,528	(66,162)	(28,634)
General fund	$0	$0	$0
FTE	0.00	0.00	0.00

[1] Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	Other Funds
Salary increase	$38,356
Health insurance adjustment	(828)
Total	$37,528

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

[2] Funding of $66,162 from other funds for estimated savings from vacant FTE positions is removed. This amount is available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

REPORT OF STANDING COMMITTEE

SB 2014, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING). Engrossed SB 2014 was placed on the Sixth order on the calendar.

Page 1, replace lines 10 through 16 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Protection and advocacy operations	$7,402,940	$186,971	$7,589,911
Total all funds	$7,402,940	$186,971	$7,589,911
Less estimated income	4,263,590	2,951	4,266,541
Total general fund	$3,139,350	$184,020	$3,323,370
Full-time equivalent positions	28.50	0.00	28.50"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2014 - Protection and Advocacy Project - House Action

	Base Budget	Senate Version	House Changes	House Version
Protection and advocacy operations	$7,402,940	$7,663,051	($73,140)	$7,589,911
Total all funds	$7,402,940	$7,663,051	($73,140)	$7,589,911
Less estimated income	4,263,590	4,307,671	(41,130)	4,266,541
General fund	$3,139,350	$3,355,380	($32,010)	$3,323,370
FTE	28.50	28.50	0.00	28.50

Department 360 - Protection and Advocacy Project - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Removes Salary Funding for Funding Pool[2]	Total House Changes
Protection and advocacy operations	$93,176	($166,316)	($73,140)
Total all funds	$93,176	($166,316)	($73,140)
Less estimated income	52,461	(93,591)	(41,130)
General fund	$40,715	($72,725)	($32,010)
FTE	0.00	0.00	0.00

[1] Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	$42,184	$54,304	$96,488
Health insurance adjustment	(1,469)	(1,843)	(3,312)
Total	$40,715	$52,461	$93,176

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

[2] Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	$0	$0	$0
Vacant FTE positions	(72,725)	(93,591)	(166,316)
Total	($72,725)	($93,591)	($166,316)

REPORT OF STANDING COMMITTEE

SB 2021, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING). Engrossed SB 2021 was placed on the Sixth order on the calendar.

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

Page 1, line 2, remove "; and to provide for a report"

Page 1, replace lines 10 through 12 with:

"Workforce safety and insurance operations	$62,122,928	$9,900,794	$72,023,722
Total special funds	$62,122,928	$9,900,794	$72,023,722"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2021 - Workforce Safety and Insurance - House Action

	Base Budget	Senate Version	House Changes	House Version
WSI operations	$62,122,928	$74,886,832	($2,863,110)	$72,023,722
Total all funds	$62,122,928	$74,886,832	($2,863,110)	$72,023,722
Less estimated income	62,122,928	74,886,832	(2,863,110)	72,023,722
General fund	$0	$0	$0	$0
FTE	260.14	260.14	0.00	260.14

Department 485 - Workforce Safety and Insurance - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Removes Salary Funding for Funding Pool[2]	Total House Changes
WSI operations	$838,123	($3,701,233)	($2,863,110)
Total all funds	$838,123	($3,701,233)	($2,863,110)
Less estimated income	838,123	(3,701,233)	(2,863,110)
General fund	$0	$0	$0
FTE	0.00	0.00	0.00

[1] Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	Special Funds
Salary increase	$865,486
Health insurance increase	(27,363)
Total	$838,123

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

[2] Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	Special Funds
New FTE positions	$0
Vacant FTE positions	(3,701,233)
Total	($3,701,233)

REPORT OF STANDING COMMITTEE

SB 2022, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING). Engrossed SB 2022 was placed on the Sixth order on the calendar.

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

Page 1, line 6, after "exemption" insert "; to provide a report; and to declare an emergency"

Page 1, replace lines 15 through 19 with:

"Salaries and wages	$6,785,839	$2,124,208	$8,910,047
Operating expenses	1,323,528	1,546,409	2,869,937
Contingencies	100,000	100,000	200,000
Total special funds	$8,209,367	$3,770,617	$11,979,984
Full-time equivalent positions	25.00	9.00	34.00"

Page 2, line 11, after "Investment" insert "and fiscal operations"

Page 2, line 11, after "office" insert "necessary for the management of the investment of funds under the control of the state investment board"

Page 2, line 27, after "**program**" insert "**- Report to legislative management**"

Page 2, line 29, after "investment" insert "and fiscal operations"

Page 2, line 29, replace "related to the internal" with "necessary for the"

Page 3, line 3, after "benchmarks" insert ". Any amounts paid under this program must be considered compensation and not personal profit on behalf of the employee. Each interim, the state retirement and investment office shall provide at least one report to the legislative management regarding the status of the program, including the provisions of the program; the total amount of incentives paid out to employees each year; and the minimum, maximum, and average payout per eligible full-time equivalent position"

Page 3, after line 9, insert:

"**SECTION 7. REPORT TO BUDGET SECTION.** Prior to the implementation of the incentive compensation program under section 5 of this Act and after approval of the program by the state investment board, the state retirement and investment office shall provide a report to the budget section regarding the provisions of the program, during the period beginning with the effective date of this Act and ending June 30, 2025.

SECTION 8. EMERGENCY. Section 7 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2022 - Retirement and Investment Office - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	$6,785,839	$10,550,226	($1,640,179)	$8,910,047
Operating expenses	1,323,528	2,869,937		2,869,937
Contingencies	100,000	200,000		200,000
Total all funds	$8,209,367	$13,620,163	($1,640,179)	$11,979,984
Less estimated income	8,209,367	13,620,163	(1,640,179)	11,979,984
General fund	$0	$0	$0	$0
FTE	25.00	34.00	0.00	34.00

Department 190 - Retirement and Investment Office - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Removes Salary Funding for Funding Pool[2]	Total House Changes
Salaries and wages	$145,897	($1,786,076)	($1,640,179)
Operating expenses			
Contingencies			
Total all funds	$145,897	($1,786,076)	($1,640,179)
Less estimated income	145,897	(1,786,076)	(1,640,179)
General fund	$0	$0	$0
FTE	0.00	0.00	0.00

[1] Salaries and wages funding is adjusted for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	$0	$148,855	$148,855
Health insurance adjustment	0	(2,958)	(2,958)
Total	$0	$145,897	$145,897

The Senate provided salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024.

[2] Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	$0	($1,547,947)	($1,547,947)
Vacant FTE positions	0	(238,129)	(238,129)
Total	$0	($1,786,076)	($1,786,076)

The Senate did not remove funding for a new and vacant FTE funding pool.

This amendment also:

- Amends two sections allowing fiscal operations positions, along with investment positions, to be exempt from the state employee classification system and to be eligible for a newly created incentive compensation program. The Senate exempted investment positions from the classification system and authorized investment positions to be eligible for a newly created incentive compensation program.

- Adds sections to require the Retirement and Investment Office to provide a report to the Budget Section prior to the implementation of the incentive compensation program and to include an emergency clause related to the report. The Senate did not include any reporting requirements for the program.

REPORT OF STANDING COMMITTEE

SB 2023, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2023 was placed on the Sixth order on the calendar.

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

Page 1, line 2, remove "; and to provide for a report"

Page 1, replace lines 11 through 16 with:

"Salaries and wages	$7,209,060	$509,787	$7,718,847
Operating expenses	2,396,236	144,751	2,540,987
Contingencies	250,000	0	250,000
Defined benefit plan closure	0	372,027	372,027
Total special funds	$9,855,296	$1,026,565	$10,881,861
Full-time equivalent positions	35.50	4.00	39.50"

Page 2, replace lines 2 and 3 with:

"Staff operating expenses	0	4,000
Total special funds	$362,100	$454,000

The 2023-25 biennium one-time funding amounts are not part of the entity's base budget for the 2025-27 biennium. The public employees retirement system 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 5, remove "**- ONE-TIME FUNDING**"

Page 2, line 6, replace "$1,006,839" with "$372,027"

Page 2, line 6, replace "$681,839" with "$47,027"

Page 2, line 7, after the first "for" insert "a portion of"

Page 2, line 7, replace "three" with "two"

Page 2, line 11, replace "$328,000" with "$327,000"

Page 2, line 11, replace "considered" with "identified as"

Page 2, line 11, after the second "item" insert "in section 2 of this Act. In addition, the public employees retirement system may request the office of management and budget to transfer up to $479,660 of additional funding from the new and vacant FTE funding pool for this line item for salaries and wages of the full-time equivalent positions identified in this section"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2023 - Public Employees Retirement System - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	$7,209,060	$8,471,928	($753,081)	$7,718,847
Operating expenses	2,396,236	2,543,712	(2,725)	2,540,987
Contingencies	250,000	250,000		250,000
Defined benefit plan closure		1,006,839	(634,812)	372,027
Total all funds	$9,855,296	$12,272,479	($1,390,618)	$10,881,861
Less estimated income	9,855,296	12,272,479	(1,390,618)	10,881,861
General fund	$0	$0	$0	$0
FTE	35.50	41.50	(2.00)	39.50

Department 192 - Public Employees Retirement System - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Removes Funding for Salary Equity Increases[2]	Removes FTE Position[3]	Removes Contingent FTE Position[4]	Restores Funding for Temporary Salaries[5]	Removes One-Time Funding for New Position Operating Expenses[6]
Salaries and wages	$116,138	($258,000)	($161,592)		$110,368	
Operating expenses			(725)			($2,000)
Contingencies						
Defined benefit plan closure	8,165			($162,317)		(1,000)
Total all funds	$124,303	($258,000)	($162,317)	($162,317)	$110,368	($3,000)
Less estimated income	124,303	(258,000)	(162,317)	(162,317)	110,368	(3,000)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	(1.00)	(1.00)	0.00	0.00

	Removes Salary Funding for Funding Pool[7]	Total House Changes
Salaries and wages	($559,995)	($753,081)
Operating expenses		(2,725)
Contingencies		
Defined benefit plan closure	(479,660)	(634,812)
Total all funds	($1,039,655)	($1,390,618)
Less estimated income	(1,039,655)	(1,390,618)
General fund	$0	$0
FTE	0.00	(2.00)

[1] Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health

insurance premium rates as follows:

	Special Funds
Salary increase	$129,155
Health insurance increase	(4,852)
Total	$124,303

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

[2] Funding is removed for salary equity increases. The Senate added $258,000 from special funds.

[3] One FTE member services representative position and funding of $162,317 from special funds, of which $161,592 is for salaries and wages and $725 is for operating expenses, is removed. The Senate added 3 FTE positions, including the FTE member services representative position, an FTE retirement processing lead position, and an FTE receptionist position.

[4] One contingent FTE member services representative position and funding of $162,317 from special funds, of which $161,592 is for salaries and wages and $725 is for operating expenses, is removed. The Senate added 3 contingent FTE positions, including the FTE member services representative position, an FTE benefit manager position, and an FTE counselor position. The contingent FTE positions are available to the Public Employees Retirement System only if the 2023 Legislative Assembly closes the main system defined benefit retirement plan to new hires.

[5] Funding of $110,368 from special funds for temporary salaries is restored by the House to provide a total of $260,368 for temporary salaries. The Senate reduced $110,368 of temporary salaries to provide a total of $150,000 from special funds.

[6] One-time funding of $3,000 from special funds for chairs for new FTE positions is removed to provide a total of $4,000. The Senate added $7,000 from special funds for this purpose.

[7] Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	Special Funds
New FTE positions	($819,278)
Vacant FTE positions	(220,377)
Total	($1,039,655)

This amendment also changes a section identifying the amount of funding that is appropriated in Section 1 that is available to the Public Employees Retirement System only if the 2023 Legislative Assembly closes the main system defined benefit retirement plan to new hires.

REPORT OF STANDING COMMITTEE

SB 2168: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2168 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 amend and reenact section 39-06.1-06, subdivision i of subsection 1 of section 39-09-02, section 39-21-41.4, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to speeding violations, use of safety belts, and city fines and penalties; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

39-06.1-06. Amount of statutory fees.

The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must be as follows:

1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars except for a violation of any traffic parking regulation on any state charitable or penal institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.

2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:

   a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.

   b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.

   c. A violation of section 39-21-41.2, a fee of twenty-five dollars.

   d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.

   e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.

   f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.

   g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.

   h. A violation of section 39-10-59, a fee of five hundred dollars.

   i. A violation of section 39-09-01, a fee of thirty dollars.

   j. A violation of section 39-09-01.1, a fee of thirty dollars.

   k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.

   l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.

   m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.

   n. A violation of section 39-10-50.1, a fee of fifty dollars.

   o. A violation of section 39-19-03, a fee of fifty dollars.

3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.

4. ~~Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:~~

   ~~Miles per hour over~~

   ~~lawful speed limit~~ ~~Fee~~

   ~~1 - 5~~ ~~$ 5~~

~~6 - 10 $ 5 plus $1/each mph over 5 mph over limit~~

~~11 - 15 $ 10 plus $1/each mph over 10 mph over limit~~

~~16 - 20 $ 15 plus $2/each mph over 15 mph over limit~~

~~21 - 25 $ 25 plus $3/each mph over 20 mph over limit~~

~~26 - 35 $ 40 plus $3/each mph over 25 mph over limit~~

~~36 - 45 $ 70 plus $3/each mph over 35 mph over limit~~

~~46 + $100 plus $5/each mph over 45 mph over limit~~

~~5.~~ On a highway on which the speed limit is a speed ~~higher than fifty-five miles [88.51 kilometers]~~of sixty-five miles [104.61 kilometers] an hour or lower, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over lawful speed limit	Fee
1 - 10	$2/each mph over limit
11 +	$20 plus $5/each mph over 10 mph over limit

~~6.~~5. For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:

a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;

b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;

c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and

d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

~~7.~~6. On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.

~~8.~~7. For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one

dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

~~9.~~8. For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee $80".

9. If a violation of subsection 4, 6, 7, or 8 is for exceeding the speed limit by twenty-one miles [33.8 kilometers] per hour or more in a speed zone of less than seventy-five miles [120.7 kilometers] an hour, the specified fee is increased by one hundred dollars. If a violation of subsection 6 is for exceeding the speed limit by sixteen miles [25.75 kilometers] an hour or more in a speed zone of seventy-five miles [120.7 kilometers] an hour or greater, the specified fee is increased by one hundred dollars.

SECTION 2. AMENDMENT. Subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on access-controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.

SECTION 3. AMENDMENT. Section 39-21-41.4 of the North Dakota Century Code is amended and reenacted as follows:

39-21-41.4. Use of safety belts required in certain motor vehicles - Enforcement - Evidence.

1. Subject to the limitations of this section and section 39-21-41.5, a driver may not operate upon a highway a motor vehicle designed for carrying fewer than eleven passengers, which was originally manufactured with safety belts unless each front seat occupant is wearing a properly adjusted and fastened safety belt.

2. This section does not apply to a child in a child restraint or safety belt in accordance with section 39-21-41.2; to drivers of implements of husbandry; to operators of farm vehicles as defined in subsection 5 of section 39-04-19; to rural mail carriers while on duty delivering mail; to an occupant with a medical or physically disabling condition that prevents appropriate restraint in a safety belt, if a qualified physician, physician assistant, or advanced practice registered nurse states in a signed writing the nature of the condition and the reason restraint is inappropriate; or when all front seat safety belts are in use by other occupants. A physician, physician assistant, or advanced practice registered nurse who, in good faith, provides a statement that restraint would be inappropriate is not subject to civil liability. ~~A violation for not wearing a safety belt under this section is not, in itself, evidence of negligence. The fact of a violation of this section is not admissible in any proceeding other than one charging the violation~~

3. The use or nonuse of a safety belt:

   a. May not be used in any action as evidence of fault;

   b. Is not, in itself, evidence of negligence; and

   c. Is not admissible in any proceedings other than one charging the violation.

4. The fee imposed for a violation of this section must be issued to:

a. The driver if the violation is by the driver or a passenger who is a minor; or

b. The adult passenger if the violation was by an adult passenger.

SECTION 4. AMENDMENT. Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06 except for a violation of a speed limitation."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2169, as engrossed: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2169 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 39-09 of the North Dakota Century Code, relating to temporary alteration of the maximum speed limit; to amend and reenact sections 39-08-01.2 and 39-08-01.4 of the North Dakota Century Code, and section 39-10-21.1 of the North Dakota Century Code, as amended by Senate Bill No. 2189, as approved by the sixty-eighth legislative assembly, relating to the special punishment for causing injury or death while operating a vehicle while under the influence of alcohol or any other drugs or substances, driving while under the influence of alcohol or any other drugs or substances while being accompanied by a minor, and entering a closed road; to provide for a legislative management study; to provide for a legislative management report; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-08-01.2 of the North Dakota Century Code is amended and reenacted as follows:

39-08-01.2. Special punishment for causing injury or death while operating a vehicle while under the influence of alcohol or any other drugs or substances.

1. An individual is guilty of criminal vehicular homicide if the individual commits an offense under section 39-08-01 or equivalent ordinance and as a result the individual causes a death of another individual to occur, including the death of an unborn child, unless the individual who causes the death of the unborn child is the mother. A violation of this subsection is a class A felony. If an individual commits a violation under this subsection, the court shall impose at least three years' imprisonment. If the individual violates this section after having been previously convicted of a violation of section 39-08-01 or 39-08-03, or equivalent ordinance, the court shall impose at least ten years' imprisonment. An individual may not be prosecuted and found guilty of this and an offense under chapter 12.1-16 if the conduct arises out of the same incident.

2. An individual is guilty of criminal vehicular injury if the individual violates section 39-08-01 or equivalent ordinance and as a result that individual causes substantial bodily or serious bodily injury to another individual. Violation of this subsection is a class C felony. If an individual violates this subsection, the court shall impose at least one year's imprisonment. If the individual violates this section after having been previously convicted of a violation of section 39-08-01 or 39-08-03 or equivalent ordinance, the court shall impose at least two years' imprisonment.

3. The sentence under this section may not be suspended unless the court finds that manifest injustice would result from the imposition of the sentence. Before a sentence under this section applies, a defendant must be notified of the minimum mandatory sentence. The elements of an offense under this section are the elements of an offense for a violation of section 39-08-01 and the additional elements that create an offense in each subsection of this section. Whether an individual caused death or substantial or serious bodily injury must be determined in accordance with section 12.1-02-05.

SECTION 2. AMENDMENT. Section 39-08-01.4 of the North Dakota Century Code is amended and reenacted as follows:

39-08-01.4. Driving while under the influence of alcohol or any other drugs or substances while being accompanied by a minor - Penalty.

1. It is a class A misdemeanor for an individual who is at least twenty-one years of age to violate section 39-08-01 if the violation occurred while a minor was accompanying the individual in a motor vehicle. If an individual has a previous conviction for a violation of section 39-08-01.4, a violation of this section is a class C felony. ~~An individual convicted under this section must be sentenced in accordance with subsection 5 of section 39-08-01.~~

2. The minimum sentence for an individual convicted of violating this section must include:

   a. For a first offense, a fine of seven hundred fifty dollars, at least two days' imprisonment, an order for a substance abuse evaluation by an appropriate licensed addiction treatment program, at least three hundred sixty days of unsupervised probation, and at least three hundred sixty days' participation in the twenty-four seven sobriety program under chapter 54-12 as a mandatory condition of probation.

   b. For a second or subsequent offense within fifteen years, at least one year and one day's imprisonment, a fine of two thousand dollars, an order for a substance abuse evaluation by an appropriate licensed addiction treatment program, at least two years' supervised probation, and at least three hundred sixty days' participation in the twenty-four seven sobriety program under chapter 54-12 as a mandatory condition of probation.

SECTION 3. A new section to chapter 39-09 of the North Dakota Century Code is created and enacted as follows:

Temporary alteration of maximum speed limit on state highway due to hazardous road conditions.

The maximum speed limit as provided under section 39-09-02 may be altered temporarily on all or any part of the state highway system by the director and the superintendent of the highway patrol when jointly determined that road conditions are too hazardous for the posted speed limit. The duration of any maximum speed limit altered under this section may not exceed five days. A maximum speed limit altered under this section is effective when posted on an appropriately fixed or variable sign.

SECTION 4. AMENDMENT. Section 39-10-21.1 of the North Dakota Century Code, as amended by Senate Bill No. 2189, as approved by the sixty-eighth legislative assembly, is amended and reenacted as follows:

39-10-21.1. Closing road because of hazardous road conditions - Road closure notice - Entering closed road prohibited.

1. The highway patrol or local law enforcement authorities having jurisdiction over a road may close a road temporarily due to hazardous conditions for the protection and safety of the public. If a closing is made, the authority ordering the closing shall make every reasonable attempt to notify the public and, when practical, may post appropriate official traffic-control devices to advise motorists of the closing.

2. If a road closure under subsection 1 has been announced to the public and the road has been closed at the point of entry with an appropriate traffic control device in use at major points of entry, an individual may not drive on the road.

3. If an individual is operating a vehicle on a road before the road has been closed under subsection 1, the individual is allowed to drive to the nearest safe location to leave the closed road to seek shelter.

4. The highway patrol or local law enforcement authorities having jurisdiction over a road may close a road temporarily from use by commercial motor vehicles due to hazardous conditions for the protection and safety of the public.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - TRAFFIC FEES. During the 2023-24 interim, the legislative management shall consider studying the traffic fines imposed by state and local governments and conduct an analysis of the fee structure provided under title 39. The study must include a comprehensive assessment and review of North Dakota's traffic fines, fees, and penalty statutes in comparison to the fines, fees, and penalties of other states. 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 6. STUDY OF SEAT BELTS - DEPARTMENT OF TRANSPORTATION - REPORT TO THE LEGISLATIVE MANAGEMENT. During the 2023-24 interim, the department of transportation shall study seat belt usage in the state. The study must include an evaluation of the effects of seat belt use on driving behavior and traffic fatalities and injuries and a statistical examination of the effects of seat belt usage in various speed zones and while on different highways. The department shall report its findings to the legislative management by June 1, 2024.

SECTION 7. STUDY ON HIGHWAY SAFETY - DEPARTMENT OF TRANSPORTATION - REPORT TO THE LEGISLATIVE MANAGEMENT. During the 2023-24 interim, the department of transportation, in consultation with the highway patrol, shall study highway safety. The study must include an assessment of crash data, speed differentials on the interstate, the use of variable speed limits and the ability to close roads to commercial vehicle traffic. The department shall report its findings to the legislative management by June 1, 2024."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2200, as engrossed and amended: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO PASS** (20 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2200, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2219, as engrossed: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2219 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 39-06.1 of the North Dakota Century Code, relating to civil judgment for nonpayment of statutory fees; to"

Page 4, after line 24, insert:

"**SECTION 7.** A new section to chapter 39-06.1 of the North Dakota Century Code is created and enacted as follows:

Failure to pay statutory fees - Civil judgment.

1. In addition to the penalty provided under section 39-06.1-04 for failure to pay a statutory fee, the court may enter a civil traffic judgment against the individual for the nonpayment.

2. The judgment must be docketed by the clerk of court in the judgment docket maintained pursuant to section 28-20-13 in the same manner in which a civil judgment for money is docketed. The docketing of the judgment has the same effect as the docketing of a civil judgment. The docketed judgment may be docketed in any other county in the same manner, it imposes a lien upon the real property owned by the defendant to the same extent, it is subject to the same statute of limitations, and it is enforceable by execution in the same manner as provided for a civil judgment for money.

3. The civil traffic judgment may not exceed the amount of the statutory fee owed, plus interest and any applicable penalty amounts, giving credit for any amount paid.

4. The department or the applicable city or county may seek execution and enforcement of the civil traffic judgment."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2240: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). SB 2240 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "$1,900,000" with "$800,000"

Page 1, line 10, replace "$900,000" with "$400,000"

Page 1, line 11, replace "$1,000,000" with "$400,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2240 - Department of Commerce - House Action

	Base Budget	Senate Version	House Changes	House Version
Base retention grants		$1,900,000	($1,100,000)	$800,000
Total all funds	$0	$1,900,000	($1,100,000)	$800,000
Less estimated income	0	0	0	0
General fund	$0	$1,900,000	($1,100,000)	$800,000
FTE	0.00	0.00	0.00	0.00

Department 601 - Department of Commerce - Detail of House Changes

	Adjusts Grant Funding[1]	Total House Changes
Base retention grants	($1,100,000)	($1,100,000)
Total all funds	($1,100,000)	($1,100,000)
Less estimated income	0	0
General fund	($1,100,000)	($1,100,000)
FTE	0.00	0.00

[1] Funding for base retention grants is reduced by $1,100,000, from $1,900,000 to $800,000 from the general fund.

REPORT OF STANDING COMMITTEE

SB 2248, as reengrossed and amended: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2248, as amended, was placed on the Sixth order on the calendar.

In addition to the amendments adopted by the House as printed on pages 1309 and 1310 of the House Journal, Reengrossed Senate Bill No. 2248 is further amended as follows:

Page 1, line 4, after the first semicolon insert "and"

Page 1, line 4, remove "; and to provide an appropriation"

Page 3, remove lines 29 through 31

Page 4, remove lines 1 through 3

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2248 - DHHS - Other - House Action

	Base Budget	Senate Version	House Changes	House Version
Fentanyl awareness		$1,500,000	($1,500,000)	
Total all funds	$0	$1,500,000	($1,500,000)	$0
Less estimated income	0	1,500,000	(1,500,000)	0
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

Department 325 - DHHS - Other - Detail of House Changes

	Removes Appropriation for Fentanyl Awareness[1]	Total House Changes
Fentanyl awareness	($1,500,000)	($1,500,000)
Total all funds	($1,500,000)	($1,500,000)
Less estimated income	(1,500,000)	(1,500,000)
General fund	$0	$0
FTE	0.00	0.00

[1] The appropriation for fentanyl awareness is removed.

REPORT OF STANDING COMMITTEE

SB 2279, as engrossed: Agriculture Committee (Rep. Thomas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2279 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subdivision a of"

Page 1, line 2, replace "the farm structure and improvements" with "a"

Page 1, line 3, after "exemption" insert "for certain potato storage structures"

Page 1, remove lines 5 through 23

Page 2, remove lines 1 through 30

Page 3, replace lines 1 through 21 with:

"**SECTION 1. AMENDMENT.** Subsection 15 of section 57-02-08 of the North Dakota Century Code is amended and reenacted as follows:

15. a. All farm structures and improvements located on agricultural lands.

(1) This subsection must be construed to exempt farm buildings and improvements only, and may not be construed to exempt from taxation industrial plants, or structures of any kind not used or intended for use as a part of a farm plant, or as a farm residence.

(2) "Farm buildings and improvements" includes a greenhouse or other building used primarily for the growing of horticultural or nursery products from seed, cuttings, or roots, if not used on more than an occasional basis for a showroom for the retail sale of horticultural or nursery products. A greenhouse or building used primarily for display and sale of grown horticultural or nursery products is not a farm building or improvement.

(3) Any structure or improvement used primarily in connection with a retail or wholesale business other than farming, any structure or improvement, except a potato storage structure as provided in subdivision b, located on platted land within the corporate limits of a city, any structure or improvement used by a manufacturing facility as defined in section 19-24.1-01, or any structure or improvement located on railroad operating property subject to assessment under chapter 57-05 is not exempt under this subsection. For purposes of this paragraph, "business other than farming" includes processing to produce a value-added physical or chemical change in an agricultural commodity beyond the ordinary handling of that commodity by a farmer prior to sale.

(4) The following factors may not be considered in application of the exemption under this subsection:

(a) Whether the farmer grows or purchases feed for animals raised on the farm.

(b) Whether animals being raised on the farm are owned by the farmer.

(c) Whether the farm's replacement animals are produced on the farm.

(d) Whether the farmer is engaged in contract feeding of animals on the farm.

b. A potato storage structure that is permanently affixed to commercial property, owned by a farmer, and used exclusively for personal use by the owner, a direct relative of the owner, or another farmer. This exemption only applies to a potato storage structure that was originally constructed on agricultural property. For purposes of this subdivision:

(1) "Direct relative" means a spouse, surviving spouse, child, parent, brother, sister, grandparent, great-grandparent, grandchild, great-grandchild, aunt, uncle, niece, nephew, first cousin, or second cousin, whether by blood, adoption, or marriage.

(2) "Personal use" means the use of a structure for postharvest storage and preservation of potatoes produced by the owner of the structure, a direct relative of the owner, or a farmer leasing the storage structure associated with rented land. The term does not include the use of a structure to store or preserve potatoes produced by individuals other than the owner of the structure, a direct relative of the owner, or a farmer leasing the storage structure associated with rented land.

(3) "Preserve" means the ordinary handling of potatoes prior to sale and does not include processing that results in a value-added physical or chemical change to the potatoes.

c. It is the intent of the legislative assembly that this exemption as applied to a residence must be strictly construed and interpreted to exempt only a residence that is situated on a farm and which is occupied or used by a person who is a farmer and that the exemption may not be applied to property which is occupied or used by a person who is not a farmer. For purposes of this subdivision:

(1) "Farm" means a single tract or contiguous tracts of agricultural land containing a minimum of ten acres [4.05 hectares] and for which the farmer, actually farming the land or engaged in the raising of livestock or other similar operations normally associated with farming and ranching, has annual gross income from farming activities which is sixty-six percent or more of annual gross income, including gross income of a spouse if married, during any of the two preceding calendar years.

(2) "Farmer" means an individual who normally devotes the major portion of time to the activities of producing products of the soil, with the exception of marijuana grown under chapter 19-24.1; poultry; livestock; or dairy farming in such products' unmanufactured state and has received annual gross income from farming activities which is sixty-six percent or more of annual gross income, including gross income of a spouse if married, during any of the two preceding calendar years. For purposes of this paragraph, "farmer" includes a:

(a) "Beginning farmer", which means an individual who has begun occupancy and operation of a farm within the two preceding calendar years; who normally devotes the major portion of time to the activities of producing products of the soil, poultry, livestock, or dairy farming in such products' unmanufactured state; and who does not have a history of farm income from farm operation for each of the two preceding calendar years.

(b) "Retired farmer", which means an individual who is retired because of illness or age and who at the time of retirement owned and occupied as a farmer the residence in which the person lives and for which the exemption is claimed.

(c) "Surviving spouse of a farmer", which means the surviving spouse of an individual who is deceased, who at the time of death owned and occupied as a farmer the residence in which the surviving spouse lives and for

which the exemption is claimed. The exemption under this subparagraph expires at the end of the fifth taxable year after the taxable year of death of an individual who at the time of death was an active farmer. The exemption under this subparagraph applies for as long as the residence is continuously occupied by the surviving spouse of an individual who at the time of death was a retired farmer.

(3) "Gross income" means gross income as defined under the federal Internal Revenue Code and does not include a gain from the sale or exchange of farm machinery as computed for federal income tax purposes. For purposes of this paragraph, "farm machinery" means all vehicular implements and attachment units designed and sold for direct use in planting, cultivating, or harvesting farm products or used in connection with the production of agricultural produce or products, livestock, or poultry on farms, which are operated, drawn, or propelled by motor or animal power. "Farm machinery" does not include vehicular implements operated wholly by hand or a motor vehicle that is required to be registered under chapter 57-40.3.

(4) "Gross income from farming activities" means gross income from farming as defined for purposes of determining if an individual is a farmer eligible to use the special estimated income tax payment rules for farmers under section 6654 of the federal Internal Revenue Code [26 U.S.C. 6654].

(5) When exemption is claimed under this subdivision for a residence, the occupant of the residence who it is claimed is a farmer shall provide to the assessor for the year or years specified by the assessor a written statement in which it is stated that sixty-six percent or more of the gross income of that occupant, and spouse if married and both spouses occupy the residence, was, or was not, gross income from farming activities. The individual claiming the exemption also shall provide to the assessor, on a form prescribed by the tax commissioner, the necessary income information to demonstrate eligibility. Any income information provided to the assessor regarding eligibility for an exemption claimed under this subdivision is a confidential record.

(6) For purposes of this subsection, "livestock" includes "nontraditional livestock" as defined in section 36-01-00.1.

(7) A farmer operating a bed and breakfast facility in the farm residence occupied by that farmer is entitled to the exemption under this section for that residence if the farmer and the residence would qualify for exemption under this section except for the use of the residence as a bed and breakfast facility."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2311, as engrossed and amended: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2311, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 1357 and 1358 of the House Journal, Engrossed Senate Bill No. 2311 is amended as follows:

Page 1, line 1, after "reenact" insert "subsection 11 of section 35-24-01 and"

Page 1, line 1, replace "35-24-02" with "35-24-03, 35-24-11,"

Page 1, replace lines 4 through 21 with:

"SECTION 1. AMENDMENT. Subsection 11 of section 35-24-01 of the North Dakota Century Code is amended and reenacted as follows:

11. "Pipeline" means any pipeline and related facilities laid and designed as a means of transporting ~~natural gas, oil, or gasoline, or their components or derivatives,~~liquid or gaseous substances of any kind and the right of way therefor.

SECTION 2. AMENDMENT. Section 35-24-03 of the North Dakota Century Code is amended and reenacted as follows:

35-24-03. Property subject to lien.

1. Liens created under section 35-24-02 extend to:

   ~~1.~~a. The whole of the leasehold for oil or gas purposes to which the materials or services were furnished, or for which the labor was performed, and the appurtenances thereunto belonging; and

   ~~2.~~b. All materials and fixtures owned by the owner or owners of such leasehold and used or employed, or furnished to be used or employed in the drilling or operating of any oil or gas well located thereon; and

   ~~3.~~c. All oil or gas wells located on such leasehold, and the oil or gas produced therefrom, and the proceeds thereof inuring to the working interest therein as such working interest existed on the date such labor was first performed or such material or services were first furnished; or

   ~~4.~~d. The whole of the pipeline to which the materials or services were furnished, or for which labor was performed, and all buildings and appurtenances thereunto belonging, including, without limiting the generality of the foregoing, gates, valves, pumps, pump stations, and booster stations, and upon all materials and fixtures owned by the owner of such pipeline and used or employed or furnished to be used or employed in the construction thereof.

2. Notwithstanding any provision in this chapter, liens created under section 35-24-02 may not extend to a freehold estate unless that freehold estate is owned by the owner of any leasehold for oil or gas purposes or any pipeline for which the labor, materials, or services were supplied.

SECTION 3. AMENDMENT. Section 35-24-11 of the North Dakota Century Code is amended and reenacted as follows:

35-24-11. Contents and filing of statement of lien.

1. Every person claiming a lien under this chapter shall file with the recorder of the county in which the leasehold or pipeline, or some part thereof, is situated, a statement verified by affidavit setting forth the amount claimed and the items thereof, the dates on which labor was performed or material or services furnished, the name of the owner of the leasehold or pipeline, if known, the name of the claimant and the claimant's mailing address, a description of the leasehold or pipeline, and if the claimant is a claimant under section 35-24-04, the name of the person for whom the labor was immediately performed or the material or services were immediately furnished.

2. The statement of the lien must contain the following statement in at least sixteen-point typeface unless the owner of the freehold estate also is the owner of the leasehold for oil or gas purposes or the pipeline for which the labor, materials, or services were supplied:

The lien in this chapter attaches only to the leasehold for oil or gas purposes or any pipeline for which labor, materials, or services were supplied. This lien does not attach to or encumber the real property of a freehold estate.

Failure to include the statement mentioned in this subsection in the statement of the lien does not invalidate a lien on the leasehold or pipeline.

3. The statement of lien must be filed within six months after the date on which the claimant's labor was last performed or material or services were last furnished under a single contract as provided for in section 35-24-10."

Page 2, line 19, remove "a lien created under this section does"

Page 2, remove lines 20 and 21

Page 2, line 22, replace "to an oil and gas lease" with "any person that performs labor or furnishes materials or services under chapter 35-24 is prohibited from claiming or maintaining a lien under this chapter"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2326: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2326 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the second "and" with a comma

Page 1, line 1, after "61-02-02" insert ", and 61-03-21.4"

Page 1, line 14, overstrike "one million" and insert immediately thereafter "five hundred thousand"

Page 3, after line 24, insert:

"**SECTION 3. AMENDMENT.** Section 61-03-21.4 of the North Dakota Century Code is amended and reenacted as follows:

61-03-21.4. Economic analysis process required for certain projects.

The department of water resources shall develop an economic analysis process for water conveyance projects and flood-related projects expected to cost more than ~~one million~~five hundred thousand dollars, and a life cycle analysis process for municipal water supply projects. When the state water commission is considering whether to fund a water conveyance project, flood-related project, or water supply project, the department of water resources shall review the economic analysis or life cycle analysis, and inform the state water commission of the findings from the analysis and review."

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE

HB 1176: Your conference committee (Sens. Magrum, Patten, Piepkorn and Reps. Steiner, Fisher, D. Anderson) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1207 and place HB 1176 on the Seventh order.

HB 1176 was placed on the Seventh order of business on the calendar.

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

Buell J. Reich, Chief Clerk