



# North Dakota House of Representatives

STATE CAPITOL  
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## Representative Emily O'Brien

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## COMMITTEES:

Appropriations  
Appropriations - Human Resources Division

03/26/2025

## Amendment to Senate Bill 2018

### House Appropriations - Education and Environment Division

Chairman Nathe and members of the House Appropriations - Education and Environment Division. I am Representative Emily O'Brien; I represent District 42 in Grand Forks - which encompasses the University of North Dakota and Grand Forks Air Force Base.

Before you is an amendment I am requesting to be put on Senate Bill 2018. I'm going to work backwards on what the amendment is and then why it's needed.

Amendment Number 25.0185.02002: Page 5, Section 12 - is authority language to allow the Turtle Mountain Band of Chippewa to authorize gaming to be conducted at an off-reservation location, with a description of the property located within Grand Forks County, North Dakota, and **must be approved by the Secretary of Interior under the Indian Gaming Regulatory Act of 1988.**

This is just one of many steps in this lengthy process. The Turtle Mountain Band of Chippewa already owns a 146-acre parcel of land 'within the county and southwest of the current city of Grand Forks' that they are seeking to develop on. In late January, the Tribe presented to the Grand Forks City Council their proposal which is designed to create jobs, revenue and revitalization of the Grand Forks area. This aligns with the Grand Forks strategy to improve economic, community development, and quality of life and attract visitors and new residents. This is a perfect fit for the Department of Commerce's budget and meeting their mission of 'leading the efforts to attract, retain and expand wealth and talent in North Dakota.'

The Tribe will still need to go through various other steps including but not limited to: approval from gaming compact with the Governor, federal approval as mentioned above, negotiations with the city on various items such as police, fire, ambulance, city services including access to water and sewer.

Page 3, Section 4 - is an infrastructure study which must include an analysis of the status of surrounding county roads, the interstate highway system, water and sewer, fiber optics and any other infrastructure improvements needed for the successful implementation of section 12.

This has been two decades of worthy conversations between Grand Forks and the Turtle Mountain Band of Chippewa. The Tribe must prove historical linkage to the land they are looking to make 'trust lands'. In fact, the Turtle Mountain Tribe is the only Tribe that has solid, well-documented historical ties to this area. The Red River Valley is the aboriginal territory of the Tribe, then known as the Pembina Bands of Chippewa, where the 1863 Treaty of Old Crossing on the Red River was signed. The Tribe still has lands held in trust by the United States for its use and occupancy in nearby Pembina. This historical evidence is consistent with the Indian Gaming Regulatory Act's requirements for off-reservation gaming envisioned in Grand Forks. No other Tribe has this historical tie to this area.

The Turtle Mountain Band of Chippewa's age requirements for this casino is 21 and over. As a member on the North Dakota Lottery Advisory Commission, we have discussed the various impacts of the gaming industry as a whole. With this amendments authority language, there have been concerns brought up historically about gaming addiction. The state has done a great job in weighing all factors and is dedicated to raising awareness and stopping gambling addictions in North Dakota. Last session, the balance of the Problem Gambling Prevention and Treatment Fund was \$1,220,000. These funds derived from the Human Resources Division on Appropriations allocated \$500,000 and the lottery fund appropriated \$640,000 and \$80,000. This fund is administered by the Department of Health and Human Services. The website for gambling addiction help is: [www.gamblernd.com](http://www.gamblernd.com)

Another concern that has been raised is the affects to charitable gaming in the City. Currently, there are 12 charitable permits in Grand Forks. The charitable gaming permittees are regulated, and I frequently request those reports. If they suffer losses, we can evaluate the best path to move forward which we won't know for a few years the impact. The Tribes are annually audited and can see their annual revenues as well.

This amendment simply provides enabling language and study for the Turtle Mountain Band of Chippewa. I am proud of the working relationship between the City of Grand Forks and the Tribe. I look forward to the State becoming a supportive partner and this committee supporting this additional amendment to Senate Bill 2018.

Thank you, Mr. Chairman. I will stand for any questions.



Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
FIRST ENGROSSMENT**

**ENGROSSED SENATE BILL NO. 2018**

Introduced by

Appropriations Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the department of commerce; to create and enact a new section to chapter 54-60 of the North Dakota Century Code, relating to department of commerce grant reporting requirements; to amend and reenact subsection 5 of section 54-58-03 and section 54-60-31 of the North Dakota Century Code, relating to a tribal-state gaming compact that permits gaming in Grand Forks County and changing the name of the office of legal immigration to the office of global talent; to provide for a transfer; to provide an exemption; and to provide for a legislative management report.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from other funds derived from special funds and federal funds, to the department of commerce for the purpose of defraying the expenses of the department of commerce, for the biennium beginning July 1, 2025, and ending June 30, 2027, as follows:

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$15,785,306	\$1,723,056	\$17,508,362
New and vacant FTE pool	0	582,600	582,600
Operating expenses	19,462,643	9,210,023	28,672,666
Grants	47,636,118	40,746,197	88,382,315

Sixty-ninth  
Legislative Assembly

1	Discretionary funds	2,150,000	0	2,150,000
2	Workforce programs	0	8,000,000	8,000,000
3	Partner programs	907,920	0	907,920
4	Entrepreneurship grants and vouchers	<u>948,467</u>	<u>759,044</u>	<u>1,707,511</u>
5	Total all funds	\$86,890,454	\$61,020,920	\$147,911,374
6	Less other funds	<u>53,344,371</u>	<u>52,870,336</u>	<u>106,214,707</u>
7	Total general fund	\$33,546,083	\$8,150,584	\$41,696,667
8	Full-time equivalent positions	62.80	(1.00)	61.80

9 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

10 **SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
 11 items included in the appropriation in section 1 of this Act which are not included in the entity's  
 12 base budget for the 2027-29 biennium and which the entity shall report to the appropriations  
 13 committees of the seventieth legislative assembly regarding the use of this funding:

14	<u>One-Time Funding Description</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
15	Temporary salaries	\$50,000	\$103,590	\$153,590
16	Tourism marketing awareness	0	7,000,000	7,000,000
17	Operation intern	2,000,000	0	2,000,000
18	Office of global talent	1,000,000	0	1,000,000
19	Tourism destination development grants	0	20,000,000	20,000,000
20	Beyond visual line of sight uncrewed			
21	aircraft system program	0	10,000,000	10,000,000
22	Enhanced use lease grant	0	5,000,000	5,000,000
23	Autonomous agriculture grants	0	5,000,000	5,000,000
24	Base enhancement grants	0	1,000,000	1,000,000
25	Tribally controlled community college grants	750,000	0	750,000
26	Entrepreneurship grants and vouchers	759,044	0	759,044
27	Regional workforce impact program grants	0	5,000,000	5,000,000
28	Technical skills training grants	<u>2,000,000</u>	<u>0</u>	<u>2,000,000</u>
29	Total	\$6,559,044	\$53,103,590	\$59,662,634

30 **SECTION 3. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST.** The  
 31 department of commerce may not spend funds appropriated in the new and vacant FTE pool



1 line item in section 1 of this Act, but may request the office of management and budget to  
2 transfer funds from the new and vacant FTE pool line item to the salaries and wages line item in  
3 accordance with the guidelines and reporting provisions included in House Bill No. 1015, as  
4 approved by the sixty-ninth legislative assembly.

5 **SECTION 4. APPROPRIATION - INFRASTRUCTURE STUDY - ONE-TIME FUNDING.**

6 There is appropriated out of any moneys in the general fund in the state treasury, not otherwise  
7 appropriated, the sum of \$100,000, or so much of the sum as may be necessary, to the  
8 department of commerce for the purpose of contracting for a study of infrastructure necessary  
9 to implement section 12 of this Act, for the biennium beginning July 1, 2025, and ending  
10 June 30, 2027. The study must include an analysis of the current status of surrounding county  
11 roads, the interstate highway system, water and sewer, fiber optics, and any other infrastructure  
12 improvements needed for the successful implementation of section 12. This funding is  
13 considered a one-time funding item.

14 **SECTION 5. TRANSFER - INTERNSHIP FUND.** The office of management and budget  
15 shall transfer \$3,000,000 of the amount appropriated in the operating expenses line item in  
16 section 1 of this Act to the internship fund for the purpose of administering the operation intern  
17 program, for the biennium beginning July 1, 2025, and ending June 30, 2027.

18 **SECTION 6. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO**  
19 **LEGACY INVESTMENT FOR TECHNOLOGY FUND.** The office of management and budget  
20 shall transfer the sum of \$5,000,000 from the strategic investment and improvements fund to  
21 the legacy investment for technology fund for the purpose of providing legacy investment  
22 technology loans, for the biennium beginning July 1, 2025, and ending June 30, 2027.

23 **SECTION 7. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO**  
24 **NORTH DAKOTA DEVELOPMENT FUND.** The office of management and budget shall transfer  
25 the sum of \$30,000,000 from the strategic investment and improvements fund to the North  
26 Dakota development fund for programs under chapter 10-30.5, for the biennium beginning  
27 July 1, 2025, and ending June 30, 2027.

28 **SECTION 8. RURAL HEALTH CARE GRANT PROGRAM - MATCHING FUNDS**  
29 **REQUIREMENT.** The grants line item in section 1 of this Act includes \$444,000 from the  
30 general fund for providing matching funds to an organization assisting in the recruitment,  
31 distribution, and supply, and enhancing the quality and efficiency of personnel providing health

1 services in rural areas of the state. The department of commerce may spend the funds  
2 appropriated in this section only to the extent the organization has secured matching funds from  
3 nonstate sources on a dollar-for-dollar basis.

4 **SECTION 9. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**

5 The other funds line item in section 1 of this Act includes the sum of \$53,000,000 from the  
6 strategic investment and improvements fund, of which:

- 7 1. \$7,000,000 is for tourism marketing awareness, including \$150,000 for supporting the  
8 continuation of the North Dakota state magazine with the current publisher of the  
9 magazine;
- 10 2. \$20,000,000 is for tourism destination development grants;
- 11 3. \$10,000,000 is for the beyond visual line of sight uncrewed aircraft system program;
- 12 4. \$5,000,000 is for the enhanced use lease grant program;
- 13 5. \$5,000,000 is for autonomous agriculture grants, which may be provided for  
14 autonomous trucking grants;
- 15 6. \$1,000,000 is for providing base enhancement grants to communities with an air force  
16 base or air national guard facilities, including \$600,000 to eligible organizations in  
17 Minot, \$250,000 to eligible organizations in Grand Forks, and \$150,000 to eligible  
18 organizations in Fargo; and
- 19 7. \$5,000,000 is for regional workforce impact program grants.

20 **SECTION 10. TRIBALLY CONTROLLED COMMUNITY COLLEGE GRANTS -**

21 **LEGISLATIVE MANAGEMENT REPORT.** The grants line item in section 1 of this Act includes  
22 \$750,000 from the general fund for the purpose of providing workforce development grants to a  
23 tribally controlled community college in the Turtle Mountain area. To be eligible for a grant under  
24 this section, a tribally controlled community college shall partner with at least one high school in  
25 the state for programs under section 54-60.2-02. During the 2025-26 interim, a tribally  
26 controlled community college receiving funding under this program shall report to the  
27 department of commerce by August 1, 2026, regarding the use of grant funds and the  
28 department of commerce shall provide a report to the legislative management by October 1,  
29 2026, regarding the use of grant funds.

30 **SECTION 11. DISCRETIONARY FUNDS - NATIVE AMERICAN SMALL BUSINESS**

31 **GRANT.** The discretionary funds line item in section 1 of this Act includes \$2,150,000 from the



1 general fund, of which \$600,000 is designated for a grant to support an organization dedicated  
2 to assisting Native American small businesses in North Dakota.

3 **SECTION 12. AMENDMENT.** Subsection 5 of section 54-58-03 of the North Dakota  
4 Century Code is amended and reenacted as follows:

5 5. The compact may not authorize gaming to be conducted by an Indian tribe at any  
6 off-reservation location not permitted under a tribal-state gaming compact in effect on  
7 August 1, 1997, except that in the case of the tribal-state gaming compact between  
8 the Turtle Mountain Band of Chippewa and the state, gaming may be conducted on  
9 land within Rolette County held in trust for the Band by the United States government  
10 which was in trust as of the effective date of the Indian Gaming Regulatory Act of 1988  
11 [Pub. L. 100-497; 102 Stat. 2467; 25 U.S.C. 2701 et seq.] and on the following  
12 described real property situated within Grand Forks County, North Dakota, if approved  
13 by the secretary of the interior under the Indian Gaming Regulatory Act of 1988  
14 [Pub. L. 100-497; 102 Stat. 2467; 25 U.S.C. 2701 et seq.]:

15 a. The south five and one-half acres of the east sixty-four acres of the northeast  
16 quarter, section thirty, township one hundred fifty-one, range fifty;

17 b. The west ninety-six acres of the northeast quarter of section thirty, township  
18 one hundred fifty-one, range fifty; and

19 c. The north fifty-eight and one-half acres of the east sixty-four acres of the  
20 northeast quarter of section thirty, township one hundred fifty-one, range fifty,  
21 except the north seven hundred ten and seventy-seven one-hundredths feet of  
22 the east six hundred forty-three and one-half feet thereof and except that part of  
23 the northeast quarter of the northeast quarter of section thirty, township  
24 one hundred fifty-one, range fifty west of the fifth principal meridian, described as  
25 follows: beginning at the northeast corner of section thirty; thence south zero  
26 degrees zero minutes zero seconds west, assumed bearing, along the east line  
27 of section thirty a distance of eight hundred and sixty and seventy-seven  
28 one-hundredths feet; thence south eighty-nine degrees thirty-six minutes zero  
29 seconds west seven hundred and three and one-half feet; thence north zero  
30 degrees zero minutes zero seconds east eight hundred and sixty and seventy-  
31 seven one-hundredths feet to the north line of section thirty; thence north



eighty-nine degrees thirty-six minutes zero seconds east, along the north line of said section thirty, a distance of seven hundred and three and one-half feet to the point of beginning.

**SECTION 13.** A new section to chapter 54-60 of the North Dakota Century Code is created and enacted as follows:

**Reporting requirements - Budget section - Grant programs.**

The department shall compile a report regarding grant programs administered by the department, excluding federally funded programs, to be provided semiannually to the budget section. The report must include the following for each grant program:

1. The purpose of the grant program;
2. Funding history;
3. The number of days the grant application was open to applicants;
4. The name of each grant recipient and the amount of each grant award; and
5. The distribution date of grant funds or the anticipated distribution date of grant funds.

**SECTION 14. AMENDMENT.** Section 54-60-31 of the North Dakota Century Code is amended and reenacted as follows:

**54-60-31. Office of legal-immigrationglobal talent - Duties.**

There is created an office of legal-immigrationglobal talent within the department of commerce. Employees of the office of legal-immigrationglobal talent report to the commissioner. The office of legal-immigrationglobal talent:

1. Shall develop and implement a statewide strategy to support businesses in recruiting and retaining foreign labor, including immigrants already in the United States and integration of immigrants into the state to promote economic opportunities for immigrant communities.
2. Shall advise and make recommendations to the governor, legislative assembly, and state agencies regarding immigrant integration and foreign labor issues.
3. Shall develop a pilot program to support businesses pursuing or employing legal immigrants and to support communities to develop immigration integration plans and activities.



1        4. May contract with other state agencies to develop and administer programs or  
2        services related to immigration integration and access to basic needs that promote  
3        entrance and movement throughout the workforce.

4        5. May contract with an organization with expertise related to the goals of the office of  
5        legal immigration global talent.

6        **SECTION 15. EXEMPTION - UNEXPENDED APPROPRIATIONS.** The following  
7        appropriations are not subject to the provisions of section 54-44.1-11 and any unexpended  
8        funds from these appropriations may be continued into the biennium beginning July 1, 2025,  
9        and ending June 30, 2027:

10       1. The sum of \$3,000,000 appropriated from federal COVID-19 funds for the community  
11       development block grant program in section 1 of chapter 27 of the 2021 Session Laws  
12       and continued into the 2023-25 biennium in section 29 of chapter 18 of the 2023  
13       Session Laws.

14       2. The sum of \$56,234,176 appropriated from federal COVID-19 funds for the state small  
15       business credit initiative program in section 2 of chapter 28 of the 2021 Session Laws  
16       and continued into the 2023-25 biennium in section 29 of chapter 18 of the 2023  
17       Session Laws.

18       3. The sum of \$15,000,000 appropriated from the federal state fiscal recovery fund for  
19       the workforce development incentive grant program in subsection 38 of section 1 of  
20       chapter 550 of the 2021 Special Session Session Laws and continued into the  
21       2023-25 biennium in section 29 of chapter 18 of the 2023 Session Laws.

22       4. The sum of \$5,000,000 appropriated from the federal state fiscal recovery fund for the  
23       technical skills training grant program in subsection 39 of section 1 of chapter 550 of  
24       the 2021 Special Session Session Laws and continued into the 2023-25 biennium in  
25       section 29 of chapter 18 of the 2023 Session Laws.

26       5. The sum of \$28,500,000 appropriated from the general fund for workforce programs,  
27       of which \$12,000,000 was for workforce talent attraction initiative operating expenses,  
28       \$12,500,000 was for workforce investment program grants, \$2,000,000 was for  
29       technical skills training grants, and \$2,000,000 was for new Americans workforce  
30       development and training grants, in section 1 of chapter 18 of the 2023 Session Laws.

- 1        6.    The sum of \$25,000,000 appropriated from the strategic investment and  
2           improvements fund for the tourism destination development initiative in section 1 of  
3           chapter 18 of the 2023 Session Laws.
- 4        7.    The sum of \$10,000,000 appropriated from the strategic investment and  
5           improvements fund for the enhanced use lease grant program in section 1 of  
6           chapter 18 of the 2023 Session Laws.
- 7        8.    The sum of \$120,000,000 appropriated from federal funds for weatherization and  
8           energy assistance programs in section 1 of chapter 18 of the 2023 Session Laws.
- 9        9.    The sum of \$2,150,000 appropriated from the general fund for discretionary funds in  
10          section 1 of chapter 18 of the 2023 Session Laws.
- 11       10.   The sum of \$3,258,084 appropriated from federal funds for heating, furnace, and  
12          cooling assistance grants in section 1 of chapter 18 of the 2023 Session Laws.
- 13       11.   The sum of \$14,081,719 appropriated from federal funds for energy conservation  
14          assistance grants in section 1 of chapter 18 of the 2023 Session Laws.
- 15       12.   The sum of \$1,550,000 appropriated from federal funds for the parks and recreation  
16          program in section 1 of chapter 18 of the 2023 Session Laws.
- 17       13.   The sum of \$572,143 appropriated from federal funds for the state small business  
18          credit initiative program in section 1 of chapter 18 of the 2023 Session Laws.
- 19       14.   The sum of \$2,000,000 appropriated from the general fund for the office of legal  
20          immigration in section 1 of chapter 639 of the 2023 Special Session Session Laws.