JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, April 27, 2023

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

The prayer was offered by Rep. Jon Nelson, District 14, Rugby.

The roll was called and all members were present except Representatives Christensen, Christy, Fegley, Louser, Prichard, Rios, and Schneider.

A quorum was declared by the Speaker.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. VIGESAA MOVED that the House do concur in the Senate amendments to Engrossed HB 1540 as printed on HJ pages 2410-2411, which motion prevailed on a voice vote.

Engrossed HB 1540, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1540: A BILL for an Act to amend and reenact sections 50-33-02 and 50-33-07 of the North Dakota Century Code, relating to early childhood services and child care assistance; to provide for a legislative management report; to provide an appropriation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 63 YEAS, 27 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Finley-DeVille; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Ista; Jonas; Kasper; Kiefert; Klemin; Lefor; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Sanford; Satrom; Schauer; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, B.; Bellew; Christensen; Dyk; Fisher; Hauck; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Karls; Kempenich; Koppelman; Kreidt; Longmuir; Marschall; Olson, S.; Prichard; Ruby, D.; Ruby, M.; Schatz; Schobinger; Timmons; Toman; Tveit; VanWinkle

ABSENT AND NOT VOTING: Christy; Fegley; Louser; Schneider

Reengrossed HB 1540 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. SCHOBINGER MOVED that the conference committee report on Reengrossed HB 1015 as printed on HJ pages 2342-2345 be adopted.

REQUEST

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

ROLL CALL

The question being on the motion to adopt the conference committee report on Reengrossed HB 1015, the roll was called and there were 55 YEAS, 36 NAYS, 0 EXCUSED, 3 ABSENT

AND NOT VOTING.

YEAS: Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Conmy; Dakane; Davis; Dobervich; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hauck; Headland; Hoverson; Ista; Johnson, J.; Jonas; Kiefert; Kreidt; Lefor; Mitskog; Mock; Murphy; Nathe; Nelson; O'Brien; Olson, J.; Ostlie; Pyle; Richter; Roers Jones; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Tveit; VanWinkle; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, B.; Anderson, K.; Bellew; Christensen; Cory; Dockter; Dyk; Hatlestad; Heilman; Heinert; Henderson; Holle; Karls; Kasper; Kempenich; Klemin; Koppelman; Longmuir; Marschall; Martinson; McLeod; Meier; Monson; Motschenbacher; Novak; Olson, S.; Porter; Prichard; Rios; Rohr; Ruby, D.; Schatz; Thomas; Timmons; Toman; Vetter

ABSENT AND NOT VOTING: Christy; Fegley; Louser

The conference committee report on Reengrossed HB 1015 was adopted on a recorded roll call vote.

SECOND READING OF HOUSE BILL

HB 1015: A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide a statement of legislative intent; and to provide an exemption.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 73 YEAS, 18 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Anderson, B.; Bellew; Christensen; Dyk; Hatlestad; Hauck; Hoverson; Kempenich; Koppelman; Longmuir; Marschall; McLeod; Meier; Porter; Prichard; Schatz; Timmons; Toman

ABSENT AND NOT VOTING: Christy; Fegley; Louser

Reengrossed HB 1015 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KLEMIN MOVED that the conference committee report on Engrossed HB 1497 as printed on HJ page 2413 be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1497: A BILL for an Act to amend and reenact section 53-06.1-03 of the North Dakota Century Code, relating to the maximum number of gaming sites allowed and the maximum number of electronic pull tab devices allowed at a site; 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, the roll was called and there were 2 YEAS, 89 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Dakane; Mock

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

Reengrossed HB 1497 failed.

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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 Sixty-ninth and Seventieth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 2189, line 28, replace "pages 1149-1150" with "page 2029"

Page 2190, line 5, replace "1227-1228" with "2029-2030"

Page 2193, line 12, replace "1497" with "2030"

Page 2193, line 15, replace "pages 1391-1392" with "page 2030"

Page 2193, line 18, replace "1211" with "2031"

Page 2193, line 21, replace "pages 1413-1414" with "page 2030"

Page 2193, line 43, replace "1231-1232" with "2031-2032"

Page 2194, line 25, replace "pages 1133-1134" with "page 2030"

Page 2194, line 51, replace "pages 1196-1197" with "page 2031"

Page 2195, line 26, replace "1345" with "2133"

Page 2219, line 13, replace "1267" with "1276"

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

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 26, 2023, I have signed the following: HB 1429.

POINT OF PERSONAL PRIVILEGE

REP. HAGER rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE HAGER

MR. SPEAKER: Mr. Speaker and Members of the House Chamber

I rise on a Point of Personal Privilege. Today, I would like to recognize the Legendary

Mayville State University Baseball Coach, Scott Berry. Scott Berry, a small town boy from LaMoure ,ND brought his love for baseball to another ND small town and small college, Mayville State. Scott has been the Coach for the MSU Comets for 42 years and earlier this year, he announced his retirement at the end of this season.

As of today, Coach Berry accumulated a record of 1188 wins, 695 losses and one game that ended in a tie.

Prior to becoming the Coach of the Comets, Scott played for 4 years as a Comet wearing a blue jersey with the #11. Scott was a pitcher, an infielder and a utility player. He lettered all 4 years and was twice named to the NAIA All Conference Team. In 1982, Scott took over for the Great Coach Al Meyer who also was a longtime baseball coach at Mayville State for 33 years. So in the past 75 years, the Comets have only had 2 baseball coaches.

From the dugout and the coaches box, Scott has led the Comet baseball team to:24 Regular season Championships 25 Conference Championship;17 years consecutive years 1986 to 2002; 30 NAIA Playoff Appearances including the 2002 Regional Title and 5th Place at the 2002 NAIA College World Series.

Scott has been named the Regional Coach of the Year 24 times.

In 2010, the baseball field was named in his honor, The Scott Berry Field.

Scott's accomplishments have been acknowledged by various baseball organizations.

Scott Berry has been inducted into the following Hall of Fames:

Mayville State University Hall of Fame, NAIA Hall of Fame in 2002, ND Amateur Baseball Hall of Fame, Christian Sports Commission, the American Coaches Association in 2004, and the ND Sports Hall of Fame.

I feel the most significant aspect regarding Scott Berry is his impact on players, other coaches and fans. It is estimated that he has coached more than 2000 Comet Baseball players in the past 42 years, players from just about every county in ND, players from 25 states and Puerto Rico, as well as many Canadian players. He has worked with 28 players who were All Americans, 27 players who signed professional contracts and 1 player who became a Major League Baseball player.

Scott Berry is indeed legendary and I ask this legislative body to join me in wishing Coach Scott Berry a Happy Retirement and thanking him for his contribution to our state on and off the field.

REQUEST

REP. ISTA REQUESTED that the remarks of Rep. Hager be printed in the Journal, which request was granted.

REPORT OF CONFERENCE COMMITTEE

SB 2003, as engrossed: Your conference committee (Sens. Dwyer, J. Roers, Wanzek and Reps. Nathe, Schatz, Hanson) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1543-1550, adopt amendments as follows, and place SB 2003 on the Seventh order:

That the House recede from its amendments as printed on pages 1543-1550 of the Senate Journal and pages 1720-1727 of the House Journal and that Engrossed Senate Bill No. 2003 be amended as follows:

Page 1, remove line 2

Page 1, line 3, remove "to the creation of an opioid settlement fund;"

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	3,503,607	18,741,105
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 forensic interviews	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	$13,817,580	$98,974,017
Less estimated income	42,509,719	4,836,388	47,346,107
Total general fund	$42,646,718	$8,981,192	$51,627,910
Full-time equivalent positions	253.00	13.00	266.00"

Page 2, line 22, after "2,818,877" 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	$11,189,468
Total other funds	8,536,706	6,582,122
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, line 14, replace "law enforcement" with "grants"

Page 5, remove lines 24 through 31

Page 6, remove lines 1 through 3

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 14. 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 17. 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 19. 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 23. 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 24. 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 14 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2003 - Attorney General - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	$50,295,349	$56,475,611	($6,180,169)	$50,295,442	$50,295,442	
Operating expenses	15,237,498	17,688,435	1,052,670	18,741,105	18,771,105	($30,000)
Capital assets	648,055	3,560,577	1,673,050	5,233,627	5,233,627	
Grants	3,903,440	3,903,440	400,000	4,303,440	4,303,440	
Litigation fees	127,500	127,500		127,500	127,500	
Medical examinations	660,000	660,000		660,000	660,000	
North Dakota lottery	5,254,844	5,433,446	(116,812)	5,316,634	5,316,634	
Arrest and return of fugitives	8,500	8,500		8,500	8,500	
Gaming commission	7,489	7,489		7,489	7,489	
Criminal justice information sharing	4,074,968	4,546,645	(59,508)	4,487,137	4,487,137	
Law enforcement	3,048,927	7,194,705	(4,063,008)	3,131,697	3,131,697	
Human trafficking victims grants	1,101,879	1,111,480	(6,076)	1,105,404	1,105,404	
Forensic nurse examiners grants	250,691	252,872	(1,390)	251,482	251,482	
State Crime Laboratory salary equity	537,297					
Statewide litigation pool		5,000,000		5,000,000	5,000,000	
Additional income		250,000		250,000	250,000	
Children's medical examinations					304,560	(304,560)
Children's forensic interviews			304,560	304,560		304,560
Total all funds	$85,156,437	$106,220,700	($6,996,683)	$99,224,017	$99,254,017	($30,000)
Less estimated income	42,509,719	42,633,849	4,962,258	47,596,107	47,596,107	0
General fund	$42,646,718	$63,586,851	($11,958,941)	$51,627,910	$51,657,910	($30,000)
FTE	253.00	260.00	6.00	266.00	266.00	0.00

Department 125 - Attorney General - Detail of Conference Committee 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		$34,000
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						
Children's forensic interviews						
Total all funds	$803,155	$258,668	$0	$1,718,870	($8,859,974)	$256,000
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)	$209,119
FTE	0.00	0.00	0.00	6.00	0.00	0.00

	Adds Funding for Children's Forensic Interviews[7]	Adjusts One-Time Funding[8]	Adjusts One-Time Funding for the Litigation Funding Pool[9]	Total Conference Committee Changes
Salaries and wages				($6,180,169)
Operating expenses		$570,988		1,052,670
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				
Children's forensic interviews	$304,560			304,560
Total all funds	$304,560	($1,477,962)	$0	($6,996,683)
Less estimated income	304,560	1,772,038	2,760,000	4,962,258
General fund	$0	($3,250,000)	($2,760,000)	($11,958,941)
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 House also added this funding. 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 same as provided by the House. 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 and the Conference Committee did not adjust this funding.

[4] Funding is added from the general fund for the following FTE positions, the same as provided by the House:

	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	504,543
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 Conference Committee 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. This is the same as provided by the House.

Funding for salaries and wages and operating expenses of 21 new FTE positions, as approved by the Conference Committee, 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. This is the same as provided by the House.

[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)

The House also removed this funding. The Senate did not remove funding for the new and vacant FTE funding pool.

[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 State Crime Laboratory building and equipment maintenance contract costs. The Senate did not add funding for this purpose.	222,000	0	222,000
Total	$209,119	$46,881	$256,000

The Conference Committee adjusted each of these items the same as the House adjustments. The House also added $30,000 from the general fund for a retired law enforcement dogs program. The Conference Committee did not add funding for this program.

[7] Funding of $304,560 from the insurance regulatory trust fund is added in a new line item for children's forensic interviews related to North Dakota Century Code Section 12.1-34-07, the same as provided by the House. 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. The Conference Committee amendment renames the line item "children's forensic interviews" rather than "children's medical examinations."

[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)

The Conference Committee adjusted each of these items the same as the House

adjustments.

[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, the same as provided by the House. 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. This section was also added by the House.

Total funding for the statewide litigation funding pool as approved by the Conference Committee and 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.

The Conference Committee:

- Did not add a section previously added by the House 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.
- Did not add a section previously added by the House to add a new section to Chapter 54-12 to establish a retired law enforcement dog program.

This amendment also provides for the following, the same as provided by the House:

- 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. This section is declared an emergency measure.
- 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 included 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.
- 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 may distribute quarters 7 and 8 of 2021-23 biennium gaming tax revenues to cities and counties through October 31, 2023. This section is declared an emergency measure.
- 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 14 to be an emergency

measure.

Engrossed SB 2003 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2004, as reengrossed: Your conference committee (Sens. J. Roers, Erbele, Vedaa and Reps. Monson, Pyle, Mock) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1726-1732, adopt amendments as follows, and place SB 2004 on the Seventh order:

That the House recede from its amendments as printed on pages 1726-1732 of the Senate Journal and pages 2011-2017 of the House Journal and that Reengrossed Senate Bill No. 2004 be amended as follows:

Page 1, line 1, after the semicolon insert "to create and enact section 54-10-31 of the North Dakota Century Code, relating to audits of the department of financial institutions;"

Page 1, line 2, after "sections" insert "54-10-01 and"

Page 1, line 2, after "to" insert "the powers and duties of the state auditor and"

Page 1, line 3, after the semicolon insert "to provide for a legislative management study; to provide for a legislative management report;"

Page 1, replace lines 12 through 19 with:

"Salaries and wages	$13,123,559	$945,944	$14,069,503
Operating expenses	1,371,703	416,068	1,787,771
Capital assets	0	70,550	70,550
Information technology consultants	450,000	0	450,000
Total all funds	$14,945,262	$1,432,562	$16,377,824
Less estimated income	5,826,152	518,000	6,344,152
Total general fund	$9,119,110	$914,562	$10,033,672
Full-time equivalent positions	61.00	4.00	65.00"

Page 2, replace lines 2 through 8 with:

"Local government audit office furniture	$0	$9,000
Inflationary increases for travel and professional development	0	59,000
Audit software setup and migration	0	45,550
Capital equipment replacement	0	25,000
Total all funds	$0	$138,550
Less estimated income	0	37,000
Total general fund	$0	$101,550"

Page 2, line 14, replace "state auditor operating account" with "general fund"

Page 2, line 15, replace "$24,358" with "$11,000"

Page 2, line 16, remove "providing refunds to local governments whose audit fees"

Page 2, line 17, replace "exceeded one percent of their revenues" with "refunding audit fees to a certain political subdivision"

Page 2, line 18, after the period insert "To be eligible for a refund, the political subdivision must have been required to submit an audit report to the state auditor because the entity's revenue exceeded the audit threshold for a single year, pursuant to section 54-10-14 prior to the enactment of Senate Bill No. 2180, as approved by the sixty-eighth legislative assembly, due to one-time funding and contracted with the state auditor for an audit.

SECTION 4. AMENDMENT. Section 54-10-01 of the North Dakota Century Code is amended and reenacted as follows:

54-10-01. Powers and duties of state auditor - Report.

1. The state auditor shall:

   a. Be vested with the duties, powers, and responsibilities involved in performing the postaudit of all financial transactions of state government, detecting and reporting any defaults, and determining that expenditures have been made in accordance with law and appropriation acts.

   b. Perform or provide for the audit of the general purpose financial statements and a review of the material included in the comprehensive annual financial report of the state in accordance with government auditing standards.

   c. ~~Perform~~Except for the audit of the department of financial institutions as outlined in section 54-10-31, perform or provide for audits of state agencies in accordance with government auditing standards and legislative audit and fiscal review committee guidelines developed under section 54-35-02.10. Except for the annual audit of the North Dakota lottery required by section 53-12.1-03, the state auditor shall audit each state agency once every two years. Audits may be conducted at more frequent intervals if requested by the governor or the legislative audit and fiscal review committee. The state auditor shall charge an amount equal to the cost of the audit and other services rendered by the state auditor to all agencies that receive and expend moneys from other than the general fund. This charge may be reduced for an agency that receives and expends both general fund and nongeneral fund moneys. State agencies shall use nongeneral fund moneys to pay for the cost of the audit. If nongeneral fund moneys are not available, the agency may, upon approval of the legislative assembly, or the budget section if the legislative assembly is not in session, use general fund moneys to pay for the audit. Any budget section action under this subdivision must comply with section 54-35-02.9.

   d. ~~Perform~~Except for the audit of the department of financial institutions as outlined in section 54-10-31, perform or provide for performance audits of state agencies, or the agencies' blended component units or discreetly presented component units, as determined necessary by the legislative assembly, or the legislative audit and fiscal review committee if the legislative assembly is not in session. When determining the necessity of a performance audit, the legislative audit and fiscal review committee shall consider:

      (1) The potential cost-savings or efficiencies that may be gained as a result of the performance audit;

      (2) The staff resources of the state auditor's office and of the state agency being audited which will be required to conduct the audit;

      (3) The potential for discovery of noncompliance with state law or legislative intent regarding the program or agency; and

      (4) The potential for the performance audit to identify opportunities for program improvements.

   e. Report on the functions of the state auditor's office to the governor and the secretary of state in accordance with section 54-06-04 or more often as circumstances may require.

   f. Perform work on mineral royalties for the federal government in accordance with section 1735(a) of the Mineral Lands and Mining Act [30 U.S.C. 1735 et seq.].

g. Report to the legislative audit and fiscal review committee regarding final report distribution policies and practices and any final audit reports released to the public prior to distribution of the final audit report to all individuals charged with the governance of the audit client.

h. Perform all other duties as prescribed by law.

2. The state auditor may:

a. Conduct any work required by the federal government.

b. Within the resources available to the state auditor, perform or provide for performance audits of state agencies as determined necessary by the state auditor.

c. Audit the International Peace Garden at the request of the board of directors of the International Peace Garden.

d. Contract with a private certified public accountant or other qualified professional to conduct or assist with an audit, review, or other work the state auditor is authorized to perform or provide for under this section. Before entering any contract, the state auditor shall present information to the legislative audit and fiscal review committee on the need for the contract and its estimated cost and duration. Except for performance audits conducted under subdivision d of subsection 1 or subdivision b of this subsection and except for audits of occupational or professional boards, the state auditor shall execute the contract and any executive branch agency, including higher education institutions, shall pay the fees of the contractor. For performance audits conducted under subdivision d of subsection 1 or subdivision b of this subsection, the state auditor may charge a state agency for the cost of a contract relating to an audit, subject to approval by the legislative assembly or the legislative audit and fiscal review committee if the legislative assembly is not in session. When considering a request, the legislative audit and fiscal review committee shall consider the effect of the audit cost on the agency being audited, the necessity of the contract, and the potential benefit to the state resulting from the contract. The state auditor shall notify the affected agency of the potential cost before requesting approval from the legislative assembly or the legislative audit and fiscal review committee.

3. Notwithstanding subdivision c of subsection 1 and subdivision d of subsection 2, the state auditor may not charge audit fees to an institution of higher education, agency, or office under the control of the state board of higher education, including passthrough grants, except for a proportional share of audit fees on federal programs or grants to the extent those audited federal programs or grants provide for allowable cost recovery. Institutions without an approved indirect cost recovery fund may not be assessed audit fees on closed federal programs."

Page 2, after line 24, insert:

"**SECTION 6.** Section 54-10-31 of the North Dakota Century Code is created and enacted as follows:

54-10-31. Department of financial institutions - Audit and reports.

Once every two years, the state banking board shall provide for an audit of the department of financial institutions by a certified public accountant. The state banking board may request the state auditor to conduct the audit. If the state auditor agrees to conduct the audit, the state auditor shall deposit any fees assessed for completion of the audit to the state auditor operating account.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY - LOCAL GOVERNMENT AUDIT SERVICES. During the 2023-24 interim, the legislative management shall consider studying local government audit services and the challenges of political subdivisions to obtain auditing services. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2004 - State Auditor - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	$13,123,559	$16,417,905	($2,348,402)	$14,069,503	$13,786,881	$282,622
Operating expenses	1,371,703	1,894,071	(106,300)	1,787,771	1,769,271	18,500
Capital assets		70,550		70,550	70,550	
Information technology consultants	450,000	450,000		450,000	450,000	
Total all funds	$14,945,262	$18,832,526	($2,454,702)	$16,377,824	$16,076,702	$301,122
Less estimated income	5,826,152	8,161,731	(1,817,579)	6,344,152	6,225,652	118,500
General fund	$9,119,110	$10,670,795	($637,123)	$10,033,672	$9,851,050	$182,622
FTE	61.00	69.00	(4.00)	65.00	64.00	1.00

Department 117 - State Auditor - Detail of Conference Committee Changes

	Adds Funding for Salary and Benefit Increases[1]	Removes Salary Funding for Funding Pool[2]	Removes Local Government Division Audit Positions[3]	Decreases Funding for Temporary Salaries[4]	Decreases One-Time Funding for Local Government Auditors[5]	Decreases One-Time Funding for Operating Expense Inflation[6]
Salaries and wages	$197,711	($1,610,418)	($735,695)	($200,000)		
Operating expenses			(72,300)		($12,000)	($22,000)
Capital assets						
Information technology consultants						
Total all funds	$197,711	($1,610,418)	($807,995)	($200,000)	($12,000)	($22,000)
Less estimated income	56,585	(1,016,169)	(807,995)	(50,000)	0	0
General fund	$141,126	($594,249)	$0	($150,000)	($12,000)	($22,000)
FTE	0.00	0.00	(4.00)	0.00	0.00	0.00

	Total Conference Committee Changes
Salaries and wages	($2,348,402)
Operating expenses	(106,300)
Capital assets	
Information technology consultants	
Total all funds	($2,454,702)
Less estimated income	(1,817,579)
General fund	($637,123)
FTE	(4.00)

[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	$145,198	$58,478	$203,676
Health insurance adjustment	(4,072)	(1,893)	(5,965)
Total	$141,126	$56,585	$197,711

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, the same as the House. 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	($218,672)	($739,760)	($958,432)
Vacant FTE positions	(375,577	(276,409)	(651,986)
Total	($594,249)	($1,016,169)	($1,610,418)

[3] Funding from special funds in the agency's operating fund is removed for 4 FTE local government audit positions and related ongoing funding for operating expenses is reduced as follows:

- 1 FTE local government auditor II position ($207,740);
- 3 FTE local government auditor I positions ($527,955); and
- Ongoing operating expenses of $72,300 related to additional local government auditors.

The Conference Committee provided 3 new FTE positions in the Local Government Audit Division, including 1 FTE local government audit manager position, 1 FTE local government auditor II position, and 1 FTE local government auditor I position.

The Senate provided 7 new FTE positions in the Local Government Audit Division, including 1 FTE local government audit manager position, 2 FTE local government auditor II positions, and 4 FTE local government auditor I positions.

The House provided 3 new FTE positions in the Local Government Audit Division, including 1 FTE local government auditor II position, and 2 FTE local government auditor I positions.

[4] Funding for temporary salaries for internships is reduced to provide a total of $300,000, of which $100,000 is from the general fund and $200,000 is from special funds in the agency's operating fund. The Senate provided a total of $500,000, of which $250,000 is from the general fund and $250,000 is from special funds in the agency's operating fund. The House reduced the funding to provide a total of $200,000, of which $100,000 is from the general fund and $100,000 is from special funds in the agency's operating fund.

[5] One-time funding for operating expenses related to local government auditor positions is reduced to provide a total of $9,000, the same as the House version. The Senate provided a total of $21,000 for 7 new FTE positions.

[6] One-time funding is reduced for operating expenses related to travel and professional development inflationary increases, to provide a total of $59,000, of which $22,000 is from the general fund. The Senate provided a total of $81,000, of which $44,000 is from the general fund. The House provided a total of $40,500, of which $22,000 is from the general fund.

In addition, this amendment:

- Retains a section added by the Senate but removed by the House to provide a deficiency appropriation for a refund of local government audit fees; however, the funding source is changed to the general fund and the amount is reduced;
- Adds a section to amend the powers and duties of the State Auditor to allow the Department of Financial Institutions to contract with a certified public accountant for an audit, require the State Auditor to provide reports to the Legislative Audit and Fiscal Review Committee, and exempt the institutions under the control of the State Board of Higher Education from certain audit fees, the same as the House version;
- Adds a section to require the State Banking Board provide for an audit of the Department of Financial Institutions once every 2 years, the same as the House version;
- Adds a section to provide for a Legislative Management study of local government audit services, the same as the House version; and
- Retains the emergency clause related to the refund of local government audit fees included in the Senate version but which the House removed.

The Conference Committee did not include:

- A section to require county auditors to notify political subdivisions annually that the State Auditor may require political subdivisions to provide annual reports in lieu of an audit, included in the House version; or
- A section to require the State Auditor to provide a preliminary audit report to audit clients at least 30 days prior to publishing the report, included by the House. However, a report to the Legislative Audit and Fiscal Review Committee, regarding instances where the State Auditor did not provide a final audit report to the client prior to public release, was added to North Dakota Century Code Section 54-10-01, related to the powers and duties of the State Auditor.

Reengrossed SB 2004 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2080: Your conference committee (Sens. Lee, Hogan, K. Roers and Reps. M. Ruby, Frelich, Dockter) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1541-1543, adopt amendments as follows, and place SB 2080 on the Seventh order:

That the House recede from its amendments as printed on pages 1541-1543 of the Senate Journal and pages 1701-1703 of the House Journal and that Senate Bill No. 2080 be amended as follows:

Page 1, line 1, replace "subsection" with "subsections"

Page 1, line 1, after "2" insert ", 4, and 5"

Page 1, line 1, after "14-15-11" insert "and section 27-20.3-24"

Page 1, line 2, after "investigation" insert "and adoptive child placement; to provide a statement of legislative intent; to provide for a legislative management study; to provide for a legislative management report; to provide a contingent effective date; to provide an effective date; and to declare an emergency"

Page 1, line 8, overstrike "the adoptive home is a suitable home for the"

Page 1, line 9, overstrike "minor and whether the" and insert immediately thereafter ":

a. The"

Page 1, line 9, after the second "minor" insert: "; and

b. The adoptive home is suitable for the minor"

Page 1, line 12, after the underscored period insert "An adoptive home is presumed suitable if, in the manner prescribed by the department, the petitioner is continuously licensed, certified, or approved as a family foster home for children under chapter 50-11 to furnish foster care for children for more than one year without a correction order, fiscal sanction, or license revocation proceeding, unless the custodial agency reasonably believes the use of the foster care assessment or the licensed, certified, or approved family foster home for children is not in the best interest of the minor.

SECTION 2. AMENDMENT. Subsection 4 of section 14-15-11 of the North Dakota Century Code is amended and reenacted as follows:

4. The report of the investigation must contain ~~a~~:

a. A review of the child's history; ~~a~~

b. A preplacement adoption assessment of the petitioner, including a criminal history record investigation of the petitioner; ~~and a~~

c. A postplacement evaluation of the placement with a recommendation as to the granting of the petition for adoption;

d. The petitioner's foster care assessment to demonstrate the presumed suitability of the adoptive home if a foster care assessment was considered in the investigation under subsection 2 of this section; and ~~any~~

e. Any other information the court requires regarding the petitioner or the minor.

SECTION 3. AMENDMENT. Subsection 5 of section 14-15-11 of the North Dakota Century Code is amended and reenacted as follows:

5. An investigation and report is not required in cases in which a stepparent is the petitioner or the individual to be adopted is an adult. The department and human service zone, when required to consent to the adoption, may give consent without making the investigation. If the petitioner is a court-appointed legal guardian or a relative other than a stepparent of the minor, the minor has lived with the petitioner for at least nine months, no allegations of abuse or neglect have been filed against the petitioner or any member of the petitioner's household, and the court is satisfied that the proposed adoptive home is appropriate for the minor, the court may waive the investigation and report required under this section.

SECTION 4. AMENDMENT. Section 27-20.3-24 of the North Dakota Century Code is amended and reenacted as follows:

27-20.3-24. Disposition upon termination of parental rights.

1. If, upon entering an order terminating the parental rights of a parent, there is no parent having parental rights, the court shall:

   a. Commit the child to the custody of the human service zone director or a licensed child-placing agency willing to accept custody for the purpose of placing the child for adoption or, in the absence of such an agreement, in a foster home;

   b. Appoint a fit and willing relative or other appropriate individual as the child's legal guardian; or

   c. Establish some other planned permanent living arrangement.

2. The custodian has the rights of a legal custodian and authority to consent to the child's adoption, marriage, enlistment in the armed forces of the United States, and surgical and other medical treatment.

3. If the child is not placed for adoption within twelve months after the date of the order and a legal guardianship or other planned permanent living arrangement for the child has not been established by a court of competent jurisdiction, the child must be returned to the court issuing the original termination order for entry of further orders for the care, custody, and control of the child.

4. Unless sections 27-20.2-15 and 27-20.3-19 or the federal Indian Child Welfare Act of 1978 [25 U.S.C. 1901 et seq.] applies, and if after conducting a diligent and exhaustive search, a fit and willing relative interested in adoption is not located, a human service zone director or licensed child-placing agency that places a child for adoption under subdivision a of subsection 1, shall consider granting the adoptive placement to a licensed, certified, or approved family foster home for children provider interested in adopting the child, if the licensed, certified, or approved family foster home for children provider provided foster care to the child:

   a. For one year or longer leading up to the termination of parental rights; and

b. Without a correction order, fiscal sanction, or license revocation proceeding.

5. Subsection 4 does not apply if considering the adoptive placement to the licensed, certified, or approved family foster home for children provider would result in siblings who are placed for adoption being placed in separate homes.

SECTION 5. AMENDMENT. Section 27-20.3-24 of the North Dakota Century Code is amended and reenacted as follows:

27-20.3-24. Disposition upon termination of parental rights.

1. If, upon entering an order terminating the parental rights of a parent, there is no parent having parental rights, the court shall:

   a. Commit the child to the custody of the human service zone director or a licensed child-placing agency willing to accept custody for the purpose of placing the child for adoption or, in the absence of such an agreement, in a foster home;

   b. Appoint a fit and willing relative or other appropriate individual as the child's legal guardian; or

   c. Establish some other planned permanent living arrangement.

2. The custodian has the rights of a legal custodian and authority to consent to the child's adoption, marriage, enlistment in the armed forces of the United States, and surgical and other medical treatment.

3. If the child is not placed for adoption within twelve months after the date of the order and a legal guardianship or other planned permanent living arrangement for the child has not been established by a court of competent jurisdiction, the child must be returned to the court issuing the original termination order for entry of further orders for the care, custody, and control of the child.

4. Unless chapter 27-19.1 or the federal Indian Child Welfare Act of 1978 [25 U.S.C. 1901 et seq.] applies, and if after conducting a diligent and exhaustive search, a fit and willing relative interested in adoption is not located, a human service zone director or licensed child-placing agency that places a child for adoption under subdivision a of subsection 1, shall consider granting the adoptive placement to a licensed, certified, or approved family foster home for children provider interested in adopting the child, if the licensed, certified, or approved family foster home for children provider provided foster care to the child:

   a. For one year or longer leading up to the termination of parental rights; and

   b. Without a correction order, fiscal sanction, or license revocation proceeding.

5. Subsection 4 does not apply if considering the adoptive placement to the licensed, certified, or approved family foster home for children provider would result in siblings who are placed for adoption being placed in separate homes.

SECTION 6. LEGISLATIVE MANAGEMENT STUDY - CHILD WELFARE ISSUES.

1. During the 2023-24 interim, the legislative management shall consider studying the laws and practices of the child welfare system. The study must include a review of the:

a. Implementation of the revisions in juvenile court procedures and the new model of practice;

b. Laws, administrative rules, and practices of the foster care and adoption systems;

c. The timeliness of termination of parental rights;

d. Timeliness of permanency; and

e. Availability of resources to support children and families experiencing out-of-home placement or risk of out-of-home placement.

2. 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 7. LEGISLATIVE INTENT - CHILD WELFARE ISSUES - LEGISLATIVE MANAGEMENT REPORT. It is the intent of the sixty-eighth legislative assembly that the department of health and human services conduct a foster care and adoption child welfare redesign. The redesign must include a review of methods to streamline adoptions by licensed, certified, or approved family foster home for children providers and identify a fit and willing relative interested in adoption earlier in the process. The department shall report its findings and recommendations to the legislative management by January 1, 2024 and every six months after the initial report during the 2023-25 biennium.

SECTION 8. CONTINGENT EFFECTIVE DATE. Section 5 of this Act becomes effective on October 1, 2024, if chapter 27-19.1 as created by section 1 of House Bill No. 1536 is approved by the sixty-eighth legislative assembly.

SECTION 9. EFFECTIVE DATE. Sections 1, 2, and 4 become effective on October 1, 2024.

SECTION 10. EMERGENCY. Section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

SB 2080 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2240: Your conference committee (Sens. Burckhard, Meyer, J. Roers and Reps. Nelson, B. Anderson, Mitskog) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1535, adopt amendments as follows, and place SB 2240 on the Seventh order:

That the House recede from its amendments as printed on page 1535 of the Senate Journal and pages 1748 and 1749 of the House Journal and that Senate Bill No. 2240 be amended as follows:

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

Page 1, line 10, replace "$900,000" with "$500,000"

Page 1, line 11, replace "$1,000,000" with "$500,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2240 - Department of Commerce - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Base retention grants		$1,900,000	($900,000)	$1,000,000	$800,000	$200,000
Total all funds	$0	$1,900,000	($900,000)	$1,000,000	$800,000	$200,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$1,900,000	($900,000)	$1,000,000	$800,000	$200,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department 601 - Department of Commerce - Detail of Conference Committee Changes

	Adjusts Grant Funding[1]	Total Conference Committee Changes
Base retention grants	($900,000)	($900,000)
Total all funds	($900,000)	($900,000)
Less estimated income	0	0
General fund	($900,000)	($900,000)
FTE	0.00	0.00

[1] Funding for base retention grants is reduced by $900,000 to provide a total of $1 million from the general fund to be provided to eligible organizations in Minot ($500,000), Fargo ($250,000), and Grand Forks ($250,000). The Senate provided $1.9 million from the general fund, of which $900,000 was for Minot, $500,000 was for Fargo, and $500,000 was for Grand Forks. The House provided $800,000 from the general fund, of which $400,000 was for Minot, $200,000 for Fargo, and $200,000 for Grand Forks.

SB 2240 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. MONSON MOVED that the conference committee report on Engrossed SB 2003 as printed on HJ pages 2422-2429 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2003: A BILL for an Act to provide an appropriation for defraying the expenses of the attorney general; to amend and reenact sections 53-12.1-09 and 54-12-11 of the North Dakota Century Code, relating to transfers from the lottery operating fund to the multijurisdictional drug task force grant fund and the salary of the attorney general; to provide a transfer; to provide an exemption; to provide for a legislative management study; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 87 YEAS, 4 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Prichard; Schatz; VanWinkle

ABSENT AND NOT VOTING: Dockter; Louser; Ostlie

Engrossed SB 2003, as amended, passed and the emergency clause was declared carried.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. MOCK MOVED that the conference committee report on Reengrossed SB 2004 as printed on HJ pages 2429-2434 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2004: A BILL for an Act to provide an appropriation for defraying the expenses of the state auditor; to create and enact section 54-10-31 of the North Dakota Century Code, relating to audits of the department of financial institutions; to amend and reenact sections 54-10-01 and 54-10-10 of the North Dakota Century Code, relating to the powers and duties of the state auditor and the salary of the state auditor; to provide for a legislative management study; to provide for a legislative management report; and to declare an emergency.

ROLL CALL

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

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

NAYS: Schatz

ABSENT AND NOT VOTING: Louser; Ostlie

Reengrossed SB 2004, as amended, passed and the emergency clause was declared carried.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. FRELICH MOVED that the conference committee report on SB 2080 as printed on HJ pages 2434-2437 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2080: A BILL for an Act to amend and reenact subsections 2, 4, and 5 of section 14-15-11 and section 27-20.3-24 of the North Dakota Century Code, relating to a licensed child-placing agency investigation and adoptive child placement; to provide a statement of legislative intent; to provide for a legislative management study; to provide for a legislative management report; to provide a contingent effective date; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

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

NAYS: Davis; Finley-DeVille

ABSENT AND NOT VOTING: Louser; Ostlie

SB 2080, as amended, passed and the emergency clause was declared carried.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. NELSON MOVED that the conference committee report on SB 2240 as printed on HJ pages 2437-2438 be adopted, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2240: A BILL for an Act to provide an appropriation to the department of commerce for the base retention 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 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; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; 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: Louser; Ostlie

SB 2240, as amended, passed.

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ANNOUNCEMENT

SPEAKER D. JOHNSON ANNOUNCED that the House will stand in recess until 5:00 p.m.

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

CONSIDERATION OF VETOED MEASURE

SB 2360: AN ACT to create and enact a new subsection to section 12.1-27.1-01 and a new section to chapter 12.1-27.1 of the North Dakota Century Code, relating to the definition of a public library and required safety policies and technology protection measures; to amend and reenact subsection 5 of section 12.1-27.1-01, sections 12.1-27.1-03.1, and 12.1-27.1-11 of the North Dakota Century Code, relating to obscenity control; to provide a penalty; and to provide for application.

ROLL CALL

The question being on the final passage of the enrolled bill, over the Governor's veto, which has been read, the roll was called and there were 53 YEAS, 41 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, K.; Bellew; Christensen; Cory; Dyk; Fegley; Fisher; Frelich; Hatlestad; Hauck; Heilman; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Louser; Marschall; McLeod; Meier; Monson; Motschenbacher; Novak; Olson, J.; Olson, S.;

Porter; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Schobinger; Steiner; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Weisz

NAYS: Anderson, B.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Dakane; Davis; Dobervich; Dockter; Finley-DeVille; Grueneich; Hager; Hagert; Hanson; Headland; Ista; Jonas; 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.

The House sustained the Governor's veto of SB 2360, as enrolled.

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MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has amended and subsequently failed to pass: SB 2260.

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 1540.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has appointed Sen. Bekkedahl to replace Sen. Meyer on the Conference Committee on HB 1014.

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 1015.

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 2240.

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: SB 2003, SB 2004, SB 2080.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report and subsequently failed to pass: HB 1497.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2240.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2009, SB 2107.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1015, HB 1362, HB 1413, HB 1474, HB 1519, HB 1538.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2003, SB 2004, SB 2080.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1020.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1088, HB 1379, HB 1522.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report and subsequently failed to pass: SB 2245.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: Your signature is respectfully requested on: HB 1158.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: Your signature is respectfully requested on: HB 1540.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: Your signature is respectfully requested on: HB 1007, HB 1013, HB 1024, HB 1028, HB 1225, HB 1231, HB 1341, HB 1447, HB 1480, HB 1508, HB 1536, HCR 3033.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: Your signature is respectfully requested on: HB 1003, HB 1008, HB 1010, HB 1012, HB 1168, HB 1297, HB 1313, HB 1415, HB 1539.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2010, SB 2016, SB 2018, SB 2089, SB 2196, SB 2238, SB 2248, SB 2304, SB 2330, SB 2334, SB 2335, SB 2371.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1158, HB 1540.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1007, HB 1013, HB 1024, HB 1028, HB 1225, HB 1231, HB 1341, HB 1447, HB 1480, HB 1508, HB 1536.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HCR 3033.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: HB 1158, HB 1540.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: HB 1007, HB 1013, HB 1024, HB 1028, HB 1225, HB 1231, HB 1341, HB 1447, HB 1480, HB 1508, HB 1536, HCR 3033.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: SB 2010, SB 2016, SB 2018, SB 2089, SB 2196, SB 2238, SB 2248, SB 2304, SB 2330, SB 2334, SB 2335, SB 2371.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2010, SB 2016, SB 2018, SB 2089, SB 2196, SB 2238, SB 2248, SB 2304, SB 2330, SB 2334, SB 2335, SB 2371.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS
The following bills were delivered to the Governor for approval on April 27, 2023: HB 1158, HB 1391, HB 1487, HB 1501, HB 1540.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS
The following bills were delivered to the Governor for approval on April 27, 2023: HB 1007, HB 1013, HB 1024, HB 1028, HB 1225, HB 1231, HB 1341, HB 1447, HB 1480, HB 1508, HB 1536.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has sustained the Governor's veto on SB 2360. The vote was 53 YEAS, 41 NAYS, 0 ABSENT AND NOT VOTING.

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., Friday, April 28, 2023, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

HB 1019, as engrossed: Your conference committee (Sens. Davison, Kreun, Dever and Reps. Richter, Nathe, Sanford) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1831-1835, adopt amendments as follows, and place HB 1019 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1831-1835 of the House Journal and pages 1497-1501 of the Senate Journal and that Engrossed House Bill No. 1019 be amended as follows:

Page 1, line 2, remove "to amend and reenact sections 15-19-00.1, 15-19-01, 15-19-02,"

Page 1, remove line 3

Page 1, line 4, remove "the administration of the center for distance education;"

Page 1, replace lines 14 through 17 with:

"Salaries and wages	$4,643,906	$340,305	$4,984,211
Operating expenses	2,198,453	847,897	3,046,350
Grants	9,507,349	2,500,000	12,007,349
Grants - secondary	26,837,780	14,700,000	41,537,780"

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 3 with:

"Workforce training	2,000,000	500,000	2,500,000
Center for distance education	9,461,254	(9,461,254)	0
Total all funds	$56,754,880	$9,426,948	$66,181,828
Less estimated income	15,019,817	(38,697)	14,981,120
Total general fund	$41,735,063	$9,465,645	$51,200,708
Full-time equivalent positions	50.30	(26.80)	23.50"

Page 2, line 4, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY**"

Page 2, line 5, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 7 through 10 with:

"Statewide area career center initiative grant program	$88,276,228	$0
Secondary career and technical education programs	0	500,000
Total other funds	$88,276,228	$500,000

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

Page 2, remove lines 11 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 30

Page 8, replace lines 1 through 21 with:

"**SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - SECONDARY CAREER AND TECHNICAL EDUCATION PROGRAMS.** The estimated income line item in section 1 of this Act includes $500,000 from the strategic investment and improvements fund for new and expanding secondary career and technical education programs."

Page 8, line 25, after "2021" insert "Special Session"

Page 8, after line 26, insert:

"**SECTION 5. EXEMPTION - STATEWIDE AREA CAREER CENTER INITIATIVE GRANT PROGRAM - UNCOMMITTED FUNDS.** Notwithstanding section 1 of chapter 548 of the 2021 Special Session Session Laws, if funding approved for a career academy project under the statewide area career center initiative grant program becomes uncommitted after December 31, 2022, the department of career and technical education may redistribute the funding for existing projects under the program during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 6. WORKFORCE TRAINING GRANTS - SALARIES AND WAGES EXPENSES. The workforce training line item in section 1 of this Act includes the sum of $500,000 from the general fund which the department of career and technical education shall distribute to each eligible organization in the state dedicated to expanding workforce opportunities, training, and education for the purpose of defraying salaries and wages expenses of the organization's employees. The department of career and technical education shall distribute the funding identified in this section as follows:

1. An organization in the northwest region of the state $230,000
2. An organization in the northeast region of the state $40,000
3. An organization in the southwest region of the state $120,000
4. An organization in the southeast region of the state $110,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1019 - Dept. of Career and Technical Education - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	$4,643,906	$5,441,942	($457,731)	$4,984,211	$4,960,741	$23,470
Operating expenses	2,198,453	2,878,350	168,000	3,046,350	2,878,350	168,000
Grants	9,507,349	11,507,349	500,000	12,007,349	11,507,349	500,000
Grants - secondary	26,837,780	41,037,780	500,000	41,537,780	45,037,780	(3,500,000)
Marketplace for kids	300,000	300,000		300,000	300,000	
STEM initiative	100,000	100,000		100,000	100,000	
Adult farm management	1,706,138	1,706,138		1,706,138	1,706,138	
Workforce training	2,000,000	2,000,000	500,000	2,500,000	2,500,000	
Center for distance education	9,461,254					
Statewide area career center grants					26,500,000	(26,500,000)
Total all funds	$56,754,880	$64,971,559	$1,210,269	$66,181,828	$95,490,358	($29,308,530)
Less estimated income	15,019,817	14,489,399	491,721	14,981,120	40,981,120	(26,000,000)
General fund	$41,735,063	$50,482,160	$718,548	$51,200,708	$54,509,238	($3,308,530)
FTE	50.30	23.50	0.00	23.50	21.50	2.00

Department 270 - Dept. of Career and Technical Education - Detail of Conference Committee Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Removes Salary Funding for Funding Pool[2]	Adds Funding for Operating Expenses[3]	Reduces Funding for Cost to Continue Reimbursement Rates[4]	Adds Funding for New and Expanding Secondary Programs[5]	Removes Funding for Career Advisors[6]
Salaries and wages	$85,995	($543,726)				
Operating expenses			$168,000			
Grants					$500,000	
Grants - secondary				($500,000)	1,500,000	($500,000)
Marketplace for kids						
STEM initiative						
Adult farm management						
Workforce training						
Center for distance education						
Statewide area career center grants						
Total all funds	$85,995	($543,726)	$168,000	($500,000)	$2,000,000	($500,000)
Less estimated income	10,615	(18,894)	0	0	500,000	0
General fund	$75,380	($524,832)	$168,000	($500,000)	$1,500,000	($500,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds Funding for Workforce Training Grants[7]	Total Conference Committee Changes
Salaries and wages		($457,731)
Operating expenses		168,000
Grants		500,000
Grants - secondary		500,000
Marketplace for kids		
STEM initiative		
Adult farm management		
Workforce training	$500,000	500,000
Center for distance education		
Statewide area career center grants		
Total all funds	$500,000	$1,210,269
Less estimated income	0	491,721
General fund	$500,000	$718,548
FTE	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	$75,380	$10,964	$86,344
Health insurance adjustment	0	(349)	(349)
Total	$75,380	$10,615	$85,995

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	($394,874)	$0	($394,874)
Vacant FTE positions	(129,958)	(18,894)	(148,852)
Total	($524,832)	($18,894)	($543,726)

[3] Funding of $168,000 is added from the general fund for operating expenses of the department. The House and Senate did not add funding for this purpose.

[4] Funding for the cost to continue career and technical education reimbursement rates at schools (27 percent) and area career and technical centers (40 percent) is reduced by $500,000 to provide a total of $3.5 million from the general fund. The House and Senate provided $4 million from the general fund.

[5] Funding of $2 million, of which $1.5 million is ongoing funding from the general fund and $500,000 is one-time funding from the strategic investment and improvements fund (SIIF), is added for new and expanding secondary career and technical education programs to provide a total of $10 million, including $9.5 million from the general fund.

The House provided $8 million from the general fund. The Senate provided $12 million from the general fund.

[6] Funding of $500,000 from the general fund for school district career advisors is removed. The House added $500,000 from the general fund for the program. The Senate did not provide funding for the program.

[7] Funding of $500,000 is added for workforce training grants to provide a total of $2.5 million from the general fund, the same as provided by the Senate. The House provided $2 million, the same as the base level.

The Conference Committee:

- Did not remove $394,874 from the general fund for 2 FTE program supervisor positions. These positions were added by the House but removed by the Senate.
- Did not add $500,000 from the general fund for grants to schools for work-based learning coordinators. The House provided $1.5 million from the general fund. The Senate added $500,000 to provide a total of $2 million from the general fund. The Conference Committee provided $1.5 million from the general fund.
- Did not provide one-time funding from the federal Coronavirus Capital Projects Fund for career academy inflationary costs under the statewide area career center initiative grant program. The Senate provided $26.5 million. A section identifying this funding included in the Senate version was not added by the Conference Committee.

This amendment also:

- Removes seven sections added by the House to transfer supervisory authority of the Center for Distance Education from the Department of Career and Technical Education to the Department of Public Instruction. Statutory changes necessary to authorize this change are provided in Senate Bill No. 2269. These sections were also removed by the Senate.
- Adds a section to identify one-time funding of $500,000 from SIIF for new and expanding secondary career and technical education programs. The Senate did not add this section.
- Adds a section to provide the Department of Career and Technical Education an exemption that if funding is returned for a previously approved career academy project, the department is authorized to redistribute the funding to other existing career academy projects during the 2023-25 biennium. This section was also added by the Senate.
- Adds a section providing that of the $2.5 million from the general fund in the workforce training line item, the Department of Career and Technical Education distribute $500,000 to eligible workforce training organizations for the purpose of defraying salaries and wages expenses of the organization's employees. This section was also added by the Senate.

Engrossed HB 1019 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2009, as engrossed: Your conference committee (Sens. Wanzek, Erbele, Dwyer and Reps. Brandenburg, Pyle, Monson) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1771-1777, adopt amendments as follows, and place SB 2009 on the Seventh order:

That the House recede from its amendments as printed on pages 1771-1777 of the Senate Journal and pages 2105-2111 of the House Journal and that Engrossed Senate Bill No. 2009 be amended as follows:

Page 1, line 2, remove "to create and enact a new section to chapter 4.1-01 of the North Dakota Century"

Page 1, line 3, remove "Code, relating to the establishment of a post-production royalty oversight program;"

Page 1, line 4, after the first coma insert "4.1-01-18,"

Page 1, line 4, remove "49-22-09,"

Page 1, line 5, after the second coma insert "the federal environmental law impact review committee,"

Page 1, line 6, remove "factors to be considered in evaluating applications and designations of sites,"

Page 1, line 7, remove "corridors, and routes,"

Page 1, line 7, remove "direct and indirect"

Page 1, line 8, remove "and"

Page 1, line 8, after "exemption" insert "; and to provide for a legislative management study"

Page 1, replace lines 18 and 19 with:

"Salaries and wages	$15,717,126	$873,888	$16,591,014
Operating expenses	6,848,052	578,121	7,426,173"

Page 1, replace line 21 with:

"Grants	9,031,774	3,922,195	12,953,969"

Page 2, after line 4 insert:

"Bioscience innovation program transfer	0	6,500,000	6,500,000"

Page 2, replace lines 6 through 9 with:

"Total all funds	$37,570,487	$15,916,204	$53,486,691
Less estimated income	24,110,775	6,856,343	30,967,118
Total general fund	$13,459,712	$9,059,861	$22,519,573
Full-time equivalent positions	79.00	1.00	80.00"

Page 2, replace lines 17 and 18 with:

"Grasslands grazing grants	5,000,000	1,000,000
Bioscience innovation grant program transfer	5,500,000	6,500,000
Food distribution grants	0	1,000,000"

Page 2, replace lines 22 through 24 with:

"Total all funds	$20,900,000	$12,000,000
Less estimated income	10,400,000	4,000,000
Total general fund	$10,500,000	$8,000,000"

Page 3, line 4, replace "**LEGACY EARNINGS**" with "**GENERAL**"

Page 3, line 5, remove "Pursuant to the designation of"

Page 3, remove line 6

Page 3, line 7, replace "the office of management and budget shall transfer" with "The bioscience innovation program transfer line item in section 1 of this Act includes"

Page 3, line 7, replace "legacy earnings" with "general"

Page 3, line 7, after "fund" insert ", which the office of management and budget shall transfer"

Page 3, line 12, replace "office of management and budget" with "agriculture commissioner"

Page 3, line 25, replace "$7,344,029" with "$7,351,547"

Page 4, after line 7, insert:

"**SECTION 11. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - GRASSLANDS GRAZING GRANTS - MATCHING FUNDS REQUIREMENT.** The estimated income line item in section 1 of this Act includes the sum of $1,000,000 from the strategic investment and improvements fund for the purpose of providing grasslands grazing grants to an organization representing cooperative grazing associations in the state. To be eligible for a grant under this program, an organization must provide one dollar of matching funds from nonstate sources for every four dollars of grant funding. An organization that receives a grant under this program may distribute the funding to cooperative grazing associations for eligible infrastructure projects, which must be located on national grasslands within the state. Eligible infrastructure projects include water development; fencing; conservation initiatives; compliance with federal permitting requirements, including fees for professional services; and other projects to enhance wildlife habitat or capture carbon, or to increase the health of grasslands. Program participants shall develop and implement a grazing land plan in compliance with local soil conservation district guidance and the plan must be approved by the local soil conservation district. The agriculture commissioner shall establish additional guidelines for the program."

Page 5, line 2, replace "thirty" with "thirty-one"

Page 5, line 3, after "~~fifty-three~~" insert "four hundred twenty-three"

Page 5, line 4, replace "thirty-five" with "thirty-six"

Page 5, line 4, replace "two" with "six"

Page 5, line 4, after "~~eighty-four~~" insert "eighty"

Page 5, replace lines 5 through 14 with:

"**SECTION 16. AMENDMENT.** Section 4.1-01-18 of the North Dakota Century Code is amended and reenacted as follows:

4.1-01-18. Federal environmental law impact review committee.

1. The federal environmental law impact review committee consists of:

   a. The commissioner, who shall serve as the chairman;

   b. The governor or the governor's designee;

   c. The majority leader of the house of representatives, or the leader's designee;

   d. The majority leader of the senate, or the leader's designee;

   e. One member of the legislative assembly from the minority party, selected by the chairman of the legislative management;

   f. One individual appointed by the North Dakota corn growers association;

g. One individual appointed by the North Dakota grain growers association;

h. One individual appointed by the North Dakota soybean growers association;

i. One individual appointed by the North Dakota stockmen's association;

j. One individual appointed by the North Dakota farm bureau;

k. One individual appointed by the North Dakota farmers union;

l. The chairman of the public service commission or the chairman's designee;

m. The director of the department of water resources or the director's designee;

n. The director of the game and fish department, or the director's designee;

o. The director of the department of transportation, or the director's designee;

p. The director of the department of environmental quality, or the director's designee;

q. One representative of an investor-owned utility company;

r. One representative from the North Dakota association of rural electric cooperatives; and

s. Two individuals from the energy community, of which one individual must be a representative of an organization that supports lignite energy in the state appointed by the commissioner and one individual must be a representative of an organization that supports oil and gas activity in the state appointed by the governor.

2. The committee shall review federal environmental legislation and regulations detrimentally impacting or potentially detrimentally impacting the state's agricultural, energy, or oil production sectors. The committee shall confer with the attorney general with respect to participation in administrative or judicial processes pertaining to the legislation or regulations.

3. a. Any member of the legislative assembly serving on the committee is entitled to compensation at the rate provided for attendance at interim committee meetings and reimbursement for expenses, as provided by law for state officers, if the member is attending meetings of the committee or performing duties directed by the committee.

b. The compensation and reimbursement of expenses, as provided for in this subsection, are payable by the legislative council."

Page 5, line 22, overstrike "agriculture"

Page 5, line 26, overstrike "Contracting for consultation" and insert immediately thereafter "Consultation"

Page 5, line 26, after "engineers" insert ", industry specialists, or others"

Page 5, line 27, after "to" insert "analyze or"

Page 5, line 29, overstrike "Reclamation or mitigation" and insert immediately thereafter "Creation, restoration, or mitigation of similar habitat affected by the construction or operation of an energy conversion or transmission facility. Mitigation"

Page 5, line 29, after "development" insert "under this section shall be conducted in the following order of priority:

(1) The area immediately impacted by the development;

(2) The county impacted by the development;

(3) The region impacted by the development; and

(4) Other areas within the state"

Page 6, line 1, overstrike "The federal environmental law impact review committee shall establish criteria for"

Page 6, line 2, overstrike "disbursement of"

Page 6, line 2, remove "moneys in the"

Page 6, line 2, overstrike "environmental impact"

Page 6, line 2, replace "mitigation fund" with "In consultation with the federal environmental law impact review committee, the commissioner shall adopt rules pursuant to chapter 28-32 to implement the provisions of this section"

Page 6, line 3, overstrike "The commissioner shall make disbursements"

Page 6, line 3, remove "of moneys in the environmental impact"

Page 6, line 4, remove "mitigation fund"

Page 6, line 4, overstrike "based upon the determinations made by the federal environmental law"

Page 6, overstrike lines 5 through 10

Page 6, line 11, overstrike "the disbursement of"

Page 6, line 11, remove "environmental impact mitigation fund"

Page 6, line 11, overstrike "grants in accordance with"

Page 6, line 12, overstrike "subsection 2 and provide those determinations to the commissioner" and insert immediately thereafter "Easements or leaseholds purchased by a person to mitigate adverse environmental effects of the construction or operation of an energy conversion or transmission facility under chapter 49-22 must be limited to the operational life of the facility as defined under chapter 49-22. Any payment made to mitigate adverse environmental effects of the construction or operation of an energy conversion or transmission facility under chapter 49-22 must be made to the commissioner who shall deposit the payment into the environmental impact mitigation fund. Prior to the public service commission issuing a permit or certificate to an applicant under chapter 49-22, the commissioner shall notify the public service commission of mitigation efforts under this section to create, restore, or mitigate similar habitat affected by the construction or operation of an energy conversion or transmission facility"

Page 6, line 13, overstrike "8." and insert immediately thereafter "6."

Page 6, line 13, overstrike "federal environmental law impact review committee" and insert immediately thereafter "commissioner"

Page 6, line 15, overstrike "9." and insert immediately thereafter "7."

Page 6, remove lines 17 through 31

Page 7, remove lines 1 through 16

Page 7, line 19, overstrike "**direct** "

Page 7, line 19, remove "**or indirect**"

Page 7, line 20, overstrike "1. An applicant"

Page 7, line 20, remove "shall"

Page 7, line 20, overstrike "provide payment to mitigate any assessed adverse"

Page 7, line 21, overstrike "direct"

Page 7, line 21, remove "or indirect"

Page 7, line 21, overstrike "environmental impacts of a proposed site, corridor, route, or facility."

Page 7, line 22, overstrike "The applicant"

Page 7, line 22, remove "shall"

Page 7, line 22, overstrike "provide"

Page 7, line 22, remove "a minimum of fifty percent of"

Page 7, line 22, overstrike "the payment to"

Page 7, overstrike lines 23 and 24

Page 7, line 25, overstrike "environmental impacts of a proposed site, corridor, route, or facility"

Page 7, line 26, overstrike "into the environmental impact mitigation fund"

Page 7, line 27, after "~~fund~~" insert "If an applicant elects to provide a payment to mitigate the environmental impact of the construction or operation of an energy conversion or transmission facility, the payment must be made to the agriculture commissioner who shall deposit the payment into the environmental impact mitigation fund under section 4.1-01-21.1. Nothing in this section shall be construed to limit an applicant from conducting mitigation activities"

Page 8, line 3, after "**PROGRAM**" insert "**AND COVID-19 STRESS ASSISTANCE PROGRAM**"

Page 8, line 4, replace "5,000,000" with "5,500,000"

Page 8, line 4, after the second "funds" insert ", of which $5,000,000 was"

Page 8, line 5, after "program" insert "and $500,000 was for stress assistance program operating expenses,

Page 8, line 7, replace "program" with "programs"

Page 8, after line 8, insert:

"**SECTION 21. EXEMPTION - GRASSLANDS GRAZING GRANTS.** The amount of $5,000,000 appropriated from the strategic investment and improvements fund for grasslands grazing grants in the grants line item in section 1 of chapter 9 of the 2021 Session Laws is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 22. LEGISLATIVE MANAGEMENT STUDY - ENERGY CONVERSION OR TRANSMISSION FACILITY - ENVIRONMENTAL MITIGATION. During the 2023-24 interim, the legislative management shall consider studying plans for mitigation of adverse wildlife and environmental impacts and monetary payments made to state agencies, contractors, nongovernmental organizations, and others by applicants or other persons for mitigation during the siting and operation of energy conversion or transmission facilities. The study must include consideration of the provisions of law that affect the ability of developers to effectively mitigate adverse wildlife habitat and environmental impacts, applicant payments used for the purchase of perpetual or nonperpetual conservation easements, the distinction between an adverse direct environmental effect or an adverse indirect environmental effect, methods to monetarily quantify adverse direct or adverse indirect environmental effects, and alternative programs that may be used or developed for the mitigation of adverse wildlife and environmental effects. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly.

SECTION 23. LEGISLATIVE MANAGEMENT STUDY - TRANSFER OF AGRICULTURE EDUCATION PROGRAMS. During the 2023-24 interim, the legislative management shall consider studying the feasibility and desirability of transferring agriculture education programs in the department of career and technical education to the agriculture commissioner. The study must include an analysis of each program, duties and responsibilities of the programs and department of career and technical education staff, the potential to gain administrative and resource efficiencies if the programs are transferred to the agriculture commissioner, and future staffing, operating, and equipment needs of the programs. 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

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2009 - Department of Agriculture - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	$15,717,126	$17,410,572	($819,558)	$16,591,014	$16,591,014	
Operating expenses	6,848,052	7,436,173	(10,000)	7,426,173	7,426,173	
Capital assets	15,000	7,000		7,000	7,000	
Grants	9,031,774	10,953,969	2,000,000	12,953,969	12,953,969	
State Board of Animal Health	865,718	865,718		865,718	865,718	
Wildlife services	1,457,400	1,657,400		1,657,400	1,657,400	
Crop Harmonization Board	75,000	75,000		75,000	75,000	
Pipeline restoration and reclamation	200,000	200,000		200,000	200,000	
Ag. Products Utilization Commission	1,760,417	5,110,417		5,110,417	5,110,417	
North Dakota trade office	1,600,000	2,100,000		2,100,000	2,100,000	
Bioscience innovation program transfer			6,500,000	6,500,000	6,500,000	
Total all funds	$37,570,487	$45,816,249	$7,670,442	$53,486,691	$53,486,691	$0
Less estimated income	24,110,775	30,135,848	831,270	30,967,118	30,967,118	0
General fund	$13,459,712	$15,680,401	$6,839,172	$22,519,573	$22,519,573	$0
FTE	79.00	81.00	(1.00)	80.00	80.00	0.00

Department 602 - Department of Agriculture - Detail of Conference Committee Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Removes Funding for Elected Official Salary Equity[2]	Removes FTE Position[3]	Removes Salary Funding for Funding Pool[4]	Adjusts One-Time Funding for Bioscience Innovation Grants[5]	Adds One-Time Funding[6]
Salaries and wages	$230,303	($2,535)	($170,326)	($877,000)		
Operating expenses			(10,000)			
Capital assets						
Grants						$2,000,000
State Board of Animal Health						
Wildlife services						
Crop Harmonization Board						
Pipeline restoration and reclamation						
Ag. Products Utilization Commission						
North Dakota trade office						
Bioscience innovation program transfer					$6,500,000	
Total all funds	$230,303	($2,535)	($180,326)	($877,000)	$6,500,000	$2,000,000
Less estimated income	99,543	0	0	(268,273)	0	1,000,000
General fund	$130,760	($2,535)	($180,326)	($608,727)	$6,500,000	$1,000,000
FTE	0.00	0.00	(1.00)	0.00	0.00	0.00

	Total Conference Committee Changes
Salaries and wages	($819,558)
Operating expenses	(10,000)
Capital assets	
Grants	2,000,000
State Board of Animal Health	
Wildlife services	
Crop Harmonization Board	
Pipeline restoration and reclamation	
Ag. Products Utilization Commission	
North Dakota trade office	
Bioscience innovation program transfer	6,500,000
Total all funds	$7,670,442
Less estimated income	831,270
General fund	$6,839,172
FTE	(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	$141,284	$103,774	$245,058
Health insurance adjustment	(10,524)	(4,231)	(14,755)
Total	$130,760	$99,543	$230,303

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024. The House approved the same salary and health insurance adjustments as the Conference Committee.

[2] Funding of $2,535 from the general fund for a salary equity increase for the Agriculture Commissioner is removed. The House also removed this funding.

[3] Funding of $180,326 added by the Senate from the general fund for 1 FTE project manager and systems coordinator position, including $170,326 for salaries and wages and $10,000 for operating expenses, is removed. The House also removed 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	($214,930)	$0	($214,930)
Vacant FTE positions	(393,797)	(268,273)	(662,070)
Total	($608,727)	($268,273)	($877,000)

The House also removed this funding.

[5] One-time funding for the bioscience innovation grant program is adjusted by removing $6.5 million from the legacy earnings fund and adding $6.5 million from the general fund to provide a total of $12 million, of which $5.5 million is from the strategic investment and improvements fund (SIIF), the same as provided by the House. Funding provided by the Conference Committee from the general fund is added in a new bioscience innovation program transfer line item, the same as provided by the House.

The Senate provided $12 million, of which $5.5 million was from SIIF and $6.5 million was from the legacy earnings fund.

[6] One-time funding is added as follows:

- Adds $1 million from SIIF for grasslands grazing grants, the same as provided by the House. The Senate did not provide funding for this program.
- Adds $1 million from the general fund for a food distribution grant program to be used for the purchase of food and equipment and any distribution costs associated with assisting local food banks to provide food to individuals in the state, the same as provided by the House. The Senate did not provide funding for this program.

This amendment also:

- Amends a section providing for a transfer of $6.5 million to the bioscience innovation grant fund. The Senate provided the transfer from the legacy earnings fund. The Conference Committee and the House provided the transfer from the general fund.
- Amends a section identifying funding in Section 1 from the environment and rangeland protection fund. The Conference Committee did not change the House version.
- Adds a section identifying funding in Section 1 from SIIF. The Conference Committee and the House provided one-time funding of $1 million for grasslands grazing grants. The Senate did not provide funding for this program. To be eligible for a grant under this program, an organization must provide $1 of matching funds from nonstate sources for every $4 of grant funding. An organization that receives a grant under this program may distribute the funding to cooperative grazing associations for eligible infrastructure projects, which must be located on national grasslands within the state. Eligible infrastructure projects include water development; fencing; conservation initiatives; compliance with federal permitting requirements, including fees for professional services; and other projects to enhance wildlife habitat or capture carbon, or to increase the health of grasslands. Program participants shall develop and implement a grazing land plan in compliance with local soil conservation district guidance and the plan must be approved by the local soil conservation district. The Agriculture Commissioner shall establish additional guidelines for the program.
- Amends a section to provide the statutory changes necessary for the salary of the Agriculture Commissioner, the same as provided by the House.
- Removes a section added by the Senate that established a post-production royalty oversight program. This program was created in Senate Bill No. 2194 (2023). The House also removed this section.
- Adds a section to amend Section 4.1-01-18 to provide of the two individuals from the energy community that serve on the Federal Environmental Law Impact Review Committee, the Governor will appoint one individual and the Agriculture Commissioner will appoint one individual, instead of the Agriculture Commissioner appointing both individuals. The House did not add this section.
- Amends two sections related the environmental impact mitigation fund and mitigation of environmental impacts. The House also amended these sections.
- Removes a section added by the Senate that amended Section 49-22-09 related to factors to be considered in evaluating applications and designations of sites,

corridors, and routes. The House also removed this section.

- Amends a section to provide an exemption to the Agriculture Commissioner for the COVID-19 specialty crop block grant program ($5 million) and COVID-19 stress assistance program operating expenses ($500,000) that were appropriated for the 2019-21 biennium and continued into the 2021-23 biennium to be continued into the 2023-25 biennium. The Senate and House provided an exemption for the COVID-19 specialty crop block grant program but not for COVID-19 stress assistance program operating expenses.
- Adds a section to provide an exemption to authorize the Agriculture Commissioner to continue $5 million appropriated from SIIF for grasslands grazing grants for the 2021-23 biennium into the 2023-25 biennium. The House also added this section.
- Adds a section to provide for a Legislative Management study of plans for mitigation of adverse wildlife and environmental impacts and monetary payments made to state agencies, contractors, nongovernmental organizations, and others by applicants or other persons for mitigation during the siting and operation of energy conversion or transmission facilities. The House also added this section.
- Adds a section to provide for a Legislative Management study of the feasibility and desirability of transferring agriculture education programs in the Department of Career and Technical Education to the Agriculture Commissioner. The House also added this section.

Engrossed SB 2009 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2107, as reengrossed: Your conference committee (Sens. Larson, Myrdal, Paulson and Reps. Satrom, S. Olson, Heinert) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1472-1473, adopt amendments as follows, and place SB 2107 on the Seventh order:

That the House recede from its amendments as printed on pages 1472 and 1473 of the Senate Journal and pages 1412 and 1413 of the House Journal and that Reengrossed Senate Bill No. 2107 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study relating to statutory provisions that prohibit certain individuals from possessing a firearm.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - FIREARM POSSESSION. During the 2023-24 interim, the legislative management shall consider studying those provisions of the North Dakota Century Code which prohibit certain individuals from possessing a firearm. The study may include an examination of the state's firearm and weapon possession prohibitions as compared to the federal regulations. The study must include an examination of whether the category of individuals prohibited from possessing a firearm by statute should be maintained in its current form, narrowed, or expanded. The study must include input from the attorney general, the supreme court, the North Dakota association of counties, the North Dakota league of cities, the North Dakota state's attorneys' association, the North Dakota association of criminal defense lawyers, the North Dakota peace officers association, and the national rifle association. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

Reengrossed SB 2107 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