JOURNAL OF THE SENATE

Sixty-eighth Legislative Assembly

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Bismarck, April 7, 2023

The Senate convened at 12:30 p.m., with President Pro Tempore Schaible presiding.

The prayer was offered by Pastor LaRue Goetz, Revival Prayer Fellowship, Bismarck.

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

A quorum was declared by the President Pro Tempore.

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 Fifty-seventh and Sixtieth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1335, remove lines 38 through 39

Page 1336, remove lines 4 through 6

Page 1459, line 15, after “management;” insert “and”

Page 1459, line 15, replace “; and” with “.”

Page 1459, delete line 16

Page 1459, line 27, replace “and the emergency clause was declared” with “.”

Page 1459, delete line 28

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

MOTION

SEN. KLEIN MOVED that SCR 4013, which is on the Twelfth order, be laid over one legislative day, which motion prevailed.

MOTION

SEN. KLEIN MOVED that for the Sixtieth legislative day Sen. Cleary replace Sen. Estenson on the Conference Committee on HB 1324, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. KLEIN MOVED that the Senate Conference Committee on Engrossed HB 1501 be dissolved and that a new conference committee be appointed, which motion prevailed.

THE PRESIDENT ANNOUNCED the following appointments to a Conference Committee on:

Engrossed HB 1501: Sens. Weber, Myrdal, Lemm

CONSIDERATION OF MESSAGES FROM THE HOUSE

SEN. KLEIN MOVED that the Senate do not concur in the House amendments to Engrossed SB 2029 as printed on SJ pages 1334-1335, in the House amendments to SB 2092 as printed on SJ pages 967-968, and in the House amendments to Engrossed SB 2341 as printed on SJ pages 1414-1415 and that a conference committee be appointed to meet with a like committee from the House on each of these measures, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEES

THE PRESIDENT ANNOUNCED the following appointments to a Conference Committee on:

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

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. KLEIN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1052, Engrossed HB 1088, Engrossed HB 1371, Engrossed HB 1413, Engrossed HB 1415, Engrossed HB 1429, HB 1438, Engrossed HB 1465, and Engrossed HB 1497, which motion prevailed.

THE PRESIDENT ANNOUNCED the following appointments to a Conference Committee on:

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

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LEE MOVED that the Senate do concur in the House amendments to Engrossed SB 2155 as printed on SJ page 1391, which motion prevailed on a voice vote.

Engrossed SB 2155, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2155: A BILL for an Act to provide an appropriation to the department of health and human services for federally qualified health center grants; and to provide for a legislative management study on expanding the number of federally qualified health centers.

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 39 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Estenson; Kannianen; Larsen; Lemm; Magrum; Myrdal; Wobbema

ABSENT AND NOT VOTING: Vedaa

Reengrossed SB 2155, as amended, passed.

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CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. WOBBEMA MOVED that the Senate do concur in the House amendments to SB 2132 as printed on SJ page 1174, which motion prevailed on a voice vote.

SB 2132, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2132: A BILL for an Act to create and enact section 34-07-15.1 of the North Dakota Century Code, relating to labor exceptions for minors performing sports-attendant services; to amend and reenact section 34-07-15 of the North Dakota Century Code, relating to maximum hours of labor for minors; and to declare an emergency.

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; 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; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Vedaa

Engrossed SB 2132, as amended, passed and the emergency clause was declared carried.

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CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. CLEMENS MOVED that the Senate do concur in the House amendments to SB 2053 as printed on SJ pages 1388-1390, which motion prevailed on a voice vote.

SB 2053, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2053: A BILL for an Act to amend and reenact sections 2-05-14, 11-19.1-08, 11-19.1-10, paragraph 2 of subdivision a of subsection 1 of section 15-39.1-10.3, subdivision a of subsection 2 of section 15-39.1-10.3, sections 20.1-13-14 and 24-15-01, subdivision e of subsection 5 of section 28-32-08.1, sections 39-03-01, 39-03-03, 39-03-04, 39-03-05, 39-03-06, 39-03-07, 39-03-11, subsection 4 of section 39-03.1-01, sections 39-03.1-02, 39-03.1-10.4, 39-03.1-27, 39-07-12, 39-07-13, paragraph 2 of subdivision a of subsection 1 of section 54-52-17.2, subsection 2 of section 54-52.1-03, subdivision b of subsection 1 of section 54-52.1-03.2, subdivision a of subsection 1 of section 54-52.1-03.3, and subsection 2 of section 54-52.1-03.3 of the North Dakota Century Code, relating to terminology pertaining to state troopers.

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; 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; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Vedaa

Engrossed SB 2053, as amended, passed.

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CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LUICK MOVED that the Senate do concur in the House amendments to SCR 4017 as printed on SJ page 1073, which motion prevailed on a voice vote.

SCR 4017, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4017: A concurrent resolution urging the Administrator of the United States Environmental Protection Agency to fully reinstate, and strictly abide by the October 17, 2017, memorandum titled Adhering to the Fundamental Principles of Due Process, Rule of Law, and Cooperative Federalism in Consent Decrees and Settlement Agreements; to promulgate and enforce only environmental regulations

that appropriately take into account public and private fiscal impacts as well as the nation's continuing food security and energy security; and to defer to and work together in good faith with all sovereign states in the spirit of cooperative federalism.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed SCR 4017, as amended, was declared adopted on a voice vote.

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

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

HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2107

Page 1, line 1, remove "create and enact sections 12.1-17-14 and 62.1-02-15 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to shooting offenses and drug trafficking; to"

Page 1, line 3, replace "12.1-08-02, 12.1-17-01" with "12.1-17-03"

Page 1, line 3, after the third comma insert "and"

Page 1, line 3, remove ", 39-10-71, and 62.1-02-01"

Page 1, line 4, remove "sentences for crimes committed with firearms and for fleeing"

Page 1, line 5, replace "law enforcement" with "reckless endangerment, mandatory prison terms for armed offenders, and presumptive probation; to provide for a legislative management study"

Page 1, remove lines 7 through 23

Page 2, remove lines 1 through 30

Page 3, replace lines 1 through 8 with:

"**SECTION 1. AMENDMENT.** Section 12.1-17-03 of the North Dakota Century Code is amended and reenacted as follows:

12.1-17-03. Reckless endangerment.

A person is guilty of an offense if ~~he~~the person creates a substantial risk of serious bodily injury or death to another. The offense is a class B felony if the offense is committed by intentionally or knowingly discharging a firearm. The offense is a class C felony if the circumstances manifest ~~his~~the person's extreme indifference to the value of human life. Otherwise it is a class A misdemeanor. There is risk within the meaning of this section if the potential for harm exists, whether or not a particular person's safety is actually jeopardized."

Page 3, line 16, remove "or"

Page 3, line 16, remove the overstrike over "~~, or firearm~~"

Page 3, line 18, remove "or"

Page 3, line 18, remove the overstrike over "~~, or firearm~~"

Page 3, line 20, remove "or"

Page 3, line 21, remove the overstrike over "~~, or firearm~~"

Page 3, after line 26, insert:

"c. If the court finds the offender is a special dangerous or habitual offender under subdivision a, b, c, or d of subsection 1 of section 12.1-32-09 and the offender violates subsection 1 of this section, the court shall impose a minimum sentence of ten years' imprisonment, if the offense is a class AA, class A, or class B felony. If the offense is a class C felony, the court shall impose a minimum sentence of seven years' imprisonment. An offender sentenced under this subdivision is not eligible for parole any earlier than eighteen months before the expiration of the mandatory sentence."

Page 3, line 29, overstrike "An" and insert immediately thereafter "Unless the offender is sentenced under subdivision c of subsection 2, an"

Page 4, line 9, after the second underscored comma insert "section 12.1-17-03,"

Page 4, remove lines 25 through 31

Page 5, remove lines 1 through 31

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 31

Page 9, remove lines 1 through 30

Page 10, replace lines 1 through 24 with:

"**SECTION 4. LEGISLATIVE MANAGEMENT STUDY - FIREARM POSSESSION.** During the 2023-24 interim, the legislative management shall consider studying those provisions of the North Dakota Century Code that prohibit certain individuals from possessing a firearm. The study may include an examination of the state's firearm and weapon possession prohibitions as compared to the federal regulations. The study must include an examination of whether the category of individuals prohibited from possessing a firearm by statute should be maintained as is, narrowed, or expanded. The study must include input from the attorney general, the supreme court, the association of counties, the league of cities, the state's attorney association, the association of criminal defense lawyers, the peace officers association, and the national rifle association. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2295

Page 1, line 3, remove "and"

Page 1, line 4, after "fund" insert "; and to provide for a transfer"

Page 2, after line 22, insert:

"**SECTION 4. TRANSFER - UNSATISFIED JUDGMENT FUND TO STATE HIGHWAY FUND.** The office of management and budget shall transfer any balance in the unsatisfied judgment fund on the effective date of this Act to the state highway fund."

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 2033.

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

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

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

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

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

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

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

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

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

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

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

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

HB 1501: Sens. Weber; Myrdal; Lemm

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

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

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

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

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

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

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

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

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

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

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

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS
The following bills were delivered to the Governor for approval on April 7, 2023: SB 2047, SB 2388.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS
The following bills were delivered to the Governor for approval on April 7, 2023: SB 2097, SB 2145, SB 2282, SB 2286, SB 2297, SB 2338, SB 2381.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on April 6, 2023, I have signed the following: SB 2135, SB 2172, and SB 2325.

REPORT OF STANDING COMMITTEE

HB 1153, as engrossed: Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1153 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

In lieu of the amendments adopted by the Senate as printed on pages 1363 and 1364 of the Senate Journal, Engrossed House Bill No. 1153 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 4.1-04-08 and 4.1-04-09 of the North Dakota Century Code, relating to the duties and powers of the corn council; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 4.1-04-08 of the North Dakota Century Code is amended and reenacted as follows:

4.1-04-08. Council - Powers.

The council may:

1. Expend moneys collected pursuant to this chapter for its administration;

2. Employ, bond, and compensate necessary personnel;

3. Accept gifts, grants, and donations of money, property, and services to carry out this chapter;

4. Contract with any person for any purpose related to this chapter, including research, education, publicity, promotion, and transportation;

5. Establish a grant program and guidelines to provide funding to corn-related programs and organizations that benefit North Dakota corn producers, consistent with this chapter;

6. Sue and be sued; and

~~6.~~ 7. Do all things necessary and proper to enforce and administer this chapter.

SECTION 2. AMENDMENT. Section 4.1-04-09 of the North Dakota Century Code is amended and reenacted as follows:

4.1-04-09. Council - Duties.

1. 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, corn policy development, promotion, and market development efforts, as well as participation in programs under the auspices of other state, regional, national, and international promotion groups.

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

3. The council shall hold two public input meetings per year with organizations dedicated to serving North Dakota corn producers to

discuss recommendations for the use of moneys received under this chapter.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1177, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1177 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

HB 1225: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1225 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 provide for a legislative management study relating to an online tax portal for electronically accessible statewide property information and tax information.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - ONLINE PROPERTY TAX PORTAL. During the 2023-24 interim, the legislative management shall consider studying the integration of an online portal or promulgating online access for electronically accessible statewide property information and property tax information based on county geographic information system data and electronic property information. 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 1230, 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 1230 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, replace "invalid" with "fraudulent"

Page 2, line 26, replace "invalid" with "one or more fraudulent"

Page 2, remove line 27

Page 2, line 28, remove "a measure that ultimately is placed on the ballot"

Page 3, line 18, replace "the chairman" with "any member"

Page 3, line 22, replace "fine" with "civil penalty"

Page 3, line 22, replace "two dollars for each signature deemed invalid by the secretary of state" with "not more than three thousand dollars. The civil penalty may be recovered in an action brought in the district court of Burleigh County by the attorney general"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1391, 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 1391 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 9, after "The" insert "unofficial"

Page 1, line 10, replace "or" with "and, if applicable,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1508, 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 1508 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, after "auditor" insert "; and to provide for a legislative management study"

Page 2, after line 20, insert:

"e. Report quarterly to the legislative audit and fiscal review committee regarding:

(1) Communication processes with audited entities and any changes to the processes;

(2) Billing practices and procedures, including the use of cost estimates for audits and itemized invoices;

(3) Information on audits completed, including:

(a) Name of the audited organization;

(b) Organization type;

(c) Audit type;

(d) Audit period;

(e) Estimated and actual hours and costs; and

(f) Total audit cost and the total cost as a percentage of the audited organization's operating budget; and

(4) Audit schedule, including audits performed by private firms and audits performed by the auditor's office."

Page 2, line 21, overstrike "e." and insert immediately thereafter "f."

Page 2, line 24, overstrike "f." and insert immediately thereafter "g."

Page 2, line 26, overstrike "g." and insert immediately thereafter "h."

Page 3, replace lines 22 and 23 with:

"**SECTION 2. LEGISLATIVE MANAGEMENT STUDY - VALIDATION OF PETITION SIGNATURES.** During the 2023-24 interim, the legislative management shall consider studying the process used to validate signatures submitted on local and statewide petitions and options to improve the validation process, including voter registration. 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 1528, as engrossed: State and Local Government Committee (Sen. K. Roers, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1528 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, after "sections" insert "15-10-44,"

Page 1, line 2, after the second "the" insert "retention of electronic mail for institutions under the control of the state board of higher education,"

Page 1, line 4, after "agency" insert "; to provide for a legislative management study; to provide an effective date"

Page 1, after line 6, insert:

"**SECTION 1. AMENDMENT.** Section 15-10-44 of the North Dakota Century Code is amended and reenacted as follows:

15-10-44. Higher education information technology - Board duties - Reports.

1. The state board of higher education shall manage and regulate information technology planning and services for institutions under its control, including:

   a. Development of information technology policies, standards, and guidelines in coordination with the information technology department.

   b. Implementation of a process for project management oversight and reporting.

   c. Integration of higher education information technology planning and reporting with the board's strategic planning process and annual performance and accountability report required by section 15-10-14.2.

   d. Participation in internet2 or other advanced higher education or research-related networking projects as provided in section 54-59-08.

   e. Development of an annual report concerning higher education information technology planning and services.

   f. Requiring utilization by each institution under the control and supervision of the board of systemwide electronic mail services provided by the board for all public business electronic correspondence.

   g. Development and implementation of an electronic mail retention policy for the board and institutions under the supervision and control of the board which requires retention of nonstudent employee electronic mail messages for at least ~~two years~~one year after the creation or receipt of the message unless the electronic mail message includes malware or regulated information as defined under section 54-59.1-01.

2. The state board of higher education shall collaborate with the information technology department to coordinate higher education information technology planning with statewide information technology planning.

3. The state board of higher education shall provide advice to the information technology department regarding the development of

policies, standards, and guidelines relating to access to or use of wide area network services as provided by section 54-59-09.

4. The state board of higher education shall present information regarding higher education information technology planning, services, and major projects to the information technology committee on request of the committee."

Page 1, line 14, after the period insert ""Data" does not include malware or regulated information as defined under section 54-59.1-01.

3. "Departmental agency" means an agency, not including a board or commission as defined by titles 4.1 and 43.

4."

Page 1, line 23, overstrike "3." and insert immediately thereafter "5."

Page 2, line 17, after "each" insert "departmental"

Page 2, line 17, replace "two years" with "one year"

Page 2, line 17, remove "office"

Page 2, line 18, remove "productivity software, limited to"

Page 2, line 18, remove "and personal file storage"

Page 2, line 19, replace "all supervisory positions" with "agency heads, state officers appointed by the governor under chapter 44-02, and elected executive branch officials"

Page 2, line 20, after "5." insert "Develop a training program for agencies regarding the management of state records.

6."

Page 2, line 21, replace "6. When the administrator deems appropriate, report" with:

"7. Receive reports of"

Page 2, line 22, replace "to" with ". Upon review of the report, the administrator shall"

Page 2, line 23, replace "Human" with "Recommend training for the noncompliant agency;

b. Submit the report to human"

Page 2, line 23, after "services" insert "for consultation"

Page 2, line 25, replace "b. The" with:

"c. Submit the report to the"

Page 2, line 28, replace "c. The" with:

"d. Submit the report to the"

Page 2, line 29, after "services" insert "or the agency's human resources department"

Page 4, line 3, after "Each" insert "departmental"

Page 4, line 3, remove "office productivity"

Page 4, line 4, remove "software, limited to"

Page 4, line 4, remove "all"

Page 4, line 5, replace "supervisory positions" with "agency heads, state officers appointed by the governor under chapter 44-02, and elected executive branch officials"

Page 4, line 22, after "and" insert ", if the administrator deems it necessary,"

Page 4, line 23, remove "The employee's successor and the state archivist shall review the"

Page 4, remove lines 24 and 25

Page 5, line 4, replace "my" with "may"

Page 5, after line 13, insert:

"**SECTION 6. LEGISLATIVE MANAGEMENT STUDY - EXECUTIVE BRANCH BOARD AND COMMISSION POLICIES.**

1. During the 2023-24 interim, the legislative management shall consider studying the records management policies of state agencies, including boards and commissions. The study must include:

   a. A review of policy uniformity and training resources;

   b. An analysis of technological capabilities and limitations;

   c. Evaluation of the feasibility of providing electronic mail and file service solutions for statewide public entities, including boards and commissions; and

   d. An analysis of the development, implementation, enforcement, and auditing of records management policies and practices.

2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

SECTION 7. EFFECTIVE DATE. This Act becomes effective on July 1, 2023."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3035, 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 HCR 3035 was placed on the Sixth order on the calendar. This resolution does not affect workforce development.

Page 1, line 16, after the first comma insert "United Nations Framework Convention on Climate Change,"

Page 2, line 7, after the second comma insert "Executive Secretary of the United Nations Framework Convention on Climate Change,"

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE

SB 2061, as engrossed: Your conference committee (Sens. Wobbema, Larson, Sickler and Reps. Ostlie, Christy, Dakane) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1195-1196, adopt amendments as follows, and place SB 2061 on the Seventh order:

That the House recede from its amendments as printed on page 1048 of the Senate Journal and pages 1195 and 1196 of the House Journal and that Engrossed Senate Bill No. 2061 be

amended as follows:

Page 6, line 4, remove ", at least sixty years of age"

Page 6, line 8, remove ", at least sixty years of age"

Renumber accordingly

Engrossed SB 2061 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SCR 4014, as engrossed: Your conference committee (Sens. Patten, Kessel, Magrum and Reps. Kiefert, Tveit, Prichard) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1073 and place SCR 4014 on the Seventh order.

Engrossed SCR 4014 was placed on the Seventh order of business on the calendar.

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

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

Shanda Morgan, Secretary