JOURNAL OF THE SENATE

Sixty-eighth Legislative Assembly

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Bismarck, April 27, 2023

The Senate convened at 8:00 a.m., with President Miller presiding.

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

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

A quorum was declared by the President.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LARSON MOVED that the conference committee report on SB 2245 as printed on SJ page 1996 be adopted, which motion prevailed on a voice vote.

SB 2245 was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2245: A BILL for an Act to amend and reenact subsection 13 of section 53-06.1-01, subsection 3 of section 53-06.1-10.1, and subsections 2 and 5 of section 53-06.1-11 of the North Dakota Century Code, relating to a manufacturer of an electronic device, electronic fifty-fifty raffle tickets, allowable expenses, and monthly rent for electronic pull tab devices.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 2 YEAS, 44 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Kreun; Roers, J.

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

ABSENT AND NOT VOTING: Rust

SB 2245 failed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. BEKKEDAHL MOVED that the conference committee report on Engrossed SB 2240 as printed on SJ pages 2062-2069 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2240 was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2240: A BILL for an Act to provide an appropriation to the department of commerce for the base retention grant program.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 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; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Rust

Engrossed SB 2240, as amended, passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. BEKKEDAHL MOVED that the conference committee report on Engrossed SB 2003 as printed on SJ pages 2075-2081 be adopted.

REQUEST

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

The question being on the motion to adopt the conference committee report on Engrossed SB 2003, the conference committee report on Engrossed SB 2003 was adopted on a verification vote.

Engrossed SB 2003, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 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; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Rust

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

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. BEKKEDAHL MOVED that the conference committee report on Reengrossed SB 2004 as printed on SJ pages 2081-2086 be adopted, which motion prevailed on a voice vote.

Reengrossed SB 2004, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll

was called and there were 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; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Rust

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

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LEE MOVED that the conference committee report on SB 2080 as printed on SJ pages 2086-2090 be adopted, which motion prevailed on a voice vote.

SB 2080, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 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; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Rust

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

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. BEKKEDAHL MOVED that the conference committee report on Reengrossed HB 1020 as printed on SJ pages 1999-2009 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1020, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

HB 1020: A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota state university extension service, northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm; to provide for a report; to provide for a transfer; to provide an exemption; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 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; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Rust

Reengrossed HB 1020, as amended, passed and the emergency clause was declared carried.

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MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1540.

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

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

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

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

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1015.

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

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

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

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

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

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

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

REPORT OF CONFERENCE COMMITTEE

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

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

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

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

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

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

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

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

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

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

Page 1, line 8, remove "and"

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

Page 1, replace lines 18 and 19 with:

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

Page 1, replace line 21 with:

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

Page 2, after line 4 insert:

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

Page 2, replace lines 6 through 9 with:

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

Page 2, replace lines 17 and 18 with:

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

Page 2, replace lines 22 through 24 with:

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

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

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

Page 3, remove line 6

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

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

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

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

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

Page 4, after line 7, insert:

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

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

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

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

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

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

Page 5, replace lines 5 through 14 with:

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

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

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

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

   b. The governor or the governor's designee;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Page 5, line 22, overstrike "agriculture"

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

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

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

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

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

(1) The area immediately impacted by the development;

(2) The county impacted by the development;

(3) The region impacted by the development; and

(4) Other areas within the state"

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

Page 6, line 2, overstrike "disbursement of"

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

Page 6, line 2, overstrike "environmental impact"

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

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

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

Page 6, line 4, remove "mitigation fund"

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

Page 6, overstrike lines 5 through 10

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

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

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

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

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

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

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

Page 6, remove lines 17 through 31

Page 7, remove lines 1 through 16

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

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

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

Page 7, line 20, remove "shall"

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

Page 7, line 21, overstrike "direct"

Page 7, line 21, remove "or indirect"

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

Page 7, line 22, overstrike "The applicant"

Page 7, line 22, remove "shall"

Page 7, line 22, overstrike "provide"

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

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

Page 7, overstrike lines 23 and 24

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

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

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

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

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

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

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

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

Page 8, after line 8, insert:

"**SECTION 21. EXEMPTION - GRASSLANDS GRAZING GRANTS.** The amount of $5,000,000 appropriated from the strategic investment and improvements fund for grasslands grazing grants in the grants line item in section 1 of chapter 9 of

the 2021 Session Laws is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2023, and ending June 30, 2025.

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

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

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

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

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

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

	Total Conference Committee Changes
Salaries and wages	($819,558)
Operating expenses	(10,000)
Capital assets	
Grants	2,000,000
State Board of Animal Health	
Wildlife services	
Crop Harmonization Board	
Pipeline restoration and reclamation	
Ag. Products Utilization Commission	
North Dakota trade office	
Bioscience innovation program transfer	6,500,000
Total all funds	$7,670,442
Less estimated income	831,270
General fund	$6,839,172
FTE	(1.00)

[1] Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	$141,284	$103,774	$245,058
Health insurance adjustment	(10,524)	(4,231)	(14,755)
Total	$130,760	$99,543	$230,303

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

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

[3] Funding of $180,326 added by the Senate from the general fund for 1 FTE project manager and systems coordinator position, including $170,326 for salaries and wages and $10,000 for operating expenses, is removed. The House also removed this position.

[4] Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	($214,930)	$0	($214,930)
Vacant FTE positions	(393,797)	(268,273)	(662,070)
Total	($608,727)	($268,273)	($877,000)

The House also removed this funding.

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

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

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

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

This amendment also:

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

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

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

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

REPORT OF CONFERENCE COMMITTEE

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

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

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

Renumber accordingly

Reengrossed SB 2107 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1015, as reengrossed: Your conference committee (Sens. Vedaa, Wanzek, K. Roers and Reps. Schobinger, Stemen, Mitskog) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1872-1875, adopt

amendments as follows, and place HB 1015 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1872-1875 of the House Journal and pages 1494-1497 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 2, replace "provide for a report" with "provide a statement of legislative intent"

Page 1, replace lines 12 through 17 with:

"Adult services	$258,140,591	$161,033,061	$419,173,652
Youth services	24,584,845	2,026,590	26,611,435
Total all funds	$282,725,436	$163,059,651	$445,785,087
Less estimated income	64,865,627	125,451,497	190,317,124
Total general fund	$217,859,809	$37,608,154	$255,467,963
Full-time equivalent positions	907.79	22.00	929.79"

Page 1, replace line 23 with:

"Equipment	$191,000	$1,220,800"

Page 2, replace line 7 with:

"Heart River correctional center facility	0	131,200,000"

Page 2, replace lines 14 through 16 with:

"Offender management system review	0	500,000
New cameras	0	275,000
Maintenance and extraordinary repairs	0	2,000,000
James River correctional center remodel	0	255,500"

Page 2, replace lines 22 through 24 with:

"Roughrider industries cold storage	0	200,000
Roughrider industries paint line replacement	0	2,300,000
Total all funds	$18,940,572	$158,344,715
Less estimated income	18,634,572	144,632,261
Total general fund	$306,000	$13,712,454"

Page 3, line 7, replace "$165,057,000" with "$135,057,000"

Page 3, line 8, replace "$161,200,000" with "$131,200,000"

Page 3, after line 10, insert:

"**SECTION 5. HEART RIVER CORRECTIONAL CENTER FACILITY - LEGISLATIVE INTENT.** It is the intent of the sixty-eighth legislative assembly that the sixty-ninth legislative assembly appropriate $30,000,000 to complete the construction of the new women's prison facility at the Heart River correctional center, for the biennium beginning July 1, 2025, and ending June 30, 2027."

Page 4, after line 10, insert:

"**SECTION 10. EXEMPTION - FEDERAL STATE FISCAL RECOVERY FUND.** The amount of $990,000 from federal funds derived from the state fiscal recovery fund appropriated to the department of corrections and rehabilitation for stipends to county jails for deferred admissions in subsection 4 of section 1 of chapter 550 of the 2021 Special Session Session Laws is not subject to section 54-44.1-11, and any unexpended funds from this appropriation may be continued and used for payments for deferred admissions during the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehab. - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Adult services	$258,140,591	$475,662,717	($56,489,065)	$419,173,652	$428,918,745	($9,745,093)
Youth services	24,584,845	27,583,723	(972,288)	26,611,435	26,140,567	470,868
Total all funds	$282,725,436	$503,246,440	($57,461,353)	$445,785,087	$455,059,312	($9,274,225)
Less estimated income	64,865,627	218,004,391	(27,687,267)	190,317,124	190,317,124	0
General fund	$217,859,809	$285,242,049	($29,774,086)	$255,467,963	$264,742,188	($9,274,225)
FTE	907.79	931.79	(2.00)	929.79	923.79	6.00

Department 530 - Department of Corrections and Rehab. - Detail of Conference Committee Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adjusts New FTE Positions[2]	Removes Salary Funding for Funding Pool[3]	Reduces Funding for New FTE Operating Costs[4]	Reduces Funding for the Free Through Recovery Program[5]	Reduces Funding for Community Behavioral Telehealth Services[6]
Adult services	$2,176,363	($503,918)	($12,835,989)	($17,401)	($15,118,860)	($250,000)
Youth services	259,065		(1,169,113)			
Total all funds	$2,435,428	($503,918)	($14,005,102)	($17,401)	($15,118,860)	($250,000)
Less estimated income	126,264	0	(569,031)	0	0	0
General fund	$2,309,164	($503,918)	($13,436,071)	($17,401)	($15,118,860)	($250,000)
FTE	0.00	(2.00)	0.00	0.00	0.00	0.00

	Adjusts Funding for One-Time Items[7]	Adjusts Funding for the New Women's Prison Facility[8]	Total Conference Committee Changes
Adult services	$60,740	($30,000,000)	($56,489,065)
Youth services	(62,240)		(972,288)
Total all funds	($1,500)	($30,000,000)	($57,461,353)
Less estimated income	2,755,500	(30,000,000)	(27,687,267)
General fund	($2,757,000)	$0	($29,774,086)
FTE	0.00	0.00	(2.00)

[1] Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates, the same as the Senate, as follows:

	General Fund	Other Funds	Total
Salary increase	$2,451,251	$132,121	$2,583,372
Health insurance adjustment	(142,087)	(5,857)	(147,944)
Total	$2,309,164	$126,264	$2,435,428

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

[2] New FTE positions added by the House and related funding are reduced as follows:

	FTE Positions	General Fund
Inmate case managers	(2.00)	(257,758)
Heart River Correctional Center residential treatment	0	(246,160)
Total	(2.00)	($503,918)

The Senate removed 8 FTE positions and $1,333,753 from the general fund.

[3] Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	($2,604,277)	$0	($2,604,277)
Vacant FTE positions	(10,831,794)	(569,031)	(11,400,825)
Total	($13,436,071)	($569,031)	($14,005,102)

[4] Funding added by the House for operating costs for new FTE positions is reduced by $17,401 to reflect the removal of 2 new FTE positions. The Senate reduced operating costs by $108,851 to reflect the removal of 8 new FTE positions.

[5] The conference committee removed passthrough funding for the free through recovery program. Of the $8 million in the DOCR base budget, $354,760 is retained for free through recovery program costs and $826,380 is transferred to other operations within the DOCR budget.

The Senate increased funding by $4.1 million from the general fund for the free through recovery program. The House increased funding by $8.3 million from the general fund for the program. The free through recovery program had a legislative base budget of $8 million from the general fund.

[6] Funding is reduced by $250,000 from the general fund to provide a total increase of $750,000 from the general fund for community behavioral telehealth services, the same as the Senate. The House added $1 million from the general fund for community behavioral telehealth services.

[7] Funding for other one-time funding items is adjusted as follows:

	House Version	Senate Version	Conference Committee Version
Offender management system review	$757,000	$500,000	$500,000
New cameras	275,000	0	275,000
Equipment (including $75,000 from federal funds)	1,720,800	1,022,800	1,220,800
Maintenance and extraordinary repairs	4,000,000	1,000,000	2,000,000
James River Correctional Center remodel (other funds)	0	255,500	255,500
Roughrider Industries cold storage (other funds)	0	200,000	200,000
Roughrider Industries paint line replacement (other funds)	0	2,300,000	2,300,000
Total	$6,752,800	$5,278,300	$6,751,300

[8] Funding for the new women's prison facility project at the Heart River Correctional Center is adjusted to provide a total of $131.2 million from the strategic investment and improvements fund (SIIF) for the project. Legislative intent is added for the 69th Legislative Assembly to provide an additional $30 million for the project, the same as the Senate. The Senate provided $100 million from bond proceeds and $31.2 million from SIIF for the project. The House provided $161.2 million from SIIF for the project.

This amendment also:

- Adjusts a section to provide a total of $135,057,000 is from the strategic investment and improvements fund. The Senate included $35,057,000 from SIIF. The House included $165,057,000 from SIIF.
- Does not add a section added by the Senate to provide $100 million of bonding authority for the new women's prison facility project at the Heart River Correctional Center.
- Adds a section to provide legislative intent that the 69th Legislative Assembly appropriate an additional $30 million for the new women's prison facility project, the same as the Senate. The House did not include legislative intent for future funding for the project.
- Adds a section to provide an exemption to allow the department to continue $990,000 of federal funds appropriation authority derived from the federal State Fiscal Recovery Fund for deferred admissions payments to county jails, the same as the Senate.

Reengrossed HB 1015 was placed on the Seventh order of business on the calendar.

MOTION

SEN. KLEIN MOVED that the Senate stand in recess until 12:30 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Miller presiding.

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 Seventy-second Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 2062, line 13, remove "**, as engrossed**"

Page 2071, line 36, replace Myrdal with Meyer

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. BEKKEDAHL MOVED that the conference committee report on Engrossed SB 2009 as printed on SJ pages 2106-2115 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2009, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2009: A BILL for an Act to provide an appropriation for defraying the expenses of the agriculture commissioner; to amend and reenact sections 4.1-01-02, 4.1-01-18, 4.1-01-21.1, and 49-22-09.2 of the North Dakota Century Code, relating to the salary of the agriculture commissioner, the federal environmental law impact review committee, the environmental impact mitigation fund, and mitigating environmental impacts; to provide for a transfer; to provide an exemption; and to provide for a legislative management study.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 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; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Rust

Reengrossed SB 2009, as amended, passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LARSON MOVED that the conference committee report on Reengrossed SB 2107 as printed on SJ page 2115 be adopted, which motion prevailed on a voice vote.

Reengrossed SB 2107, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2107: A BILL for an Act to provide for a legislative management study relating to statutory provisions that prohibit certain individuals from possessing a firearm.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 2 NAYS, 0 EXCUSED, 1 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; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Braunberger; Mathern

ABSENT AND NOT VOTING: Rust

Reengrossed SB 2107, as amended, passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LARSEN MOVED that the conference committee report on Reengrossed HB 1088 as printed on SJ pages 2021-2022 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1088, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

HB 1088: A BILL for an Act to amend and reenact subsection 1 of section 21-10-01 and subsection 4 of section 21-10-11 of the North Dakota Century Code, relating to membership of the state investment board and the legacy and budget stabilization fund advisory board; to provide an effective date; and to declare an emergency.

ROLL CALL

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

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; 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; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Dever

ABSENT AND NOT VOTING: Rust

Reengrossed HB 1088, as amended, passed and the emergency clause was declared carried.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. BEKKEDAHL MOVED that the conference committee report on Reengrossed HB 1379 as printed on SJ pages 2014-2019 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1379, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

HB 1379: A BILL for an Act to amend and reenact sections 6-09.4-10.1 and 21-10-13 of the North Dakota Century Code, relating to the legacy sinking and interest fund and the legacy earnings fund; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; 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; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Cleary; Lee

ABSENT AND NOT VOTING: Rust

Reengrossed HB 1379, as amended, passed and the emergency clause was declared carried.

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THE SENATE RECOGNIZED THE PRESENCE OF:

Madam President's amazing husband of 35 years, Craig Palmer.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LEE MOVED that the conference committee report on Reengrossed HB 1413 as printed on SJ page 2069 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1413, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

HB 1413: A BILL for an Act to provide for a legislative management study relating to accumulator adjustment programs.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 2 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; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Kannianen; Magrum

ABSENT AND NOT VOTING: Rust

Reengrossed HB 1413, as amended, passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LEE MOVED that the conference committee report on Reengrossed HB 1522 as printed on SJ pages 2011-2012 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1522, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

HB 1522: A BILL for an Act to create and enact a new section to chapter 14-02.4 and a new section to chapter 15.1-06 of the North Dakota Century Code, relating to preferred pronouns and providing accommodations to a transgender student; to provide a penalty; and to declare an emergency.

ROLL CALL

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

YEAS: 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; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Axtman; Braunberger; Hogan; Mathern; Roers, K.; Rummel

ABSENT AND NOT VOTING: Rust

Reengrossed HB 1522, as amended, passed and the emergency clause was declared carried.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LEE MOVED that the conference committee report on Reengrossed HB 1362 as printed on SJ page 2071 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1362, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

HB 1362: A BILL for an Act to create and enact a new section to chapter 14-09 of the North Dakota Century Code, relating to recognizing a parent's interest in their child's upbringing.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 3 NAYS, 0 EXCUSED, 1 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; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Braunberger; Hogan; Piepkorn

ABSENT AND NOT VOTING: Rust

Reengrossed HB 1362, as amended, passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. PATTEN MOVED that the conference committee report on Reengrossed HB 1538 as printed on SJ pages 2069-2071 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1538, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

HB 1538: A BILL for an Act to create and enact a new section to chapter 20.1-02 and a new section to chapter 20.1-03 of the North Dakota Century Code, relating to fishing contests, surcharge fees, and the fishing conservation fund; to amend and reenact subsection 20 of section 20.1-02-05 of the North Dakota Century Code, relating to the powers of the director of the game and fish department; to provide a continuing appropriation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; 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; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston

NAYS: Dever; Wobbema

ABSENT AND NOT VOTING: Rust

Reengrossed HB 1538, as amended, passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LEE MOVED that the conference committee report on Reengrossed HB 1474 as

printed on SJ pages 2012-2014 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1474, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

HB 1474: A BILL for an Act to amend and reenact section 1-01-49, subsection 3 of section 12.1-36.1-01 of the North Dakota Century Code as created by section 1 of House Bill No. 1254, as approved by the sixty-eighth legislative assembly, subsection 2 of section 15-10.6-01 of the North Dakota Century Code as created by section 1 of House Bill No. 1489, as approved by the sixty-eighth legislative assembly, subsection 2 of section 15.1-41-01 of the North Dakota Century Code as created by section 1 of House Bill No. 1249, as approved by the sixty-eighth legislative assembly, subsection 20 of section 23-02.1-01 of the North Dakota Century Code as amended in section 1 of House Bill No. 1139, as approved by the sixty-eighth legislative assembly, and subsection 7 of section 51-35-01 of the North Dakota Century Code, relating to the definition of female, male, sex, and scrap metal dealer.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 42 YEAS, 4 NAYS, 0 EXCUSED, 1 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; Meyer; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rummel; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Braunberger; Hogan; Mathern; Piepkorn

ABSENT AND NOT VOTING: Rust

Reengrossed HB 1474, as amended, passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. CLEMENS MOVED that the conference committee report on Engrossed HB 1519 as printed on SJ pages 2090-2095 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1519, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

HB 1519: A BILL for an Act to provide appropriations to the department of career and technical education and agriculture commissioner for uncrewed aircraft system, autonomous vehicle, or other autonomous technology grants; to provide for a legislative management study; and to provide a report.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Rust

Engrossed HB 1519, as amended, passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. BEKKEDAHL MOVED that the conference committee report on Reengrossed HB

1015 as printed on SJ pages 2115-2118 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1015, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 2 NAYS, 0 EXCUSED, 1 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; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Braunberger; Mathern

ABSENT AND NOT VOTING: Rust

Reengrossed HB 1015, as amended, passed.

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REQUEST

SEN. KLEIN REQUESTED that the Senate be on the Eighth Order, which request was granted.

MOTION

SEN. KLEIN MOVED that Sen. Bekkedahl replace Sen. Meyer on the Conference Committee on HB 1014, which motion prevailed on a voice vote.

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

MR. SPEAKER: The President has appointed Sen. Bekkedahl to replace Sen. Meyer on the Conference Committee on HB 1014.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2009, SB 2107.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1015, HB 1362, HB 1413, HB 1474, HB 1519, HB 1538.

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

MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1088, HB 1379, HB 1522.

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

MR. SPEAKER: The President has signed: HB 1007, HB 1013, HB 1024, HB 1028, HB 1225, HB 1231, HB 1341, HB 1447, HB 1480, HB 1508, HB 1536.

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

MR. SPEAKER: The President has signed: HCR 3033.

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

MR. SPEAKER: The President has signed: SB 2010, SB 2016, SB 2018, SB 2089, SB 2196, SB 2238, SB 2248, SB 2304, SB 2330, SB 2334, SB 2335, SB 2371.

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

MADAM PRESIDENT: The House has amended and subsequently failed to pass: SB 2260.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2240.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2003, SB 2004, SB 2080.

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

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

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS
The following bills were delivered to the Governor for approval on April 27, 2023: SB 2010, SB 2016, SB 2018, SB 2089, SB 2196, SB 2238, SB 2248, SB 2304, SB 2330, SB 2334, SB 2335, SB 2371.

MOTION
SEN. KLEIN MOVED that the Senate stand in recess until 4:45 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Miller presiding.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT
SEN. BEKKEDAHL MOVED that the conference committee report on Reengrossed HB 1025 as printed on SJ page 1997 be adopted, which motion prevailed on a voice vote.

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

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report on: HB 1025.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1003, HB 1008, HB 1010, HB 1012, HB 1168, HB 1297, HB 1313, HB 1415, HB 1539.

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

COMMUNICATION FROM GOVERNOR DOUG BURGUM
This is to inform you that on April 26, 2023, I have signed the following: SB 2161, SB 2187, SB 2261, SB 2276, and SB 2391.

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

Shanda Morgan, Secretary