JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, April 13, 2023

The House convened at 8:00 a.m., with Speaker D. Johnson presiding.

The prayer was offered by Pastor Lane VanAtta, Bainville Faith Fellowship Church, Bainville, MT.

The roll was called and all members were present except Representatives Christy and Hoverson.

A quorum was declared by the Speaker.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has passed, unchanged: SB 2392.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2016, SB 2330.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1153, HB 1183, HB 1267, and HB 1528.

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 1012, HB 1019, HB 1021, HB 1114, HB 1231, HB 1313, HB 1501, and HB 1508, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1012: Reps. Brandenburg; Monson; Mock
HB 1019: Reps. Richter; Sanford; Nathe
HB 1021: Reps. Kempenich; Meier; Mock
HB 1114: Reps. Cory; S. Olson; Schneider
HB 1231: Reps. Timmons; Conmy; Jonas
HB 1313: Reps. Klemin; Cory; Rios
HB 1501: Reps. Schreiber-Beck; Beltz; Headland
HB 1508: Reps. Fegley; Hatlestad; Warrey

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 2023: Reps. Meier; Pyle; Mock
SB 2261: Reps. Roers Jones; Heinert; Novak

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report on: HB 1418, HB 1439.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1176, HB 1207, HB 1333, HB 1383.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1170, HB 1324.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1086.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2061.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: SCR 4014.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1102, HB 1210.

CONSIDERATION OF MESSAGES FROM THE SENATE
REP. BOSCH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1003 as printed on HJ pages 1875-1890, in the Senate amendments to Engrossed HB 1379 as printed on HJ pages 1902-1903, and in the Senate amendments to Engrossed HCR 3033 as printed on HJ pages 1797-1798 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 1003: Reps. Sanford, Swiontek, Martinson.
Engrossed HB 1379: Reps. Bosch, Lefor, Vigesaa.
Engrossed HCR 3033: Reps. Kasper, Mock, Thomas.

MOTION
REP. D. JOHNSON MOVED that Rep. Beltz replace Rep. Christy on the Conference Committee on HB 1371, which motion prevailed on a voice vote.

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 2029, SB 2080, and Reengrossed SB 2107, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed SB 2029: Reps. Steiner, Rohr, Schauer
SB 2080: Reps. Prichard, Frelich, Dobervich
Reengrossed SB 2107: Reps. Klemin, Karls, Cory

SIXTH ORDER OF BUSINESS
SPEAKER D. JOHNSON DEEMED approval of the amendments to SB 2198.

SB 2198, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL
SB 2198: A BILL for an Act to amend and reenact sections 54-52.4-02, 54-52.4-04, and 54-52.4-05 of the North Dakota Century Code, relating to state employee family medical leave.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; 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; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor;

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

ABSENT AND NOT VOTING: Christy; Hoverson

SB 2198, as amended, passed.

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CONSIDERATION OF MESSAGE FROM THE SENATE

REP. VIGESAA MOVED that the House do concur in the Senate amendments to Reengrossed HB 1532 as printed on HJ pages 1838-1840, which motion prevailed on a voice vote.

Reengrossed HB 1532, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1532: A BILL for an Act to create and enact chapter 15.1-39 of the North Dakota Century Code, relating to the establishment of an educational reimbursement program; to provide for a legislative management study; to provide for a legislative management report; to provide an appropriation; and to provide an effective date.

MOTION

REP. BELLEW MOVED the previous question, which motion failed.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 51 YEAS, 41 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, K.; Bahl; Bellew; Bosch; Christensen; Cory; Dockter; Dyk; Fegley; Fisher; Frelich; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Johnson, J.; Karls; Kasper; Kempenich; Kiefert; Koppelman; Lefor; Marschall; McLeod; Meier; Motschenbacher; Nathe; Olson, J.; Olson, S.; Porter; Prichard; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Steiner; Stemen; Strinden; Timmons; Toman; Tveit; VanWinkle; Vetter; Wagner

NAYS: Anderson, D.; Beltz; Boschee; Brandenburg; Conmy; Dakane; Davis; Dobervich; Finley-DeVille; Grueneich; Hager; Hagert; Hanson; Hatlestad; Ista; Jonas; Klemin; Kreidt; Longmuir; Louser; Martinson; Mitskog; Mock; Monson; Murphy; Nelson; Novak; O'Brien; Ostlie; Pyle; Richter; Sanford; Schneider; Schobinger; Schreiber-Beck; Swiontek; Thomas; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Hoverson

Reengrossed HB 1532 passed.

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ANNOUNCEMENT

SPEAKER D. JOHNSON announced that the House will stand in recess until 12:30 p.m.

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

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 Fifty-eighth and Sixty-fourth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1595, line 24, replace "14" with "11"

Page 1595, line 24, replace "19" with "16"

Page 1871, line 22, replace "of the bill" with "of the amended bill"

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

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 12, 2023, I have signed the following: HB 1006, HB 1016, HB 1030, HB 1044, HB 1057, HB 1070, HB 1160, HB 1232, HB 1277, HB 1309, HB 1334, HB 1529, and HB 1530.

REPORT OF STANDING COMMITTEE

HB 1539: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1539 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 5 of section 15-39.1-05.2, sections"

Page 1, line 2, remove "15-39.1-10.11 and 15-39.1-35, subsection 5 of section 18-11-15, and"

Page 1, line 2, replace "39-03.1-29,"with "54-35-02.4 and"

Page 1, line 2, remove ", and 54-52.1-08.2"

Page 1, line 4, after "committee" insert "and the public employees prescription drug coverage performance audit"

Page 1, line 4, remove "and to repeal sections 54-35-02.3 and"

Page 1, remove line 5

Page 1, line 6, replace "committee" with "; to provide for a prescription drug coverage performance audit; and to provide for a legislative management report"

Page 1, remove lines 8 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 31

Page 4, replace lines 1 through 14, with:

"**SECTION 1. AMENDMENT.** Section 54-35-02.4 of the North Dakota Century Code is amended and reenacted as follows:

54-35-02.4. Employee benefits programs committee - Powers and duties.

1. ~~The~~During each interim, the employee benefits programs committee shall consider and report on ~~those~~the legislative ~~measures and~~ proposals over which ~~it~~the committee takes jurisdiction and which affect, actuarially or otherwise, the retirement programs of state employees or employees of any political subdivision, and health and retiree health plans of state employees or employees of any political subdivision. A majority of the members of the committee, acting through the chairman, has sole authority to determine whether a legislative proposal affects a program. The committee shall make a thorough review of ~~any measure or~~each proposal ~~which it~~the committee takes under its jurisdiction, including an actuarial ~~review~~report. The committee shall take jurisdiction over ~~any measure or~~a proposal that authorizes an automatic increase or other change in benefits beyond the ensuing biennium which would not require legislative approval. The committee ~~must~~shall include in the report of the

committee a statement that the proposal would allow future changes without legislative involvement. The committee shall report ~~its~~the findings and recommendations of the committee, along with any necessary legislation, to the legislative management and to the legislative assembly.

2. To carry out ~~its~~the responsibilities of the committee, the committee, or ~~its~~the designee of the committee, may:

   a. Enter contracts, including retainer agreements, with an actuary or actuarial firm for expert assistance and consultation. Each retirement, insurance, or retiree insurance program shall pay, from ~~its~~the program's retirement, insurance, or retiree health benefits fund, as appropriate, and without the need for a prior appropriation, the cost of ~~any~~an actuarial report required ~~by the committee~~under this section which relates to that program.

   b. Call on personnel from state agencies or political subdivisions to furnish such information and render such assistance as the committee may from time to time may request.

   c. Establish rules for ~~its~~the operation of the committee, including the submission and review of proposals and the establishing of standards for actuarial ~~review~~reports.

3. The committee may solicit draft measures and proposals from interested persons during the interim between legislative sessions, and ~~may~~ also may study measures and proposals referred to ~~it~~the committee by the legislative assembly or the legislative management.

4. A copy of the committee's report concerning ~~any~~a legislative measure ~~shall~~, if that measure is introduced for consideration by a legislative assembly, must be appended to the copy of that measure ~~which is referred to a standing committee~~.

5. ~~A~~If a legislative measure affecting a public employees retirement program, public employees health insurance program, or public employee retiree health insurance program ~~may not be~~is introduced in either house ~~unless it is accompanied by~~without a report from the committee, the chairman and vice chairman of the employee benefits programs committee shall request an actuarial report from the program affected and shall provide the report to the standing committee to which the measure is referred. ~~A majority of the members of the committee, acting through the~~During the legislative session, the employee benefits programs committee chairman~~, has~~ and vice chairman, working together, have sole authority to determine whether ~~any~~a legislative measure or amendment affects a program under this subsection and subsection 6.

6. ~~Any~~During a legislative session, if an amendment is made ~~during a legislative session~~ to a legislative measure ~~affecting~~which affects a public employees retirement program, public employees health insurance program, or public employee retiree health insurance program ~~may not be considered by a standing committee unless it is accompanied by a report from~~, the employee benefits programs committee chairman and vice chairman may request from the affected program an actuarial report on the amendment and shall provide the report to the standing committee to which the bill is referred.

7. ~~Any legislation~~Legislation enacted in contravention of this section is invalid ~~and of no force and effect~~, and any benefits provided under ~~such~~the legislation must be reduced to the level current ~~prior to~~before enactment of the legislation."

Page 4, line 19, after "coverage" insert ", whether contracting directly with a pharmacy benefits manager, providing prescription drug coverage through a self-insurance plan, or contracting with a carrier,"

Page 4, line 20, overstrike "during" and insert immediately thereafter "for"

Page 4, line 21, after the period insert "For each contract for prescription drug coverage, the board shall conduct a performance audit under this section."

Page 4, line 24, after "carrier" insert "and from all other sources under the contract with the carrier"

Page 4, line 31, after the second comma insert "administration fee,"

Page 5, line 4, after the second comma insert "administration fee,"

Page 5, line 7, after "assessments" insert ", effective rates, or other price concessions"

Page 5, line 11, after "assessments" insert ", effective rates, or other price concessions"

Page 5, line 13, overstrike "The contract must provide that" and insert immediately thereafter "That"

Page 5, line 14, after "discounts" insert ", from all sources,"

Page 5, after line 14, insert:

"g. The board must have full access to data to determine whether spread pricing occurs, and if spread pricing occurs, full access to data regarding the spread pricing.

h. The board must have full access to the contract and any subcontract by the carrier and the pharmacy benefits manager or other entity regarding the plan members.

i. The board must have access to all documents necessary for the board to conduct the performance audit under this section.

j. That failure to comply with the terms of the contract relating to access to data is a breach of the contract with the board. Upon a finding of breach of contract under this subdivision, the board is entitled to liquidated damages in the amount of twenty thousand dollars per violation."

Page 5, line 16, after the period insert "Data and documents provided by the pharmacy benefits manager to the board may not be redacted or altered by the pharmacy benefits manager."

Page 5, line 21, after the period insert "The pharmacy benefits manager shall provide all data and documents necessary to enable the board to calculate any compensation the pharmacy benefits manager pays to the public employees retirement system if a program or contract guarantee was not properly implemented. The pharmacy benefits manager shall disclose to the board all retained manufacturer administrative fees."

Page 6, replace lines 1 through 15 with:

"**SECTION 3. PUBLIC EMPLOYEES RETIREMENT SYSTEM - STATE AUDITOR - PRESCRIPTION DRUG COVERAGE PERFORMANCE AUDIT - REPORT TO LEGISLATIVE MANAGEMENT.** In lieu of the requirement under section 54-52.1-04.16 that the public employees retirement system contract to conduct a prescription drug coverage performance audit of the main public employees retirement system health benefit plan for the 2021-23 contract, the state auditor shall contract in accordance with chapter 54-10 to conduct a prescription drug coverage performance audit of the main public employees retirement system health benefit plan during the 2023-24 interim, in the same manner as provided for under section 54-52.1-04.16, for contract years 2021-23. The retirement board, carrier, and pharmacy benefits manager shall provide the state auditor with access to information in the same manner as provided for a performance audit under section

54-52.1-06. The state auditor may pursue the liquidated damages for failure to provide the auditor access to data for the performance audit conducted under this section. Performance audit fees, not to exceed $375,000, for performance audits performed under this section must be on a flat fee or hourly basis and be paid by the public employees retirement system board. The state auditor shall provide reports to the legislative management regarding contracts to conduct the prescription drug coverage performance audits, performance audit results, and audit reports issued."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2170, as engrossed: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2170 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 34-07 of the North Dakota Century Code, relating to minors working in hazardous occupations; and to provide for a legislative management study.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 34-07 of the North Dakota Century Code is created and enacted as follows:

Minors working in hazardous occupations.

A minor who is at least sixteen years of age may be employed or permitted to work in a hazardous occupation if the minor is in a registered apprenticeship program or is a student learner of an approved career and technical education program. Under this section, a parental signature is required for the minor to participate as an apprentice or student learner. This section does not limit the ability of a minor who is at least sixteen years of age to work in an occupation already permitted by law.

SECTION 2. LEGISLATIVE MANAGEMENT STUDY - STATE OFFICE OF APPRENTICESHIP. During the 2023-24 interim, the legislative management shall consider studying the feasibility and desirability of creating a state office of apprenticeship. The study must include consideration of the advantages and disadvantages of creating the office in comparison to apprenticeships remaining solely under the control of the federal department of labor. The study must identify areas in which the state may exercise more control over the federal labor law to provide more flexibility as it applies to minors at least sixteen years of age. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2206: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). SB 2206 was placed on the Sixth order on the calendar.

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

Page 1, line 1, after "28-22-03.1" insert ", 47-18-01, 47-18-04, and 47-18-14"

Page 1, line 2, after "exemptions" insert "and homestead exemption"

Page 1, line 10, overstrike "ten" and insert immediately thereafter "twenty-five"

Page 1, line 14, overstrike "two" and insert immediately thereafter "ten"

Page 1, line 14, overstrike "nine hundred"

Page 1, line 15, overstrike "fifty"

Page 1, line 16, overstrike "thirty-two" and insert immediately thereafter "fifty"

Page 1, line 20, overstrike "one" and insert immediately thereafter "ten"

Page 1, line 20, overstrike "five hundred"

Page 2, line 1, remove the overstrike over "~~The debtor's aggregate interest, not to exceed in value eight thousand dollars less any~~"

Page 2, remove the overstrike over lines 2 through 4

Page 2, line 5, remove the overstrike over "~~whom the debtor is a dependent~~"

Page 2, line 5, remove "Any benefits, including cash value and proceeds of an"

Page 2, remove lines 6 through 8

Page 2, line 9, remove "individual"

Page 2, line 9, after the period insert "Any cash deposit not previously scheduled to be made into a life insurance policy or non-qualified annuity over the previous twelve months is not exempt. Benefits are not exempt from enforcement of any order to pay spousal support, child support, or a qualified domestic order under section 15-39.1-12.2, 39-03-14.2, and 54-52-17.6."

Page 2, line 14, overstrike the first "one" and insert immediately thereafter "two"

Page 2, line 15, overstrike "two" and insert immediately thereafter "four"

Page 3, after line 29, insert:

"**SECTION 2. AMENDMENT.** Section 47-18-01 of the North Dakota Century Code is amended and reenacted as follows:

47-18-01. Homestead exemption - Area and value.

The homestead of any individual, whether married or unmarried, residing in this state consists of the land upon which the claimant resides, and the dwelling house on that land in which the homestead claimant resides, with all its appurtenances, and all other improvements on the land, the total not to exceed one hundred fifty thousand dollars in value, over and above liens or encumbrances or both. The homestead shall be exempt from judgment lien and from execution or forced sale, except as otherwise provided in this chapter. The homestead may not embrace different lots or tracts of land unless the lots or tracts of land are contiguous. For purposes of this section, "contiguous" means two or more tracts of real property which share a common point or which would share a common point but for an intervening road or right of way.

SECTION 3. AMENDMENT. Section 47-18-04 of the North Dakota Century Code is amended and reenacted as follows:

47-18-04. When homestead subject to execution.

A homestead is subject to execution or forced sale in satisfaction of judgments obtained in the following cases:

1. On debts secured by mechanics', construction, or laborers' liens for work or labor done or performed or material furnished exclusively for the improvement of the same.

2. On debts secured by mortgage on the premises executed and acknowledged by both husband and wife, or an unmarried claimant.

3. On debts created for the purchase thereof and for all taxes accruing and levied thereon.

4. On all other debts when, upon an appraisal as provided by section 47-18-06, it appears that the value of the homestead is more than one hundred fifty thousand dollars over and above liens or encumbrances on the homestead, and then only to the extent of any value in excess of the sum total of the liens and encumbrances plus said one hundred fifty thousand dollars.

SECTION 4. AMENDMENT. Section 47-18-14 of the North Dakota Century Code is amended and reenacted as follows:

47-18-14. Proceeds of sale exempt - Disposition.

If the sale of a homestead is made as provided in section 47-18-13, the proceeds thereof to the amount of the homestead exemption must be paid to the claimant and the residue applied to the satisfaction of the execution. When the execution is against a married claimant whose spouse is living, the court may direct that the one hundred fifty thousand dollars be deposited in court to be paid out only on the joint receipt of the husband and wife, and it shall possess all the protection against legal process and voluntary disposition by either spouse as did the original homestead premises whether paid directly to the claimant or to the husband and wife jointly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2328, as engrossed and amended: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2328, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 1375-1377 of the House Journal, Engrossed Senate Bill No. 2328 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create a school funding task force; and to provide for a legislative management report.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

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

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

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

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

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

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

g. Study school funding formulas used by other states;

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

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

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

k. Analyze the cost of distance education, comparing the costs of different methods of instruction delivery, including synchronous as compared to asynchronous instruction.

3. The task force may:

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

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

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

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2360, as engrossed: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2360 was placed on the Sixth order on the calendar.

In lieu of the amendments printed on pages 1414-1416 of the House Journal, Engrossed Senate Bill No. 2360 is amended as follows:

Page 1, line 6, replace "an effective date" with "for application"

Page 2, line 13, remove the overstrike over "~~is principally made up of~~"

Page 2, line 13, remove "contains"

Page 2, line 13, remove "or written descriptions"

Page 2, line 15, remove the overstrike over "~~for commercial gain~~"

Page 2, line 17, remove "written, pictorial, three-dimensional, or visual"

Page 2, remove line 18

Page 2, line 19, replace "computer-generated image, showing or describing" with "material which"

Page 2, line 20, replace "Human masturbation" with "Taken as a whole, appeals to the prurient interest of minors"

Page 2, line 21, replace "Deviant sexual intercourse" with "Is patently offensive under prevailing standards in the adult community in North Dakota as a whole with respect to what is suitable material for minors"

Page 2, line 21, after the underscored semicolon insert "and"

Page 2, line 22, remove "Sexual intercourse;"

Page 2, remove lines 23 through 27

Page 2, line 28, replace "(9) Sex-based classifications" with "Taken as a whole, lacks serious literary, artistic, political, or scientific value for minors"

Page 3, line 4, overstrike "or" and insert immediately thereafter an underscored comma

Page 3, line 4, after "walkway" insert ", public library, or public school library"

Page 3, line 12, remove "or"

Page 3, line 12, remove the overstrike over "~~, or public library for limited~~"

Page 3, line 13, remove the overstrike over "~~access for educational research purposes carried on at such an institution by adults only~~"

Page 3, line 19, after "**Report**" insert "**- Penalty**"

Page 3, line 27, remove "child sexual abuse material,"

Page 3, line 28, remove the underscored comma

Page 3, line 28, replace "pornography" with "explicit sexual material"

Page 3, line 29, replace "pornography and child" with "explicit"

Page 3, line 29, remove "abuse"

Page 4, line 8, replace "attorney general" with "legislative management"

Page 4, line 11, remove "is not exempt from"

Page 4, line 12, replace "prosecution for willful indecent exposure of child sexual abuse material or pornography" with "who willfully exposes explicit sexual material"

Page 4, line 13, after "minor" insert "in violation of this section is guilty of a class B misdemeanor.

7. As used in this section, the term "public library" or "state agency" does not include the state library"

Page 4, replace line 14 with:

"**SECTION 6. APPLICATION.** Sections 1, 3, and 4 of this Act do not apply to the state library."

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE

HB 1061, as engrossed: Your conference committee (Sens. Larsen, Rummel, Conley and Reps. Murphy, Koppelman, Grueneich) recommends that the **HOUSE ACCEDE** to

the Senate amendments as printed on HJ pages 1370-1371 and place HB 1061 on the Seventh order.

Engrossed HB 1061 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF MESSAGES FROM THE SENATE

REP. BOSCH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1014 as printed on HJ pages 1890-1902, in the Senate amendments to Reengrossed HB 1015 as printed on HJ pages 1872-1875, in the Senate amendments to HB 1225 as printed on HJ page 1794, and in the Senate amendments to Engrossed HB 1391 as printed on HJ page 1796 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 1014: Reps. Kempenich, Brandenburg, Mock.
Reengrossed HB 1015: Reps. Schobinger, Stemen, Mitskog.
HB 1225: Reps. Schobinger, Schatz, Mitskog.
Engrossed HB 1391: Reps. Hagert, Conmy, J. Olson.

MOTION

REP. BOSCH MOVED that Rep. J. Johnson replace Rep. Christy on the Conference Committee on HB 1465, which motion prevailed on a voice vote.

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 SB 2092, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

SB 2092: Reps. Ostlie, Warrey, Wagner

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to HB 1539, Engrossed SB 2170, SB 2206, Engrossed SB 2328, and Engrossed SB 2360.

HB 1539, as amended, was placed on the Eleventh order of business on the calendar.

Engrossed SB 2170, SB 2206, Engrossed SB 2328, and Engrossed SB 2360, as amended, were placed on the Fourteenth order of business on the calendar.

MOTION

REP. BOSCH MOVED that Engrossed SB 2360, as amended, which is on the Fourteenth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Bosch's motion, Engrossed SB 2360, as amended, was rereferred.

SECOND READING OF HOUSE BILL

HB 1539: A BILL for an Act to amend and reenact sections 54-35-02.4 and 54-52.1-04.16 of the North Dakota Century Code, relating to duties of the employee benefits programs committee and the public employees prescription drug coverage performance audit; to provide for a prescription drug coverage performance audit; and to provide for a legislative management report.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, K.; Bahl; 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; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser;

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

ABSENT AND NOT VOTING: Anderson, D.; Bellew; Christy; Hoverson

Engrossed HB 1539 passed.

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MOTION

REP. BOSCH MOVED that SB 2206, as amended, which is on the Fourteenth order, be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed. Pursuant to Rep. Bosch's motion, SB 2206, as amended, was rereferred.

SECOND READING OF SENATE BILL

SB 2170: A BILL for an Act to create and enact a new section to chapter 34-07 of the North Dakota Century Code, relating to minors working in hazardous occupations; and to provide for a legislative management study.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 9 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Anderson, D.; Bellew; Christy; Hoverson

Engrossed SB 2170, as amended, passed.

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SECOND READING OF SENATE BILL

SB 2328: A BILL for an Act to create a school funding task force; and to provide for a legislative management report.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, K.; Bahl; 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; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen;

Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Anderson, D.; Bellew; Christy; Hoverson

Engrossed SB 2328, as amended, passed.

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CONSIDERATION OF MESSAGE FROM THE SENATE

REP. VIGESAA MOVED that the House do concur in the Senate amendments to Engrossed HB 1276 as printed on HJ pages 1795-1796, which motion prevailed on a voice vote.

Engrossed HB 1276, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1276: A BILL for an Act to create and enact a new section to chapter 4.1-01 of the North Dakota Century Code, relating to the agriculture infrastructure grant program; to amend and reenact section 4.1-01.1-07 of the North Dakota Century Code, relating to the agriculture diversification and development fund; to provide an appropriation for the agriculture diversification and development fund; and to provide for a transfer.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, K.; Bahl; 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; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Anderson, D.; Bellew; Christy; Hoverson; Porter

Reengrossed HB 1276 passed.

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MOTION

REP. HEADLAND MOVED that the House reconsider its action whereby the House Did Concur in the Senate amendments to Reengrossed HB 1168, which motion prevailed on a voice vote.

REP. HEADLAND MOVED that the House Do Not Concur with the Senate amendments to Reengrossed HB 1168 and that a committee of three be appointed, which motion prevailed on a voice vote.

SEVENTH ORDER OF BUSINESS
MOTION

REP. KEMPENICH MOVED that the report of the Minority be substituted for the report of the Majority on Engrossed SB 2247, as amended.

ROLL CALL

The question being on the motion that the report of the Minority be substituted for the report of the Majority on Engrossed SB 2247, as amended, the roll was called and there were 51 YEAS, 38 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, K.; Bosch; Brandenburg; Christensen; Cory; Dockter; Dyk; Fisher; Frelich; Grueneich; Hauck; Headland; Heilman; Henderson; Holle; Johnson,

J.; Karls; Kasper; Kempenich; Klemin; Koppelman; Kreidt; Lefor; Louser; Marschall; McLeod; Meier; Monson; Motschenbacher; Novak; Olson, J.; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Schobinger; Steiner; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Weisz

NAYS: Bahl; Beltz; Boschee; Conmy; Dakane; Davis; Dobervich; Fegley; Finley-DeVille; Hager; Hagert; Hanson; Hatlestad; Heinert; Ista; Jonas; Kiefert; Longmuir; Martinson; Mitskog; Mock; Murphy; Nathe; Nelson; O'Brien; Ostlie; Pyle; Richter; Roers Jones; Sanford; Schneider; Schreiber-Beck; Stemen; Strinden; Swiontek; Wagner; Warrey; Speaker Johnson, D.

ABSENT AND NOT VOTING: Anderson, D.; Bellew; Christy; Hoverson; Porter

The motion prevailed on a recorded roll call vote.

Therefore, the report of the Minority was adopted.

SECOND READING OF SENATE BILL

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

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 50 YEAS, 39 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Bahl; Beltz; Boschee; Conmy; Dakane; Davis; Dobervich; Fegley; Finley-DeVille; Hager; Hagert; Hanson; Hatlestad; Heinert; Ista; Jonas; Kiefert; Lefor; Longmuir; Martinson; Mitskog; Mock; Murphy; Nathe; Nelson; O'Brien; Ostlie; Pyle; Richter; Roers Jones; Sanford; Schneider; Schreiber-Beck; Stemen; Strinden; Swiontek; Wagner; Warrey; Speaker Johnson, D.

ABSENT AND NOT VOTING: Anderson, D.; Bellew; Christy; Hoverson; Porter

Engrossed SB 2247, as amended, passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. LOUSER MOVED that the conference committee report on Engrossed SB 2048 as printed on HJ page 1908 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2048: A BILL for an Act to amend and reenact sections 54-66-01 and 54-66-06 of the North Dakota Century Code, relating to the definitions and notice to an accused individual.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 79 YEAS, 10 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

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

NAYS: Christensen; Cory; Fegley; Heilman; Henderson; Karls; Prichard; Ruby, D.; Schatz; Toman

ABSENT AND NOT VOTING: Anderson, D.; Bellew; Christy; Hoverson; Porter

Engrossed SB 2048, as amended, passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. S. OLSON MOVED that the conference committee report on SB 2273 as printed on HJ page 1908 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2273: A BILL for an Act to provide an appropriation to the department of commerce for a rural grocery store sustainability and food access expansion pilot grant program.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 80 YEAS, 10 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; 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; Ista; Jonas; Karls; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Pyle; Richter; Rios; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Johnson, J.; Kasper; Koppelman; Louser; Marschall; Prichard; Ruby, D.; Ruby, M.; Timmons; Toman

ABSENT AND NOT VOTING: Bellew; Christy; Hoverson; Porter

SB 2273, as amended, passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. HAGERT MOVED that the conference committee report on Engrossed SB 2242 as printed on HJ page 1908 be adopted, which motion prevailed on a voice vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. HAUCK MOVED that the conference committee report on Engrossed SB 2254 as printed on HJ page 1908 be adopted, which motion prevailed on a voice vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. MURPHY MOVED that the conference committee report on Engrossed HB 1061 as printed on HJ pages 1370-1371 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1061: A BILL for an Act to create and enact a new subsection to section 39-21-39 and section 39-21-39.1 of the North Dakota Century Code, relating to windows impairing vision of a driver; and to amend and reenact paragraph 16 of subdivision a of subsection 3 of section 39-06.1-10 and sections 39-10-16 and 39-10-24 of the North Dakota Century Code, relating to entries against driving record, rotary traffic islands,

and stop and yield signs.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 78 YEAS, 12 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Bahl; Fegley; Heilman; Henderson; Johnson, J.; Prichard; Rios; Timmons; Toman; Vetter; Vigesaa; Weisz

ABSENT AND NOT VOTING: Bellew; Christy; Hoverson; Porter

Reengrossed HB 1061 passed.

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

MADAM PRESIDENT: The House has passed, and your favorable consideration is requested on: HB 1539.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2170, SB 2198, SB 2328.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1018.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1018

Page 1, line 3, replace "subsection 4 of section 21-10-13, sections 54-60-22," with "10-30.5-04, 10-30.5-05,"

Page 1, line 4, after the third comma insert "54-60.2-01,"

Page 1, line 6, replace "workforce enhancement council" with "North Dakota development fund"

Page 1, line 9, remove "and"

Page 1, line 9, after "report" insert "; and to declare an emergency"

Page 1, remove lines 19 through 24

Page 2, replace lines 1 through 5 with:

"Salaries and wages	$12,835,431	$2,672,817	$15,508,248
Operating expenses	17,317,760	8,116,440	25,434,200
Grants	50,232,330	86,115,351	136,347,681
Discretionary funds	2,150,000	0	2,150,000
Workforce programs	0	30,000,000	30,000,000
COVID-19 response	0	16,739,696	16,739,696
Weatherization and energy programs	0	210,000,000	210,000,000

Partner programs	1,562,531	(654,611)	907,920
Entrepreneurship grants and vouchers	948,467	0	948,467
Total all funds	$85,046,519	$352,989,693	$438,036,212
Less estimated income	53,544,379	318,013,053	371,557,432
Total general fund	$31,502,140	$34,976,640	$66,478,780
Full-time equivalent positions	58.80	7.00	65.80"

Page 2, replace lines 12 through 19 with:

"Beyond visual line of sight uncrewed aircraft system	20,000,000	20,000,000
Enhanced use lease grant	7,000,000	7,000,000
Workforce grants to tribally controlled community colleges	500,000	2,500,000
Workforce safety grant	1,500,000	0
Job development and economic growth grant	1,500,000	0
Tourism marketing	7,000,000	5,000,000
Tourism destination development initiative	0	50,000,000
Technical skills training grants	6,000,000	2,000,000"

Page 2, replace lines 24 and 25 with:

"Discretionary funds	1,000,000	0
Small business credit initiative	56,234,176	572,143"

Page 3, replace lines 1 through 5 with:

"Rural workforce housing grant program	0	2,000,000
Workforce talent attraction initiative	0	14,000,000
Workforce investment grant program	0	12,500,000"

Page 3, replace line 7 with:

"New Americans workforce training grants	0	1,500,000
Regional council grant program	0	4,000,000
Weatherization and energy assistance program	0	210,000,000"

Page 3, replace lines 10 through 13 with:

"Heating and cooling grant program	0	3,258,084
Total all funds	$138,574,496	$351,146,946
Less estimated income	135,409,064	318,246,946
Total general fund	$3,165,432	$32,900,000"

Page 3, line 22, replace "**LEGACY EARNINGS**" with "**STRATEGIC INVESTMENT AND IMPROVEMENTS**"

Page 3, line 23, remove "Pursuant to the designation of"

Page 3, remove line 24

Page 3, line 25, replace the first "the" with "The"

Page 3, line 25, replace "$20,000,000" with "$5,000,000"

Page 3, line 25, remove "legacy"

Page 3, line 26, replace "earnings" with "strategic investment and improvements"

Page 3, line 31, replace "$30,000,000" with "$65,000,000"

Page 4, remove lines 3 through 31

Page 5, remove lines 1 through 31

Page 6, replace lines 1 through 7 with:

"**SECTION 6. ESTIMATED INCOME - FEDERAL WEATHERIZATION AND ENERGY ASSISTANCE PROGRAMS - FULL-TIME EQUIVALENT POSITIONS.** The estimated income line item in section 1 of this Act includes $210,000,000 from federal funds derived from the Infrastructure Investment and Jobs Act and Inflation Reduction Act for weatherization and energy assistance programs. Of the full-time equivalent positions included in section 1 of this Act, the department of commerce is authorized three positions for the administration of weatherization and energy assistance programs for the 2023-25 biennium. The full-time equivalent positions identified in this section are considered one-time positions."

Page 6, line 9, after the boldfaced dash insert "**REGIONAL COUNCIL GRANTS -**"

Page 6, line 10, replace "$98,500,000" with "$88,000,000"

Page 6, line 11, replace "$7,000,000" with "$2,000,000"

Page 6, line 12, replace "$25,000,000" with "$50,000,000"

Page 6, line 13, remove "grant"

Page 6, line 13, replace "$30,000,000" with "$20,000,000"

Page 6, line 14, replace "$28,000,000" with "$7,000,000"

Page 6, line 14, remove "$2,000,000 is for new"

Page 6, remove line 15

Page 6, line 16, replace "grant to an organization that provides workforce safety" with "and $4,000,000 is for a regional council grant program. The department of commerce shall award funding for the regional council grant program equally to the eight regional councils established in the state to support the planning, development, and implementation of economic development, community infrastructure, entrepreneurship, housing, child care, and workforce development initiatives in rural communities in accordance with chapter 54-40.1"

Page 6, line 18, remove "grant"

Page 6, line 19, after the period insert "The department of commerce may provide funding for the tourism destination development initiative program in the form of program grants or grants for interest rate buydowns."

Page 6, line 21, replace "the sum of $6,500,000" with "$1,500,000"

Page 6, line 21, replace "general" with "strategic investment and improvements"

Page 6, line 21, after "fund" insert "as identified in section 7 of this Act"

Page 6, after line 31, insert:

"**SECTION 9. WORKFORCE PROGRAMS.** The workforce programs line item in section 1 of this Act includes $30,000,000 from the general fund for workforce-related programs, of which $14,000,000 is for the workforce talent attraction initiative, $12,500,000 is for the workforce investment grant program, $2,000,000 is for technical skills training grants, and $1,500,000 is for new Americans workforce development and training grants."

Page 7, line 6, replace "appropriated" with "identified"

Page 7, line 13, replace "$5,000,000" with "$2,500,000"

Page 7, after line 20, insert:

"**SECTION 13. ENTREPRENEURSHIP GRANTS AND VOUCHER PROGRAM.** The entrepreneurship grants and voucher line item in section 1 of this

Act includes $948,467, of which $740,956 is from the general fund and $207,511 is from the economic development fund, for the purpose of defraying the expenses of the entrepreneurship grants and voucher program. The department shall establish guidelines to provide grants under the program.

Page 11, remove lines 29 and 30

Page 12, remove lines 1 through 30

Page 13, replace lines 1 through 3 with:

"**SECTION 21. AMENDMENT.** Section 10-30.5-04 of the North Dakota Century Code is amended and reenacted as follows:

10-30.5-04. Powers.

The corporation must be organized as a nonprofit corporation. In addition to the powers in chapter 10-33, the corporation may:

1. Cooperate and contract with and provide funding to any private or public entity.

2. Receive appropriations from the legislative assembly and other public moneys as well as contributions from other private or public contributors. The funds for the entrepreneurship awards under section 10-30.5-12 may not exceed one million dollars.

3. Provide management services for the Bank's alternative and venture capital investments and early-stage capital funds.

SECTION 22. AMENDMENT. Section 10-30.5-05 of the North Dakota Century Code is amended and reenacted as follows:

10-30.5-05. Management.

1. The director of the department of commerce division of economic development and finance shall appoint the chief executive officer of the corporation. The board of directors shall determine minimum qualifications of all other staff positions.

2. If the chief executive officer of the corporation is absent for more than five consecutive days or is anticipated to be absent for more than five consecutive days, the chief executive officer may delegate the duties and responsibilities of the chief executive officer to the director of the department of commerce division of economic development and finance, or the director's designee.

3. All investments, contracts, partnerships, limited liability companies, and business transactions of the corporation are the responsibility of the chief executive officer and the board of directors. The board may provide that normal operating costs anticipated in an approved budget may be incurred and paid without prior board approval."

Page 14, after line 18, insert:

"**SECTION 26. AMENDMENT.** Section 54-60.2-01 of the North Dakota Century Code is amended and reenacted as follows:

54-60.2-01. Establishment of workforce development grant for tribally controlled community colleges.

There is established within the division of workforce development of the department of commerce a program to provide workforce development grants to tribally controlled community colleges in North Dakota. A tribally controlled community college in this state may apply to the department of commerce for a job

training grant in such manner as the department of commerce prescribes. The department of commerce shall consult with the executive director of the Indian affairs commission to determine eligible tribally controlled community colleges ~~and shall award grants based on the documented job placement rates at each eligible college~~."

Page 16, line 1, replace "$1,000,000" with "$1,500,000"

Page 16, line 1, replace "general" with "strategic investment and improvements"

Page 16, line 1, remove "discretionary funds in"

Page 16, line 2, replace "section 10 of chapter 15" with "a job development and economic growth grant in section 1 of chapter 46"

Page 17, after line 18, insert:

"**SECTION 31. EMERGENCY.** The $210,000,000 appropriated from federal funds derived from the Infrastructure Investment and Jobs Act and the Inflation Reduction Act in the weatherization and energy programs line item and in the estimated income line item in section 1 of Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	$12,835,431	$16,764,534	($1,256,286)	$15,508,248
Operating expenses	17,317,760	33,544,200	(8,110,000)	25,434,200
Grants	50,232,330	176,347,681	(40,000,000)	136,347,681
Discretionary funds	2,150,000	2,500,000	(350,000)	2,150,000
COVID-19 response		16,167,553	572,143	16,739,696
Weatherization and energy programs			210,000,000	210,000,000
Partner programs	1,562,531	1,562,531	(654,611)	907,920
Workforce programs			30,000,000	30,000,000
Entrepreneurship grants and vouchers	948,467	948,467		948,467
Total all funds	$85,046,519	$247,834,966	$190,201,246	$438,036,212
Less estimated income	53,544,379	171,549,469	200,007,963	371,557,432
General fund	$31,502,140	$76,285,497	($9,806,717)	$66,478,780
FTE	58.80	62.80	3.00	65.80

Department 601 - Department of Commerce - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Removes Salary Funding for Funding Pool[2]	Transfers Federal Funding Between Line Items[3]	Reduces Funding for Partner Programs[4]	Adjusts Funding for the Heating and Cooling Assistance Programs[5]	Adjusts One-Time Funding for Workforce Initiatives[6]
Salaries and wages	$264,783	($1,631,069)	$110,000			
Operating expenses			(110,000)			($8,000,000)
Grants						(29,000,000)
Discretionary funds						
COVID-19 response						
Weatherization and energy programs						
Partner programs				($654,611)		
Workforce programs						30,000,000
Entrepreneurship grants and vouchers						
Total all funds	$264,783	($1,631,069)	$0	($654,611)	$0	($7,000,000)
Less estimated income	38,391	(102,571)	0	0	0	(2,000,000)
General fund	$226,392	($1,528,498)	$0	($654,611)	$0	($5,000,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adjusts Other One-Time Funding Initiatives[7]	Adds One-Time Funding for Weatherization and Energy Programs[8]	Total Senate Changes
Salaries and wages			($1,256,286)
Operating expenses			(8,110,000)
Grants	($11,000,000)		(40,000,000)
Discretionary funds	(350,000)		(350,000)
COVID-19 response	572,143		572,143
Weatherization and energy programs		$210,000,000	210,000,000
Partner programs			(654,611)
Workforce programs			30,000,000
Entrepreneurship grants and vouchers			
Total all funds	($10,777,857)	$210,000,000	$190,201,246
Less estimated income	(7,927,857)	210,000,000	200,007,963
General fund	($2,850,000)	$0	($9,806,717)
FTE	0.00	3.00	3.00

[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	$226,813	$39,696	$266,509
Health insurance increase	(421)	(1,305)	(1,726)
Total	$226,392	$38,391	$264,783

The House 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	($967,642)	$0	($967,642)
Vacant FTE positions	(560,856)	(102,571)	(663,427)
Total	($1,528,498)	($102,571)	($1,631,069)

[3] Federal funding of $110,000 for the AmeriCorps workforce community services program is transferred from the operating expenses line item to the salaries and wages line item for temporary salaries. The House transferred $220,000 of federal funding for the program from the grants line item to the operating expenses line item.

[4] Ongoing funding of $654,611 from the general fund in the partner program line item for the North Dakota Small Business Development Center is removed, resulting in $907,920 from the general fund remaining for partner programs. The House provided $1,562,531 from the general fund for partner programs, the same as the base level.

[5] Federal funding of $2,085,834 added by the House in the COVID-19 response line item for weatherization, heating and furnace, and cooling assistance programs is removed from ongoing funding and added by the Senate as one-time funding.

[6] One-time funding for workforce initiatives is adjusted as follows:

	General Fund	Other Funds	Total
Adds funding for workforce talent attraction initiative operating expenses to provide $14 million from the general fund in the workforce programs line item. The House provided $8 million from the general fund in the operating expenses line item.	$6,000,000	$0	$6,000,000
Reduces funding for workforce investment program grants to provide a total of $12.5 million from the general fund in the workforce programs line item. The House provided $15 million from the general fund in the grants line item.	(2,500,000)	0	(2,500,000)
Removes funding added by the House for automation workforce transition training grants.	(5,000,000)	0	(5,000,000)
Removes funding added by the House for automation workforce equipment grants.	(5,000,000)	0	(5,000,000)
Transfers $2 million from the general fund for technical skills training grants from the grants line item to the workforce programs line item.	0	0	0
	1,500,000	(2,000,000)	(500,000)
Adjusts funding for new Americans workforce development and training grants by removing funding added by the House from the strategic investment and improvements fund (SIIF) in the grants line item and adding funding from the general fund in the workforce programs line item.			
Total	($5,000,000)	($2,000,000)	($7,000,000)

[7] One-time funding for community services, tourism, and uncrewed aircraft systems (UAS), and other workforce initiatives is adjusted as follows:

	General Fund	Other Funds	Total
Reduces funding for the rural workforce housing grant program to provide a total of $2 million from SIIF, of which $300,000 is for temporary salaries, $200,000 is for operating expenses, and $1.5 million is for grants. The House provided $7 million from SIIF, of which $6.5 million was for grants.	$0	($5,000,000)	($5,000,000)
Adds funding for the tourism destination development initiative to provide a total of $50 million from SIIF. The House provided $25 million from SIIF.	0	25,000,000	25,000,000
Reduces funding for the beyond visual line of sight (BVLOS) UAS program to provide a total of $20 million from SIIF. The House provided $30 million from SIIF.	0	(10,000,000)	(10,000,000)
Reduces funding for the enhanced use lease grant program to provide a total of $7 million from SIIF. The House provided $28 million from SIIF.	0	(21,000,000)	(21,000,000)
Reduces funding for workforce grants to tribally controlled community colleges to provide a total of $2.5 million from the general fund. The House provided $5 million from the general fund.	(2,500,000)	0	(2,500,000)
Removes funding added by the House from SIIF for a workforce safety grant.	0	(1,500,000)	(1,500,000)
Adds funding from SIIF for a regional council grant program. The House did not add funding for this program.	0	4,000,000	4,000,000
Reduces funding for discretionary funds to provide a total of $2.15 million from the general fund, the same as the base level. The House added $350,000 to provide a total of $2.5 million from the general fund.	(350,000)	0	(350,000)
Adds federal funding for the State Small Business Credit Initiative technical assistance program. The House did not add funding for this program.	0	572,143	572,143
Total	($2,850,000)	($7,927,857)	($10,777,857)

[8] One-time funding of $210 million is added from federal funds derived from the Infrastructure Investment and Jobs Act (IIJA) ($120 million) and Inflation Reduction Act (IRA) ($90 million) for weatherization and energy assistance programs. The Department of Commerce anticipates funding may be available for the following programs:

Program	Federal Funds
State energy program (IIJA)	$3,905,130
Weatherization (IIJA)	15,131,495
Energy efficiency revolving loan fund (IIJA)	4,641,870
Energy efficiency block grant (IIJA)	1,653,240
Home energy performance-based whole-house rebate program (IRA)	37,338,470
High-efficiency electric home rebate program (IRA)	37,121,060
Total	$99,791,265

The department anticipates other states will not use all federal funding awarded for these programs, resulting in additional funding that may be available to North Dakota for an estimated total of $210 million. The department is authorized 3 FTE positions that are considered one-time positions for the administration of these programs.

The House did not add funding for this purpose.

This amendment also:

- Amends a section providing for a transfer to the legacy investment for technology

(LIFT) fund for the LIFT program. The House provided for a $20 million transfer from the legacy earnings fund. The Senate provides a $5 million transfer from SIIF.

- Amends a section providing for a transfer from SIIF to the North Dakota Development Fund. The House provided for a $30 million transfer. The Senate provides for a $65 million transfer.
- Removes a section that provided for a transfer of $120 million from SIIF to the North Dakota Development Fund for a fertilizer development grant program.
- Adds a section identifying one-time funding and one-time FTE positions for weatherization and energy assistance programs from federal funding available as a result of the federal IIJA and IRA.
- Amends a section identifying funding in Section 1 from SIIF. The House provided $98.5 million. The Senate provides $88 million.
- Amends a section identifying funding for rural workforce housing program grants. The House provided $6.5 million from SIIF. The Senate provides $1.5 million from SIIF.
- Adds a section identifying $30 million from the general fund in a newly created workforce programs line item.
- Amends a section identifying funding for workforce development grants to tribally controlled community colleges. The House provided $5 million. The Senate provides $2.5 million.
- Adds a section identifying funding available for the entrepreneurship grants and vouchers program, also known as Innovate ND.
- Removes a section added by the House that amended North Dakota Century Code Section 21-10-13(4), related to legacy earnings fund allocations.
- Adds a section to amend Section 10-30.5-04 to clarify the authority of the North Dakota Development Fund to allow for funding to be provided to private or public entities through North Dakota Development Fund contracts.
- Adds a section to amend Section 10-30.5-05 to provide if the North Dakota Development Fund chief executive officer is absent for more than 5 consecutive days or is anticipated to be absent for more than 5 consecutive days, the Chief Executive Officer may delegate the duties and responsibilities of the Chief Executive Officer to the Director of the Department of Commerce Division of Economic Development and Finance under Chapter 54-34.3, or the Director's designee.
- Removes a section that amended Section 54-60-22 to expand recommendations provided by the Workforce Enhancement Council to the Commissioner of the Department of Commerce regarding the approval of training grants to include training providers and businesses, rather than only providing recommendations for grants to institutions of higher education.
- Adds a section to amend Section 54-60.2-01 to remove the requirement that workforce development grants to tribally controlled community colleges be awarded based on documented job placement rates at each eligible college.
- Removes a subsection providing an exemption for discretionary funds and adds a subsection to provide an exemption for a job development and economic growth grant from the 2021-23 biennium.
- Adds a section to declare the $210 million of federal funds appropriated in Section 1 for weatherization and energy assistance programs to be an emergency measure.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1276 and HB 1532.

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 1003, HB 1014, HB 1015, HB 1225, HB 1379, HB 1391, and HCR 3033, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1003: Reps. Sanford; Swiontek; Martinson
HB 1014: Reps. Kempenich; Brandenburg; Mock
HB 1015: Reps. Schobinger; Stemen; Mitskog
HB 1225: Reps. Schobinger; Schatz; Mitskog

HB 1379: Reps. Bosch; Lefor; Vigesaa
HB 1391: Reps. Hagert; Conmy; J. Olson
HCR 3033: Reps. Kasper; Mock; Thomas

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 1020: Sens. Erbele; Wanzek; J. Roers
HB 1239: Sens. Weber; Myrdal; Lemm
HB 1477: Sens. Estenson; Barta; Cleary
HB 1487: Sens. Paulson; Myrdal; Larson
HB 1519: Sens. Conley; Larsen; Clemens
HCR 3035: Sens. Lee; Braunberger; Estenson

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2001, SB 2005, SB 2021, SB 2200, SB 2281, and SB 2372.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate does not concur in the House amendments to SB 2003, SB 2010, SB 2017, SB 2018, SB 2024, SB 2240, SB 2279, and SB 2326, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2003: Sens. Dwyer; J. Roers; Wanzek
SB 2010: Sens. Vedaa; J. Roers; Wanzek
SB 2017: Sens. Meyer; Schaible; Rust
SB 2018: Sens. Meyer; Sorvaag; Krebsbach
SB 2024: Sens. Davison; Dever; Mathern
SB 2240: Sens. Burckhard; Meyer; J. Roers
SB 2279: Sens. Luick; Myrdal; Lemm
SB 2326: Sens. Kessel; Kannianen; Patten

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 2029: Reps. Steiner; Rohr; Schauer
SB 2080: Reps. Prichard; Frelich; Dobervich
SB 2092: Reps. Ostlie; Warrey; Wagner
SB 2107: Reps. Klemin; Karls; Cory

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has appointed Rep. Beltz to replace Rep. Christy on the Conference Committee on HB 1371.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has appointed Rep. J. Johnson to replace Rep. Christy on the Conference Committee on HB 1465.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report on: SB 2242, SB 2254.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1061.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2048, SB 2273.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2380.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2011.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1001, HB 1004, HB 1005, HB 1017, HB 1022, HB 1023, HB 1120, HB 1135, HB 1157, HB 1230, HB 1269, HB 1307, HB 1365, HB 1437.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: HB 1001, HB 1004, HB 1005, HB 1017, HB 1022, HB 1023, HB 1120, HB 1135, HB 1157, HB 1177, HB 1230, HB 1269, HB 1307, HB 1365, HB 1437, HCR 3036.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: SB 2007, SB 2011, SB 2014, SB 2054, SB 2274, SB 2295, SB 2311.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2007, SB 2011, SB 2014, SB 2054, SB 2274, SB 2295, SB 2311.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS
The following bills were delivered to the Governor for approval on April 13, 2023: HB 1001, HB 1004, HB 1005, HB 1017, HB 1022, HB 1023, HB 1120, HB 1135, HB 1157, HB 1177, HB 1230, HB 1269, HB 1307, HB 1365, HB 1437.

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 12:30 p.m., Monday, April 17, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE
SB 2335, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2335 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House, as printed on page 1330 of the House Journal, Senate Bill No. 2335 is amended as follows:

Page 1, line 1, remove ", a new section to chapter"

Page 1, line 2, remove "50-06, and section 50-11-01.7"

Page 1, line 2, remove "training and"

Page 1, remove line 3

Page 1, line 4, remove the first "and"

Page 1, line 6, after "disorder" insert "; and to repeal section 50-06-32 of the North Dakota Century Code, relating to the autism spectrum disorder task force"

Page 2, remove lines 13 through 31

Page 3, replace lines 1 through 24 with:

"**SECTION 3. REPEAL.** Section 50-06-32 of the North Dakota Century Code is repealed."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2371, as engrossed: Agriculture Committee (Rep. Thomas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2371 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "; and to declare an emergency" with "; to provide a legislative management study; and to provide an expiration date"

Page 1, line 13, after the underscored closing parenthesis insert "or a person identified on the office of the foreign assets control sanctions list"

Page 1, line 19, replace "for" with "on"

Page 1, line 19, remove "direct"

Page 2, line 5, after the underscored closing parenthesis insert "or a person identified on the office of the foreign assets control sanctions list"

Page 2, line 11, replace "for" with "on"

Page 2, line 11, remove "direct"

Page 2, line 22, remove ", hold,"

Page 2, line 22, after "state" insert "after the effective date of this Act"

Page 2, line 23, remove "government listed as a foreign"

Page 2, line 24, remove "that is:"

Page 2, line 25, replace "(1) Headquartered" with "with a principal executive office located"

Page 2, line 25, after the second "is" insert "identified as"

Page 2, line 25, remove the underscored semicolon

Page 2, remove lines 26 through 29

Page 2, line 30, remove "which is held or controlled by, a company or entity described in paragraph 3"

Page 2, after line 30, insert:

"c. A foreign business entity in which a foreign adversary owns:

(1) More than fifty percent of the ownership interests in the foreign business entity as defined under subsection 45 of section 10-19.1-01, unless the foreign business entity was operating lawfully in the United States on the effective date of this Act; or

(2) Fifty percent or less of the ownership interests in the foreign business entity as defined under subsection 45 of section 10-19.1-01, if the foreign adversary actually directs the business operations and affairs of the foreign business entity without the requirement of consent of any nonforeign adversary, unless the foreign business entity was operating lawfully in the United States on the effective date of this Act."

Page 3, line 6, replace "for" with "on"

Page 3, line 6, remove "direct"

Page 3, line 9, after "4." insert "A foreign government or foreign business entity subject to and in violation of this section shall divest itself of all real property in this state within thirty-six months after the effective date of this Act.

5. If a foreign government or foreign business entity subject to this section fails to divest itself of all real property in this state within the period specified under subsection 4, the the state's attorney of the county in which the majority of the real property is situated may issue subpoenas to compel witnesses to appear to provide testimony or produce records.

6. Upon receiving testimony and records, if the state's attorney concludes a foreign government or foreign business entity, in violation of this section, has failed to divest ownership of real property as required under this section, the state's attorney shall commence an action in the district court of the county in which the majority of the real property is situated. Once the action is commenced, the state's attorney shall file a notice pursuant to section 28-05-07 with the recorder of each county where the real property subject to the action is situated. If the court finds divestment of real property under this section is proper, the district court shall enter an order consistent with its findings. As part of the order, the court shall cancel the notice pursuant to section 28-05-08.

7. Pursuant to an order for divestment, a foreign government or foreign business entity subject to an order shall divest all real property within six months from the date of the final entry of judgment. A foreign government or foreign business entity that fails to comply with the court's order is subject to a civil penalty not to exceed twenty-five thousand dollars.

8. Any real property not divested within the period prescribed by law may be sold at a public sale in the manner provided under chapter 32-19 through an action brought by the state's attorney. A title to real property or encumbrance on the real property may not be deemed invalid by an order of divestiture under this section.

9. A person that is not subject to this section may not be required to:

a. Determine whether another person is subject to this section; or

b. Inquire if another person is subject to this section.

10."

Page 3, line 10, after the underscored closing parenthesis insert "or a person identified on the office of foreign assets control sanctions list"

Page 3, after line 10, insert:

"SECTION 4. LEGISLATIVE MANAGEMENT STUDY - REAL ESTATE OWNERSHIP AND CONDUCT OF BUSINESS BY FOREIGN ADVERSARIES.

1. During the 2023-24 interim, the legislative management shall study the number of persons that own or control any real estate or commercial assets or operate a business within this state which is owned by, controlled by, or subject to the jurisdiction or direction of foreign adversaries or individuals acting on behalf of or in conjunction with foreign adversaries or persons listed on the office of foreign assets control sanctions list.

2. The study must attempt to ascertain the number of such persons residing in this state which operate a business or a charitable enterprise or have

obtained a beneficial interest in real estate, commercial assets, or a business or charitable organization in this state.

3. The study must consider which federal foreign adversary list would be best suited for use for the security of this state and the impact of implementing a federally created list.

4. The study must determine how to create and implement a security verification system that would:

   a. Review business records and perform background checks on any existing entity not considered a foreign adversary;

   b. Identify optimal methods for state officials to work and collaborate with national intelligence agents at the state and federal level; and

   c. Outline what constitutes a national security threat and which person or agency has the authority to declare a national security threat.

5. 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 5. EXPIRATION DATE. This Act is effective through July 31, 2025, and after that date is ineffective."

Page 3, remove line 11

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE

SB 2380, as reengrossed: Your conference committee (Sens. Elkin, Conley, Axtman and Reps. Schreiber-Beck, Jonas, Sanford) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1333-1334, adopt amendments as follows, and place SB 2380 on the Seventh order:

That the House recede from its amendments as printed on pages 1333 and 1334 of the Senate Journal and page 1416 of the House Journal and that Reengrossed Senate Bill No. 2380 be amended as follows:

Page 3, line 29, replace "$100,000" with "$125,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2380 - Department of Public Instruction - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Administrative cost-sharing		$100,000	$25,000	$125,000	$250,000	($125,000)
Total all funds	$0	$100,000	$25,000	$125,000	$0	$125,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$100,000	$25,000	$125,000	$0	$125,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 201 - Department of Public Instruction - Detail of Conference Committee Changes

	Adds Funding for Administrative Cost-Sharing[1]	Total Conference Committee Changes
Administrative cost-sharing	$25,000	$25,000
Total all funds	$25,000	$25,000
Less estimated income	0	0
General fund	$25,000	$25,000
FTE	0.00	0.00

[1] Ongoing funding of $25,000 is added to provide a total of $125,000 from the general fund for the Department of Public Instruction to provide administrative cost-sharing reimbursements to cooperative districts and special education units.

The Senate provided $100,000 from the general fund. The House provided $250,000, of which $125,000 was from the general fund and $125,000 was from federal Elementary and Secondary School Emergency Relief (ESSER) funds.

Reengrossed SB 2380 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