

**Sixty-seventh Legislative Assembly of North Dakota  
In Special Session Commencing Monday, November 8, 2021**

SENATE BILL NO. 2345  
(Legislative Management)  
(Appropriations Committee)

AN ACT to create and enact a new section to chapter 27-20.4 and a new section to chapter 61-01 of the North Dakota Century Code, relating to records and cooperative agreements to provide services to juveniles adjudicated in tribal court and the water projects stabilization fund; to amend and reenact subsection 1 of section 21-10-06 and section 27-20.2-21 of the North Dakota Century Code and section 3 of chapter 20 of the 2021 Session Laws, relating to funds invested by the state investment board, the inspection of juvenile court files, and the appropriation of additional amounts to the state water commission; to provide appropriations to various state agencies; to provide for a transfer; to provide for a report; to provide a limitation; to provide a statement of legislative intent; to provide an exemption; to provide an effective date; and to provide an expiration date.

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

**SECTION 1. APPROPRIATION - TRANSFER - FEDERAL STATE FISCAL RECOVERY FUND - ONE-TIME FUNDING - REPORT - EXEMPTION.**

1. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$150,000,000, or so much of the sum as may be necessary, to the industrial commission for the purpose of pipeline infrastructure grants to allow for the transportation of natural gas to eastern North Dakota for the period beginning with the effective date of this Act, and ending June 30, 2023. Of the funds appropriated in this subsection, at least \$10,000,000 must be used for a project to transport natural gas to areas in Grand Forks County.
2. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$3,200,000, or so much of the sum as may be necessary, to the industrial commission for the purpose of an abandoned oil well conversion to water supply grant program for the period beginning with the effective date of this Act, and ending June 30, 2023.
3. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$75,000,000, or so much of the sum as may be necessary, to the department of water resources for the purpose of water infrastructure projects for the period beginning with the effective date of this Act, and ending June 30, 2023. The state water commission shall expend moneys from the state fiscal recovery fund before moneys from the resources trust fund for projects the department determines comply with federal guidance for the state fiscal recovery fund.
4. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$4,800,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of providing stipends to county jails for costs to house inmates sentenced to the department of corrections and rehabilitation but deferred admission due to the pandemic for the period beginning with the effective date of this Act, and ending June 30, 2023.
5. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the parks and recreation department for the purpose of grants to local park districts to renovate and upgrade existing facilities with priority for outdoor facilities for the period

beginning with the effective date of this Act, and ending June 30, 2023. Local park districts must provide one dollar of local matching funds for each one dollar received under this subsection. A local park district may not receive more than \$1,000,000 under this subsection.

6. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$8,029,000, or so much of the sum as may be necessary, to the North Dakota state university main research center for the purpose of one-time projects, including \$446,000 for projects at the Carrington research center, \$1,963,000 for projects at the central grasslands research center, \$2,200,000 for projects at the Dickinson research center, and \$3,420,000 for projects at the Hettinger research center for the period beginning with the effective date of this Act, and ending June 30, 2023.
7. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$15,000,000, or so much of the sum as may be necessary, to the state department of health for the purpose of a public health laboratory capital project for the period beginning with the effective date of this Act, and ending June 30, 2023. The state department of health shall report to the appropriations committees of the sixty-eighth legislative assembly regarding its plan for the project.
8. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,995,200, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of the free through recovery program for the period beginning with the effective date of this Act, and ending June 30, 2023.
9. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$10,000,000, or so much of the sum as may be necessary, to the parks and recreation department for the purpose of deferred maintenance and capital projects for the period beginning with the effective date of this Act, and ending June 30, 2023. Of the funding appropriated in this subsection, the parks and recreation department shall spend at least \$100,000 on projects or deferred maintenance at each state park.
10. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$10,000,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of critical maintenance projects for the period beginning with the effective date of this Act, and ending June 30, 2023. The office of management and budget may transfer appropriation authority under this subsection to eligible state agencies for deferred maintenance of state-owned buildings.
11. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$7,000,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of improvements to the heating, ventilation, and air conditioning systems of the legislative chambers and the Brynhild Haugland room for the period beginning with the effective date of this Act, and ending June 30, 2023.
12. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$950,000, or so much of the sum as may be necessary, to the state historical society for the purpose of essential infrastructure at historic sites for the period beginning with the effective date of this Act, and ending June 30, 2023.
13. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$1,600,000, or so much of the sum as may be necessary, to North Dakota state university for the purpose of high-performance computing for the period beginning with the effective date of this Act, and ending June 30, 2023.
14. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$50,000,000, or so much of the sum as may be necessary,

to the university of North Dakota for the purpose of a Merrifield hall renovation project for the period beginning with the effective date of this Act, and ending June 30, 2023.

15. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$38,000,000, or so much of the sum as may be necessary, to Bismarck state college for the purpose of constructing a polytechnic building and related startup costs for the period beginning with the effective date of this Act, and ending June 30, 2023. Of the funds appropriated in this subsection, not more than \$3,000,000 may be used for startup costs.
16. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$25,000,000, or so much of the sum as may be necessary, to Minot state university for the purpose of a Hartnett hall renovation project for the period beginning with the effective date of this Act, and ending June 30, 2023.
17. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,104,121, or so much of the sum as may be necessary, to the university of North Dakota school of medicine and health sciences for the purpose of purchasing equipment and hiring personnel to provide hyperbaric oxygen therapy for the period beginning with the effective date of this Act, and ending June 30, 2023.
18. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$475,000, or so much of the sum as may be necessary, to the state board of higher education for the purpose of providing for the Dakota digital academy for the period beginning with the effective date of this Act, and ending June 30, 2023.
19. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$300,000, or so much of the sum as may be necessary, to the attorney general for the purpose of establishing a missing persons database for the period beginning with the effective date of this Act, and ending June 30, 2023.
20. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the attorney general for the purpose of replacing the prosecuting case management system for the period beginning with the effective date of this Act, and ending June 30, 2023.
21. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,612,000, or so much of the sum as may be necessary, to the highway patrol for the purpose of purchasing radios compatible with the statewide interoperable radio network for the period beginning with the effective date of this Act, and ending June 30, 2023.
22. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,057,384, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of purchasing radios compatible with the statewide interoperable radio network for the period beginning with the effective date of this Act, and ending June 30, 2023.
23. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$401,000, or so much of the sum as may be necessary, to the information technology department for the purpose of providing a grant to the North Dakota stockmen's association for conversion of a paper-based brand inspection program to an electronic system for the period beginning with the effective date of this Act, and ending June 30, 2023.
24. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$450,000, or so much of the sum as may be necessary, to

the adjutant general for the purpose of replacing the state active-duty software for the period beginning with the effective date of this Act, and ending June 30, 2023.

25. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,020,000, or so much of the sum as may be necessary, to the judicial branch for the purpose of replacing the supreme court docket system for the period beginning with the effective date of this Act, and ending June 30, 2023.
26. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$20,000, or so much of the sum as may be necessary, to the office of administrative hearings for the purpose of developing a web-based document management system for the period beginning with the effective date of this Act, and ending June 30, 2023.
27. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,500,000, or so much of the sum as may be necessary, to the department of human services for the purpose of providing financial assistance to developmental disabilities services providers to provide retention bonuses for direct services professionals serving clients with intellectual or developmental disabilities for the period beginning with the effective date of this Act, and ending June 30, 2023. The requirements of chapter 54-44.4 do not apply to this subsection, including the selection of recipients and the disbursement of funds.
28. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$25,350,000, or so much of the sum as may be necessary, to the department of human services for the purpose of financial assistance to long-term care facilities and the state hospital for the period beginning with the effective date of this Act, and ending June 30, 2023. Of the funds appropriated in this subsection, \$20,800,000 is for financial assistance to nursing facilities, \$2,950,000 is for financial assistance to basic care facilities, \$1,250,000 is for financial assistance to assisted living facilities, and \$350,000 is for nursing staff retention payments at the state hospital. The requirements of chapter 54-44.4 do not apply to this subsection, including the selection of recipients and the disbursement of funds.
29. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$29,000,000, or so much of the sum as may be necessary, to the department of human services the purpose of projects, financial assistance, grants, and services, including \$5,000,000 for Medicaid eligibility system upgrades, \$17,000,000 for child care services, \$4,000,000 to provide community-based behavioral health services, and \$3,000,000 for substance use disorder treatment voucher system grants for the period beginning with the effective date of this Act, and ending June 30, 2023. Notwithstanding subsection 3 of section 50-11.1-14.1, the department may provide financial assistance to beneficiaries related to child care services. Notwithstanding subsection 2 of section 50-06-42.1, the department may award up to four grants rather than two grants for substance use disorder treatment voucher system grants. The requirements of chapter 54-44.4 do not apply to this subsection, including the selection of recipients and the disbursement of funds.
30. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$1,500,000, or so much of the sum as may be necessary, to the department of human services for the purpose of alternatives-to-abortion services for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided in this subsection may only be used for the current agreement and any future alternatives-to-abortion services agreements. The requirements of chapter 54-44.4 do not apply to the current alternatives-to-abortion services agreement.
31. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$2,000,000, or so much of the sum as may be necessary,

to the adjutant general for the purpose of enhancing housing at camp Grafton for the period beginning with the effective date of this Act, and ending June 30, 2023.

32. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the department of veterans' affairs for the purpose of providing a grant to assist in the construction of the Fisher house at the Fargo veterans' affairs medical center for the period beginning with the effective date of this Act, and ending June 30, 2023.
33. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$147,000, or so much of the sum as may be necessary, to the department of veterans' affairs for the purpose of improving and expanding veterans' medical transportation for the period beginning with the effective date of this Act, and ending June 30, 2023.
34. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$21,000,000, or so much of the sum as may be necessary, to the Bank of North Dakota for the purpose of a fuel production facility incentive program for the period beginning with the effective date of this Act, and ending June 30, 2023. The Bank of North Dakota shall award grants under the program to eligible fuel production facilities based on a formula that considers the facility's outstanding fuel production facility loan guarantee at the Bank of North Dakota.
35. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$5,000,000, which the office of management and budget shall transfer to the North Dakota development fund under chapter 10-30.5 during the period beginning with the effective date of this Act, and ending June 30, 2023.
36. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$20,000,000, or so much of the sum as may be necessary, to the industrial commission for the purpose of providing hydrogen development grants, as approved by the clean sustainable energy authority, for the period beginning with the effective date of this Act, and ending June 30, 2023.
37. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$10,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of providing autonomous agriculture matching grants for the period beginning with the effective date of this Act, and ending June 30, 2023. A grant recipient must provide one dollar of matching funds for every one dollar of grant funding received under this subsection.
38. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$15,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of adding or expanding a local workforce development incentive grant program to support efforts to recruit, retain, and retrain workers for the period beginning with the effective date of this Act, and ending June 30, 2023. The grant recipient must provide one dollar of local matching funds for every four dollars received under this subsection.
39. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of adding or expanding a technical skills training grant program and a workforce innovation grant program for the period beginning with the effective date of this Act, and ending June 30, 2023.
40. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$10,000,000, or so much of the sum as may be necessary,

to the university of North Dakota for the purpose of a space education and research initiative for the period beginning with the effective date of this Act, and ending June 30, 2023.

41. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the aeronautics commission for the purpose of airport grants for the period beginning with the effective date of this Act, and ending June 30, 2023.
42. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$50,000, or so much of the sum as may be necessary, to the attorney general for the purpose of information technology costs related to the implementation of charitable gaming tax changes for the period beginning with the effective date of this Act, and ending June 30, 2023.
43. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant for the construction of a new medical center located in the county seat of Pierce County for the period beginning with the effective date of this Act, and ending June 30, 2023.
44. The funding provided under this section is considered a one-time funding item.

**SECTION 2. AMENDMENT.** Subsection 1 of section 21-10-06 of the North Dakota Century Code is amended and reenacted as follows:

1. Subject to the provisions of section 21-10-02, the board shall invest the following funds:
  - a. State bonding fund.
  - b. Teachers' fund for retirement.
  - c. State fire and tornado fund.
  - d. Workforce safety and insurance fund.
  - e. Public employees retirement system.
  - f. Insurance regulatory trust fund.
  - g. State risk management fund.
  - h. Budget stabilization fund.
  - i. Water projects stabilization fund.
  - j. Health care trust fund.
  - j.k. Cultural endowment fund.
  - k.l. Petroleum tank release compensation fund.
  - l.m. Legacy fund.
  - ~~m.n.~~ Legacy earnings fund.
  - n.o. A fund under contract with the board pursuant to subsection 3.

**SECTION 3. AMENDMENT.** Section 27-20.2-21 of the North Dakota Century Code is amended and reenacted as follows:

**27-20.2-21. Inspection of court files and records - Penalty. (Effective through August 31, 2022)**

1. Except as provided in this section, all files and records of the juvenile court, whether in the office of the clerk of court or juvenile court, of a proceeding under this chapter are closed to the public. Juvenile court files and records are open to inspection only by:
  - a. The judge and staff of the juvenile court.
  - b. The parties to the proceeding or the parties' counsel or the guardian ad litem of any party.
  - c. A public or private agency or institution providing supervision or having custody of the child under order of the juvenile court which must be given a copy of the findings and order of disposition when the agency or institution receives custody of the child. If a case involves the federal Indian Child Welfare Act of 1978 [25 U.S.C. 1901 through 1963], the agency or institution having custody of the child shall serve the appropriate Indian Child Welfare Act service agent, tribe or tribal designee, or an Indian Child Welfare Act qualified expert witness with the findings and order of disposition.
  - d. Any court and the court's probation and other officials or professional staff and the attorney for the defendant for use in preparing a presentence report in a criminal case in which the defendant is convicted and who, before the criminal case, had been a party to the proceeding in juvenile court.
  - e. The professional staff of the uniform crime victims compensation program if necessary for the discharge of the duties of the staff pursuant to chapter 54-23.4.
  - f. A staff member of the division of children and family services of the department of human services or a law enforcement officer if necessary for the performance of that staff member's duties under section 50-11.1-06.2 or the federal National Child Protection Act of 1993 [Pub. L. 103-209; 107 Stat. 2490; 42 U.S.C. 5119 et seq.].
  - g. An employee or agent of the department of human services if necessary for performance of that individual's duty under chapter 50-11 or 50-11.1 to investigate the background of an individual living or working in the facility, home, or residence for which licensure is sought.
  - h. A criminal justice agency if the juvenile is required to register under section 12.1-32-15.
  - i. The staff of a children's advocacy center if the juvenile or a victim of the child has been referred for or has received services at the children's advocacy center.
  - j. A victim of the delinquent child or the victim's guardian. All records including medical, educational, and school information must be redacted before inspection. For purposes of this subdivision, only records pertaining to the specific offense between the victim and the delinquent child may be inspected.
  - k. The information technology department to the extent authorized by the supreme court for use in the statewide longitudinal data system.
2. Juvenile court files and records are also open to inspection with written leave of a juvenile court judge or judicial referee to whom juvenile court matters have been referred:
  - a. Upon a showing in writing of a legitimate interest in a proceeding or in the work of the juvenile court, but only to the extent necessary to respond to the legitimate interest; and
  - b. By the principal of any public or private school that is a member of the North Dakota high school activities association, or the superintendent of any school district that has one or

more schools involved in the association, but only to the extent necessary to enforce the rules and regulations of the North Dakota high school activities association.

3. In a proceeding under this chapter, if the juvenile court finds a child committed a delinquent act that constitutes a violation of a law or local ordinance governing the operation of a motor vehicle or a delinquent act of manslaughter or negligent homicide caused by the child's operation of a motor vehicle, the juvenile court shall report the finding to the director of the department of transportation within ten days.
4. Following an adjudication of delinquency for an offense that would be a felony if committed by an adult, the child's school principal, chief administrative officer, or designated school guidance counselor, if requested, must be allowed access to the disposition order. Any other juvenile court files and records of a child may be disclosed to a superintendent or principal of the school in which the child is currently enrolled or in which the child wishes to enroll if the child's documented behavior appears to present a danger to self or to the students or staff of the school.
5. Following an adjudication of delinquency for an offense that results in the prohibitions included in subsection 1 or 2 of section 62.1-02-01, if requested, a law enforcement officer must be allowed access to the disposition order.
6. The juvenile court may notify a referring agency of the disposition of a case.
7. Notwithstanding that juvenile court records are closed to the public, nothing in this section may be construed to limit the release upon request of general information not identifying the identity of any juvenile, witness, or victim in any proceeding under this chapter. Files in the clerk of court's office are open to public inspection if the related hearing was open to the public under section 27-20.3-13.
8. To the extent necessary to provide victim services or benefits under chapter 12.1-41, the judge and staff of the juvenile court may disclose information to refer a child, who may be a victim of human trafficking, to a program for runaway and homeless children located in the state and approved by the juvenile court of jurisdiction. Information disclosed under this subsection must remain confidential.
9. An individual with access or authorization to inspect juvenile court files and records under this section may not share the information contained in the files and records with any other person not authorized by law. An individual who violates this subsection is guilty of a class B misdemeanor.

**Inspection of court files and records - Penalty. (Effective after August 31, 2022)**

1. Except as provided in this section, all files and records of the juvenile court, whether in the office of the clerk of court or juvenile court, of a proceeding under this chapter are closed to the public. Juvenile court files and records are open to inspection only by:
  - a. The judge and staff of the juvenile court.
  - b. The parties to the proceeding or the parties' counsel or the guardian ad litem of any party.
  - c. A public or private agency or institution providing supervision or having custody of the child under order of the juvenile court which must be given a copy of the findings and order of disposition when the agency or institution receives custody of the child. If a case involves the federal Indian Child Welfare Act of 1978 [25 U.S.C. 1901 through 1963], the agency or institution having custody of the child shall serve the appropriate Indian Child Welfare Act service agent, tribe or tribal designee, or an Indian Child Welfare Act qualified expert witness with the findings and order of disposition.



- d. Any court and the court's probation and other officials or professional staff and the attorney for the defendant for use in preparing a presentence report in a criminal case in which the defendant is convicted and who, before the criminal case, had been a party to the proceeding in juvenile court.
  - e. The professional staff of the uniform crime victims compensation program if necessary for the discharge of the duties of the staff pursuant to chapter 54-23.4.
  - f. A staff member of the division of children and family services of the department of health and human services or a law enforcement officer if necessary for the performance of that staff member's duties under section 50-11.1-06.2 or the federal National Child Protection Act of 1993 [Pub. L. 103-209; 107 Stat. 2490; 42 U.S.C. 5119 et seq.].
  - g. An employee or agent of the department of health and human services if necessary for performance of that individual's duty under chapter 50-11 or 50-11.1 to investigate the background of an individual living or working in the facility, home, or residence for which licensure is sought.
  - h. A criminal justice agency if the juvenile is required to register under section 12.1-32-15.
  - i. The staff of a children's advocacy center if the juvenile or a victim of the child has been referred for or has received services at the children's advocacy center.
  - j. A victim of the delinquent child or the victim's guardian. All records including medical, educational, and school information must be redacted before inspection. For purposes of this subdivision, only records pertaining to the specific offense between the victim and the delinquent child may be inspected.
  - k. The information technology department to the extent authorized by the supreme court for use in the statewide longitudinal data system.
2. Juvenile court files and records are also open to inspection with written leave of a juvenile court judge or judicial referee to whom juvenile court matters have been referred:
    - a. Upon a showing in writing of a legitimate interest in a proceeding or in the work of the juvenile court, but only to the extent necessary to respond to the legitimate interest; and
    - b. By the principal of any public or private school that is a member of the North Dakota high school activities association, or the superintendent of any school district that has one or more schools involved in the association, but only to the extent necessary to enforce the rules and regulations of the North Dakota high school activities association.
  3. In a proceeding under this chapter, if the juvenile court finds a child committed a delinquent act that constitutes a violation of a law or local ordinance governing the operation of a motor vehicle or a delinquent act of manslaughter or negligent homicide caused by the child's operation of a motor vehicle, the juvenile court shall report the finding to the director of the department of transportation within ten days.
  4. Following an adjudication of delinquency for an offense that would be a felony if committed by an adult, the child's school principal, chief administrative officer, or designated school guidance counselor, if requested, must be allowed access to the disposition order. Any other juvenile court files and records of a child may be disclosed to a superintendent or principal of the school in which the child is currently enrolled or in which the child wishes to enroll if the child's documented behavior appears to present a danger to self or to the students or staff of the school.

5. Following an adjudication of delinquency for an offense that results in the prohibitions included in subsection 1 or 2 of section 62.1-02-01, if requested, a law enforcement officer must be allowed access to the disposition order.
6. The juvenile court may notify a referring agency of the disposition of a case.
7. Notwithstanding that juvenile court records are closed to the public, nothing in this section may be construed to limit the release upon request of general information not identifying the identity of any juvenile, witness, or victim in any proceeding under this chapter. Files in the clerk of court's office are open to public inspection if the related hearing was open to the public under section 27-20.3-13.
8. To the extent necessary to provide victim services or benefits under chapter 12.1-41, the judge and staff of the juvenile court may disclose information to refer a child, who may be a victim of human trafficking, to a program for runaway and homeless children located in the state and approved by the juvenile court of jurisdiction. Information disclosed under this subsection must remain confidential.
9. An individual with access or authorization to inspect juvenile court files and records under this section may not share the information contained in the files and records with any other person not authorized by law. An individual who violates this subsection is guilty of a class B misdemeanor.

**SECTION 4.** A new section to chapter 27-20.4 of the North Dakota Century Code is created and enacted as follows:

**Tribal juvenile services cooperative agreement - Report to legislative management.**

1. The department of corrections and rehabilitation, through the division of juvenile services; the supreme court, through the office of the state court administrator; and the Indian affairs commission may negotiate and enter a memorandum of understanding with the tribal government of a federally recognized Indian tribe in the state for the purpose of accepting and providing for, in accordance with this chapter, the treatment and rehabilitation of tribal juveniles who have been adjudicated in tribal court under tribal or federal laws. Under the pilot program and terms of a memorandum of understanding:
  - a. The tribal government, the department of corrections and rehabilitation, and the juvenile court may exchange information relevant to the treatment and rehabilitation needs of a tribal juvenile and the juvenile's family, including tribal court orders, medical and psychiatric reports, law enforcement reports, and other information pertinent to the referral;
  - b. The juvenile court and the department of corrections and rehabilitation shall provide services based on the individualized need of each tribal juvenile referred to and accepted by the tribal court, juvenile court, and department of corrections and rehabilitation;
  - c. The juvenile court and the department of corrections and rehabilitation shall maintain regular contact with the tribe regarding each tribal juvenile who has been placed in the supervision of the respective agency; and
  - d. The juvenile court and the department of corrections and rehabilitation may limit the number of tribal juveniles accepted based on criteria developed by the juvenile court and the availability of state resources and services.
2. Before July first of each even-numbered year, the department of corrections and rehabilitation, the juvenile court, and the Indian affairs commission shall report and make recommendations to the legislative management on the status, effectiveness, performance, and sustainability of a memorandum of understanding established under this section.

**SECTION 5.** A new section to chapter 61-01 of the North Dakota Century Code is created and enacted as follows:

**Water projects stabilization fund.**

The water projects stabilization fund is a special fund in the state treasury. The fund consists of all money transferred to the fund and all interest and earnings upon moneys in the fund. Moneys in the fund may be used for defraying planning and construction expenses of water-related projects.

**SECTION 6. AMENDMENT.** Section 3 of chapter 20 of the 2021 Session Laws is amended and reenacted as follows:

**SECTION 3. ADDITIONAL INCOME - APPROPRIATION - BUDGET SECTION APPROVAL.** In addition to the amounts appropriated in section 1 of this Act, any additional amounts in the resources trust fund or the water projects stabilization fund which become available are appropriated, subject to budget section approval, to the state water commission for the purpose of defraying the expenses of that agency, for the period beginning with the effective date of this Act, and ending June 30, 2023. Before approving any request, the budget section shall determine:

1. Approving additional appropriations will not negatively affect the sixty-seventh legislative assembly's ability to address water-related needs;
2. The proposed use of the additional income complies with legislative intent; and
3. The proposed use of the additional income will not result in future funding commitments.

**SECTION 7. WATER PROJECTS STABILIZATION FUND - TRANSFERS.**

1. The office of management and budget shall transfer the sum of \$1,000,000 from the resources trust fund to the water projects stabilization fund during the month of January 2022.
2. Notwithstanding subsections 1 and 2 of section 57-51.1-07, any oil extraction tax revenues deposited in the resources trust fund that exceed the amount included in the 2021 legislative forecast during the period beginning August 1, 2021, and ending February 28, 2023, must be transferred at least quarterly by the office of management and budget from the resources trust fund to the water projects stabilization fund for the period beginning with the effective date of this Act, and ending June 30, 2023.

**SECTION 8. DEPARTMENT OF HUMAN SERVICES - FEDERAL FUNDING APPEAL LIMITATION.** A person may not appeal a denial, revocation, reduction in services or payment, or the termination of a program or service by the department of human services due to the unavailability of federal coronavirus funding received under federal law resulting from the federal coronavirus pandemic emergency declaration for the period beginning with the effective date of this Act, and ending June 30, 2023.

**SECTION 9. LEGISLATIVE INTENT - NATURAL GAS PIPELINE INFRASTRUCTURE.** It is the intent of the sixty-seventh legislative assembly that the sixty-eighth legislative assembly consider providing additional funding for continuing the development of high-pressure transmission pipeline infrastructure for the transportation and competitive selling of natural gas to eastern North Dakota.

**SECTION 10. EFFECTIVE DATE.** This Act becomes effective on December 1, 2021.

**SECTION 11. EXPIRATION DATE.** Section 4 of this Act is effective through July 31, 2023, and after that date is ineffective.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

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Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2345.

Senate Vote:    Yeas 39            Nays 7            Absent 1

House Vote:    Yeas 79            Nays 14           Absent 1

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2021.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2021,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State