JOURNAL OF THE SENATE

Sixty-eighth Legislative Assembly

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Bismarck, March 22, 2023

The Senate convened at 1:00 p.m., with President Miller presiding.

The prayer was offered by Pastor Rich Wyatt, Living Hope Church of the Nazarene, Bismarck.

The roll was called and all members were present except Senator Davison.

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

MADAM PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Beard, Chairman)** has carefully examined the Journal of the Forty-seventh and Forty-eighth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1029, line 33, replace “Strut” with “Strutz”

Page 1055, replace line 23 with “two hundred twenty-five thousand dollars”

SEN. BEARD MOVED that the report be adopted, which motion prevailed.

MOTION

SEN. KLEIN MOVED that after action taken on the Sixth order, HB 1225 be placed on the Fourteenth order for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1168, as reengrossed: SEN. RUMMEL (Finance and Taxation Committee) MOVED that the amendments on SJ pages 1052-1053 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

Reengrossed HB 1168 was rereferred to the **Appropriations Committee**.

CONSIDERATION OF AMENDMENTS

HB 1036: SEN. HOGAN (Human Services Committee) MOVED that the amendments on SJ page 1051 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

HB 1036 was rereferred to the **Appropriations Committee**.

CONSIDERATION OF AMENDMENTS

HB 1061, as reengrossed: SEN. LARSEN (Transportation Committee) MOVED that the amendments on SJ pages 1051-1052 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1292: SEN. BOEHM (Industry and Business Committee) MOVED that the amendments on SJ page 1055 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1364: SEN. LUICK (Judiciary Committee) MOVED that the amendments on SJ pages 1056-1057 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1294, as engrossed: SEN. K. ROERS (Human Services Committee) MOVED that the

amendments on SJ page 1055 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1422, as engrossed: SEN. LARSEN (Industry and Business Committee) MOVED that the amendments on SJ pages 1058-1059 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1225: SEN. PIEPKORN (Finance and Taxation Committee) MOVED that the amendments on SJ page 1054 be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

SEN. MEYER REQUESTED a verification vote, which request was granted.

REQUEST

SEN. LARSEN REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1225, the roll was called and there were 21 YEAS, 25 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Beard; Bekkedahl; Braunberger; Clemens; Dever; Hogan; Kannianen; Kessel; Klein; Larson; Lemm; Luick; Magrum; Mathern; Patten; Piepkorn; Roers, J.; Rust; Schaible; Sorvaag; Wanzek

NAYS: Axtman; Barta; Boehm; Burckhard; Cleary; Conley; Dwyer; Elkin; Erbele; Estenson; Hogue; Krebsbach; Kreun; Larsen; Lee; Meyer; Myrdal; Paulson; Roers, K.; Rummel; Sickler; Vedaa; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Davison

The proposed amendments to HB 1225 failed on a recorded roll call vote.

MOTION

SEN. KLEIN MOVED that HB 1225, which is on the Sixth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, HB 1225 was rereferred.

SECOND READING OF HOUSE BILL

HB 1107: A BILL for an Act to amend and reenact sections 43-23.3-01 and 43-23.3-02, subsection 1 of section 43-23.3-03, sections 43-23.3-04 and 43-23.3-05, subsection 1 of section 43-23.3-06, and sections 43-23.3-07, 43-23.3-08, 43-23.3-09, 43-23.3-10, 43-23.3-11, 43-23.3-13, 43-23.3-17, 43-23.3-18, and 43-23.3-23 of the North Dakota Century Code, relating to the regulation of real estate appraisers; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Davison

Engrossed HB 1107, as amended, passed.

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SECOND READING OF HOUSE BILL

HB 1295: A BILL for an Act to amend and reenact sections 39-04-08, 39-04-10.4, and 39-04-11 of the North Dakota Century Code, relating to number plates.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 6 YEAS, 40 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Beard; Hogue; Klein; Magrum; Paulson; Sickler

NAYS: Axtman; Barta; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Kannianen; Kessel; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Patten; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Davison

HB 1295 failed.

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SECOND READING OF HOUSE BILL

HB 1246: A BILL for an Act to amend and reenact section 39-10-04 of the North Dakota Century Code, relating to required traffic-control devices.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Rummel

ABSENT AND NOT VOTING: Davison

Engrossed HB 1246 passed.

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SECOND READING OF HOUSE BILL

HB 1181: A BILL for an Act to amend and reenact subsection 5 of section 39-12-02 of the North Dakota Century Code, relating to special permits for vehicles of excessive size; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Davison

HB 1181 passed.

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SECOND READING OF HOUSE BILL

HB 1475: A BILL for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limitations on multilane highways; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 25 YEAS, 21 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Bekkedahl; Boehm; Braunberger; Burckhard; Clemens; Conley; Elkin; Estenson; Kannianen; Krebsbach; Kreun; Larsen; Larson; Magrum; Meyer; Paulson; Roers, K.; Rummel; Rust; Sickler; Sorvaag; Weston; Wobbema

NAYS: Beard; Cleary; Dever; Dwyer; Erbele; Hogan; Hogue; Kessel; Klein; Lee; Lemm; Luick; Mathern; Myrdal; Patten; Piepkorn; Roers, J.; Schaible; Vedaa; Wanzek; Weber

ABSENT AND NOT VOTING: Davison

HB 1475 passed.

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SECOND READING OF HOUSE BILL

HB 1189: A BILL for an Act to amend and reenact sections 26.1-19-03 and 26.1-43-03 of the North Dakota Century Code, relating to legal expense insurance plans.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Davison

HB 1189 passed.

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SECOND READING OF HOUSE BILL

HB 1009: A BILL for an Act to provide an appropriation for defraying the expenses of the state fair association.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 42 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larson; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler;

Sorvaag; Vedaa; Wanzek; Weber; Weston

NAYS: Beard; Larsen; Magrum; Wobbema

ABSENT AND NOT VOTING: Davison

Engrossed HB 1009 passed.

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SECOND READING OF HOUSE BILL

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

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 20 YEAS, 26 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Braunberger; Burckhard; Cleary; Dever; Estenson; Hogan; Kannianen; Krebsbach; Larsen; Luick; Mathern; Meyer; Myrdal; Paulson; Piepkorn; Roers, K.; Sickler; Weber; Weston

NAYS: Barta; Beard; Bekkedahl; Boehm; Clemens; Conley; Dwyer; Elkin; Erbele; Hogue; Kessel; Klein; Kreun; Larson; Lee; Lemm; Magrum; Patten; Roers, J.; Rummel; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wobbema

ABSENT AND NOT VOTING: Davison

Engrossed HB 1306 failed.

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MOTION

SEN. KLEIN MOVED that Engrossed HB 1160 be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, Engrossed HB 1160 was rereferred.

MOTION

SEN. KLEIN MOVED that HB 1286 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1286: A BILL for an Act to amend and reenact section 57-51.1-02 of the North Dakota Century Code, relating to the removal of triggered oil extraction tax rate changes for wells located outside the exterior boundaries of a reservation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 36 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Meyer; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Vedaa; Wanzek; Weston; Wobbema

NAYS: Braunberger; Hogan; Lemm; Luick; Magrum; Mathern; Piepkorn; Sickler; Sorvaag; Weber

ABSENT AND NOT VOTING: Davison

Engrossed HB 1286 passed.

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SECOND READING OF HOUSE BILL

HB 1417: A BILL for an Act to amend and reenact subsection 1 of section 39-06.1-10 of the North Dakota Century Code, relating to entries against a driving record.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 36 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Bekkedahl; Braunberger; Burckhard; Cleary; Clemens; Conley; Dever; Elkin; Erbele; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larson; Lee; Luick; Mathern; Myrdal; Patten; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston

NAYS: Beard; Boehm; Dwyer; Estenson; Larsen; Lemm; Magrum; Meyer; Paulson; Wobbema

ABSENT AND NOT VOTING: Davison

HB 1417 passed.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1076, HB 1145, HB 1272, HB 1393.

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

MR. SPEAKER: The Senate has passed, unchanged: HCR 3009, HCR 3013, HCR 3015.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1338.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1439.

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

MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1143, HB 1335, HB 1342.

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

MADAM PRESIDENT: The House has passed, unchanged: SB 2027, SB 2091, SB 2098, SB 2158, SB 2173, SB 2193, SB 2202, SB 2222, SB 2224, SB 2225, SB 2382.

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

MADAM PRESIDENT: The House has passed, unchanged: SCR 4004.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2063, SB 2238, SB 2273, SB 2391.

HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2063

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact section 24-02-45.4 of the North Dakota Century Code, relating to reimbursable federal electric vehicle infrastructure grants; and to provide for a legislative management report.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Section 24-02-45.4 of the North Dakota Century Code is created and enacted as follows:

24-02-45.4. Reimbursable federal electric vehicle infrastructure grants - Agreements with public or private entities for the administration of federal aid programs - Report.

1. Notwithstanding any other provision of law but subject to legislative appropriation, the director may enter agreements and may accept any federal or other public or private funds for the administration of reimbursable electric vehicle charging grant programs. The director may enter an agreement with any person for the administration, approval, and inspection of a project to be constructed by a public or private entity. The cost-share for any project may consist only of federal, public, political subdivision, or private funding. Any federal formula funding for reimbursement grants must be at least ten percent of the cost-share for a project, but may not exceed eighty percent. The director may establish criteria for the grants and determine a reasonable grant reimbursement cost-share or limit for the project in accordance with federal aid provisions.

2. In accordance with the federal formula program, the director shall establish criteria for the consideration of operation and maintenance costs of the electric charging stations in the grant award.

3. Before July 1, 2024, the department of transportation shall present a report to the legislative management regarding an update on the deployment and administration of electric vehicle charging stations."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2238

Page 1, line 1, remove "amend and reenact section 50-11.1-06.2 of the North Dakota Century Code,"

Page 1, line 2, remove "relating to criminal history record checks for early childhood services providers; and to"

Page 1, line 3, after "study" insert "of the statewide criminal history record check process"

Page 1, remove lines 5 through 24

Page 2, remove lines 1 through 28

Page 2, line 30, remove "consider"

Page 2, line 31, replace "studying" with "study"

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2273

Page 1, line 5, after the boldfaced dash insert "**MATCHING FUNDS REQUIREMENT -**"

Page 1, line 7, replace "$2,000,000" with "$1,000,000"

Page 1, line 10, after the period insert "The department of commerce may spend the funds appropriated in this section only to the extent eligible applicants have secured matching funds from nonstate sources on a dollar-for-dollar basis."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2273 - Department of Commerce - House Action

Base Budget	Senate Version	House Changes	House Version

Rural grocery grants		$2,000,000	($1,000,000)	$1,000,000
Total all funds	$0	$2,000,000	($1,000,000)	$1,000,000
Less estimated income	0	0	0	0
General fund	$0	$2,000,000	($1,000,000)	$1,000,000
FTE	0.00	0.00	0.00	0.00

Department 601 - Department of Commerce - Detail of House Changes

	Reduces Funding for Rural Grocery Grants[1]	Total House Changes
Rural grocery grants	($1,000,000)	($1,000,000)
Total all funds	($1,000,000)	($1,000,000)
Less estimated income	0	0
General fund	($1,000,000)	($1,000,000)
FTE	0.00	0.00

[1] Funding for rural grocery store grants is reduced by $1 million to provide a total of $1 million from the general fund. The Department of Commerce may provide grants only if eligible applicants provide matching funds from nonstate sources on a dollar-for-dollar basis. The funding is for the establishment of a pilot program to provide grants for the preservation of rural grocery stores and increasing access to food in the state.

The Senate approved $2 million from the general fund with no matching funds requirement.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2391

Page 1, line 10, replace "seventy-five" with ":

a. Seventy-five"

Page 1, line 10, remove "commercial"

Page 1, line 11, remove "buildings,"

Page 1, line 11, overstrike "fifty" and insert immediately thereafter "residential, public utility infrastructure, or commercial property for any business investment purpose with respect to income tax or ad valorem property tax exemptions exceeding five taxable years;

b. Fifty"

Page 1, line 11, overstrike "for"

Page 1, line 11, after "~~or~~" insert: "for residential or commercial property with respect to income tax or ad valorem property tax exemptions extending not beyond five taxable years;

c. Fifty percent for"

Page 1, line 12, remove the underscored comma

Page 1, line 12, overstrike "and twenty" and insert immediately thereafter "; or

d. Twenty"

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has amended and subsequently passed: SCR 4014, SCR 4017.

HOUSE AMENDMENTS TO ENGROSSED SENATE CONCURRENT RESOLUTION NO. 4014

Page 1, line 3, remove "livestock"

Page 1, line 20, remove "livestock"

Renumber accordingly

HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4017

Page 3, line 1, after "resolution" insert "via certified mail with return receipt requested"

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2025, SB 2118, SB 2388.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2025

Page 1, replace lines 12 and 13 with:

"Judgment expenses	$277,771
Total general fund	$277,771"

Page 1, replace lines 16 and 17 with:

"Prosecution witness fees	$75,000
Statewide litigation funding pool	1,000,000
Total general fund	$1,075,000"

Page 1, remove lines 19 through 23

Page 2, line 3, replace "5" with "4"

Page 2, line 9, replace "6" with "5"

Page 2, replace lines 11 through 13 with:

"Loan repayment - disaster costs	$4,695,890
Loan interest repayment - law enforcement costs	1,026,833
Total state disaster relief fund	$5,722,723"

Page 2, line 14, replace "7" with "6"

Page 2, line 18, replace "8" with "7"

Page 2, replace lines 20 through 22 with:

"Grand total general fund	$28,152,539
Grand total special funds	290,722,723
Grand total all funds	$318,875,262

SECTION 2. LEGISLATIVE INTENT - COST REIMBURSEMENTS - LOAN REPAYMENTS. It is the intent of the sixty-eighth legislative assembly that the attorney general seek reimbursement from the federal government for the costs of responding to unlawful activity associated with the construction of the Dakota access pipeline. It is further the intent of the sixty-eighth legislative assembly that these reimbursements be used to repay the Bank of North Dakota loans authorized by the emergency commission and the legislative assembly which were obtained to provide the funding necessary to respond to the unlawful activity associated with the construction of the Dakota access pipeline. It is further the intent of the sixty-eighth legislative assembly that the provisions of section 54-16-13 apply to the loans, except that emergency commission approval does not apply."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment:

- Increases funding for court-ordered judgment expenses for the Office of Management and Budget by $277,006 from the general fund to provide a total of $277,771;
- Adds $1 million from the general fund for the statewide litigation funding pool for the Attorney General;
- Removes the $97,000 general fund appropriation for the Ethics Commission;
- Changes the funding source for the loan repayments relating to disaster costs for the Adjutant General from the general fund to the state disaster relief fund and increases the amount by $3,791,687 to provide a total of $4,695,890 from the state disaster relief fund for loan repayments relating to disaster costs;
- Removes funding for repaying the principal balance of the loan relating to protest costs for the Adjutant General and provides $1,026,833 from the state disaster relief fund for paying the accrued interest on the loan for the 2021-23 biennium; and
- Adds a section of legislative intent regarding the Attorney General seeking reimbursement from the federal government to repay the loan relating to protest costs.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2118

Page 3, line 27, after "or" insert "identifiable"

Page 3, line 30, after "or" insert "identifiable"

Page 4, line 1, after "or" insert "identifiable"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2388

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

Page 1, line 1, after "19-24.1-19" insert ", and 19-24.1-34"

Page 1, line 3, after "marijuana" insert "and acts associated with marijuana not prohibited from employee discipline; and to declare an emergency"

Page 7, after line 6, insert:

"**SECTION 4. AMENDMENT.** Section 19-24.1-34 of the North Dakota Century Code is amended and reenacted as follows:

19-24.1-34. Acts not prohibited - Acts not required.

1. This chapter does not require:

   a. A government medical assistance program or private insurer to reimburse a person for costs associated with the medical use of marijuana;

   b. A person in lawful possession of property to allow a guest, client, customer, or other visitor to possess or consume usable marijuana on or in that property;

   c. A landlord to allow production or processing on rental property; or

d. A health care provider to provide a written certification or otherwise recommend marijuana to a patient.

2. This chapter does not prohibit an employer from disciplining an employee for possessing or consuming usable marijuana in the workplace ~~or for~~, working while under the influence of marijuana, or working with marijuana in the employee's system.

SECTION 5. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has amended and subsequently failed to pass: SB 2217.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has failed to pass, unchanged: SB 2290.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2043, SB 2050, SB 2070, SB 2105, SB 2148, SB 2153, SB 2232, SB 2293, SB 2321, SB 2352.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: Your signature is respectfully requested on: HB 1075, HB 1113, HB 1312, HB 1385.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: SB 2043, SB 2050, SB 2070, SB 2105, SB 2148, SB 2153, SB 2232, SB 2293, SB 2321, SB 2352.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2043, SB 2050, SB 2067, SB 2070, SB 2105, SB 2148, SB 2153, SB 2232, SB 2233, SB 2293, SB 2321, SB 2352.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SCR 4015.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1075, HB 1113, HB 1312, HB 1385.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: HB 1192, HB 1293, HB 1492, HCR 3001, HCR 3006, HCR 3030.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS
The following bills were delivered to the Governor for approval on March 22, 2023: SB 2043, SB 2050, SB 2067, SB 2070, SB 2105, SB 2148, SB 2153, SB 2232, SB 2233, SB 2293, SB 2321, SB 2352.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS
The following resolution was delivered to the Secretary of State for filing on March 22, 2023: SCR 4015.

MOTION
SEN. KLEIN MOVED that the absent member be excused, which motion prevailed.

MOTION
SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Thursday, March 23, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE
HB 1037, as engrossed: Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1037

was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

HB 1052, as engrossed: Industry and Business Committee (Sen. Larsen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1052 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 3, remove "section 65-04-26.2,"

Page 1, line 8, remove "general contractor liability for subcontractors and independent contractors,"

Page 4, remove lines 13 through 31

Page 5, remove lines 1 through 23

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

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1121: Judiciary Committee (Sen. Larson, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1121 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

HB 1133: Industry and Business Committee (Sen. Larsen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1133 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 15, remove the overstrike over "~~All sales when there is an indicated change of use by the new owners~~"

Page 1, line 15, remove "A transfer"

Page 1, line 16, remove "involving a change in use to and for surface minerals and use"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1136: Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1136 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

HB 1138, as engrossed: Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed HB 1138 was rereferred to the **Appropriations Committee**. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

HB 1158: Finance and Taxation Committee (Sen. Kannianen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1158 was placed on the Sixth order on the calendar. This bill affects workforce development.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 3 of section 15.1-27-02, sections 15.1-27-04.1 and 15.1-27-04.2, subsection 1 of section 57-02-08.1, sections 57-15-01 and 57-15-01.1, subsection 1 of section 57-15-14, section 57-15-14.2, subdivision c of subsection 1 of section

57-20-07.1, and subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to the determination of state aid payments, the homestead tax credit, information displayed on property tax statements, school district levy authority, and exempting taxable income in the first income bracket from taxation for individuals, estates, and trusts; to repeal sections 15.1-27-04.3, 15.1-27-15.1, and 15.1-27-20.2 of the North Dakota Century Code, relating to adjustments to state aid payments; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 3 of section 15.1-27-02 of the North Dakota Century Code is amended and reenacted as follows:

3. On or before December fifteenth, each school district shall file with the superintendent of public instruction the taxable valuation and mill levy certifications, which must be separated by property classification. If a district fails to file the taxable valuation and mill levy certifications by the required date, the superintendent of public instruction may not forward to the district any state aid payments to which the district is entitled, until the taxable valuation and mill levy certifications are filed.

SECTION 2. AMENDMENT. Section 15.1-27-04.1 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04.1. Baseline funding - Establishment - Determination of state aid. ~~(Effective through June 30, 2025)~~

~~1. To determine the amount of state aid payable to each district, the superintendent of public instruction shall establish each district's baseline funding. A district's baseline funding consists of:~~

~~a. All state aid received by the district in accordance with chapter 15.1-27 during the 2018-19 school year;~~

~~b. An amount equal to the property tax deducted by the superintendent of public instruction to determine the 2018-19 state aid payment;~~

~~c. An amount equal to seventy-five percent of the revenue received by the school district during the 2017-18 school year for the following revenue types:~~

~~(1) Revenue reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;~~

~~(2) Mineral revenue received by the school district through direct allocation from the state treasurer and not reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;~~

~~(3) Tuition reported under code 1300 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08, with the exception of revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition received for the provision of an adult farm management program, and beginning in the 2021-22 school year, seventeen percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid, and an additional seventeen percent of tuition received under an agreement to educate students from a school district on an air force base~~

with funding received through federal impact aid each school year thereafter, until the 2024-25 school year when sixty-eight percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid must be excluded from the tuition calculation under this paragraph;

(4) Revenue from payments in lieu of taxes on the distribution and transmission of electric power;

(5) Revenue from payments in lieu of taxes on electricity generated from sources other than coal; and

(6) Revenue from the leasing of land acquired by the United States for which compensation is allocated to the state under 33 U.S.C. 701(c)(3);

d. An amount equal to the total revenue received by the school district during the 2017-18 school year for the following revenue types:

(1) Mobile home tax revenue;

(2) Telecommunications tax revenue; and

(3) Revenue from payments in lieu of taxes and state reimbursement of the homestead credit and disabled veterans credit; and

e. Beginning with the 2020-21 school year, the superintendent shall reduce the baseline funding for any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2012-13 school year. The reduction must be proportional to the number of weighted student units in the grades that are offered through another school district relative to the total number of weighted student units the school district offered in the year before the school district became an elementary district. The reduced baseline funding applies to the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter. For districts that become an elementary district prior to the 2020-21 school year, the superintendent shall use the reduced baseline funding to calculate state aid for the 2020-21 school year and for each year thereafter.

2. a. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's 2017-18 weighted student units to determine the district's baseline funding per weighted student unit.

b. For any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2017-18 school year, the superintendent shall adjust the district's baseline funding per weighted student unit used to calculate state aid. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's weighted student units after the school district becomes an elementary district to determine the district's adjusted baseline funding per weighted student unit. The superintendent shall use the district's adjusted baseline funding per weighted student unit in the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter.

c. Beginning with the 2021-22 school year and for each school year thereafter, the superintendent shall reduce the district's baseline funding per weighted student unit. Each year the superintendent shall calculate the amount by which the district's baseline funding

per weighted student unit exceeds the payment per weighted student unit provided in subsection 3. The superintendent shall reduce the district's baseline funding per weighted student unit by fifteen percent of the amount by which the district's baseline funding per weighted student unit exceeds the payment per weighted student unit for the 2021-22 school year. For each year thereafter, the reduction percentage is increased by an additional fifteen percent. However, the district's baseline funding per weighted student unit, after the reduction, may not be less than the payment per weighted student unit provided in subsection 3.

3. a. For the 2021-22 school year, the superintendent shall calculate state aid as the greater of:

(1) The district's weighted student units multiplied by ten thousand one hundred thirty-six dollars;

(2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ten thousand one hundred thirty-six dollars; or

(3) The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by fifteen percent and then the difference added to the amount determined in paragraph 1.

b. For the 2022-23 school year and each school year thereafter, the superintendent shall calculate state aid as the greater of:

(1) The district's weighted student units multiplied by ten thousand two hundred thirty-seven dollars;

(2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ten thousand two hundred thirty-seven dollars; or

(3) The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by thirty percent for the 2022-23 school year and the reduction percentage increasing by fifteen percent each school year thereafter until the difference is reduced to zero, and then the difference added to the amount determined in paragraph 1.

c. The superintendent also shall adjust state aid determined in this subsection to ensure the amount does not exceed the transition maximum as follows:

(1) For the 2021-22 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.

(2) For the 2022-23 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2,

multiplied by the district's weighted student units from the previous school year.

(3) For the 2023-24 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus twenty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.

(4) For the 2024-25 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus forty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.

(5) For the 2025-26 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus sixty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.

(6) For the 2026-27 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus eighty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.

4. After determining the product in accordance with subsection 3, the superintendent of public instruction shall:

a. Subtract an amount equal to sixty mills multiplied by the taxable valuation of the school district, except the amount in dollars subtracted for purposes of this subdivision may not exceed the previous year's amount in dollars subtracted for purposes of this subdivision by more than twelve percent, adjusted pursuant to section 15.1-27-04.3; and

b. Subtract an amount equal to seventy-five percent of all revenue types listed in subdivisions c and d of subsection 1. Before determining the deduction for seventy-five percent of all revenue types, the superintendent of public instruction shall adjust revenues as follows:

~~(1) Tuition revenue shall be adjusted as follows:~~

~~(a) In addition to deducting tuition revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition revenue received for the provision of an adult farm management program, and tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid as directed each school year in paragraph 3 of subdivision c of subsection 1, the superintendent of public instruction also shall reduce the total tuition reported by the school district by the amount of tuition revenue received for the education of students not residing in the state and for which the state has not entered a cross-border education contract; and~~

~~(b) The superintendent of public instruction also shall reduce the total tuition reported by admitting school districts meeting the requirements of subdivision e of subsection 2 of section 15.1-29-12 by the amount of tuition revenue received for the education of students residing in an adjacent school district.~~

~~(2) After adjusting tuition revenue as provided in paragraph 1, the superintendent shall reduce all remaining revenues from all revenue types by the percentage of mills levied in 2020 by the school district for sinking and interest relative to the total mills levied in 2020 by the school district for all purposes.~~

~~5. The amount remaining after the computation required under subsection 4 is the amount of state aid to which a school district is entitled, subject to any other statutory requirements or limitations.~~

~~6. On or before June thirtieth of each year, the school board shall certify to the superintendent of public instruction the final average daily membership for the current school year.~~

~~7. For purposes of the calculation in subsection 4, each county auditor, in collaboration with the school districts, shall report the following to the superintendent of public instruction on an annual basis:~~

~~a. The amount of revenue received by each school district in the county during the previous school year for each type of revenue identified in subdivisions c and d of subsection 1;~~

~~b. The total number of mills levied in the previous calendar year by each school district for all purposes; and~~

~~c. The number of mills levied in the previous calendar year by each school district for sinking and interest fund purposes.~~

~~Baseline funding - Establishment - Determination of state aid. (Effective after June 30, 2025)~~

1. To determine the amount of state aid payable to each district, the superintendent of public instruction shall establish each district's baseline funding. A district's baseline funding consists of:

   a. All state aid received by the district in accordance with chapter 15.1-27 during the 2018-19 school year;

   b. An amount equal to the property tax deducted by the superintendent of public instruction to determine the 2018-19 state aid payment;

c. An amount equal to seventy-five percent of the revenue received by the school district during the 2017-18 school year for the following revenue types:

(1) Revenue reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;

(2) Mineral revenue received by the school district through direct allocation from the state treasurer and not reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;

(3) Tuition reported under code 1300 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08, with the exception of ~~revenue~~:

(a) Revenue received specifically for the operation of an educational program provided at a residential treatment facility~~, tuition~~;

(b) Tuition received for the provision of an adult farm management program~~,~~; and ~~beginning~~

(c) Beginning in the:

[1] 2023-24 school year, fifty-one percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid;

[2] 2024-25 school year, sixty-eight percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid;

[3] 2025-26 school year, eighty-five percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid~~, until the~~; and

[4] 2026-27 school year, and each school year thereafter, ~~when~~ all tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid ~~must be excluded from the tuition calculation under this paragraph~~;

(4) Revenue from payments in lieu of taxes on the distribution and transmission of electric power;

(5) Revenue from payments in lieu of taxes on electricity generated from sources other than coal; and

(6) Revenue from the leasing of land acquired by the United States for which compensation is allocated to the state under 33 U.S.C. 701(c)(3);~~ and~~

d. An amount equal to the total revenue received by the school district during the 2017-18 school year for the following revenue types:

(1) Mobile home tax revenue;

(2) Telecommunications tax revenue; and

(3) Revenue from payments in lieu of taxes and state reimbursement of the homestead credit and disabled veterans credit~~.~~; and

e. Beginning with the 2020-21 school year, the superintendent shall reduce the baseline funding for any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2012-13 school year. The reduction must be proportional to the number of weighted student units in the grades that are offered through another school district relative to the total number of weighted student units the school district offered in the year before the school district became an elementary district. The reduced baseline funding applies to the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter. For districts that become an elementary district prior to the 2020-21 school year, the superintendent shall use the reduced baseline funding to calculate state aid for the 2020-21 school year and for each year thereafter.

2. a. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's 2017-18 weighted student units to determine the district's baseline funding per weighted student unit.

b. For any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2017-18 school year, the superintendent shall adjust the district's baseline funding per weighted student unit used to calculate state aid. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's weighted student units after the school district becomes an elementary district to determine the district's adjusted baseline funding per weighted student unit. The superintendent shall use the district's adjusted baseline funding per weighted student unit in the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter.

c. Beginning with the 2021-22 school year and for each school year thereafter, the superintendent shall reduce the district's baseline funding per weighted student unit. Each year the superintendent shall calculate the amount by which the district's baseline funding per weighted student unit exceeds the payment per weighted student unit provided in subsection 3. The superintendent shall reduce the district's baseline funding per weighted student unit by fifteen percent of the amount by which the district's baseline funding per weighted student unit exceeds the payment per weighted student unit for the 2021-22 school year. For each year thereafter, the reduction percentage is increased by an additional fifteen percent. However, the district's baseline funding per weighted student unit, after the reduction, may not be less than the payment per weighted student unit provided in subsection 3.

3. a. For the 2021-22 school year, the superintendent shall calculate state aid as the greater of:

(1) The district's weighted student units multiplied by ten thousand one hundred thirty-six dollars;

(2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed

the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ten thousand one hundred thirty-six dollars; or

(3) The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by fifteen percent and then the difference added to the amount determined in paragraph 1.

b. For the 2022-23 school year and each school year thereafter, the superintendent shall calculate state aid as the greater of:

(1) The district's weighted student units multiplied by ten thousand two hundred thirty-seven dollars;

(2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ten thousand two hundred thirty-seven dollars; or

(3) The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by thirty percent for the 2022-23 school year and the reduction percentage increasing by fifteen percent each school year thereafter until the difference is reduced to zero, and then the difference added to the amount determined in paragraph 1.

c. The superintendent also shall adjust state aid determined in this subsection to ensure the amount does not exceed the transition maximum as follows:

(1) ~~For the 2021-22 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.~~

~~(2) For the 2022-23 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.~~

~~(3)~~ For the 2023-24 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus twenty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.

~~(4)~~(2) For the 2024-25 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus forty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The

transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.

~~(5)~~(3) For the 2025-26 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus sixty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.

~~(6)~~(4) For the 2026-27 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus eighty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.

4. After determining the product in accordance with subsection 3, the superintendent of public instruction shall:

a. Subtract an amount equal to ~~sixty~~the sum of:

(1) Forty mills multiplied by the taxable valuation of residential, agricultural, and commercial property in the school district. For purposes of this paragraph, "taxable valuation" means, for taxable year 2023, the 2022 taxable valuation of the school district, and for taxable year 2024 and each year thereafter, the 2022 taxable valuation increased by five percent per year, or the actual increase in taxable valuation, as compared to the previous year's taxable valuation calculation, whichever is less, beginning with taxable year 2024 and each year thereafter; and

(2) Sixty mills multiplied by the taxable valuation of centrally assessed property in the school district; and

b. Subtract an amount equal to seventy-five percent of all revenue types listed in subdivisions c and d of subsection 1. Before determining the deduction for seventy-five percent of all revenue types, the superintendent of public instruction shall adjust revenues as follows:

(1) Tuition revenue shall be adjusted as follows:

(a) In addition to deducting tuition revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition revenue received for the provision of an adult farm management program, and tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid as directed each school year in paragraph 3 of subdivision c of subsection 1, the superintendent of public instruction also shall reduce the total tuition reported by the school district by the amount of tuition revenue received for the

education of students not residing in the state and for which the state has not entered a cross-border education contract; and

(b) The superintendent of public instruction also shall reduce the total tuition reported by admitting school districts meeting the requirements of subdivision e of subsection 2 of section 15.1-29-12 by the amount of tuition revenue received for the education of students residing in an adjacent school district.

(2) After adjusting tuition revenue as provided in paragraph 1, the superintendent shall reduce all remaining revenues from all revenue types by the percentage of mills levied in ~~2020~~2022 by the school district for sinking and interest relative to the total mills levied in ~~2020~~2022 by the school district for all purposes.

5. The amount remaining after the computation required under subsection 4 is the amount of state aid to which a school district is entitled, subject to any other statutory requirements or limitations.

6. On or before June thirtieth of each year, the school board shall certify to the superintendent of public instruction the final average daily membership for the current school year.

7. For purposes of the calculation in subsection 4, each county auditor, in collaboration with the school districts, shall report the following to the superintendent of public instruction on an annual basis:

a. The amount of revenue received by each school district in the county during the previous school year for each type of revenue identified in subdivisions c and d of subsection 1;

b. The total number of mills levied in the previous calendar year by each school district for all purposes, separated by property classification; and

c. The number of mills levied in the previous calendar year by each school district for sinking and interest fund purposes, separated by property classification.

SECTION 3. AMENDMENT. Section 15.1-27-04.2 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04.2. State aid - Minimum local effort - Determination.

If a district's taxable valuation per student is less than twenty percent of the state average valuation per student, the superintendent of public instruction, for purposes of determining state aid in accordance with subsection 4 of section 15.1-27-04.1, shall ~~utilize an amount equal to sixty~~deduct the sum of the following:

1. Forty mills times twenty percent of the state average valuation of residential, agricultural, and commercial property per student multiplied by the number of weighted student units in the district; and

2. Sixty mills times twenty percent of the state average valuation of centrally assessed property per student multiplied by the number of weighted student units in the district.

SECTION 4. AMENDMENT. Subsection 1 of section 57-02-08.1 of the North Dakota Century Code is amended and reenacted as follows:

1. a. Any person sixty-five years of age or older or permanently and totally disabled, in the year in which the tax was levied, with an income that does not exceed the limitations of subdivision c is entitled to receive

a reduction in the assessment on the taxable valuation on the person's homestead. An exemption under this subsection applies regardless of whether the person is the head of a family.

b. The exemption under this subsection continues to apply if the person does not reside in the homestead and the person's absence is due to confinement in a nursing home, hospital, or other care facility, for as long as the portion of the homestead previously occupied by the person is not rented to another person.

c. The exemption must be determined according to the following schedule:

(1) If the person's income is not in excess of ~~twenty-two~~fifty thousand dollars, a reduction of one hundred percent of the taxable valuation of the person's homestead up to a maximum reduction of ~~five~~nine thousand ~~six hundred twenty-five~~ dollars of taxable valuation.

(2) If the person's income is in excess of ~~twenty-two~~fifty thousand dollars and not in excess of ~~twenty-six~~seventy-five thousand dollars, a reduction of ~~eighty~~fifty percent of the taxable valuation of the person's homestead up to a maximum reduction of four thousand five hundred dollars of taxable valuation.

~~(3) If the person's income is in excess of twenty-six thousand dollars and not in excess of thirty thousand dollars, a reduction of sixty percent of the taxable valuation of the person's homestead up to a maximum reduction of three thousand three hundred seventy-five dollars of taxable valuation.~~

~~(4) If the person's income is in excess of thirty thousand dollars and not in excess of thirty-four thousand dollars, a reduction of forty percent of the taxable valuation of the person's homestead up to a maximum reduction of two thousand two hundred fifty dollars of taxable valuation.~~

~~(5) If the person's income is in excess of thirty-four thousand dollars and not in excess of thirty-eight thousand dollars, a reduction of twenty percent of the taxable valuation of the person's homestead up to a maximum reduction of one thousand one hundred twenty-five dollars of taxable valuation.~~

~~(6) If the person's income is in excess of thirty-eight thousand dollars and not in excess of forty-two thousand dollars, a reduction of ten percent of the taxable valuation of the person's homestead up to a maximum reduction of five hundred sixty-three dollars of taxable valuation.~~

d. Persons residing together, as spouses or when one or more is a dependent of another, are entitled to only one exemption between or among them under this subsection. Persons residing together, who are not spouses or dependents, who are co-owners of the property are each entitled to a percentage of a full exemption under this subsection equal to their ownership interests in the property.

e. This subsection does not reduce the liability of any person for special assessments levied upon any property.

f. Any person claiming the exemption under this subsection shall sign a verified statement of facts establishing the person's eligibility. Any income information contained in the statement of facts is a confidential record.

g. ~~A person is ineligible for the exemption under this subsection if the value of the assets of the person and any dependent residing with the person exceeds five hundred thousand dollars, including the value of any assets divested within the last three years.~~

~~h.~~ The assessor shall attach the statement filed under subdivision f to the assessment sheet and shall show the reduction on the assessment sheet.

~~i.~~h. An exemption under this subsection terminates at the end of the taxable year of the death of the applicant.

i. A person who is eligible for an exemption under this subsection is eligible to receive a full or partial exemption under this subsection based on the date of submission of the verified statement of facts required under subdivision f. If the person submits the verified statement of facts:

(1) By February first of the current taxable year, the person is eligible for the full exemption under this subsection.

(2) After February first of the current taxable year and no later than November fifth of the current taxable year, the person is eligible to receive a pro rata share of the exemption under this subsection. To claim a pro rata share of the exemption under this subsection, the person shall submit the verified statement of facts by the fifth day of the month preceding the first full month of the prorated exemption. The tax commissioner shall calculate the pro rata share of the exemption based on the number of months remaining in the taxable year, beginning the month after the verified statement of facts is timely submitted.

SECTION 5. AMENDMENT. Section 57-15-01 of the North Dakota Century Code is amended and reenacted as follows:

57-15-01. Levy in specific amounts - Exceptions.

With the exception of special assessment taxes and such general taxes as may be definitely fixed by law, all state, county, city, township, school district, and park district taxes must be levied or voted in specific amounts of money. For purposes of communicating with the public and comparing the amount levied in the current taxable year to the amount levied in the preceding taxable year, taxing districts shall express levies in terms of dollars rather than mills.

SECTION 6. AMENDMENT. Section 57-15-01.1 of the North Dakota Century Code is amended and reenacted as follows:

57-15-01.1. Protection of taxpayers and taxing districts.

Each taxing district may levy the lesser of the amount in dollars as certified in the budget of the governing body, or the amount in dollars as allowed in this section, subject to the following:

1. No taxing district may levy more taxes expressed in dollars than the amounts allowed by this section.

2. For purposes of this section:

a. "Base year" means the taxing district's taxable year with the highest amount levied in dollars in property taxes of the three taxable years immediately preceding the budget year~~;~~.

b. "Budget year" means the taxing district's year for which the levy is being determined under this section~~;~~.

c. "Calculated mill rate" means the mill rate that results from dividing the base year taxes levied by the sum of the taxable value of the taxable property in the base year plus the taxable value of the property exempt by local discretion or charitable status, calculated in the same manner as the taxable property~~; and~~.

d. "Property exempt by local discretion or charitable status" means property exempted from taxation as new or expanding businesses under chapter 40-57.1; improvements to property under chapter 57-02.2; or buildings belonging to institutions of public charity, new single-family residential or townhouse or condominium property, property used for early childhood services, or pollution abatement improvements under section 57-02-08.

e. "Taxing district" means any political subdivision, other than a school district, empowered by law to levy taxes.

3. A taxing district may elect to levy the amount levied in dollars in the base year. Any levy under this section must be specifically approved by a resolution approved by the governing body of the taxing district. Before determining the levy limitation under this section, the dollar amount levied in the base year must be:

a. Reduced by an amount equal to the sum determined by application of the base year's calculated mill rate for that taxing district to the final base year taxable valuation of any taxable property and property exempt by local discretion or charitable status which is not included in the taxing district for the budget year but was included in the taxing district for the base year.

b. Increased by an amount equal to the sum determined by the application of the base year's calculated mill rate for that taxing district to the final budget year taxable valuation of any taxable property or property exempt by local discretion or charitable status which was not included in the taxing district for the base year but which is included in the taxing district for the budget year.

c. Reduced to reflect expired temporary mill levy increases authorized by the electors of the taxing district. ~~For purposes of this subdivision, an expired temporary mill levy increase does not include a school district general fund mill rate exceeding one hundred ten mills which has expired or has not received approval of electors for an extension under subsection 2 of section 57-64-03.~~

~~d. Reduced by the amount of state aid under chapter 15.1-27, which is determined by multiplying the budget year taxable valuation of the school district by the lesser of the base year mill rate of the school district minus sixty mills or fifty mills, if the base year is a taxable year before 2013.~~

4. In addition to any other levy limitation factor under this section, a taxing district may increase its levy in dollars to reflect new or increased mill levies authorized by the legislative assembly or authorized by the electors of the taxing district.

5. Under this section a taxing district may supersede any applicable mill levy limitations otherwise provided by law, or a taxing district may levy up to the mill levy limitations otherwise provided by law without reference to this section, but the provisions of this section do not apply to the following:

a. Any irrepealable tax to pay bonded indebtedness levied pursuant to section 16 of article X of the Constitution of North Dakota.

b. The one-mill levy for the state medical center authorized by section 10 of article X of the Constitution of North Dakota.

6. ~~A school district choosing to determine its levy authority under this section may apply subsection 3 only to the amount in dollars levied for general fund purposes under section 57-15-14 or, if the levy in the base year included separate general fund and special fund levies under sections 57-15-14 and 57-15-14.2, the school district may apply subsection 3 to the total amount levied in dollars in the base year for both the general fund and special fund accounts. School district levies under any section other than section 57-15-14 may be made within applicable limitations but those levies are not subject to subsection 3.~~

~~7.~~ Optional levies under this section may be used by any city or county that has adopted a home rule charter unless the provisions of the charter supersede state laws related to property tax levy limitations.

SECTION 7. AMENDMENT. Subsection 1 of section 57-15-14 of the North Dakota Century Code is amended and reenacted as follows:

1. Unless authorized by the electors of the school district in accordance with this section, a school district may not impose greater levies than those permitted under section 57-15-14.2.

   a. In any school district having a total population in excess of four thousand according to the last federal decennial census there may be levied any specific number of mills that upon resolution of the school board has been submitted to and approved by a majority of the qualified electors voting upon the question at any regular or special school district election.

   b. In any school district having a total population of fewer than four thousand, there may be levied any specific number of mills that upon resolution of the school board has been approved by fifty-five percent of the qualified electors voting upon the question at any regular or special school election.

   c. After June 30, 2009, in any school district election for approval by electors of increased levy authority under subsection 1 or 2, the ballot must specify the number of mills proposed for approval, and the number of taxable years for which that approval is to apply. After June 30, 2009, approval by electors of increased levy authority under subsection 1 or 2 may not be effective for more than ten taxable years.

   d. The authority for a levy of up to a specific number of mills under this section approved by electors of a school district before July 1, 2009, is terminated effective for taxable years after 2015. If the electors of a school district subject to this subsection have not approved a levy for taxable years after 2015 of up to a specific number of mills under this section by December 31, 2015, the school district levy limitation for subsequent years is subject to the limitations under ~~section 57-15-01.1 or~~ this section.

   e. For taxable years beginning after 2012:

      (1) The authority for a levy of up to a specific number of mills, approved by electors of a school district for any period of time that includes a taxable year before 2009, must be reduced by one hundred fifteen mills as a precondition of receiving state aid in accordance with chapter 15.1-27.

      (2) The authority for a levy of up to a specific number of mills, approved by electors of a school district for any period of time that does not include a taxable year before 2009, must be

reduced by forty mills as a precondition of receiving state aid in accordance with chapter 15.1-27.

(3) The authority for a levy of up to a specific number of mills, placed on the ballot in a school district election for electoral approval of increased levy authority under subdivision a or b, after June 30, ~~2013~~2022, must be stated as a specific number of mills of general fund levy authority and must include a statement that the statutory school district general fund levy limitation is ~~seventy~~fifty mills on the dollar of the taxable valuation of residential, agricultural, and commercial property in the school district and seventy mills on the dollar of taxable valuation of centrally assessed property in the school district.

f. The authority for an unlimited levy approved by electors of a school district before July 1, 2009, is terminated effective for taxable years after 2015. If the electors of a school district subject to this subsection have not approved a levy of up to a specific number of mills under this section by December 31, 2015, the school district levy limitation for subsequent years is subject to the limitations under ~~section 57-15-01.1 or~~ this section.

SECTION 8. AMENDMENT. Section 57-15-14.2 of the North Dakota Century Code is amended and reenacted as follows:

57-15-14.2. School district levies. ~~(Effective for taxable years through December 31, 2024)~~

~~1. The board of a school district may levy a tax not exceeding the amount in dollars that the school district levied for the prior year, plus twelve percent and the dollar amount of the adjustment required in section 15.1-27-04.3, up to a levy of seventy mills on the taxable valuation of the district, for any purpose related to the provision of educational services. The proceeds of this levy must be deposited into the school district's general fund and used in accordance with this subsection. The proceeds may not be transferred into any other fund.~~

~~2. The board of a school district may levy no more than twelve mills on the taxable valuation of the district, for miscellaneous purposes and expenses. The proceeds of this levy must be deposited into a special fund known as the miscellaneous fund and used in accordance with this subsection. The proceeds may not be transferred into any other fund.~~

~~3. The board of a school district may levy no more than three mills on the taxable valuation of the district for deposit into a special reserve fund, in accordance with chapter 57-19.~~

~~4. The board of a school district may levy no more than the number of mills necessary, on the taxable valuation of the district, for the payment of tuition, in accordance with section 15.1-29-15. The proceeds of this levy must be deposited into a special fund known as the tuition fund and used in accordance with this subsection. The proceeds may not be transferred into any other fund.~~

~~5. The board of a school district may levy no more than five mills on the taxable valuation of the district, pursuant to section 57-15-15.1, for purposes of developing a school safety plan in accordance with section 15.1-09-60. The proceeds of this levy must be deposited into a special fund known as the school safety plan fund and used in accordance with this subsection.~~

~~6. Nothing in this section limits the board of a school district from levying:~~

~~a. Mills for a building fund, as permitted in sections 15.1-09-49 and 57-15-16; and~~

~~b. Mills necessary to pay principal and interest on the bonded debt of the district, including the mills necessary to pay principal and interest on any bonded debt incurred under section 57-15-17.1 before July 1, 2013.~~

~~School district levies. (Effective for taxable years beginning after December 31, 2024)~~

1. a. The board of a school district may levy a tax ~~not exceeding~~for the school district's local contribution to the costs of education which may not exceed the amount in dollars that ~~the school district levied for the prior year, plus twelve percent, up to~~would be generated by a levy of ~~seventy~~:

   (1) Forty mills on the taxable valuation of residential, agricultural, and commercial property in the district~~, for any purpose related to the provision of educational services~~. For purposes of this paragraph, "taxable valuation" means, for taxable year 2023, the 2022 taxable valuation of the school district, and for taxable year 2024 and each year thereafter, the 2022 taxable valuation increased by five percent per year, or the actual increase in taxable valuation, as compared to the previous year's taxable valuation calculation, whichever is less, beginning with taxable year 2024 and each year thereafter.

   (2) Sixty mills on the taxable valuation of centrally assessed property in the district.

   b. The proceeds of this levy must be deposited into the school district's general fund and may be used ~~in accordance with this subsection~~for any purposes related to the provision of educational services. The proceeds may not be transferred into any other fund.

2. The board of a school district may levy no more than ten mills on the taxable valuation of the district, for any purpose related to the provision of educational services. The proceeds of this levy must be deposited into the school district's general fund and used in accordance with this subsection. The proceeds may not be transferred into any other fund.

3. The board of a school district may levy no more than twelve mills on the taxable valuation of the district, for miscellaneous purposes and expenses. The proceeds of this levy must be deposited into a special fund known as the miscellaneous fund and used in accordance with this subsection. The proceeds may not be transferred into any other fund.

~~3.~~4. The board of a school district may levy no more than three mills on the taxable valuation of the district for deposit into a special reserve fund, in accordance with chapter 57-19.

~~4.~~5. The board of a school district may levy no more than the number of mills necessary, on the taxable valuation of the district, for the payment of tuition, in accordance with section 15.1-29-15. The proceeds of this levy must be deposited into a special fund known as the tuition fund and used in accordance with this subsection. The proceeds may not be transferred into any other fund.

~~5.~~6. The board of a school district may levy no more than five mills on the taxable valuation of the district, pursuant to section 57-15-15.1, for purposes of developing a school safety plan in accordance with section 15.1-09-60. The proceeds of this levy must be deposited into a special fund known as the school safety plan fund and used in accordance with this subsection.

~~6.~~7. Nothing in this section limits the board of a school district from levying:

a. Mills for a building fund, as permitted in sections 15.1-09-49 and 57-15-16; and

b. Mills necessary to pay principal and interest on the bonded debt of the district, including the mills necessary to pay principal and interest on any bonded debt incurred under section 57-15-17.1 before July 1, 2013.

SECTION 9. AMENDMENT. Subdivision c of subsection 1 of section 57-20-07.1 of the North Dakota Century Code is amended and reenacted as follows:

c. ~~Provide~~For tax statements to be mailed to an owner of a residential, agricultural, or commercial parcel of land, provide information identifying the property tax savings provided by the state of North Dakota. The tax statement must include a line item that is entitled "legislative tax relief" and identifies the dollar amount of property tax savings realized by the taxpayer under chapter 50-34 for taxable years before 2019, chapter 50-35 for taxable years after 2018, and chapter 15.1-27.

(1) For purposes of this subdivision, legislative tax relief under chapter 15.1-27 is determined by multiplying the taxable value for the taxable year for each parcel shown on the tax statement by the number of mills of mill levy reduction grant under chapter 57-64 for the 2012 taxable year plus the ~~number of mills determined by subtracting from the 2012 taxable year mill rate of the school district in which the parcel is located the~~ lesser of:

(a) ~~Fifty~~Seventy mills; or

(b) The 2012 taxable year mill rate of the school district minus ~~sixty~~forty mills.

(2) Legislative tax relief under chapter 50-35 is determined by multiplying the taxable value for the taxable year for each parcel shown on the tax statement by the number of mills of relief determined by dividing the amount calculated in subsection 1 of section 50-35-03 for a human service zone by the taxable value of taxable property in the zone for the taxable year.

SECTION 10. AMENDMENT. Subsection 1 of section 57-38-30.3 of the North Dakota Century Code is amended and reenacted as follows:

1. A tax is hereby imposed for each taxable year upon income earned or received in that taxable year by every resident and nonresident individual, estate, and trust. A taxpayer computing the tax under this section is only eligible for those adjustments or credits that are specifically provided for in this section. Provided, that for purposes of this section, any person required to file a state income tax return under this chapter, but who has not computed a federal taxable income figure, shall compute a federal taxable income figure using a pro forma return in order to determine a federal taxable income figure to be used as a starting point in computing state income tax under this section. The tax for individuals is equal to North Dakota taxable income multiplied by the rates in the applicable rate schedule in subdivisions a through d corresponding to an individual's filing status used for federal income tax purposes. For an estate or trust, the schedule in subdivision e must be used for purposes of this subsection.

a. Single, other than head of household or surviving spouse.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
~~$0~~	~~$37,450~~	~~1.10%~~	~~$0~~
~~$37,450~~	~~$90,750~~	~~$411.95 + 2.04%~~	~~$37,450~~
~~$90,750~~	~~$189,300~~	~~$1,499.27 + 2.27%~~	~~$90,750~~
~~$189,300~~	~~$411,500~~	~~$3,736.36 + 2.64%~~	~~$189,300~~
~~$411,500~~		~~$9,602.44 + 2.90%~~	~~$411,500~~
$0	$44,725	$0.00 + 0.00%	$0
$44,725	$108,325	$0.00 + 2.04%	$44,725
$108,325	$225,975	$1,297.44 + 2.27%	$108,325
$225,975	$491,350	$3,968.10 + 2.64%	$225,975
$491,350		$10,974.00 + 2.90%	$491,350

b. Married filing jointly and surviving spouse.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
~~$0~~	~~$62,600~~	~~1.10%~~	~~$0~~
~~$62,600~~	~~$151,200~~	~~$688.60 + 2.04%~~	~~$62,600~~
~~$151,200~~	~~$230,450~~	~~$2,496.04 + 2.27%~~	~~$151,200~~
~~$230,450~~	~~$411,500~~	~~$4,295.02 + 2.64%~~	~~$230,450~~
~~$411,500~~		~~$9,074.74 + 2.90%~~	~~$411,500~~
$0	$74,750	$0 + 0.00%	$0
$74,750	$180,550	$0.00 + 2.04%	$74,750
$180,550	$275,100	$2,158.32 + 2.27%	$180,550
$275,100	$491,350	$4,304.61 + 2.64%	$275,100
$491,350		$10,013.61 + 2.90%	$491,350

c. Married filing separately.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
~~$0~~	~~$31,300~~	~~1.10%~~	~~$0~~
~~$31,300~~	~~$75,600~~	~~$344.30 + 2.04%~~	~~$31,300~~
~~$75,600~~	~~$115,225~~	~~$1,248.02 + 2.27%~~	~~$75,600~~
~~$115,225~~	~~$205,750~~	~~$2,147.51 + 2.64%~~	~~$115,225~~
~~$205,750~~		~~$4,537.37 + 2.90%~~	~~$205,750~~
$0	$37,375	$0 + 0.00%	$0
$37,375	$90,275	$0.00 + 2.04%	$37,375
$90,275	$137,550	$1,079.16 + 2.27%	$90,275
$137,550	$245,675	$2,152.30 + 2.64%	$137,550
$245,675		$5,006.80 + 2.90%	$245,675

d. Head of household.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
~~$0~~	~~$50,200~~	~~1.10%~~	~~$0~~
~~$50,200~~	~~$129,600~~	~~$552.20 + 2.04%~~	~~$50,200~~
~~$129,600~~	~~$209,850~~	~~$2,171.96 + 2.27%~~	~~$129,600~~
~~$209,850~~	~~$411,500~~	~~$3,993.64 + 2.64%~~	~~$209,850~~
~~$411,500~~		~~$9,317.20 + 2.90%~~	~~$411,500~~
$0	$59,950	$0 + 0.00%	$0
$59,950	$154,750	$0.00 + 2.04%	$59,950
$154,750	$250,550	$1,933.92 + 2.27%	$154,750
$250,550	$491,350	$4,108.58 + 2.64%	$250,550
$491,350		$10,465.70 + 2.90%	$491,350

e. Estates and trusts.

If North Dakota taxable income is:

Over	Not over	The tax is equal to	Of amount over
~~$0~~	~~$2,500~~	~~1.10%~~	~~$0~~

~~$2,500~~	~~$5,900~~	~~$27.50 + 2.04%~~	~~$2,500~~
~~$5,900~~	~~$9,050~~	~~$96.86 + 2.27%~~	~~$5,900~~
~~$9,050~~	~~$12,300~~	~~$168.37 + 2.64%~~	~~$9,050~~
~~$12,300~~		~~$254.17 + 2.90%~~	~~$12,300~~
$0	$3,000	$0 + 0.00%	$0
$3,000	$7,050	$0.00 + 2.04%	$3,000
$7,050	$10,750	$82.62 + 2.27%	$7,050
$10,750	$14,650	$166.61 + 2.64%	$10,750
$14,650		$269.57 + 2.90%	$14,650

f. For an individual who is not a resident of this state for the entire year, or for a nonresident estate or trust, the tax is equal to the tax otherwise computed under this subsection multiplied by a fraction in which:

(1) The numerator is the federal adjusted gross income allocable and apportionable to this state; and

(2) The denominator is the federal adjusted gross income from all sources reduced by the net income from the amounts specified in subdivisions a and b of subsection 2.

In the case of married individuals filing a joint return, if one spouse is a resident of this state for the entire year and the other spouse is a nonresident for part or all of the tax year, the tax on the joint return must be computed under this subdivision.

g. The tax commissioner shall prescribe new rate schedules that apply in lieu of the schedules set forth in subdivisions a through e. The new schedules must be determined by increasing the minimum and maximum dollar amounts for each income bracket for which a tax is imposed by the cost-of-living adjustment for the taxable year as determined by the secretary of the United States treasury for purposes of section 1(f) of the United States Internal Revenue Code of 1954, as amended. For this purpose, the rate applicable to each income bracket may not be changed, and the manner of applying the cost-of-living adjustment must be the same as that used for adjusting the income brackets for federal income tax purposes.

h. The tax commissioner shall prescribe an optional simplified method of computing tax under this section that may be used by an individual taxpayer who is not entitled to claim an adjustment under subsection 2 or credit against income tax liability under subsection 7.

SECTION 11. REPEAL. Section 15.1-27-04.3, 15.1-27-15.1, and 15.1-27-20.2 of the North Dakota Century Code are repealed.

SECTION 12. APPROPRIATION - HOMESTEAD TAX CREDIT PROGRAM. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $80,000,000, or so much of the sum as may be necessary, to the tax commissioner for the purpose of paying the state reimbursement under the homestead tax credit, for the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 13. EFFECTIVE DATE. Sections 4, 6, 7, 8, and 10 of this Act are effective for taxable years beginning after December 31, 2022."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1200, as engrossed: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1200 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, remove "create and enact a new section to chapter 15-10 of the North Dakota"

Page 1, remove line 2

Page 1, line 3, remove "students at institutions of higher education; and to"

Page 1, line 3, remove "subsection 1 of section"

Page 1, line 4, remove "23-07-17.1 and"

Page 1, line 4, remove "school and day"

Page 1, line 5, remove "care immunizations and"

Page 1, remove lines 7 through 23

Page 2, remove lines 1 through 12

Page 2, line 31, after "status" insert "or vaccination status for a vaccine that is under emergency use authorization from the federal food and drug administration"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1228: Industry and Business Committee (Sen. Larsen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1228 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 3, line 12, overstrike "agreement"

Page 3, line 12, after "~~merchandise~~" insert "automatic renewal provision"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1289: Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1289 was rereferred to the **Appropriations Committee**. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

HB 1476, as engrossed: Human Services Committee (Sen. Lee, Chairman) recommends **DO PASS** (3 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1476 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

HB 1491, as engrossed: Education Committee (Sen. Elkin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1491 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 9, after "public" insert "or nonpublic"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1494, as engrossed: Education Committee (Sen. Elkin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1494 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 10, replace "If a student meal balance has insufficient funds for less than one week, a" with "A"

Page 1, line 11, after the first "a" insert "United States department of agriculture reimbursable"

Page 1, line 11, replace ", or" with "a student who requests one, unless the student's parent or guardian has provided written permission to the school to withhold a meal. A school may not"

Page 1, line 11, after "student" insert "with an unpaid student meal balance or without funds to pay for a meal. This provision does not apply to an a la carte food item or second meal requested by a student during the same meal period"

Page 2, line 1, remove "not use a collections agency to collect unpaid school meals debt. A"

Page 2, remove line 2

Page 2, line 3, replace "debt" with "contact a student's parent or guardian directly regarding unpaid meals debt or a school meals account without funds to pay for additional meals"

Page 2, after line 6, insert:

"7. A school shall adopt policies to encourage or provide an incentive for a parent or guardian of a student to apply for free or reduced meals through the Richard B. Russell National School Lunch Act [42 U.S.C. 1751 et seq.], including when a student has unpaid school meals debt."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1532, as reengrossed: Education Committee (Sen. Elkin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1532 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 3, line 27, replace "superintendent of public instruction" with "state auditor"

Page 3, line 29, replace "**Applicability**" with "**Educational reimbursement program expenditures**"

Page 3, line 29, remove " **to the legislative management**"

Page 3, line 30, remove "Funds must be available to qualified schools starting with the 2024-25 school year."

Page 3, line 31, replace "2025" with "2024"

Renumber accordingly

The Senate stood adjourned pursuant to Senator Klein's motion.

Shanda Morgan, Secretary