

JOURNAL OF THE SENATE

Sixty-seventh Legislative Assembly

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Bismarck, February 12, 2021

The Senate convened at 12:30 p.m., with President Sanford presiding.

The prayer was offered by Chaplain David Heaney, Sanford Hospital, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Anderson, Chairman)** has carefully examined the Journal of the Twenty-fifth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 456, line 16, remove "Engrossed" and "Reengrossed"

Page 456, line 17, remove "Engrossed"

Page 460, line 15, insert "amended" before "bill"

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

CONSIDERATION OF AMENDMENTS

SB 2319: SEN. KANNIANEN (Finance and Taxation Committee) MOVED that the amendments be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

SB 2319 was rereferred to the **Appropriations Committee**.

CONSIDERATION OF AMENDMENTS

SB 2224: SEN. ANDERSON (Human Services Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2010: SEN. HECKAMAN (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2230: SEN. WANZEK (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2145: SEN. K. ROERS (Human Services Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2333: SEN. KLEIN (Industry, Business and Labor Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2012: SEN. OEHLKE (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2009: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2245: SEN. KREBSBACH (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2013: SEN. WANZEK (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

MOTION

SEN. KLEIN MOVED that after action taken on the Sixth order, SB 2311 and SB 2179 be placed on the Eleventh order for immediate second reading and final passage, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2311: SEN. K. ROERS (Human Services Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2311: A BILL for an Act to provide for a review of North Dakota health education content standards and curriculum; and to provide for a legislative management report.

ROLL CALL

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

YEAS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

NAYS: Heitkamp; Larsen, O.

Engrossed SB 2311 passed.

CONSIDERATION OF AMENDMENTS

SB 2179: SEN. HOGAN (Human Services Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2179: A BILL for an Act to provide for a legislative management study relating to coverage of telehealth.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

NAYS: Heitkamp; Larsen, O.; Myrdal

Engrossed SB 2179 passed.

SECOND READING OF SENATE BILL

SB 2203: A BILL for an Act to create and enact a new subsection to section 52-04-06 of the North Dakota Century Code, relating to surcharges paid by employers for employees who receive unemployment insurance benefits; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 39 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Dwyer; Hogue; Larsen, O.; Lee; Patten; Roers, J.; Roers, K.; Rust

NAYS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larson, D.; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Piepkorn; Poolman; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

SB 2203 failed.

SECOND READING OF SENATE BILL

SB 2089: A BILL for an Act to amend and reenact subsection 17 of section 50-06-05.1 of the North Dakota Century Code, relating to financing of welfare programs and housing stabilization supports and rental assistance; to repeal sections 1-02-35 and 50-06-14 of the North Dakota Century Code, relating to obsolete effective date language and financing of welfare programs; to provide a statement of legislative intent; 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, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larson, D.; Lee; Lemm; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

NAYS: Heitkamp; Larsen, O.; Luick

Engrossed SB 2089 passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2209: A BILL for an Act to create and enact a new section to chapter 19-02.1 and a new chapter to title 19 of the North Dakota Century Code, relating to increased access to low-cost prescription drugs; to amend section 43-15.3-12 of the North Dakota Century Code, relating to drug wholesaler fees; to provide for a report; to provide a continuing appropriation; to provide for a transfer; and to provide a contingent effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 35 YEAS, 12

NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Conley; Davison; Dever; Dwyer; Fors; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Larsen, D.; Lee; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Wardner; Weber

NAYS: Clemens; Elkin; Erbele; Heitkamp; Kreun; Larsen, O.; Larson, D.; Lemm; Myrdal; Vedaa; Wanzek; Wobbema

Engrossed SB 2209 passed.

SECOND READING OF SENATE BILL

SB 2303: A BILL for an Act to amend and reenact section 23-35-02.1 of the North Dakota Century Code, relating to tribal health units.

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, 8 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Davison; Dever; Dwyer; Elkin; Erbele; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Larsen, D.; Larson, D.; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

NAYS: Conley; Fors; Heitkamp; Kreun; Larsen, O.; Lee; Lemm; Myrdal

SB 2303 passed.

SECOND READING OF SENATE BILL

SB 2318: A BILL for an Act to amend and reenact subsection 4 of section 57-39.10-01 and sections 57-39.10-02, 57-39.10-03, and 57-39.10-05 of the North Dakota Century Code, relating to state-tribal agreements for the administration and collection of alcoholic beverages wholesale tax and alcoholic beverages gross receipts tax within the exterior boundaries of a reservation in this state; and to provide for application.

ROLL CALL

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

YEAS: Marcellais

NAYS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

SB 2318 failed.

SECOND READING OF SENATE BILL

SB 2296: A BILL for an Act to create and enact a new section to chapter 53-06.1, a new subsection to section 53-06.1-11, and two new subsections to section 53-06.1-15.1 of the North Dakota Century Code, relating to the regulation of electronic pull tab devices; and to amend and reenact section 53-06.1-01, subsection 1 of section

53-06.1-01.1, subsection 1 of section 53-06.1-06, sections 53-06.1-08, 53-06.1-08.2, and 54-58-03 of the North Dakota Century Code, relating to charitable gaming and tribal-state gaming compacts.

ROLL CALL

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

YEAS: Marcellais

NAYS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

SB 2296 failed.

SECOND READING OF SENATE BILL

SB 2341: A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to access to public employees retirement system uniform group insurance data; and to amend and reenact section 54-52.1-05.1 of the North Dakota Century Code, relating to access to insured and provider health insurance benefits coverage data.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

Engrossed SB 2341 passed.

SECOND READING OF SENATE BILL

SB 2321: A BILL for an Act to amend and reenact sections 5-01-14 and 5-01-21 of the North Dakota Century Code, relating to microbrew pubs and brewer taprooms.

ROLL CALL

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

YEAS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

NAYS: Clemens

Engrossed SB 2321 passed.

SECOND READING OF SENATE BILL

SB 2023: A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota racing commission; 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, and has committee recommendation of DO PASS, the roll was called and there were 30 YEAS, 17 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bakke; Bekkedahl; Bell; Burckhard; Davison; Dever; Dwyer; Erbele; Heckaman; Hogan; Hogue; Holmberg; Klein; Krebsbach; Kreun; Marcellais; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Sorvaag; Vedaa; Wanzek; Wardner

NAYS: Anderson; Clemens; Conley; Elkin; Fors; Heitkamp; Kannianen; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Myrdal; Schaible; Weber; Wobbema

Engrossed SB 2023 passed.

SECOND READING OF SENATE BILL

SB 2242: A BILL for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to the sale or purchase of a catalytic converter; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

Engrossed SB 2242 passed.

SECOND READING OF SENATE BILL

SB 2196: A BILL for an Act to create and enact a new subdivision to subsection 7 of section 15.1-01-04 of the North Dakota Century Code, relating to the duties of the kindergarten through grade twelve education coordination council; and to amend and reenact subsection 1 of section 15.1-01-03, section 15.1-02-04, subsection 3 of section 15.1-21-02, and section 15.1-21-03 of the North Dakota Century Code, relating to the establishment of a North Dakota learning continuum and to instructional time and unit requirements.

ROLL CALL

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

YEAS: Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

NAYS: Heitkamp

Engrossed SB 2196 passed.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2005, SB 2006, SB 2017, SB 2022, SB 2070, SB 2133, SB 2212, SB 2274, SB 2276.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, and your favorable consideration is requested on: HB 1164, HB 1230, HB 1298.

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, February 15, 2021, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2001: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2001 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to provide for a report"

Page 1, replace lines 13 through 19 with:

	<u>Base Level</u>	<u>"Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$11,190,844	\$505,800	\$11,696,644
Operating expenses	3,847,478	3,904,389	7,751,867
Capital assets	6,000	0	6,000
National conference of state legislatures	<u>263,433</u>	<u>7,900</u>	<u>271,333</u>
Total general fund	\$15,307,755	\$4,418,089	\$19,725,844"

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 6 with:

	<u>Base Level</u>	<u>"Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$9,965,717	\$2,465,563	\$12,431,280
Operating expenses	2,988,601	254,829	3,243,430
Capital assets	<u>6,000</u>	<u>0</u>	<u>6,000</u>
Total all funds	\$12,960,318	\$2,720,392	\$15,680,710
Less estimated income	<u>70,000</u>	<u>0</u>	<u>70,000</u>
Total general fund	\$12,890,318	\$2,720,392	\$15,610,710
Full-time equivalent positions	36.00	8.00	44.00"

Page 2, replace lines 9 through 13 with:

	<u>Base Level</u>	<u>"Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$28,198,073	\$7,138,481	\$35,336,554
Grand total special funds	<u>70,000</u>	<u>0</u>	<u>70,000</u>
Grand total all funds	\$28,268,073	\$7,138,481	\$35,406,554"

Page 2, line 14, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY**"

Page 2, line 16, after "biennium" insert "and the 2021-23 one-time funding items included in the appropriation for the legislative assembly in section 1 of this Act"

Page 2, replace lines 17 through 23 with:

<u>"One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Digital signage replacement	\$40,000	\$0
Voting system upgrades	100,000	0
Computer and iPad replacement	517,760	0
Redistricting session	0	317,536
Information technology expansion	<u>0</u>	<u>1,450,000</u>
Total all funds	\$657,760	\$1,767,536
Less estimated income	<u>140,000</u>	<u>0</u>
Total general fund	\$517,760	\$1,767,536

The 2021-23 biennium one-time funding amounts are not part of the entity's base budget for the 2023-25 biennium. The legislative assembly shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 2, line 25, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY"

Page 2, line 26, after "biennium" insert "and the 2021-23 one-time funding items included in the appropriation for legislative management and legislative council in section 1 of this Act"

Page 2, replace lines 27 through 31 with:

<u>"One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Redistricting equipment	\$22,400	\$0
Computer replacement	124,856	0
Council of state governments conference	7,500	0
Information technology expansion	0	48,000
Public website design	<u>0</u>	<u>150,000</u>
Total general fund	\$154,756	\$198,000

The 2021-23 biennium one-time funding amounts are not part of the entity's base budget for the 2023-25 biennium. The legislative council shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 3, after line 21, insert:

"SECTION 6. AMENDMENT. Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

54-03-20. Compensation and expense reimbursement of members of the legislative assembly.

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred eighty-six one hundred ninety dollars through June 30, 2022, and one hundred ninety-four dollars thereafter for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
2. a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the

maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times seventy percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.

- b. Notwithstanding subdivision a:
 - (1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.
 - (2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a.
3. a. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.
- b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed the maximum monthly reimbursement allowed under subdivision a of subsection 2.
4. The amount to which each legislator is entitled must be paid following the organizational session in December and each month upon submission of a voucher and appropriate documentation during a regular or special session, consistent with section 26 of article XI of the constitution of North Dakota.
5. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.
6. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.
7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of ~~five hundred~~

eighteenfive hundred twenty-eight dollars through June 30, 2022, and five hundred thirty-nine dollars thereafter a month, paid monthly.

- b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
 - c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of ~~three hundred-seventy-one~~three hundred seventy-eight dollars through June 30, 2022, and three hundred eighty-six dollars thereafter per month during the biennium for their execution of public duties.
8. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].
9. Before each regular legislative session, the legislative management shall make recommendations and submit any necessary legislation to adjust legislative compensation amounts.

SECTION 7. AMENDMENT. Section 54-35-10 of the North Dakota Century Code is amended and reenacted as follows:

54-35-10. Compensation of members and leadership.

- 1. The members of the legislative management and the members of any committee of the legislative management are entitled to be compensated for the time spent in attendance at sessions of the legislative management and of its committees at the rate of ~~one hundred-eighty-six~~one hundred ninety dollars through June 30, 2022, and one hundred ninety-four dollars thereafter per day and must also be paid for expenses incurred in attending said meetings and in the performance of their official duties in the amounts provided by law for other state officers.
- 2. In addition to the compensation provided in subsection 1, the chairman of the legislative management is entitled to receive an additional five dollars for each day spent in attendance at sessions of the legislative management and of its committees, and the chairman of each of the legislative management's committees is entitled to receive five dollars for each day spent in attendance at sessions of the legislative management or of the committee which the person chairs."

Page 3, line 22, replace "This" with "Sections 1 through 5 of this"

Page 3, line 22, replace "is" with "are"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of Senate Action

	Base Budget	Senate Changes	Senate Version
Legislative Assembly			
Total all funds	\$15,307,755	\$4,418,089	\$19,725,844
Less estimated income	0	0	0
General fund	\$15,307,755	\$4,418,089	\$19,725,844

FTE	0.00	0.00	0.00
Legislative Council			
Total all funds	\$12,960,318	\$2,720,392	\$15,680,710
Less estimated income	70,000	0	70,000
General fund	\$12,890,318	\$2,720,392	\$15,610,710
FTE	36.00	8.00	44.00
Bill total			
Total all funds	\$28,268,073	\$7,138,481	\$35,406,554
Less estimated income	70,000	0	70,000
General fund	\$28,198,073	\$7,138,481	\$35,336,554
FTE	36.00	8.00	44.00

Senate Bill No. 2001 - Legislative Assembly - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$11,190,844	\$505,800	\$11,696,644
Operating expenses	3,847,478	3,904,389	7,751,867
Capital assets	6,000		6,000
National Conf. of State Legislatures	263,433	7,900	271,333
Total all funds	\$15,307,755	\$4,418,089	\$19,725,844
Less estimated income	0	0	0
General fund	\$15,307,755	\$4,418,089	\$19,725,844
FTE	0.00	0.00	0.00

Department 150 - Legislative Assembly - Detail of Senate Changes

	Adds Funding for Cost-to-Continue Compensation ¹	Adds Funding for Salary and Benefit Increases ²	Increases Funding for Monthly Lodging Expenses ³	Increases Funding for Operating Expenses ⁴	Adds Funding for IT Expansion ⁵	Adds Funding for Microsoft Office 365 License Expenses ⁶
Salaries and wages	\$24,260	\$247,118				
Operating expenses			\$19,830	\$935,912	\$1,400,000	\$15,533
Capital assets						
National Conf. of State Legislatures						
Total all funds	\$24,260	\$247,118	\$19,830	\$935,912	\$1,400,000	\$15,533
Less estimated income	0	0	0	0	0	0
General fund	\$24,260	\$247,118	\$19,830	\$935,912	\$1,400,000	\$15,533
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Increases National Conference of State Legislatures Dues ⁷	Adds One-Time Funding for Special Session ⁸	Adds One-Time Funding for IT Expansion ⁹	Total Senate Changes
Salaries and wages		\$234,422		\$505,800
Operating expenses		83,114	\$1,450,000	3,904,389
Capital assets				
National Conf. of State Legislatures	\$7,900			7,900
Total all funds	\$7,900	\$317,536	\$1,450,000	\$4,418,089
Less estimated income	0	0	0	0
General fund	\$7,900	\$317,536	\$1,450,000	\$4,418,089
FTE	0.00	0.00	0.00	0.00

¹ Funding is added for cost-to-continue 2019-21 biennium legislators' monthly compensation.

² Funding is added for increases in monthly health insurance premiums from \$1,427 to \$1,429 (\$6,383) and for 2021-23 biennium compensation adjustments of 2 percent per year for temporary salaries (\$41,991) and for regular and organizational sessions, legislators' monthly compensation, and additional monthly compensation for legislative leaders (\$198,744).

The major compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2021	Rate Effective July 1, 2022
Daily session pay	\$186	\$190	\$194
Monthly compensation	\$518	\$528	\$539
Leaders' additional monthly compensation	\$371	\$378	\$386

³ Funding is added to increase the maximum monthly lodging expense reimbursement to \$1,833 anticipated for the 2023 legislative session. The maximum monthly lodging reimbursement is \$1,814 for the 2021 session.

⁴ Funding is added to increase operating expenses, including increases related to the ongoing cost of video streaming, archiving, indexing, and closed captioning for committee rooms and for adjustments related to the annual cost for voting system upgrades and the addition of virtual voting.

⁵ Funding is added to expand information technology services.

⁶ Funding is added for Microsoft Office 365 licensing expenses.

⁷ Funding is increased for National Conference of State Legislatures dues.

⁸ One-time funding is added for a redistricting special session, including funding for per diem, temporary salaries, and travel expenses.

⁹ One-time funding is added to expand information technology services.

This amendment also adds a section to adjust 2021-23 biennium compensation rates to provide 2 percent per year increases for regular and organizational session pay, legislators' monthly compensation, and additional monthly compensation for legislative leaders.

Senate Bill No. 2001 - Legislative Council - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$9,965,717	\$2,465,563	\$12,431,280
Operating expenses	2,988,601	254,829	3,243,430
Capital assets	6,000		6,000
Total all funds	\$12,960,318	\$2,720,392	\$15,680,710
Less estimated income	70,000	0	70,000
General fund	\$12,890,318	\$2,720,392	\$15,610,710
FTE	36.00	8.00	44.00

Department 160 - Legislative Council - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes ¹	Adds Funding for Salary and Benefit Increases ²	Increases Funding for Legislator Per Diem ³	Adds IT Expansion FTE Positions ⁴	Adjusts Funding for Operating Expenses ⁵	Adds Funding for Microsoft Office 365 License Expenses ⁶
Salaries and wages	\$440,357	\$275,148	\$34,439	\$1,715,619		
Operating expenses				24,000	\$29,084	\$3,745
Capital assets						
Total all funds	\$440,357	\$275,148	\$34,439	\$1,739,619	\$29,084	\$3,745
Less estimated income	0	0	0	0	0	0
General fund	\$440,357	\$275,148	\$34,439	\$1,739,619	\$29,084	\$3,745
FTE	0.00	0.00	0.00	8.00	0.00	0.00

	Adds One-Time Funding for Public Website Design ⁷	Adds One-Time Funding for IT Expansion ⁸	Total Senate Changes
Salaries and wages			\$2,465,563
Operating expenses	\$150,000	\$48,000	254,829
Capital assets			
Total all funds	\$150,000	\$48,000	\$2,720,392
Less estimated income	0	0	0
General fund	\$150,000	\$48,000	\$2,720,392
FTE	0.00	0.00	8.00

¹ Funding is adjusted for base payroll changes.

² The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	<u>General Fund</u>
Salary increase	\$273,053
Health insurance increase	2,095
Total	\$275,148

³ Funding is added for 2021-23 biennium compensation adjustments of 2 percent per year for legislators' attendance at interim meetings. The compensation adjustments are as follows:

	<u>Current</u> <u>Compensation Rate</u>	<u>Rate</u> <u>Effective July 1,</u> <u>2021</u>	<u>Rate</u> <u>Effective July 1,</u> <u>2022</u>
Interim meeting pay	\$186	\$190	\$194

⁴ Funding is added for 8 FTE information technology positions for the expansion of IT services.

⁵ Funding is adjusted for operating expenses, including adjustments for travel related to continuing reduced committee sizes during the 2021-23 biennium and estimated increases in the lodging rate.

⁶ Funding is added for Microsoft Office 365 licensing expenses.

⁷ One-time funding is added for public website design.

⁸ One-time funding is added to expand information technology services.

A section is added to adjust 2021-23 biennium compensation rates to provide a 2 percent per year increase for interim meeting pay.

REPORT OF STANDING COMMITTEE

SB 2007: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2007 was placed on the Sixth order on the calendar.

Page 1, line 1, after "home" insert "; to provide an exemption; and to provide for a report"

Page 1, replace lines 8 through 16 with:

"	<u>Base Level</u>	<u>Adjustments or</u> <u>Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$18,916,632	\$275,298	\$19,191,930
Operating expenses	5,083,731	455,602	5,539,333
Capital assets	405,733	349,738	755,471
Total all funds	\$24,406,096	\$1,080,638	\$25,486,734
Less estimated income	18,751,772	964,719	19,716,491
Total general fund	\$5,654,324	\$115,919	\$5,770,243
Full-time equivalent positions	120.72	(5.93)	114.79"

Page 1, line 17, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY"

Page 1, line 18, after "biennium" insert "and the 2021-23 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 1, remove lines 19 through 24

Page 2, replace lines 1 through 3 with:

" <u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Equipment	\$99,400	\$16,700
Strategic plan	25,000	0
Skilled care flooring project	138,700	0
Basic care flooring project	0	131,500
Administrator's residence demolition	233,450	0
Security system upgrades	52,500	0
Memorial garden project	0	<u>200,000</u>
Total all funds	\$549,050	\$348,200
Less estimated income	<u>524,050</u>	<u>348,200</u>
Total general fund	\$25,000	\$0

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The veterans' home shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 2, after line 7, insert:

"SECTION 4. EXEMPTION - SKILLED CARE FLOORING PROJECT. The \$138,700 appropriated from the soldiers' home fund for a skilled care flooring project in section 1 of chapter 7 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unspent funds may be continued and is available for defraying the expenses of completing the project during the biennium beginning July 1, 2021, and ending June 30, 2023."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2007 - Veterans' Home - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$18,916,632	\$275,298	\$19,191,930
Operating expenses	5,083,731	455,602	5,539,333
Capital assets	405,733	349,738	755,471
Total all funds	\$24,406,096	\$1,080,638	\$25,486,734
Less estimated income	<u>18,751,772</u>	<u>964,719</u>	<u>19,716,491</u>
General fund	\$5,654,324	\$115,919	\$5,770,243
FTE	120.72	(5.93)	114.79

Department 313 - Veterans' Home - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes ¹	Adds Funding for Salary and Benefit Increases ²	Removes FTE Positions ³	Adjusts Funding for Repairs and Maintenance ⁴	Adjusts Base Level Funding ⁵	Adds Funding for Registered Nurse Positions ⁶
Salaries and wages	\$187,174	\$462,405	(\$528,702)	(\$191,579)		\$36,000
Operating expenses				191,921	\$263,681	
Capital assets					1,538	
Total all funds	\$187,174	\$462,405	(\$528,702)	\$342	\$265,219	\$36,000
Less estimated income	<u>224,047</u>	<u>370,685</u>	<u>0</u>	<u>342</u>	<u>(14,555)</u>	<u>36,000</u>
General fund	(\$36,873)	\$91,720	(\$528,702)	\$0	\$279,774	\$0
FTE	(1.00)	0.00	(3.93)	(1.00)	0.00	0.00

	Adds Funding for Salary Equity Increases ⁷	Adds One-Time Funding for Equipment ⁸	Adds One-Time Funding for Basic Care Flooring ⁹	Adds One-Time Funding for Memorial Garden ¹⁰	Total Senate Changes
Salaries and wages	\$310,000				\$275,298
Operating expenses					455,602
Capital assets		\$16,700	\$131,500	\$200,000	349,738
Total all funds	\$310,000	\$16,700	\$131,500	\$200,000	\$1,080,638
Less estimated income	0	16,700	131,500	200,000	964,719
General fund	\$310,000	\$0	\$0	\$0	\$115,919
FTE	0.00	0.00	0.00	0.00	(5.93)

¹ Funding is adjusted for base payroll changes, including the removal of 1 unfunded FTE resident living specialist position. Special funds are added from the soldiers' home fund.

² The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022; and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	General Fund	Other Funds	Total
Salary increase	\$90,257	\$365,783	\$456,040
Health insurance increase	1,463	4,902	6,365
Total	\$91,720	\$370,685	\$462,405

³ Funding of \$528,702 from the general fund and authority for 3.93 FTE positions is removed as follows:

	FTE Positions	General Fund	Other Funds	Total
Administrative assistant	(1.00)	(\$135,039)	\$0	(\$135,039)
Direct care associate I	(1.00)	(119,890)	0	(119,890)
Resident living specialist II	(1.00)	(126,278)	0	(126,278)
Licensed practical nurse II	(0.93)	(147,495)	0	(147,495)
Total	(3.93)	(\$528,702)	\$0	(\$528,702)

⁴ Funding is adjusted for repairs and maintenance costs from the soldiers' home fund by reducing \$191,579 from the salaries and wages line item and adding \$191,921 in the operating expenses line item. Of the amount reduced in the salaries and wages line item, \$142,421 is for the removal of 1 FTE general trades maintenance worker I position. Funding added in the operating expenses line item is for contract maintenance work.

⁵ Base level funding is adjusted as follows:

	General Fund	Other Funds	Total
Adds funding for Microsoft Office 365 license expenses	\$41,133	\$3,448	\$44,581
Adds funding for information technology services and fees	141	37,859	38,000
Reduces funding for professional service fees and staff training	0	(57,400)	(57,400)
Adds funding for resident medication	238,500	0	238,500
Adjusts funding for bond and interest payments	0	1,538	1,538
Total	\$279,774	(\$14,555)	\$265,219

⁶ Funding is added to reclassify 3 FTE licensed practical nurse positions to FTE registered nurse positions by adding \$36,000 from the soldiers' home fund in the salaries and wages line item.

⁷ Funding is added from the general fund for salary equity increases of \$1 per hour for certified nursing assistants, licensed practical nurses, and registered nurses.

⁸ One-time funding of \$16,700 is added from the soldiers' home fund for equipment, including a carpet shampooer (\$10,700) and humidifiers (\$6,000).

⁹ One-time funding of \$131,500 is added from the soldiers' home fund to replace flooring in half of the basic care areas of the Veterans' Home.

¹⁰ One-time funding of \$200,000 from the Melvin Norgard memorial fund is added for a memorial garden project.

This amendment also adds a section to provide an exemption to allow the Veterans' Home to continue \$138,700 appropriated from the soldiers' home fund for a flooring project in the

skilled nursing areas of the Veterans' Home during the 2019-21 biennium into the 2021-23 biennium.

REPORT OF STANDING COMMITTEE

SB 2016: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2016 was placed on the Sixth order on the calendar.

Page 1, replace lines 9 through 20 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$30,572,221	(\$1,611,069)	\$28,961,152
Operating expenses	17,840,895	(665,598)	17,175,297
Capital assets	20,000	0	20,000
Grants	6,166,112	2,114,939	8,281,051
Reed Act - unemployment insurance computer modernization	<u>10,475,114</u>	<u>470,012</u>	<u>10,945,126</u>
Total all funds	\$65,074,342	\$308,284	\$65,382,626
Less estimated income	<u>64,643,718</u>	<u>328,603</u>	<u>64,972,321</u>
Total general fund	\$430,624	(\$20,319)	\$410,305
Full-time equivalent positions	172.61	(16.00)	156.61"

Page 2, line 10, replace "\$10,475,114" with "\$10,945,126"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2016 - Job Service North Dakota - Senate Action

	<u>Base Budget</u>	<u>Senate Changes</u>	<u>Senate Version</u>
Salaries and wages	\$30,572,221	(\$1,611,069)	\$28,961,152
Operating expenses	17,840,895	(665,598)	17,175,297
Capital assets	20,000		20,000
Grants	6,166,112	2,114,939	8,281,051
Reed Act - Computer modernization	<u>10,475,114</u>	<u>470,012</u>	<u>10,945,126</u>
Total all funds	\$65,074,342	\$308,284	\$65,382,626
Less estimated income	<u>64,643,718</u>	<u>328,603</u>	<u>64,972,321</u>
General fund	\$430,624	(\$20,319)	\$410,305
FTE	172.61	(16.00)	156.61

Department 380 - Job Service North Dakota - Detail of Senate Changes

	<u>Adjusts Funding for Base Payroll Changes¹</u>	<u>Adds Funding for Salary and Benefit Increases²</u>	<u>Transfers Positions to ITD for IT Unification³</u>	<u>Adjusts Funding for Operating Expenses⁴</u>	<u>Adds Funding for Grants⁵</u>	<u>Adds Funding for Unemployment Insurance Project⁶</u>
Salaries and wages	\$24,284	\$733,422	(\$2,368,775)			
Operating expenses			3,580,900	(\$4,246,498)		
Capital assets						
Grants					\$2,114,939	
Reed Act - Computer modernization						\$470,012
Total all funds	\$24,284	\$733,422	\$1,212,125	(\$4,246,498)	\$2,114,939	\$470,012
Less estimated income	<u>24,136</u>	<u>732,210</u>	<u>1,212,125</u>	<u>(4,224,819)</u>	<u>2,114,939</u>	<u>470,012</u>
General fund	\$148	\$1,212	\$0	(\$21,679)	\$0	\$0
FTE	0.00	0.00	(16.00)	0.00	0.00	0.00

	Total Senate Changes
Salaries and wages	(\$1,611,069)
Operating expenses	(665,598)
Capital assets	
Grants	2,114,939
Reed Act - Computer modernization	470,012
<hr/>	
Total all funds	\$308,284
Less estimated income	328,603
General fund	(\$20,319)
<hr/>	
FTE	(16.00)

¹ Funding is adjusted for base payroll changes.

² The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	<u>General Fund</u>	<u>Other Funds</u>	Total
Salary increase	\$1,200	\$724,826	\$726,026
Health insurance increase	12	7,384	7,396
Total	\$1,212	\$732,210	\$733,422

³ Funding is adjusted for the information technology unification initiative. Adjustments include the reduction of 16 FTE information technology positions which will be transferred to the Information Technology Department, a reduction of \$2,368,775 of federal funds in the salaries and wages line item for 11 funded FTE positions, and an increase of \$3,580,900 of federal funds in the operating expenses line item to pay the Information Technology Department for the services of up to 16 FTE positions to the extent federal funds are available. Of the 16 FTE positions in Job Service North Dakota, 5 were unfunded.

⁴ Funding is adjusted for operating expenses, including an addition of \$23,243 for Microsoft Office 365 license expenses and a reduction of \$4,269,741 of other operating expenses, primarily related to information technology data processing, information technology contractual services and repairs, and information technology equipment.

⁵ Federal funding is added for trade assistance grants (\$1,080,063) and Workforce Investment Act grants (\$1,034,876) to provide total grant funding of \$2,177,118 and \$6,103,933, respectively.

⁶ Federal funding is added for the unemployment insurance system modernization project to provide a total of \$10,945,126 in the Reed Act - Unemployment insurance computer modernization line item.

REPORT OF STANDING COMMITTEE

SB 2024: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2024 was placed on the Sixth order on the calendar.

Page 1, line 2, after "quality" insert "; to amend and reenact section 23.1-16-10 of the North Dakota Century Code, relating to certificate of inspection; to provide a statement of legislative intent; and to provide for a legislative management report"

Page 1, replace lines 10 through 19 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$30,587,358	\$1,991,173	\$32,578,531
Operating expenses	9,962,180	917,718	10,879,898
Capital assets	1,263,429	(16,257)	1,247,172
Grants	<u>15,861,529</u>	<u>(801,411)</u>	<u>15,060,118</u>
Total all funds	\$57,674,496	\$2,091,223	\$59,765,719
Less estimated income	<u>45,193,574</u>	<u>1,905,853</u>	<u>47,099,427</u>

Total general fund	\$12,480,922	\$185,370	\$12,666,292
Full-time equivalent positions	165.50	0.50	166.00"

Page 2, remove lines 5 through 7

Page 2, line 9, replace "\$297,217" with "up to \$773,787"

Page 2, after line 11, insert:

"SECTION 5. AMENDMENT. Section 23.1-16-10 of the North Dakota Century Code is amended and reenacted as follows:

23.1-16-10. Certificate of inspection - Certificate to be posted.

The department shall issue a certificate of inspection for each boiler inspected upon receipt of an inspection report certifying that the boiler is in a safe condition to be operated. The department shall charge a fee of ~~twenty~~thirty-five dollars per year for each year that a certificate is valid, or part of a year thereof, for each certificate of inspection issued as the result of inspections authorized under sections 23.1-16-07 and 23.1-16-08. The fees are the liability of the owner or user and must be paid in accordance with rules adopted by the department. A certificate may not be issued for any boiler not in a safe condition to be operated or for a boiler for which the inspection and certificate fees have not been paid in full. A certificate is not valid for a period of more than thirty-six months for power boilers described in subsection 2 of section 23.1-16-07, and no more than twelve months for other power boilers, twelve months for steam traction engines, and thirty-six months for low-pressure boilers except that a two-month grace period may be extended for any certificate. Upon written request from a special inspector, the chief boiler inspector may issue a short-term certificate. Each certificate of inspection must be posted conspicuously under glass in the boiler room or adjacent to the boiler inspected.

SECTION 6. LEGISLATIVE INTENT - FUNDING FOR WASTEWATER TESTING. It is the intent of the sixty-seventh legislative assembly that the department of environmental quality use federal COVID-19 relief funds available for wastewater testing before accessing funding from the general fund made available in the deficiency appropriation in House Bill No. 1025.

SECTION 7. LOW-CARBON FUTURE INITIATIVE - LEGISLATIVE MANAGEMENT REPORT. During the 2021-22 interim, the department of environmental quality shall gather information from private industry, private organizations, and government which relates to carbon reduction initiatives, rules, or policies that will affect North Dakota residents and industries. In gathering information, the department of environmental quality shall consider, review, and report, as appropriate, technologies, operational practices, and conservation opportunities directed at reducing the state's carbon intensity. The department of environmental quality shall present the report to the legislative management by September 1, 2022."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2024 - Department of Environmental Quality - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$30,587,358	\$1,991,173	\$32,578,531
Operating expenses	9,962,180	917,718	10,879,898
Capital assets	1,263,429	(16,257)	1,247,172
Grants	15,861,529	(801,411)	15,060,118
<hr/>			
Total all funds	\$57,674,496	\$2,091,223	\$59,765,719
Less estimated income	45,193,574	1,905,853	47,099,427
General fund	\$12,480,922	\$185,370	\$12,666,292
<hr/>			
FTE	165.50	0.50	166.00

Department 303 - Department of Environmental Quality - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes ¹	Adds Funding for Salary and Benefit Increases ²	Decreases Funding for Temporary Salaries ³	Transfers a Computer and Network Specialist III Position ⁴	Reassigns Environmental Scientist II Positions ⁵	Adds Accounting Positions ⁶
Salaries and wages	\$1,276,240	\$779,371	(\$138,050)	(\$224,357)	(\$31,653)	\$329,622
Operating expenses				230,134	41,532	(470,361)
Capital assets						
Grants						
Total all funds	\$1,276,240	\$779,371	(\$138,050)	\$5,777	\$9,879	(\$140,739)
Less estimated income	540,462	549,994	0	3,755	370,679	(140,739)
General fund	\$735,778	\$229,377	(\$138,050)	\$2,022	(\$360,800)	\$0
FTE	0.00	0.00	0.00	(1.00)	0.00	1.50

	Increases Funding for the Boiler Inspection Program ⁷	Decreases Funding for Operating Expenses ⁸	Adds Funding for Pollutant Elimination Program ⁹	Adjusts Base Level Funding ¹⁰	Adjusts Funding for Volkswagen Settlement ¹¹	Adjusts Funding for Bond and Capital Payments ¹²
Salaries and wages						
Operating expenses	\$200,000	(\$614,873)	\$343,732	\$1,187,554		
Capital assets						(\$96,457)
Grants				113,000	(\$914,411)	
Total all funds	\$200,000	(\$614,873)	\$343,732	\$1,300,554	(\$914,411)	(\$96,457)
Less estimated income	200,000	0	343,732	932,462	(914,411)	(62,347)
General fund	\$0	(\$614,873)	\$0	\$368,092	\$0	(\$34,110)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adjusts Funding for Extraordinary Repairs ¹³	Adjusts Funding for Equipment and IT Equipment ¹⁴	Total Senate Changes
Salaries and wages			\$1,991,173
Operating expenses			917,718
Capital assets		(\$3,000)	(16,257)
Grants			(\$83,200)
Total all funds		(\$3,000)	\$2,091,223
Less estimated income		(934)	1,905,853
General fund		(\$2,066)	\$185,370
FTE		0.00	0.50

¹ Funding is adjusted for base payroll changes.

² The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022; and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	General Fund	Other Funds	Total
Salary increase	\$226,935	\$544,350	\$771,285
Health insurance increase	2,442	5,644	8,086
Total	\$229,377	\$549,994	\$779,371

³ Funding for temporary salaries and wages is reduced.

⁴ One FTE computer and network specialist III position is transferred to the Information Technology Department for the information technology unification initiative reducing salaries and wages and increasing operating expenses.

⁵ Two FTE environmental scientist II positions funded from the general fund are replaced with a .5 FTE environmental scientist position and a .5 FTE accounting/budget analyst III position funded from the department's operating fund, and 1 FTE environmental scientist II position funded by petroleum tank fees.

⁶ Operating expenses are reduced and 1.5 FTE accounting positions and related funding for salaries and wages are added for the department to assume accounting services currently provided by the State Department of Health.

⁷ Funding is increased for the boiler inspection program from boiler inspection and certificate fees.

⁸ Funding for operating expenses is reduced.

⁹ Funding from pollutant discharge elimination system program fees is added for operating expenses to develop a web-based application reporting system for the North Dakota pollutant discharge elimination system program.

¹⁰ Funding is adjusted for cost to continue increases in operating expenses and grants, including funding to fully fund the Quad O and Quad Oa program and increases in Microsoft Office 365 licensing expenses, IT data processing, IT equipment, and repairs.

¹¹ Funding for Volkswagen settlement grants is reduced to provide a total of \$4,485,118.

¹² Funding for bond and capital payments is adjusted to provide a total of \$119,972, of which \$59,581 is from the general fund.

¹³ Funding for extraordinary repairs is adjusted to provide a total of \$24,000, of which \$4,800 is from the general fund.

¹⁴ Funding is adjusted for equipment and information technology equipment over \$5,000 to provide a total ongoing appropriation of \$1,103,200 of other funds.

This amendment removes a section related to funding from the state fire and tornado fund and amends the section related to funding provided from the petroleum tank release compensation fund. The amendment also adds sections to:

- Amend Section 23.1-16-10 to increase the fee for a boiler inspection certificate from \$20 to \$35. (These provisions are also included in Senate Bill No. 2052.)
- Provide legislative intent that the department use federal COVID-19 relief funds available for wastewater testing before accessing the deficiency appropriation in House Bill No. 1025.
- Require the department gather information from private industry, private organizations, and government that relates to carbon reduction initiatives, rules, or policies that will affect North Dakota residents and industries and report to the Legislative Management.

REPORT OF STANDING COMMITTEE

SB 2215: Education Committee (Sen. Schaible, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2215 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "; and to declare an"

Page 1, line 5, remove "emergency"

Page 3, line 14, replace "June" with "July"

Page 3, line 21, replace "June" with "July"

Page 5, remove lines 14 and 15

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2232: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends

DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2232 was placed on the Sixth order on the calendar.

Page 1, line 2, after "Juneteenth" insert "; and to declare an emergency"

Page 1, after line 8, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2237: Energy and Natural Resources Committee (Sen. Kreun, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2237 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2241: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2241 was placed on the Sixth order on the calendar.

Page 1, line 2, after "projects" insert "; and to provide a continuing appropriation"

Page 1, line 7, after "**waivers**" insert "**- Continuing appropriation**"

Page 1, line 11, after the period insert:

"a."

Page 1, line 11, after the underscored comma insert "if"

Page 1, line 11, remove "may"

Page 1, line 12, replace "contract with" with "uses"

Page 1, line 12, after "plans" insert ", the licensed provider shall negotiate and approve the price of the review services, the department shall contract with the third party, and the licensed provider shall pay the department for the review services."

b. The department shall deposit in the department's operating account any payments received from a licensed provider under subdivision a. There is appropriated to the department on a continuing basis any funds deposited under subdivision a for the purpose of paying a third-party reviewer"

Page 1, line 17, overstrike the first "a" and insert immediately thereafter "an initial"

Page 1, line 18, replace the underscored semicolon with an underscored colon

Page 1, line 19, remove the overstrike over "one"

Page 1, line 19, remove "five"

Page 1, line 20, remove "and"

Page 1, line 21, replace "five" with "one"

Page 1, line 21, after "dollars" insert "but no more than four million dollars"

Page 1, line 21, replace "fifty-six" with "forty-two"

Page 1, line 22, after "application" insert "; and"

- c. More than four million dollars within fifty-six days of receipt of a complete application"

Page 2, line 1, after "4." insert "Following an initial determination under subsection 3, the state department of health shall make any followup determination on a construction, renovation, or construction and renovation project within fourteen days of receipt of the licensed provider's response to the initial determination.

5."

Page 2, line 4, overstrike "5." and insert immediately thereafter "6."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2255: Transportation Committee (Sen. Clemens, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2255 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2266: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman) recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2266 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2271: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2271 was placed on the Sixth order on the calendar.

Page 2, line 12, replace "tenth" with "hundredth"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2282: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2282 was placed on the Sixth order on the calendar.

Page 1, line 8, remove the overstrike over "~~state treasurer~~" and insert immediately thereafter an underscored comma

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2286: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2286 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2290: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2290 was placed on the Sixth order on the calendar.

Page 1, line 3, after "funds" insert "; and to declare an emergency"

Page 1, line 15, remove the overstrike over "~~fifty thousand~~" and insert immediately thereafter "dollars but does not exceed"

Page 1, line 18, remove "A request under this subsection may not exceed one hundred"

Page 1, replace lines 19 through 23 with:

"4. The emergency commission, with approval of the budget section of the legislative management if the amount under consideration exceeds five million dollars but does not exceed one hundred million dollars, may authorize any state officer to receive and expend federal moneys from the date such moneys become available until June thirtieth following the next regular legislative session. The budget section may approve a request under this subsection in the form received from the emergency commission or may amend and approve a request. A request amended and approved by the budget section is deemed to be approved by the emergency commission. Any request considered by the budget section must comply with section 54-35-02.9."

Page 2, line 1, overstrike "4." and insert immediately thereafter "5."

Page 2, line 6, overstrike "5." and insert immediately thereafter "6."

Page 2, line 12, overstrike "6." and insert immediately thereafter "7."

Page 2, line 15, overstrike "7." and insert immediately thereafter "8."

Page 2, line 18, overstrike "8." and insert immediately thereafter "9."

Page 2, after line 23 insert "1."

Page 2, line 26, remove the overstrike over "fifty thousand" and insert immediately thereafter "dollars but does not exceed"

Page 2, line 29, after the period insert "2. Upon a finding that an emergency exists, the emergency commission, upon the advice of the office of management and budget, with approval of the budget section of the legislative management if the amount under consideration exceeds five million dollars but does not exceed one hundred million dollars, may authorize a state officer to receive moneys from gifts, grants, donations, or other sources, not otherwise appropriated by the legislative assembly, for new or existing programs if the legislative assembly has not indicated an intent to reject the moneys or the program. The budget section may approve a request under this subsection in the form received from the emergency commission or may amend and approve a request. A request amended and approved by the budget section is deemed to be approved by the emergency commission. Any request considered by the budget section must comply with section 54-35-02.9."

3."

Page 3, line 5, remove "A request under this section may not"

Page 3, replace lines 6 through 10 with:

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

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2299: Transportation Committee (Sen. Clemens, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2299 was placed on the Sixth order on the calendar.

Page 1, line 9, after the second comma insert "vehicles of a certain age,"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2312: Transportation Committee (Sen. Clemens, Chairman) recommends **DO NOT**

PASS (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2312 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2316: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman) recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2316 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2329: Transportation Committee (Sen. Clemens, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2329 was placed on the Sixth order on the calendar.

Page 2, line 12, replace "or under the control" with "a governmentally owned agency for the purpose"

Page 2, line 12, remove ". water"

Page 2, line 13, remove "rescue, or dive rescue teams"

Page 2, line 13, after the underscored period insert "As used in this paragraph, "search and rescue" means deployment, coordination, and use of available resources and personnel in locating, relieving the distress, and preserving the life of and removing an individual who is missing, trapped, or lost in the backcountry, remote areas, or waters of the state. The term includes water and dive rescue."

Page 2, line 23, remove ". water rescue, or dive rescue"

Page 2, line 24, after the underscored period insert "As used in this paragraph, "search and rescue" means deployment, coordination, and use of available resources and personnel in locating, relieving the distress, and preserving the life of and removing an individual who is missing, trapped, or lost in the backcountry, remote areas, or waters of the state. The term includes water and dive rescue."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2331: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2331 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2343: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2343 was placed on the Sixth order on the calendar.

Page 1, line 2, after "benefits" insert "; to provide a statement of legislative intent; to provide for a report; and to provide a contingent effective date"

Page 1, line 7, remove "1."

Page 1, line 7, replace "a" with "one or more"

Page 1, line 10, after the underscored period insert "If the department is unable to award a contract under this section or determines the department must terminate a contract that has been awarded under this section, the department shall continue to offer medical dental services as fee-for-service."

Page 1, replace lines 11 through 17 with:

"SECTION 2. LEGISLATIVE INTENT - ACCESS AND OUTCOMES. It is the intent of the sixty-seventh legislative assembly that access to dental services and dental health outcomes under a managed care contract resulting from section 1 of

this Act must be greater than access to dental services and that dental health outcomes must be improved for Medicaid members under the current fee-for-service arrangement. It is also the intent that expenditures decrease under a managed care contract as compared to the current fee-for-service arrangement. The managed care contractor shall provide evidence to the department of human services that the contractor has decreased expenditures, improved dental outcomes, and maintained or improved access relative to the current fee-for-service arrangement.

SECTION 3. REPORT TO LEGISLATIVE MANAGEMENT - DENTAL MANAGED CARE. The department of human services shall provide reports to the legislative management during the 2021-22 interim regarding the progress to implement the managed care contract required under section 1 of this Act.

SECTION 4. CONTINGENT EFFECTIVE DATE. Section 1 of this Act becomes effective on the date, which may not be earlier than July 1, 2022, that the department of human services certifies to the legislative council that the department has entered a contract with a dental health plan and has secured the necessary approvals from the centers for Medicare and Medicaid services for ensuring federal Medicaid funding for services provided under a dental managed care contract."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4007: Government and Veterans Affairs Committee (Sen. Veda, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SCR 4007 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "replaces the state treasurer with" with "adds"

Page 1, line 4, replace "on" with "to"

Page 1, line 15, overstrike "and"

Page 1, line 15, remove the overstrike over "state treasurer" and insert immediately thereafter ".and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4013: Energy and Natural Resources Committee (Sen. Kreun, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4013 was placed on the Eleventh order on the calendar.

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

Shanda Morgan, Secretary

