JOURNAL OF THE SENATE

Sixty-eighth Legislative Assembly

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Bismarck, March 27, 2023

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

The prayer was offered by Pastor Kurt Chaffee, New Song Church, Bismarck.

The roll was called and all members were present.

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 Nineteenth, Twenty-third, Twenty-fourth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third, Thirty-fourth, Thirty-sixth, Thirty-eighth, Thirty-ninth, Fortieth, Forty-first, Forty-second, Forty-third, Forty-fourth, Forty-fifth, Forty-sixth, Forty-seventh, and Forty-eighth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 350, after line 5 insert:

Engrossed SB 2197 was deemed reconsidered.

Page 419, line 4, replace “409” with “408”

Page 419, line 5, remove “**NOT**”

Page 419, line 9, replace “407” with “406”

Page 419, line 19, after SJ replace “page 410” with “pages 409-410”

Page 419, line 27, replace “403-405” with “402-404”

Page 419, line 34, replace “401-403” with “401-402”

Page 420, line 30, replace “pages 409-410” with “page 409”

Page 420, line 34, replace “409” with “408”

Page 420, line 42, replace “405” with “404”

Page 420, line 46, replace “406-407” with “404-406”

Page 421, line 15, replace “411-412” with “410-411”

Page 421, line 18, replace “407-408” with “406-408”

Page 421, line 23, replace “the bill” with “the amended bill”

Page 421, line 45, replace “the bill” with “the amended bill”

Page 431, remove line 27

Page 443, line 30, replace “27th” with “26th”

Page 444, line 9, replace “-462” with “-432”

Page 445, line 19, replace “the bill” with “the amended bill”

Page 490, line 26, replace “be placed on the Sixth order and after action taken on the Sixth order” with “, upon consideration of the amendments on”

Page 491, line 3, replace “the bill” with “the amended bill”

Page 496, after line 39 insert:

“**SECOND READING OF SENATE BILL**”

Page 542, line 22, replace “519-520” with “518-523”

Page 542, line 27, replace “525-527” with “523-525”

Page 542, line 31, replace “pages 514-515” with “page 513”

Page 542, line 35, replace “506-507” with “505-506”

Page 542, line 39, replace “515-517” with “513-515”

Page 542, line 43, replace “502-506” with “502-505”

Page 543, line 2, replace “527-528” with “525-526”

Page 543, line 6, replace “529” with “527”

Page 543, line 10, replace “519” with “517”

Page 543, line 14, replace “507-511” with “506-510”

Page 543, line 18, replace “511-514” with “510-513”

Page 572, line 7, after “to” insert “the”

Page 572, line 13, after “to” insert “the”

Page 572, line 22, after “to” insert “the”

Page 572, line 26, after “to” insert “the”

Page 572, line 32, after “to” insert “the”

Page 572, line 40, after “to” insert “the”

Page 572, line 44, after “to” insert “the”

Page 572, line 50, after the second “to” insert “the”

Page 573, line 9, after “to” insert “the”

Page 573, line 13, after “to” insert “the”

Page 573, line 19, after “to” insert “the”

Page 573, line 27, after the second “to” insert “the”

Page 573, line 31, after “to” insert “the”

Page 573, line 36, after the second “to” insert “the”

Page 573, line 46, after the second “to” insert “the”

Page 574, line 8, replace “page 571” with “pages “569-571”

Page 574, line 27, replace “567-571” with “567-569”

Page 591, line 15, replace “36” with “37”

Page 591, line 16, replace “38” with “39”

Page 598, line 39, after “DO” add “NOT”

Page 630, line 35, replace “bill” with “amended bill”

Page 631, line 7, replace “bill” with “amended bill”

Page 631, line 30, replace “bill” with “amended bill”

Page 631, line 42, replace “bill” with “amended bill”

Page 632, line 12, replace “bill” with “amended bill”

Page 632, line 27, remove “on a verification”

Page 632, line 28, remove “vote”

Page 632, line 35, replace “bill” with “amended bill”

Page 632, line 49, replace “624-626” with “625-626”

Page 633, line 6, replace “bill” with “amended bill”

Page 633, line 19, replace “626-628” with “627-628”

Page 633, line 30, replace “bill” with “amended bill”

Page 633, line 43, replace “page 624” with “pages 624-625”

Page 634, line 16, replace “620-623” with “621-624”

Page 634, line 24, replace “bill” with “amended bill”

Page 634, line 37, remove “619-“

Page 634, line 43, replace “bill” with “amended bill”

Page 635, line 6, replace “615-618” with “615-619”

Page 635, line 14, replace “bill” with “amended bill”

Page 635, line 27, replace “618-619” with “619-620”

Page 635, line 29, remove “on a verification”

Page 635, line 30, remove “vote”

Page 635, line 36, replace “bill” with “amended bill”

Page 636, line 2, replace “629” with “630”

Page 636, line 32, replace “bill” with “amended bill”

Page 641, line 15, remove “on a verification vote”

Page 661, line 20, replace “page 642” with “pages 642-645”

Page 661, line 44, replace “bill” with “amended bill”

Page 662, line 16, replace “bill” with “amended bill”

Page 662, line 35, replace “bill” with “amended bill”

Page 663, line 10, replace “bill” with “amended bill”

Page 664, line 41, replace “bill” with “amended bill”

Page 665, line 8, replace “Engrossed” with “Reengrossed”

Page 670, line 43, replace “bill” with “amended bill”

Page 670, line 52, replace “SB 2387” with “Engrossed SB 2387”

Page 735, line 37, replace “bill” with “amended bill”

Page 808, line 27, remove “on a verification”

Page 808, line 28, remove “vote”

Page 808, line 46, replace “Engrossed” with “Reengrossed”

Page 810, line 45, replace “bill” with “amended bill”

Page 811, line 7, replace “SB 2170” with “Engrossed SB 2170”

Page 812, line 38, remove “on a verification”

Page 812, line 39, remove “vote”

Page 815, line 36, remove “on a verification”

Page 815, line 37, remove “vote”

Page 817, line 2, replace “Engrossed” with “Reengrossed”

Page 819, line 3, replace “bill” with “amended bill”

Page 820, line 40, replace “HB 2090” with “Engrossed HB 2090”

Page 831, remove lines 24-39

Page 844, line 11, replace “841” with “842”

Page 844, line 19, replace “841” with “843”

Page 844, line 23, replace “pages 841-842” with “page 841”

Page 851, line 14, replace “**HB 1068:**” with “**HB 1068, as engrossed**”

Page 852, line 12, replace “**HB 1169:**” with “**HB 1169, as engrossed**”

Page 882, line 27, replace “HB 1169” with “Engrossed HB 1169”

Page 889, line 30, after the second “the” insert “Fourth,”

Page 891, line 18, replace “**HB 1355:**” with “**HB 1355, as engrossed**”

Page 899, line 17, replace “HB 1355” with “Engrossed HB 1355”

Page 905, after line 35, insert:
“**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**
MADAM PRESIDENT: The Speaker has signed: SCR 4005.”

Page 923, line 35, after the second “the” insert “Fourth,”

Page 933, remove line 16

Page 936, line 21, replace “HB 1045” with “Engrossed HB 1045”

Page 943, line 49, after the second “the” insert “Fourth,”

Page 959, line 37, after the second “the” insert “Fourth,”

Page 964, line 17, remove “as amended,”

Page 964, line 21, after “constitution” insert “to”

Page 964, line 22, after “Day” insert “be terminated”

Page 964, line 32, replace “resolution” with “amended resolution”

Page 969, line 44, after the second “the” insert “Fourth,”

Page 985, line 11, after the second “the” insert “Fourth,”

Page 996, line 20, replace “HB 1270” with “Engrossed HB 1270”

Page 1012, line 45, after the second “the” insert “Fourth,”

Page 1023, line 5, after the second “the” insert “Fourth,”

Page 1035, line 39, after the second “the” insert “Fourth,”

Page 1043, line 37, replace “HB 1439” with “Engrossed HB 1439”

Page 1051, line 5, after the second “the” insert “Fourth,”

Page 1051, line 28, replace “reengrossed” with “engrossed”

Page 1055, line 34, replace “engrossed” with “reengrossed”

Page 1295, line 15, replace “Engrossed” with “Reengrossed”

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

MOTION

SEN. KLEIN MOVED that a committee of two be appointed to escort Commanding Officer of the USS North Dakota, Robert L. Edmonson III to the rostrum, which motion prevailed.

PRESIDENT MILLER APPOINTED Senators Dever and Paulson to the escort committee.

REMARKS OF ROBERT L. EDMONSON III, COMMANDING OFFICERS OF THE USS NORTH DAKOTA

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

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

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

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

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

Following this exercise, we had the pleasure of hosting Midshipmen, young naval officers at the beginning of their careers, while operating near Mayport, Florida. The crew shared their stories of service, sacrifice and operating the ship, and warmly welcomed these Midshipmen into the Navy Family. The crew's excellence and motivation helped ensure that only the best Midshipmen would be chosen to lead the Submarine Force in their future career.
The crew operated off the coast of Florida in joint operations with Seal Delivery Vehicle – Team Two, an exercise that included multiple special ops teams who conducted diving operations in and out of the ship's lock out trunk, developing new procedures and refining tactics. This was impactful and prepared the crew and our Special Forces teams for future missions.

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

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

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

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

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

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

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

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

The crew was recognized for employing several new tactics and techniques during operations that involved surfaced ships, aircraft, and other submarines. They dominated the

undersea domain and came home heroes. They also received many congratulatory letters from submarine force leaders, personal, and ship awards that recognized a “new high bar” of excellence. I am proud to say they fully embodied the motto “Strength from the Soil - Reapers of the Deep.” All of this was possible because of the effort and sacrifice of the crew and their families. We are grateful and stronger because of your community's support.

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

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

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

MOTION

SEN. KLEIN MOVED that the address of Commander Robert L. Edmonson III be printed in the journal, which motion prevailed.

MOTION

SEN. KLEIN MOVED that Engrossed HB 1200, as amended, which is on the Fourteenth order, be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, Engrossed HB 1200, as amended, was rereferred.

MOTION

SEN. KLEIN MOVED that Engrossed HB 1519, which is on the Fourteenth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, Engrossed HB 1519 was rereferred.

MOTION

SEN. KLEIN MOVED that after action taken on the Sixth order, Engrossed HB 1415 be placed on the Fourteenth order for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1310, as engrossed: SEN. PAULSON (Transportation Committee) MOVED that the amendments on SJ pages 1131-1132 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1141, as engrossed: SEN. LARSEN (Transportation Committee) MOVED that the amendments on SJ page 1130 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1128: SEN. WOBBEMA (Workforce Development Committee) MOVED that the amendments on SJ page 1130 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1431: SEN. ESTENSON (State and Local Government Committee) MOVED that the amendments on SJ pages 1133-1134 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1506, as engrossed: SEN. PAULSON (Transportation Committee) MOVED that the amendments on SJ pages 1134-1135 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1529, as engrossed: SEN. BRAUNBERGER (State and Local Government Committee) MOVED that the amendments on SJ page 1135 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1313, as engrossed: SEN. K. ROERS (State and Local Government Committee) MOVED that the amendments on SJ page 1132 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1415, as engrossed: SEN. LARSON (Workforce Development Committee) MOVED that the amendments on SJ pages 1132-1133 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1415: A BILL for an Act to provide for a legislative management study regarding the equipment and staffing needs of law enforcement.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; 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

Engrossed HB 1415, as amended, passed.

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SECOND READING OF HOUSE BILL

HB 1121: A BILL for an Act to amend and reenact section 12.1-17-01 of the North Dakota Century Code, relating to assault on a health care facility employee; and to provide a penalty.

MOTION

SEN. AXTMAN MOVED that HB 1121 be amended as follows, which motion prevailed on a voice vote.

Page 2, line 1, replace "health" with "hospital, clinic, or long-term"

Page 2, line 2, replace "health" with "hospital, clinic, or long-term"

Page 2, line 3, remove ". For purposes of this paragraph, "health care facility" means an"

Page 2, remove lines 4 through 11

Page 2, line 12, remove "temporary facility"

Renumber accordingly

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 23 YEAS, 24 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Bekkedahl; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Hogan; Klein; Krebsbach; Kreun; Lee; Lemm; Meyer; Patten; Roers, K.; Schaible; Wanzek; Weber

NAYS: Barta; Beard; Boehm; Erbele; Estenson; Hogue; Kannianen; Kessel; Larsen; Larson; Luick; Magrum; Mathern; Myrdal; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Sickler; Sorvaag; Vedaa; Weston; Wobbema

HB 1121, as amended, failed.

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SECOND READING OF HOUSE BILL

HB 1136: A BILL for an Act to create and enact a new section to chapter 14-02.4 of the North Dakota Century Code, relating to the exercise of religion.

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 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Braunberger; Hogan; Piepkorn

HB 1136 passed.

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SECOND READING OF HOUSE BILL

HB 1228: A BILL for an Act to amend and reenact sections 51-37-01, 51-37-02, and 51-37-04, relating to the use of certain marketing practices involving an agreement containing a provision for automatic renewal; and to provide for application.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; 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

HB 1228, as amended, passed.

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SECOND READING OF HOUSE BILL

HB 1133: A BILL for an Act to amend and reenact subsection 6 of section 11-18-02.2 of the North Dakota Century Code, relating to statements of full consideration.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 2 YEAS, 45 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Barta; Lee

NAYS: Axtman; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust;

Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

HB 1133, as amended, failed.

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SECOND READING OF HOUSE BILL

HB 1052: A BILL for an Act to amend and reenact paragraph 1 of subdivision b of subsection 11 of section 65-01-02, subsection 4 of section 65-01-16, section 65-04-15, subsection 3 of section 65-04-19, subsections 1 and 3 of section 65-04-27.2, subsection 2 of section 65-04-32, and subsection 10 of section 65-05-32 of the North Dakota Century Code, relating to preventive treatment, requests for reconsideration of claim decisions issued by the organization, providing employer account information, calculation of an employer's premium and creating a presumption of accuracy, an employer conducting business with a known uninsured employer, requests for reconsideration of employer decisions issued by the organization, and privacy of records; and to provide for application.

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 45 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Braunberger; Mathern

Engrossed HB 1052, as amended, passed.

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SECOND READING OF HOUSE BILL

HB 1494: A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to school meal policies.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; 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

Engrossed HB 1494, as amended, passed.

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SECOND READING OF HOUSE BILL

HB 1491: A BILL for an Act to provide an appropriation to the superintendent of public instruction to provide grants to schools for meals for students.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 23 YEAS, 24 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Bekkedahl; Braunberger; Cleary; Conley; Davison; Dever; Dwyer;

Elkin; Hogan; Kessel; Krebsbach; Larson; Mathern; Meyer; Patten; Piepkorn; Roers, K.; Rummel; Sickler; Sorvaag; Weber

NAYS: Beard; Boehm; Burckhard; Clemens; Erbele; Estenson; Hogue; Kannianen; Klein; Kreun; Larsen; Lee; Lemm; Luick; Magrum; Myrdal; Paulson; Roers, J.; Rust; Schaible; Vedaa; Wanzek; Weston; Wobbema

Engrossed HB 1491, as amended, failed.

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MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, unchanged: HB 1037, HB 1476.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1061, HB 1294, HB 1364, HB 1438.

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

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

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has amended and subsequently passed: SB 2201, SB 2286.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2201

Page 1, line 1, remove "subdivision a of subsection 2 of section 19-24.1-03,"

Page 1, line 2, remove "subdivision a of subsection 1 of section 19-24.1-14,"

Page 1, line 3, remove "sections 19-24.1-15 and 19-24.1-16, subsection 2 of section 19-24.1-18,"

Page 1, line 5, replace "application" with "criminal history record check"

Page 1, remove lines 9 through 12

Page 1, remove lines 20 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 9

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2286

Page 4, line 14, remove "<u>, or employed by the North</u>"

Page 4, line 15, remove "<u>Dakota stockmen's association or a railroad,</u>"

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 2296.

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

4019.

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

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

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

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

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

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

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for filing on March 27, 2023: SCR 4009, SCR 4011.

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 12:30 p.m., Tuesday, March 28, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1183: State and Local Government Committee (Sen. K. Roers, 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). HB 1183 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, remove "subdivision d of"

Page 1, line 4, after "officers" insert "; and to provide for a legislative management study"

Page 2, line 4, after "1." insert "a."

Page 2, line 4, remove the overstrike over "~~bureau of criminal investigation~~"

Page 2, line 4, remove "state"

Page 2, line 6, remove the overstrike over "~~four~~"

Page 2, line 6, remove "six"

Page 2, line 6, remove the overstrike over "~~Peace officer contributions increase~~"

Page 2, remove the overstrike over lines 7 and 8

Page 2, line 9, remove the overstrike over "~~the reporting period of January 2013.~~" and insert immediately thereafter:

"b. Each peace officer employed by the state, other than a peace officer employed by the bureau of criminal investigation, who is a member of the public employees retirement system is assessed and shall pay six percent of the employee's monthly salary.

c."

Page 2, after line 13, insert:

"d."

Page 3, line 29, after "e." insert "(1)"

Page 3, line 29, remove the overstrike over "~~bureau of criminal~~"

Page 3, line 30, remove the overstrike over "~~investigation~~"

Page 3, line 30, remove "state"

Page 4, line 1, overstrike "(1)" and insert immediately thereafter "(a)"

Page 4, line 4, overstrike "(2)" and insert immediately thereafter "(b)"

Page 4, after line 6, insert:

"(2) Normal retirement date for a peace officer employed by the state, other than a peace officer employed by the bureau of criminal investigation, is:

(a) The first day of the month next following the month in which the peace officer attains the age of fifty-five years and has completed at least three eligible years of employment; or

(b) When the peace officer has a combined total of years of service credit and years of age equal to eighty-five and has not received a retirement benefit under this chapter."

Page 4, line 10, after "g." insert "(1)"

Page 4, line 15, after the period insert

"(2)"

Page 4, line 19, after the period insert

"(3)"

Page 4, line 19, after "state" insert ", other than a peace officer employed by the bureau of criminal investigation,"

Page 4, after line 24, insert:

"(4) For a peace officer employed by the bureau of criminal investigation, early retirement date is the first day of the month next following the month in which the peace officer attains the age of fifty years and has completed at least three years of eligible employment."

Page 5, remove lines 17 through 31

Page 6, replace lines 1 and 2 with:

"**SECTION 4. AMENDMENT.** Subsection 4 of section 54-52-17 of the North Dakota Century Code is amended and reenacted as follows:

4. The board shall calculate retirement benefits as follows:

a. Normal retirement benefits for all retirees, except supreme and district court judges, peace officers employed by the bureau of

criminal investigation, and other peace officers employed by the state, reaching normal retirement date equal an annual amount, payable monthly, comprised of a service benefit and a prior service benefit, as defined in this chapter, which is determined as follows:

(1) For members first enrolled:

(a) Before January 1, 2020, service benefit equals two percent of final average salary multiplied by the number of years of service employment.

(b) After December 31, 2019, service benefit equals one and seventy-five hundredths percent of final average salary multiplied by the number of years of service employment.

(2) Prior service benefit equals two percent of final average salary multiplied by the number of years of prior service employment.

b. Normal retirement benefits for all supreme and district court judges under the public employees retirement system reaching normal retirement date equal an annual amount, payable monthly, comprised of a benefit as defined in this chapter, determined as follows:

(1) Benefits must be calculated from the time of appointment or election to the bench and must equal three and one-half percent of final average salary multiplied by the first ten years of judicial service, two and eighty hundredths percent of final average salary multiplied by the second ten years of judicial service, and one and one-fourth percent of final average salary multiplied by the number of years of judicial service exceeding twenty years.

(2) Service benefits must include, in addition, an amount equal to the percent specified in subdivision a of final average salary multiplied by the number of years of nonjudicial employee service and employment.

c. Normal retirement benefits for a peace officer employed by the bureau of criminal investigation reaching the normal retirement date equals an annual amount, payable monthly, comprised of a service benefit and a prior service benefit determined as follows:

(1) For members first enrolled:

(a) Before January 1, 2020, service benefit equals two percent of final average salary multiplied by the number of years of service employment.

(b) After December 31, 2019, service benefit equals one and seventy-five hundredths percent of final average salary multiplied by the number of years of service employment.

(2) Prior service benefit equals two percent of final average salary multiplied by the number of years of prior service employment.

d. Normal retirement benefits for a peace officer employed by the state, other than by the bureau of criminal investigation, reaching the normal retirement date equals an annual amount, payable monthly, comprised of a service benefit and a prior service benefit determined as follows:

(1) For members first enrolled:

(a) Before January 1, 2020, service benefit equals two percent of final average salary multiplied by the number of years of service employment.

(b) After December 31, 2019, service benefit equals one and seventy-five hundredths percent of final average salary multiplied by the number of years of service employment.

(2) Prior service benefit equals two percent of final average salary multiplied by the number of years of prior service employment.

e. Postponed retirement benefits are calculated as for single life benefits for those members who retired on or after July 1, 1977.

~~d.~~f. Early retirement benefits are calculated as for single life benefits accrued to the date of termination of employment, but must be actuarially reduced to account for benefit payments beginning before the normal retirement date, as determined under subsection 3. Except for a national guard security officer or firefighter, a firefighter ~~employed by a political subdivision, a~~, peace officer, or correctional officer employed by ~~the bureau of criminal investigation or by~~ a political subdivision, a peace officer employed by the state, or a supreme court or district court judge, early retirement benefits for members first enrolled after December 31, 2015, are calculated for single life benefits accrued to the date of termination of employment, but must be reduced by fixed rate of eight percent per year to account for benefit payments beginning before the normal retirement date. A retiree, other than a supreme or district court judge, is eligible for early retirement benefits only after having completed three years of eligible employment. A supreme or district court judge retiree is eligible for early retirement benefits only after having completed five years of eligible employment.

~~e.~~g. Except for supreme and district court judges, disability retirement benefits are twenty-five percent of the member's final average salary. Disability retirement benefits for supreme and district court judges are seventy percent of final average salary reduced by the member's primary social security benefits and by any workforce safety and insurance benefits paid. The minimum monthly disability retirement benefit under this section is one hundred dollars.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - PEACE OFFICER AND PUBLIC SAFETY PERSONNEL RETIREMENT PLANS. During the 2023-24 interim, the legislative management shall consider studying the retirement system for peace officers and public safety personnel in the state. The study must include consideration of the public employees retirement system retirement plans offered to peace officers and safety personnel; how political subdivisions provide retirement benefits to peace officers and safety personnel; how other states provide retirement benefits to peace officers and safety personnel; the level of benefits and contributions in the state, political subdivision, and other state plans; how peace officers and public safety personnel transition between these retirement plans; and factors unique to retirement plans in the public safety sector. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1235, as engrossed: State and Local Government Committee (Sen. K. Roers, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1235 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

HB 1257: State and Local Government Committee (Sen. K. Roers, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1257 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 10, remove "and a"

Page 1, line 11, remove "campaign contribution statement as required by section 16.1-08.1-02.3"

Page 1, line 12, overstrike "these documents" and insert immediately thereafter "all statements of interest"

Page 1, line 14, after the third period insert "A candidate shall also file a campaign contribution statement as required by section 16.1-08.1-02.3."

Page 3, line 26, replace "less" with "fewer"

Page 3, line 26, remove "seven"

Page 3, line 27, replace "hundred fifty" with "one thousand"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1276, as engrossed: Agriculture and Veterans Affairs Committee (Sen. Luick, 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). Engrossed HB 1276 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 4.1-01 of the North Dakota Century Code, relating to the agriculture infrastructure grant program;"

Page 1, after line 5, insert:

"**SECTION 1.** A new section to chapter 4.1-01 of the North Dakota Century Code is created and enacted as follows:

Agriculture infrastructure grant program.

The agriculture commissioner shall develop policies to administer the agriculture infrastructure grant program to include a grant application process and eligibility criteria. A grant provided to a political subdivision, under this section, is limited to one million two hundred-fifty thousand dollars per project and may not exceed eighty percent of the infrastructure project cost. A grant provided to an individual or organization, under this section, is limited to three hundred-fifty thousand dollars per project and may not exceed eighty percent of the capital improvement project costs. Eligible uses of grant funding include road and bridge improvements, water and sewer line improvements, and electrical and gas supply improvements. Grant funding may not be used for routine maintenance or operating costs. For purposes of grant eligibility, value-added agriculture businesses includes the same businesses as provided under section 4.1-01.1-07. The agriculture commissioner shall distribute all funds related to the agriculture infrastructure grant program."

Page 1, line 18, after "loans" insert ", interest rate buydowns,"

Page 1, line 22, replace "subsection 5" with "section 1 of this Act"

Page 2, line 6, after "loans" insert "and interest rate buydowns"

Page 2, remove lines 22 through 31

Page 3, remove lines 1 through 3

Page 3, line 9, after "for" insert "agriculture infrastructure"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1288, as engrossed: State and Local Government Committee (Sen. K. Roers, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1288 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, after "enact" insert "a new section to chapter 48-01.2, a new subsection to section 48-01.2-18, a new subsection to section 48-01.2-19, and"

Page 1, line 2, after the first "to" insert "public improvement bids and"

Page 1, line 3, replace "section" with "sections 48-02.1-03 and"

Page 1, line 3, after "to" insert "public improvement bids and"

Page 1, after line 5, insert:

"**SECTION 1.** A new section to chapter 48-01.2 of the North Dakota Century Code is created and enacted as follows:

Bid process - Public funds.

Except as otherwise provided by law, any entity receiving state funds for a state or local improvement project shall follow the bid process under this chapter.

SECTION 2. A new subsection to section 48-01.2-18 of the North Dakota Century Code is created and enacted as follows:

Before making a determination under this section, the governing body shall follow the bid process provided under this chapter.

SECTION 3. A new subsection to section 48-01.2-19 of the North Dakota Century Code is created and enacted as follows:

Notwithstanding the criteria in subsection 5 and unless the committee provides written rationale substantiating a decision to the contrary, the fee to be charged by each person interviewed must be the selection committee's primary consideration.

SECTION 4. AMENDMENT. Section 48-02.1-03 of the North Dakota Century Code is amended and reenacted as follows:

48-02.1-03. Public authority may enter into development agreement - Bid process.

1. A public authority may solicit or accept proposals from private operators for the constructing, improving, rehabilitating, operating, managing, and owning of a fee-based facility that will be situated in an area subject to the public authority's jurisdiction. After a hearing, the public authority may accept a proposal that it determines to be in the public interest. A public authority may negotiate and enter into a development agreement with any private operator.

2. Before soliciting or accepting proposals from private operators under this section, the public authority shall follow the bid process provided under chapter 48-01.2."

Page 2, line 11, after the underscored period insert "This section does not require the owner of the property management business to be disclosed if the property management services are provided through a third party contract."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1324, as engrossed: State and Local Government Committee (Sen. K. Roers, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1324 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 13, after the period insert "The secretary of state shall have discretion over the random sampling process as to the validity of the individual signatures, or groupings of signatures, and may determine whether those signatures are to be counted as part of the necessary signature amount."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1423, as engrossed: Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1423 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 8, line 24, replace "county commissioners" with "township supervisors"

Page 10, line 7, replace "county" with "township"

Page 11, line 4, replace "creating" with "considering the impact of"

Page 11, line 7, after "ordinance" insert ", if necessary"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1437, as engrossed: Agriculture and Veterans Affairs Committee (Sen. Luick, 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). Engrossed HB 1437 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 16, remove "confined"

Page 2, line 1, replace "eight" with "twelve"

Page 2, line 8, after "**APPROPRIATION**" insert "**- ENVIRONMENT AND RANGELAND PROTECTION FUND**"

Page 2, line 10, replace "general fund" with "environment and rangeland protection fund"

Page 2, line 11, replace "$600,000," with "$1,200,000"

Page 2, line 12, remove "confined"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1441, as engrossed: State and Local Government Committee (Sen. K. Roers, Chairman) recommends **DO NOT PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1441 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

HB 1501, as engrossed: Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1501 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 1 of section 4.1-11-01, sections 4.1-11-08, 4.1-11-10, 4.1-11-11, 4.1-11-12, 4.1-11-13, 4.1-11-14, and 4.1-11-15, and subsection 1 of section 4.1-44-03 of the North Dakota Century Code, relating to the North Dakota soybean council and the North Dakota soybean fund; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 4.1-11-01 of the North Dakota Century Code is amended and reenacted as follows:

1. "Council" means the nongovernmental entity, known as the North Dakota soybean council.

SECTION 2. AMENDMENT. Section 4.1-11-08 of the North Dakota Century Code is amended and reenacted as follows:

4.1-11-08. Council members - Compensation.

Each member of the council is entitled to receive compensation in the amount established by the council ~~but not exceeding one hundred thirty-five dollars per day~~ plus reimbursement for expenses ~~as provided by law for state officers~~ if the member is attending meetings or performing duties directed by the council.

SECTION 3. AMENDMENT. Section 4.1-11-10 of the North Dakota Century Code is amended and reenacted as follows:

4.1-11-10. Council duties and reports.

1. The council shall develop policies and initiate programs to promote the development of markets for and increase the utilization of soybeans grown in this state.

2. The council shall develop and disseminate information regarding the purpose of the soybean assessment and ways in which the assessment benefits soybean producers.

3. The council shall determine the uses for which any moneys raised under this chapter may be expended. The uses may include the funding of research, education programs, and market development efforts, as well as participation in programs under the auspices of national soybean promotion organizations.

4. Annually, the council shall prepare and submit a report summarizing the activities of the council to the state auditor and commissioner. The report must show all income, expenses, and other relevant information concerning fees collected and expended.

5. The council shall request and submit a certificate of good standing, issued by the secretary of state, as part of the report described in subsection 4.

SECTION 4. AMENDMENT. Section 4.1-11-11 of the North Dakota Century Code is amended and reenacted as follows:

4.1-11-11. Assessment.

~~An~~If a federal assessment under the Soybean Promotion, Research, and Consumer Information Act [Pub. L. 101-624; 104 Stat, 3881; 7 U.S.C. 92 et seq.] or a similar act remains in place, a state assessment under this section is prohibited. If the Soybean Promotion, Research, and Consumer Information Act [Pub. L. 101-624; 104 Stat, 3881; 7 U.S.C. 92 et seq.] or similar act eliminates a federal assessment, the council shall implement a state assessment equaling one-half of one percent of the value of the sale must be imposed upon all soybeans sold to a designated handler.

SECTION 5. AMENDMENT. Section 4.1-11-12 of the North Dakota Century Code is amended and reenacted as follows:

4.1-11-12. Collection of assessment by designated handler - Records.

~~1.~~If an assessment is in place under section 4.1-11-11:

1. Each designated handler shall collect the assessment from the seller by deducting the assessment from the purchase price of all soybeans subject to the assessment~~.~~;

2. Each designated handler shall keep all records regarding the quantity of soybeans received and assessed for a period of three years~~.~~; and

3. All records required by this section may be examined by the council upon request.

SECTION 6. AMENDMENT. Section 4.1-11-13 of the North Dakota Century Code is amended and reenacted as follows:

4.1-11-13. Quarterly report - Submission to council.

At the time and in the manner prescribed by the council, each designated handler shall file with the council a quarterly report stating the quantity of all soybeans ~~that~~ the handler purchased and assessed under section 4.1-11-11.

SECTION 7. AMENDMENT. Section 4.1-11-14 of the North Dakota Century Code is amended and reenacted as follows:

4.1-11-14. Submission of assessments - ~~Civil penalty~~Delinquent assessment.

Each designated handler shall forward to the council all assessments collected by the handler under section 4.1-11-11 within thirty days after the end of each calendar quarter. If a designated handler fails to submit the assessments as required by this section, the council shall increase the amount owed by two percent each month, beginning with the day following that on which the assessments came due.

SECTION 8. AMENDMENT. Section 4.1-11-15 of the North Dakota Century Code is amended and reenacted as follows:

4.1-11-15. ~~Continuing appropriation~~Use of council funds.

~~The council shall forward all~~All moneys received under this chapter ~~to the state treasurer for deposit~~must be deposited in the soybean ~~fund. All moneys in the soybean fund are appropriated on a continuing basis to the council to~~account at the Bank of North Dakota and may be used ~~exclusively to carry out~~by the council for the payment of claims by the council based on the obligations incurred in the performance of council activities, functions, and purposes as provided in this chapter. The board shall segregate moneys in the soybean checkoff account from all other moneys of the council.

SECTION 9. AMENDMENT. Subsection 1 of section 4.1-44-03 of the North Dakota Century Code is amended and reenacted as follows:

1. Notwithstanding any other provision of law, the state treasurer shall invest in accordance with section 21-10-07 all available moneys in:

   a. The potato fund;

   b. The oilseed fund;

   c. The dry bean fund;

   d. The dry pea and lentil fund;

   e. The barley fund;

   f. ~~The soybean fund;~~

   ~~g.~~ The corn fund;

   ~~h.~~g. The honey fund;

   ~~i.~~h. The turkey fund;

   ~~j.~~i. The milk marketing fund;

   ~~k.~~j. The dairy promotion commission fund;

   ~~l.~~k. The state wheat commission fund;

   ~~m.~~l. The ethanol fund; and

   ~~n.~~m. The North Dakota beef commission fund.

SECTION 10. EFFECTIVE DATE. This Act becomes effective on July 1, 2024."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1517, as engrossed: Industry and Business Committee (Sen. Larsen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1517 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 10, replace "affecting the" with "related to a complaint against the"

Page 1, line 10, remove "that pertain to the"

Page 1, line 11, replace "complainant" with "related to a complaint filed by the complainant"

Page 1, line 23, replace "pertain to the complainant" with "are related to a complaint filed by the complainant"

Renumber accordingly

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

Shanda Morgan, Secretary