

JOURNAL OF THE HOUSE - SPECIAL SESSION**Sixty-seventh Legislative Assembly**

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Bismarck, November 11, 2021

The House convened at 8:00 a.m., with Speaker K. Koppelman presiding.

The prayer was offered by Pastor Kai Hardee, Gateway Community Fellowship, Bismarck.

The roll was called and all members were present except Representatives Hoverson, M. Johnson, and Owens.

A quorum was declared by the Speaker.

REMARKS OF REPRESENTATIVE KLEMIN

Today is Veterans Day, the day set aside to honor all military veterans. It's a special day and was originally known as Armistice Day to remember the agreement made to end World War I on November 11, 1918, and the veterans who served in that war. The name of the day was changed to Veterans Day in 1954 to honor all veterans.

Today I would like to remember one particular veteran, Wesley N. Cook. Private Cook served in France in World War I in 1918 with a United States Army company of soldiers from Minnesota. He was in France on Armistice Day on November 11, 1918, when the war ended, 103 years ago.

His company was sent to France to serve as Rangers. They were not Rangers as we think of them today. Much of the war in France in 1918 was trench warfare. Our soldiers were in trenches facing enemy soldiers in trenches some distance away. Behind each of the trenches was artillery. In between the trenches was "no mans land". The mission of the Rangers in 1918 was to determine the range or distance to the enemy artillery. They calculated the range by the flash of the enemy artillery at night and by the sound of the artillery during the day. Their calculations were then given to our artillery so they could aim more accurately at the enemy artillery. They were also responsible for laying and repairing telephone lines that were used for communication.

The history of this company in France was written by a member of the company after the war in a book entitled "*Ranging in France with Flash and Sound*". Here is that book, copyright 1919. Private Cook is mentioned several times in this book.

In 1919, after the end of World War I, Private Cook and his company returned to the United States. I'm glad he made it back home, because Wesley N. Cook was my grandfather. Around 1925, Grandpa Cook and his young family moved to the New Rockford area where he was a farmer. He was a member of American Legion Post 30 in New Rockford. I am wearing his Legion cap today. I also have his dog tags with me.

Grandpa Cook passed away a long time ago. Today, on Veterans Day, I say: "Thank you for your service, Grandpa Cook!"

And thank you to all of the men and women who've served in the military forces of the United States of America! God bless you all!

Rep. Lawrence R. Klemin, District 47, Bismarck

Vietnam Veteran, 101st Airborne Division, U.S. Army

REMARKS OF REPRESENTATIVE TVEIT

Early December 1967 my new bride of six months, Laurel, and I were getting ready to celebrate our first Christmas together. We were sitting and admiring our newly decorated tree in our home in Edgeley, North Dakota, opening Christmas cards together. One of the

first we opened was from Uncle Sam which simply said, "You have been selected - please report". And suddenly we had a career change facing us. My talk today reflects on the veterans on the home front, those we often overlook. These are veterans without ribbons or medals, many with scars, but no purple heart. These veterans come in many different groups - males, female, husbands, fathers, sons, wives, mothers, daughters, even grand children. Though there are many categories, for simplicity today, I will talk only of three such groups. In no way shape or form, do I wish to diminish the value and honor due the men and women we all recognize as veterans, those who served, as I expand the groups. However, I do wish, also to honor those who served right along side of the veterans we honor, prayed for them, encouraged them yet seldom are recognized for their time and sacrifices. To begin with let's look at the first veteran group. We all recognize and know someone in this category. There are those who serve in peace times, having never experienced a battle or war zone, yet their time in service is as important to us as those who have gone into the war zones and earned the medals. I cannot imagine our United States without a well trained, disciplined military ready at a moments notice to protect and defend this country, our heritage, and the rights of its citizens. Each and every one of these individuals are mission essential, willing to lay down their lives for their country. We need to honor them and thank them for their service. While you were off to college they were prepared to give their all in our defense. And then finally come home, after three or more years and then begin their careers. The next group of veterans also wore the uniform with pride. They too were mission essential. This is the group where I found myself. We served during a war time, yet once we completed our basic and advanced training we never heard the rattle of rapid fire, experienced a landmine explode, or had to take shelter during an air raid. We simply served, did our job to train, support, and supply those in the battle grounds or trenches so to speak. This group experienced few battles scars, received very few ribbons or medals, but served they did with honor. Our military would be useless and worthless without them. Much like you in this legislative session. Can you as speaker of the house, majority and minority leader, fellow legislators imagine getting through this session without our support staff - the custodians, pages, bill clerk, sergeant-at-arms, legislative council, etc.? The final veteran group I chose to call out and salute today with much gratitude is our home-front veteran. Also so mission essential. This is the group many unsung heroes, such as my mother, find themselves in holding down the home front with two small sons, anxiously waiting, receiving that dreaded telegram, a widow so young. Once again a veteran hero of fifty plus years, she lived with my father, a WWII combat veteran with post traumatic stress disorder. Once again, like so many mothers, Mom stood on the front porch with much anxiety and prayer as she watched two of her sons, a son-in-law, grandson, granddaughter, and grandson-in-law leave, some in peace time and some in time of war, to serve their country knowing full well the potential consequences. There are veterans like my wife, Laurel, who at 19 years of age watched, wondered, and prayed as she sent me off to basic training not knowing what our future would be while working out of the home, stretching our budget in any way she could to feed us because military pay was too little to exist on. Laurel, like many spouses, served with and along side me every day. I was young and for the first time ever away from home for three years in the United States Army. Though the army often said they did not issue me a wife, we were one before the army called me and I think she should stand and be honored as well anytime I as a veteran am asked to stand and be recognized. And then there are other true and tried veterans like my sister, Nancy Rader, of Cando, North Dakota who watched her husband and his National Guard unit leave for Iraq's Desert Storm. She was left on her own, with three little ones, to run the farm and also gave birth to their fourth child in his absence. Nancy is a veteran hero. In closing, it is not important where you served or when you served but what is important is that you were and are willing to do what you can, when you can, to serve your fellow countrymen and to support them in war or peace and preserve the America we all have grown to love. I would like anyone who served in the United States military during any war time to please stand and be recognized. Please remain standing. Now anyone who served in the military during peace time please stand and join them and remain standing. Now anyone who ever found themselves as a member of the home front in support of a veteran, also stand and be recognized. I wish for each of you a blessed and happy Veterans Day. Thank you for your service. Dwell on your blessings. Go in peace serving one another with joy and thanksgiving.

MOTION

REP. LOUSER MOVED that the remarks of Representatives Klemin and Tveit be printed in the journal, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

HB 1515: Joint Technical Corrections Committee (Rep. Weisz, Co-Chairman)

recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1515 was placed on the Sixth order on the calendar.

Page 1, line 3, after the second semicolon insert "and"

Page 1, line 3, remove "; and to declare an"

Page 1, line 4, remove "emergency"

Page 1, line 11, replace "five hundred" with "three hundred fifty"

Page 1, remove line 20

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3049: Joint Technical Corrections Committee (Rep. Weisz, Co-Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HCR 3049 was placed on the Sixth order on the calendar.

Page 1, line 17, after the first "the" insert "President of the United States, the"

Page 1, line 18, remove "and"

Page 1, line 18, after "Delegation" insert ", the Attorney General of the United States, and the Executive Director of the National School Boards Association"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1508: Joint Technical Corrections Committee (Rep. Weisz, Co-Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1508 was placed on the Sixth order on the calendar.

Page 1, line 8, replace the second "and" with an underscored comma

Page 1, line 9, after "objective" insert ", and aligned to the kindergarten through grade twelve state content standards"

Page 1, after line 12 insert "learned"

Page 1, line 15, replace "shall" with "may"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1512: Joint Technical Corrections Committee (Rep. Weisz, Co-Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1512 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 21-10-11 of the North Dakota Century Code, relating to the legacy and budget stabilization fund advisory board; to provide for the selection of a chairman; and to provide for an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 21-10-11 of the North Dakota Century Code is amended and reenacted as follows:

21-10-11. Legacy and budget stabilization fund advisory board.

1. The legacy and budget stabilization fund advisory board is created to develop recommendations for the investment of funds in the legacy fund and the budget stabilization fund to present to the state investment board.
2. The goal of investment for the legacy fund is principal preservation while maximizing total return and to provide a direct benefit to the state by investing a portion of the principal in the state. Preference must be given to qualified investment firms and financial institutions with a presence in the state for investment of the legacy fund.
3. The board shall determine the asset allocation for the investment of the principal of the legacy fund including:
 - a. A target allocation of ten percent to fixed income investments within the state, of which:
 - (1) Up to forty percent must be targeted for infrastructure loans to political subdivisions under section 6-09-49.1. The net return to the legacy fund under this paragraph must be fixed at a target rate of one and one-half percent;
 - (2) Up to sixty percent, with a minimum of four hundred million dollars, must be designated to the Bank of North Dakota's certificate of deposit match program with an interest rate fixed at the equivalent yield of United States treasury bonds having the same term, up to a maximum term of twenty years; and
 - (3) Any remaining amounts must be designated for other qualified fixed income investments within the state.
 - b. A target allocation of ten percent to equity investments in the state, of which at:
 - (1) At least three percent may be targeted for investment in one or more equity funds, venture capital funds, or alternative investment funds with a primary strategy of investing in emerging or expanding companies in the state. Equity investments under this subdivision paragraph must:
 - ~~(1)(a)~~ Be managed by qualified investment firms, financial institutions, or equity funds which have a strategy to invest in qualified companies operating or seeking to operate in the state and which have a direct connection to the state; and
 - ~~(2)(b)~~ Have a benchmark investment return equal to the five-year average net return for the legacy fund, excluding in-state investments.
 - (2) The legacy and budget stabilization fund advisory board shall develop guidelines for eligible investments under this paragraph. The advisory board shall receive and review proposals for eligible investments under this paragraph, and the advisory board shall consult with industry representatives, financial professionals, or other technical advisors to review the proposed investments. The advisory board shall submit recommendations for investments under this paragraph to the state investment board.
4. The board consists of ~~two~~three members of the senate appointed by the senate majority leader, ~~two~~three members of the house of representatives appointed by the house majority leader, ~~the director of~~

~~the office of management and budget or designee, the president of the Bank of North Dakota or designee, and the tax commissioner or designee, the insurance commissioner or designee, and the state treasurer or designee.~~ The board shall select a member from the senate or house of representatives to serve as chairman for no more than one consecutive year and must meet at the call of the chairman.

5. The board shall report at least semiannually to the budget section.
6. Legislative members are entitled to receive compensation and expense reimbursement as provided under section 54-03-20 and reimbursement for mileage as provided by law for state officers. The legislative council shall pay the compensation and expense reimbursement for the legislative members.
7. The legislative council shall provide staff services to the legacy and budget stabilization fund advisory board.
8. The staff and consultants of the state retirement and investment office shall advise the board in developing asset allocation and investment policies.
9. The board ~~shall~~may develop a process to select a member of the board who is not a member of the state investment board to serve on the state investment board in a nonvoting capacity.

SECTION 2. LEGACY AND BUDGET STABILIZATION FUND ADVISORY BOARD - SELECTION OF CHAIRMAN. Pursuant to the requirement for the legacy and budget stabilization fund advisory board to select a chairman under subsection 4 of section 21-10-11, the advisory board shall select a new chairman during its first meeting after the effective date of this Act.

SECTION 3. EFFECTIVE DATE. This Act becomes effective on December 1, 2021."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1509: Joint Technical Corrections Committee (Rep. Weisz, Co-Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1509 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide for retroactive application;"

Page 1, line 16, after "state" insert "with adjusted gross proceeds exceeding fifty thousand dollars"

Page 1, after line 23, insert:

"SECTION 2. RETROACTIVE APPLICATION. This Act applies retroactively to raffles conducted after June 30, 2021."

Page 2, line 1, remove "is effective for taxable events occurring after"

Page 2, line 2, replace "December 31, 2021" with "becomes effective upon its filing with the secretary of state"

Renumber accordingly

SIXTH ORDER OF BUSINESS

SPEAKER K. KOPPELMAN DEEMED approval of the amendments to HB 1508, HB 1509, HB 1512, HB 1515, and HCR 3049.

HB 1508, HB 1509, HB 1512, HB 1515, and HCR 3049, as amended, were placed on the

Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1515: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an individual income tax credit; to provide an effective date; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hager; Hanson; Hatlestad; Hauck; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

ABSENT AND NOT VOTING: Hoverson; Owens

Engrossed HB 1515 passed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3049: A concurrent resolution recognizing parents as the chief stakeholders of the future and education of their children.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hager; Hanson; Hatlestad; Hauck; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

ABSENT AND NOT VOTING: Hoverson; Owens

Engrossed HCR 3049 was declared adopted on a recorded roll call vote.

MOTION

REP. MOCK MOVED that the House send HB 1508 back to the **Joint Technical Corrections Committee**, which motion failed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1508: A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to prohibiting the teaching of critical race theory in

public schools; and to provide an 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 76 YEAS, 16 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Hauck; Headland; Heinert; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Paulson; Paur; Pollert; Porter; Pyle; Richter; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Adams; Anderson, P.; Boe; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Ista; Keiser; Mitskog; Mock; Nelson, M.; Roers Jones; Schneider

ABSENT AND NOT VOTING: Hoverson; Owens

Engrossed HB 1508 passed.

SECOND READING OF HOUSE BILL

HB 1512: A BILL for an Act to amend and reenact section 21-10-11 of the North Dakota Century Code, relating to the legacy and budget stabilization fund advisory board; to provide for the selection of a chairman; and to provide for an 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 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hager; Hanson; Hatlestad; Hauck; Headland; Heinert; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Dobervich; Guggisberg; Howe

ABSENT AND NOT VOTING: Hoverson; Owens

Engrossed HB 1512 passed.

SECOND READING OF HOUSE BILL

HB 1509: A BILL for an Act to amend and reenact section 53-06.1-12 of the North Dakota Century Code, relating to charitable gaming tax; to provide for retroactive application; and to provide an 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 88 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Buffalo; Dobervich; Guggisberg

ABSENT AND NOT VOTING: Hoverson; Kempenich; Owens

Engrossed HB 1509 passed.

ANNOUNCEMENT

SPEAKER K. KOPPELMAN ANNOUNCED that the House stand in recess until 1:00 p.m.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker K. Koppelman presiding.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. Bellew, Chairman)** has carefully examined the Journal of the Third Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 2243, replace line 28 with:

"DIVISION A: Those parts of Section 1 stated as follows:

Districts 4 and 9 are divided into subdistricts, and one representative must be elected from each subdistrict. A representative elected from a subdistrict must be, on the day of election, a qualified elector in the subdistrict from which the representative was chosen.

- a. District 4A consists of those portions of Dunn County, McKenzie County, McLean County, Mercer County, Mountrail County, and Ward County within the Fort Berthold reservation.
- b. District 4B consists of all of Mountrail County except those portions contained in Districts 2 and 4A; all of Ward County except those portions contained in Districts 3, 4A, 5, 6, 38, and 40; and that part of McLean County bound by a line commencing at the intersection of the Fort Berthold reservation boundary and the north boundary of McLean County, then east on the north boundary of McLean County until its intersection with the centerline of United States highway 83, then south on United States highway 83 until its intersection with the south boundary of Snow Township, then west on the south boundary of Snow Township until its intersection with the southeast corner of North Central McLean Unorganized Township, then west and south on the south boundary of North Central McLean Unorganized Township until its intersection with the south boundary of McLean County, then west on the south boundary of McLean County until its intersection with the Fort Berthold reservation boundary, then north, west, and north on the Fort Berthold reservation boundary to the point of beginning.
- a. District 9A consists of all of Rolette County except that portion contained in District 9B.

- b. District 9B consists of all of Towner County except that portion contained in District 15; all of Cavalier County except that portion contained in District 19; and that part of Rolette County bound by a line commencing at the intersection of the centerline of United States highway 281, also identified as thirtieth avenue northeast, and the north boundary of Rolette County, then east on the north boundary of Rolette County to the east boundary of Rolette County, then south on the east boundary of Rolette County until its intersection with the centerline of ninety-sixth street northeast, then west on ninety-sixth street northeast until its intersection with the centerline of BIA road 1, also identified as forty-eighth avenue northeast, then north on BIA road 1 until its intersection with the centerline of BIA road 4, also identified as one hundred second street northeast, then west on BIA road 4 until its intersection with the centerline of BIA road 23, then south on BIA road 23 until its intersection with the centerline of BIA road 8, also identified as jackrabbit road, then west on BIA road 8 until its intersection with the centerline of BIA road 25, also identified as thirty-first avenue northeast, then south on BIA road 25 until its intersection with the centerline of ninety-seventh street northeast, then west on ninety-seventh street northeast until its intersection with the Dunseith city limit, then south, west, and north on the Dunseith city limit until its intersection with the centerline of ninety-seventh street northeast, then east on ninety-seventh street northeast until its intersection with United States highway 281, also identified as thirtieth avenue northeast, then north on United States highway 281 to the point of beginning."

REP. BELLEW MOVED that the report be adopted, which motion prevailed.

REMARKS OF REPRESENTATIVE B. KOPPELMAN

On November 4, 2021, a group of aspiring student lawmakers descended upon the capitol city. On that day and the days that followed, the students occupied the legislative portions of the capitol building and fiercely competed to see who was the best in Student Congress. Teams from high schools across the state competed for two days and I'm proud to say that Cheyenne High School, which is in my Legislative District 16, for the second year in a row came out victorious. In one state high school Student Congress competition, among those members of that team there was a young man who was also elected the presiding officer by his peers in the House that he competed in. And he happens to be the grandson of our current Speaker of the House. So if you'll join me in congratulating Cheyenne High School and Reagan Koppelman on their efforts in the North Dakota Student Congress.

MOTION

REP. LOUSER MOVED that the remarks of Rep. B. Koppelman be printed in the journal, which motion prevailed on a voice vote.

ANNOUNCEMENT

SPEAKER K. KOPPELMAN ANNOUNCED that the House stand in recess pending a call of the Speaker.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker K. Koppelman presiding.

MOTION

REP. LOUSER MOVED that HB 1514, which is on the Sixth order, be laid over until the 8:00 p.m. session, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

SB 2345, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2345 was placed on the Sixth order on the calendar.

Page 1, line 1, after "27-20.4" insert "and a new section to chapter 61-01"

Page 1, line 3, after "court" insert "and the water projects stabilization fund"

Page 1, line 3, after "reenact" insert "subsection 1 of section 21-10-06 and"

Page 1, line 4, after "Code" insert " and section 3 of chapter 20 of the 2021 Session Laws"

Page 1, line 4, after the first "to" insert "funds invested by the state investment board,"

Page 1, line 4, after "files" insert ", and the appropriation of additional amounts to the state water commission"

Page 1, line 5, remove "to provide for a legislative management study;"

Page 1, line 6, after the second semicolon insert "to provide a statement of legislative intent;"

Page 2, line 4, remove ". The funding"

Page 2, remove line 5

Page 2, line 6, replace "water supply, and economic development" with "for projects the department determines comply with federal guidance for the state fiscal recovery fund"

Page 2, line 17, after "facilities" insert "with priority for outdoor facilities"

Page 4, line 5, replace "\$2,200,000" with "\$1,600,000"

Page 6, line 25, replace "\$25,750,000" with "\$25,350,000"

Page 6, line 31, after the comma insert "and"

Page 7, line 1, remove ", and up to \$400,000 is for administrative expenses of the"

Page 7, line 2, remove "department relating to providing financial assistance to long-term care facilities"

Page 7, line 24, after "current" insert "agreement"

Page 7, line 24, after "services" insert "agreements"

Page 9, line 31, after "43." insert "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."

Page 9, after line 31, insert:

"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."

Page 16, after line 11, insert:

"**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."

Page 16, replace lines 18 through 25 with:

"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."

Page 16, line 27, replace "3" with "4"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment includes the following changes to Section 1:

- Subsection 3 - Clarifies the use of water projects funding.
- Subsection 5 - Provides priority be given for outdoor local park facilities.
- Subsection 13 - Reduces the appropriation to North Dakota State University for high-performance computing from \$2.2 million to \$1.6 million.
- Subsection 28 - Removes \$400,000 added by the Senate for Department of Human Services administrative costs relating to providing financial assistance to long-term care facilities.
- Subsection 30 - Clarifies the use of alternatives-to-abortion services funding.
- Subsection 43 - Provides \$1 million to the Office of Management and Budget for a grant relating to a new medical center located in Pierce County.

This amendment also:

- Adds four new sections to establish a water projects stabilization fund to provide for transfers from the resources trust fund to the water projects stabilization fund, to provide for Budget Section approval, and to provide for the investment of money in the water projects stabilization fund.
- Adds a section of legislative intent related to the continued development of pipeline infrastructure for the transportation of natural gas to eastern North Dakota.
- Removes a section providing for a Legislative Management study related to a water projects stabilization fund.

SIXTH ORDER OF BUSINESS

SPEAKER K. KOPPELMAN DEEMED approval of the amendments to Engrossed SB 2345.

Engrossed SB 2345, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2345: A BILL for 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.

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 79 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Becker; Bellew; Christensen; Ertelt; Hauck; Hoverson; Kading; Magrum; Paulson; Paur; Schatz; Toman; Trottier; Tveit

ABSENT AND NOT VOTING: Owens

Engrossed SB 2345, as amended, passed.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1505, HB 1506.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1505

Page 1, line 14, replace "\$53,276,228" with "\$68,276,228"

Page 1, line 16, replace "\$30,000,000" with "\$20,000,000"

Page 7, line 5, after "projects" insert "and \$24,652,429 is available for grants to counties for county bridge projects based on an application process developed by the department of transportation"

Page 7, line 6, replace "\$100,000,000" with "\$75,347,571"

Page 7, line 7, remove "based on the county highway tax"

Page 7, line 8, replace "distribution fund formula in subsection 4 of section 54-27-19" with "for road and bridge projects using a distribution formula based on \$80,000,000 allocated to counties in proportion to each county's total twenty-year estimated road and bridge needs using the most recent data compiled by the upper great plains transportation institute with a maximum of \$3,000,000 per county"

Page 8, line 22, replace "\$60,000,000" with "\$45,000,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment:

- Adjusts funding for career and technical education center projects to provide \$68.3 million from the federal Coronavirus Capital Projects Fund and \$20 million from the state fiscal recovery fund for total funding of \$88.3 million.
- Reduces funding from the federal Coronavirus Capital Projects Fund for broadband grants from \$60 million to \$45 million.
- Amends Section 7 relating to \$100 million of transportation funding for counties to

provide \$24.7 million for county bridge projects grants and \$75.3 million to be distributed to counties for road and bridge projects based on Upper Great Plains Transportation Institute data with a limit of \$3 million per county.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1506

Page 1, line 2, after "positions" insert "; to amend and reenact section 9 of chapter 46 of the 2021 Session Laws, relating to the beyond visual line of sight unmanned aircraft system program"

Page 5, after line 7, insert:

"SECTION 18. APPROPRIATION - BANK OF NORTH DAKOTA. There is appropriated out of any moneys in the Bank of North Dakota operating fund in the state treasury, not otherwise appropriated, the sum of \$1,025,369, or so much of the sum as may be necessary, to the Bank of North Dakota for the purpose of salaries and wages funding, for the period beginning with the effective date of this Act, and ending June 30, 2023.

SECTION 19. APPROPRIATION - DEPARTMENT OF COMMERCE - ONE-TIME FUNDING - WORKFORCE COMMUNITY SERVICES PROGRAM. There is appropriated from federal funds, not otherwise appropriated, the sum of \$1,074,888, or so much of the sum as may be necessary, to the department of commerce for the purpose of the workforce community services program, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 20. APPROPRIATION - DEPARTMENT OF COMMERCE - ONE-TIME FUNDING - COMMUNITY DEVELOPMENT PLANNING GRANT PROGRAM. There is appropriated from federal funds, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of a community development planning grant program, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 21. APPROPRIATION - DEPARTMENT OF COMMERCE - ONE-TIME FUNDING - WORKFORCE INNOVATION NETWORK GRANT PROGRAM. There is appropriated from special funds, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of a workforce innovation network grant program, for the period beginning with the effective date of this Act, and ending June 30, 2023. The funding provided under this section is considered a one-time funding item.

SECTION 22. AMENDMENT. Section 9 of chapter 46 of the 2021 Session Laws is amended and reenacted as follows:

SECTION 9. BEYOND VISUAL LINE OF SIGHT UNMANNED AIRCRAFT SYSTEM PROGRAM - MATCHING FUND REQUIREMENT - ONE-TIME FUNDING. The grants line item in section 1 of this Act includes \$1,000,000 from the general fund for grants to an organization dedicated to expanding workforce opportunities, training, and education related to the beyond visual line of sight unmanned aircraft system industry, ~~which the~~. The department of commerce may provide funding under this section only to the extent the organization provides one dollar of matching funds from private or other public sources during the period beginning July 1, 2020, and ending June 30, 2023, for each one dollar provided by the department. This funding is considered a one-time funding item."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment:

- Appropriates \$1,025,369 from the Bank of North Dakota operating fund to the Bank for salaries and wages funding.
- Appropriates \$1,074,888 of federal funds to the Department of Commerce for the workforce community services program.
- Appropriates \$1 million of federal funds to the Department of Commerce for a community development planning grant program.
- Appropriates \$100,000 of special funds to the Department of Commerce for a workforce innovation network grant program.
- Amends Section 9 of Chapter 46 of the 2021 Session Laws to allow the Department of Commerce to accept matching funds raised prior to July 1, 2021, for the beyond visual line of sight unmanned aircraft system program provided for in Senate Bill No. 2018 (2021).

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DELZER MOVED that the House do concur in the Senate amendments to Engrossed HB 1505, which motion prevailed on a voice vote.

Engrossed HB 1505, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1505: A BILL for an Act to amend section 6 of chapter 15, section 5 of chapter 18, sections 6, 7, and 8 of chapter 19, and section 1 of chapter 55 of the 2021 Session Laws, relating to the federal coronavirus capital projects fund and federal state fiscal recovery fund; to identify department of transportation funding sources; to provide an appropriation; to provide for a transfer; to provide for a report; and to provide an 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 83 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Becker; Bellew; Ertelt; Hauck; Hoverson; Magrum; Paulson; Schatz; Toman; Tveit

ABSENT AND NOT VOTING: Owens

Reengrossed HB 1505 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DELZER MOVED that the House do concur in the Senate amendments to Engrossed HB 1506, which motion prevailed on a voice vote.

Engrossed HB 1506, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1506: A BILL for an Act to provide an appropriation; to provide for a transfer; to authorize full-time equivalent positions; to amend and reenact section 9 of chapter 46 of the 2021 Session Laws, relating to the beyond visual line of sight unmanned aircraft

system program; to provide an exemption; to provide for a report; and to provide an 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 82 YEAS, 11 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Becker; Bellew; Christensen; Ertelt; Hoverson; Koppelman, B.; Magrum; Marschall; Schatz; Toman; Tveit

ABSENT AND NOT VOTING: Owens

Reengrossed HB 1506 passed.

ANNOUNCEMENT

SPEAKER K. KOPPELMAN ANNOUNCED that the House stand in recess until 7:45 p.m.

THE HOUSE RECONVENED pursuant to recess taken with Speaker K. Koppelman.

REPORT OF STANDING COMMITTEE

HB 1514: Joint Technical Corrections Committee (Rep. Weisz, Co-Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1514 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 43-12.1, a new section to chapter 43-15, and a new section to chapter 43-17 of the North Dakota Century Code, relating to disciplinary actions by the board of nursing, board of pharmacy, and board of medicine; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 43-12.1 of the North Dakota Century Code is created and enacted as follows:

Limitations on disciplinary actions.

The board may not take disciplinary action against an advanced practice registered nurse based solely on the advanced practice registered nurse prescribing or dispensing ivermectin for the off-label treatment or prevention of severe acute respiratory syndrome coronavirus 2 identified as SARS-CoV-2, or any mutation or viral fragments of SARS-CoV-2. This section does not limit the board from taking a disciplinary action on another basis, such as unlicensed practice, inappropriate documentation, or substandard care, or any basis that would in the board's determination harm the patient.

SECTION 2. A new section to chapter 43-15 of the North Dakota Century Code is created and enacted as follows:

Limitations on disciplinary actions.

The board may not take disciplinary action against a pharmacist based solely on the pharmacist dispensing ivermectin for the off-label treatment or prevention of severe acute respiratory syndrome coronavirus 2 identified as SARS-CoV-2, or any mutation or viral fragments of SARS-CoV-2. This section does not limit the board from taking a disciplinary action on another basis, such as unlicensed practice, inappropriate documentation, or substandard care, or any basis that would in the board's determination harm the patient.

SECTION 3. A new section to chapter 43-17 of the North Dakota Century Code is created and enacted as follows:

Limitations on disciplinary actions.

The board may not take disciplinary action against a licensee based solely on the licensee prescribing or dispensing ivermectin for the off-label treatment or prevention of severe acute respiratory syndrome coronavirus 2 identified as SARS-CoV-2, or any mutation or viral fragments of SARS-CoV-2. This section does not limit the board from taking a disciplinary action on another basis, such as unlicensed practice, inappropriate documentation, or substandard care, or any basis that would in the board's determination harm the patient.

SECTION 4. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state."

Renumber accordingly

SIXTH ORDER OF BUSINESS

SPEAKER K. KOPPELMAN DEEMED approval of the amendments to HB 1514.

HB 1514, as amended, was placed on the Eleventh order of business on the calendar.

REPORT OF STANDING COMMITTEE

HB 1511: Joint Technical Corrections Committee (Rep. Weisz, Co-Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1511 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "section" with "sections 23-01-05.3 and"

Page 1, line 3, after "to" insert "vaccine passports and"

Page 1, after line 9, insert:

"SECTION 1. AMENDMENT. Section 23-01-05.3 of the North Dakota Century Code is amended and reenacted as follows:

23-01-05.3. Immunization data. (Effective through August 31, 2022)

1. The state department of health may establish an immunization information system and may require the childhood immunizations specified in subsection 1 of section 23-07-17.1 and other information be reported to the department. The state department of health may only require the reporting of childhood immunizations and other data upon completion of the immunization information reporting system. A health care provider who administers a childhood immunization shall report the patient's identifying information, the immunization that is administered, and other required information to the department. The report must be submitted using electronic media, and must contain the data content and use the format and codes specified by the department.
2. If a health care provider fails to submit an immunization report required under this section within four weeks of vaccination:

- a. That health care provider may not order or receive any vaccine from the North Dakota immunization program until that provider submits all reports required under this section.
 - b. The state department of health shall make a report to that health care provider's occupational licensing entity outlining that provider's failure to comply with the reporting requirements under this section.
3. Notwithstanding any other provision of law, a health care provider, elementary or secondary school, early childhood facility, public or private postsecondary educational institution, city or county board of health, district health unit, and the state health officer may exchange immunization data in any manner with one another. Immunization data that may be exchanged under this section is limited to the date and type of immunization administered to a patient and may be exchanged regardless of the date of the immunization.
 4. The state department of health may not create, administer, provide, or contract for an immunization certificate, such as a vaccine passport or an electronic machine-readable code.

Immunization data. (Effective after August 31, 2022)

1. The department of health and human services may establish an immunization information system and may require the childhood immunizations specified in subsection 1 of section 23-07-17.1 and other information be reported to the department. The department of health and human services may only require the reporting of childhood immunizations and other data upon completion of the immunization information reporting system. A health care provider who administers a childhood immunization shall report the patient's identifying information, the immunization that is administered, and other required information to the department. The report must be submitted using electronic media, and must contain the data content and use the format and codes specified by the department.
2. If a health care provider fails to submit an immunization report required under this section within four weeks of vaccination:
 - a. That health care provider may not order or receive any vaccine from the North Dakota immunization program until that provider submits all reports required under this section.
 - b. The department of health and human services shall make a report to that health care provider's occupational licensing entity outlining that provider's failure to comply with the reporting requirements under this section.
3. Notwithstanding any other provision of law, a health care provider, elementary or secondary school, early childhood facility, public or private postsecondary educational institution, city or county board of health, district health unit, and the state health officer may exchange immunization data in any manner with one another. Immunization data that may be exchanged under this section is limited to the date and type of immunization administered to a patient and may be exchanged regardless of the date of the immunization.
4. The department of health and human services may not create, administer, provide, or contract for an immunization certificate, such as a vaccine passport or an electronic machine-readable code."

3."

Page 2, line 7, after "state" insert "or doing business in this state"

Page 2, line 7, after "patron" insert ", client."

Page 2, line 7, after "customer" insert "in this state"

Page 2, line 10, remove the overstrike over "~~This subsection~~"

Page 2, line 11, remove the overstrike over "~~does not apply to a~~" and insert immediately thereafter "developmental disability residential facility or a"

Page 2, line 11, remove the overstrike over "~~health care provider~~" and insert immediately thereafter an underscored comma

Page 2, line 11, remove the overstrike over "~~including a long term care provider~~" and insert immediately thereafter ", basic care provider, and assisted living provider"

Page 2, line 11, remove the overstrike over the overstruck period and insert immediately thereafter "As used in this subsection, a private business does not include a nonprofit entity that does not sell a product or a service."

Page 2, line 12, overstrike "3." and insert immediately thereafter "4."

Page 2, line 15, overstrike "4." and insert immediately thereafter "5."

Page 2, line 15, remove the overstrike over "~~Subsection 1 is not applicable to the state board of higher education, the university~~"

Page 2, remove the overstrike over lines 16 through 19

Page 2, line 20, overstrike "5." and insert immediately thereafter "6."

Page 2, line 22, remove "5."

Page 2, line 22, overstrike "This section"

Page 2, line 23, remove "does not apply to the"

Page 2, remove lines 24 through 26

Page 2, line 27, replace "6." with "7."

Page 3, line 5, replace "in this state" with "or contractor"

Page 3, line 5, replace "or" with an underscored comma

Page 3, line 5, after the second "employee" insert ", or independent contractor in this state"

Page 3, line 6, after "employment" insert "or a term of a contract"

Page 3, line 7, after "employer" insert "or contractor"

Page 3, line 7, after "employee" insert ", prospective employee, or independent contractor"

Page 3, line 8, replace "twelve" with "six"

Page 3, line 10, after "employer" insert "or contractor"

Page 3, line 10, after "employee" insert ", prospective employee, or independent contractor"

Page 3, line 11, remove "Under this subdivision, the"

Page 3, remove lines 12 and 13

Page 3, line 14, after "employer" insert "or contractor"

Page 3, line 14, after "employee" insert ", prospective employee, or independent contractor"

Page 3, line 16, after "a" insert "North Dakota"

Page 3, line 16, after "physician" insert ", physician assistant, or advanced practice registered nurse"

Page 3, line 17, after "employee" insert ", prospective employee, or independent contractor"

Page 3, line 18, after "employee" insert ", prospective employee, or independent contractor"

Page 3, line 19, after "employee" insert ", prospective employee, or independent contractor"

Page 3, line 19, after "employee's" insert ", prospective employee's, or independent contractor's"

Page 3, after line 20, insert:

"3. This section does not apply to the extent an employer or an independent contractor is required to comply with federal law, rules, or guidance relating to requirements for vaccinations for COVID-19 or resulting from Title 42, Code of Federal Regulations, part 416 et seq. [86 FR 61555 et seq. (2021)]; Title 29, Code of Federal Regulations, part 1910 et seq. [86 FR 61555 et seq. (2021)]; or the presidential executive order on ensuring adequate COVID safety protocols for federal contractors, issued September 9, 2021."

Page 3, line 21, replace "2" with "3"

Page 3, line 23, replace "3" with "4"

Renumber accordingly

SIXTH ORDER OF BUSINESS

HB 1511: REP. PORTER (Joint Technical Corrections Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

REP. ERTELT REQUESTED that the House divide the amendments to Engrossed HB 1511, which request was granted.

DIVISION A: Page 2, line 7, after "2" insert "Subsection 1 does not apply to the department of corrections and rehabilitation, a correctional facility as defined under Section 12-44-01, the state hospital, or a public health unit"

DIVISION B: Page 2, line 15, remove the overstrike over "~~Subsection 1 is not applicable to the state board of higher education, the university~~"

DIVISION C: Page 3, after line 20, insert:

"3. This section does not apply to the extent an employer or an independent contractor is required to comply with federal law, rules, or guidance relating to requirements for vaccinations for COVID-19 or resulting from Title 42, Code of Federal Regulations, part 416 et seq [86 FR 61555 et seq. (2021)]; title 29, Code of Federal Regulations, part 1910 et seq. [86 61555 et seq. (2021)]; or the presidential executive order on ensuring adequate COVID safety protocols for federal contractors, issued September 9, 2021."

DIVISION D: Remainder of the amendment

The question being the adoption of Division A of the proposed amendments to Engrossed HB 1511, the motion passed on a voice vote.

Division A of the proposed amendments to Engrossed HB 1511 was adopted on a voice vote.

REQUEST

REP. CORY REQUESTED a recorded roll call vote on Division B of the proposed amendments to Engrossed HB 1511, which request was granted.

ROLL CALL

The question being the adoption of Division B of the proposed amendments to Engrossed HB 1511, the roll was called and there were 60 YEAS, 32 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hager; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Karls; Kiefert; Klemin; Kreidt; Longmuir; Louser; Martinson; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Pollert; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Vigesaa; Weisz; Westlind; Zubke

NAYS: Becker; Bellew; Boschee; Christensen; Cory; Ertelt; Hauck; Hoverson; Jones; Kading; Kasper; Kempenich; Koppelman, B.; Lefor; Magrum; Marschall; Meier; Nehring; Paulson; Paur; Rohr; Ruby, D.; Ruby, M.; Schatz; Skroch; Steiner; Thomas; Toman; Trottier; Tveit; Vetter; Speaker Koppelman, K.

ABSENT AND NOT VOTING: Keiser; Owens

Division B of the proposed amendments to Engrossed HB 1511 was adopted on a recorded roll call vote.

The question being the adoption of Division C of the proposed amendments to Engrossed HB 1511, the motion passed on a voice vote.

Division C of the proposed amendments to Engrossed HB 1511 was adopted on a voice vote.

The question being the adoption of Division D of the proposed amendments to Engrossed HB 1511, the motion passed on a voice vote.

Division D of the proposed amendments to Engrossed HB 1511 was adopted on a voice vote.

Therefore, the question being on the motion to adopt the amendments to HB 1511, which includes Division A, Division B, Division C, and Division D, the proposed amendments were adopted on a voice vote.

SECOND READING OF HOUSE BILL

HB 1511: A BILL for an Act to create and enact a new section to chapter 34-03 of the North Dakota Century Code, relating to employer-required COVID-19 vaccinations; to amend and reenact sections 23-01-05.3 and 23-12-20 of the North Dakota Century Code, relating to vaccine passports and limitations on requiring documentation of COVID-19 vaccinations, antibodies, and post-transmission recovery status; to repeal section 23-12-20 of the North Dakota Century Code and section 2 of this Act, relating to limitations on requiring documentation of COVID-19 vaccinations, antibodies, and post-transmission recovery status and employer-required COVID-19 vaccinations; and to provide an effective date.

REQUEST

REP. ROERS JONES REQUESTED that the House divide Engrossed HB 1511, which request was granted.

DIVISION A: Sections 1 and 5

DIVISION B: Sections 2,3,4,5

ROLL CALL

The question being on the final adoption of Division A of Engrossed HB 1511, the roll was called and there were 77 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Boe; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Monson; Nathe; Nehring; Nelson, J.; Ostlie; Paulson; Paur; Pollert; Porter; Pyle; Richter; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Ista; Mock; Nelson, M.; O'Brien; Roers Jones; Schauer; Schneider

ABSENT AND NOT VOTING: Keiser; Owens

Division A of Engrossed HB 1511 was adopted on a recorded roll call vote.

ROLL CALL

The question being on the final adoption of Division B of Engrossed HB 1511, the roll was called and there were 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Anderson, P.; Nelson, M.

ABSENT AND NOT VOTING: Keiser; Owens

Division B of Engrossed HB 1511 was adopted on a recorded roll call vote.

ROLL CALL

The question being on the final passage of the amended bill, which includes Division A and Division B, which have been read, the roll was called and there were 80 YEAS, 11 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hagert; Hatlestad; Hauck; Headland; Heinert; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Adams; Anderson, P.; Boe; Boschee; Buffalo; Dobervich; Hager; Hanson; Ista; Nelson, M.; Schneider

ABSENT AND NOT VOTING: Hoverson; Keiser; Owens

Engrossed HB 1511 passed.

SECOND READING OF HOUSE BILL

HB 1514: A BILL for an Act to create and enact a new section to chapter 43-12.1, a new section to chapter 43-15, and a new section to chapter 43-17 of the North Dakota Century Code, relating to disciplinary actions by the board of nursing, board of pharmacy, and board of medicine; and to provide an 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 81 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Becker; Bellew; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Adams; Anderson, P.; Beltz; Boe; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Schneider

ABSENT AND NOT VOTING: Keiser; Owens

Engrossed HB 1514 passed.

REPORT OF STANDING COMMITTEE

HB 1510: Joint Technical Corrections Committee (Rep. Weisz, Co-Chairman) recommends **DO NOT PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1510 was placed on the Eleventh order on the calendar.

SECOND READING OF HOUSE BILL

HB 1510: A BILL for an Act to create and enact chapter 14-02.7 of the North Dakota Century Code, relating to discrimination based on vaccination status or possession of an immunity passport; to amend and reenact section 23-07-17.1 of the North Dakota Century Code, relating to childhood immunizations; 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 38 YEAS, 54 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Becker; Bellew; Bosch; Christensen; Delzer; Ertelt; Fegley; Fisher; Hauck; Headland; Hoverson; Howe; Jones; Kading; Kasper; Kempenich; Koppelman, B.; Lefor; Longmuir; Magrum; Marschall; Meier; Nehring; Paulson; Paur; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Skroch; Steiner; Thomas; Toman; Trottier; Tveit; Vetter; Speaker Koppelman, K.

NAYS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Boschee; Brandenburg; Buffalo; Cory; Damschen; Devlin; Dobervich; Dockter; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Heinert; Ista; Johnson, D.; Johnson, M.; Karls; Kiefert; Klemin; Kreidt; Louser; Martinson; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Pollert; Porter; Pyle; Richter; Roers Jones; Sanford; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Vigesaa; Weisz; Westlind; Zubke

ABSENT AND NOT VOTING: Keiser; Owens

HB 1510 failed.

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 1508, HB 1509, HB 1512, HB 1515, HCR 3049.

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 1511, HB 1514.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2345.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2350, SB 2351.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, unchanged: HB 1507.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1504, HB 1513.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1505, HB 1506.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1507.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1504, HB 1513.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1507.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1504, HB 1513.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1507.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2346, SB 2347, SB 2348, SB 2349.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2346, SB 2347, SB 2348, SB 2349.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on November 11, 2021: HB 1504, HB 1513.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on November 11, 2021: HB 1507.

MOTION

REP. LOUSER MOVED that the absent members be excused, which motion prevailed on a voice vote.

MOTION

REP. LOUSER MOVED that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Friday, November 12, 2021, which motion prevailed on a voice vote.

FIRST READING OF SENATE BILLS

SB 2350: A BILL for an Act to amend and reenact section 15.1-21-02.4 of the North Dakota Century Code, relating to career and technical education scholarship eligibility requirements; and to provide an effective date.

Was read the first time and referred to the **Joint Technical Corrections Committee**.

SB 2351: A BILL for an Act to amend and reenact subsection 4 of section 57-38-01.28 and subdivision t of subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to the marriage penalty credit and an income tax exclusion for social security benefits; and to provide an effective date.

Was read the first time and referred to the **Joint Technical Corrections Committee**.

REPORT OF STANDING COMMITTEE

SB 2350: Joint Technical Corrections Committee (Rep. Weisz, Co-Chairman) recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2350 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2351: Joint Technical Corrections Committee (Rep. Weisz, Co-Chairman) recommends **DO PASS** (15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2351 was placed on the Fourteenth order on the calendar.

The House stood adjourned pursuant to Representative Louser's motion.

Buell J. Reich, Chief Clerk

