

JOURNAL OF THE SENATE

Sixty-eighth Legislative Assembly

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Bismarck, February 16, 2023

The Senate convened at 1:00 p.m., with President Miller presiding.

The prayer was offered by Pastor Randy Upgren, Inspire Family Fellowship, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

MADAM PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Beard, Chairman)** has carefully examined the Journal of the Twenty-seventh and Thirtieth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 496, after line 39, insert:

“SB 2063: A BILL for an Act to create and enact section 24-02-45.4 of the North Dakota Century Code, relating to the authorization and appropriations necessary to administer the national electric vehicle infrastructure program grants and other discretionary funding items.”

Page 497, remove lines 16 through 19 and 24 through 28

Page 605, line 6, replace **“DO NOT PASS”** with **“DO PASS”**

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

REPORT OF DELAYED BILLS COMMITTEE

MADAM PRESIDENT: Your **Delayed Bills Committee (Sen. Myrdal, Chairman)** has cast a vote of 3 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING in favor of accepting the introduction of NO INFORMATION ASSOCIATED WITH LC NUMBER 23.3085.01000.

The resolution will be SCR 4017.

REPORT OF STANDING COMMITTEE

SB 2002: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2002 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, after "printing" insert "; to amend and reenact section 54-09-05 of the North Dakota Century Code, relating to the salary of the secretary of state; to provide an exemption; and to provide for a transfer"

Page 1, remove lines 10 through 24

Page 2, replace lines 1 through 11 with:

" Subdivision 1.

SECRETARY OF STATE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$5,528,082	\$800,244	\$6,328,326
Operating expenses	3,308,424	3,175,907	6,484,331
Grants	25,000	0	25,000

Petition review	8,000	0	8,000
Election reform	<u>4,699,689</u>	<u>1,324,371</u>	<u>6,024,060</u>
Total all funds	\$13,569,195	\$5,300,522	\$18,869,717
Less estimated income	<u>8,305,574</u>	<u>3,727,501</u>	<u>12,033,075</u>
Total general fund	\$5,263,621	\$1,573,021	\$6,836,642
Full-time equivalent positions	33.00	1.00	34.00

Subdivision 2.

SECRETARY OF STATE - PUBLIC PRINTING

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Public printing	\$257,931	\$13,404	\$271,335
Total general fund	\$257,931	\$13,404	\$271,335

Subdivision 3.

TOTAL - SECTION 1

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$5,521,552	\$1,586,425	\$7,107,977
Grand total special funds	<u>8,305,574</u>	<u>3,727,501</u>	<u>12,033,075</u>
Grand total all funds	\$13,827,126	\$5,313,926	\$19,141,052

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-NINTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-seventh Legislative Assembly for the 2021-23 biennium and the one-time items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
New campaign system and contracted website redesign	\$0	\$1,000,000
Information technology system enhancements	0	500,000
Help America Vote Act	<u>0</u>	<u>1,000,000</u>
Total other funds	\$0	\$2,500,000

SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in subdivision 1 of section 1 of this Act includes the sum of \$1,500,000 from the strategic investment and improvements fund for a new campaign system, contracted website redesign, and information technology system enhancements for the secretary of state.

SECTION 4. AMENDMENT. Section 54-09-05 of the North Dakota Century Code is amended and reenacted as follows:

54-09-05. Salary of secretary of state.

The annual salary of the secretary of state is ~~one hundred twelve thousand two hundred forty-one~~ one hundred thirty thousand dollars through June 30, ~~2022~~2024, and ~~one hundred fourteen thousand four hundred eighty-six~~ one hundred thirty-five thousand two hundred dollars thereafter.

SECTION 5. EXEMPTION - LINE ITEM TRANSFERS. Notwithstanding section 54-16-04, the office of management and budget may transfer up to \$100,000 of appropriation authority between line items in subdivision 1 of section 1 of this Act, as requested by the secretary of state, during the biennium beginning July 1, 2023, and ending June 30, 2025."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2002 - Summary of Senate Action

	Base Budget	Senate Changes	Senate Version
Secretary of State			
Total all funds	\$13,569,195	\$5,300,522	\$18,869,717
Less estimated income	8,305,574	3,727,501	12,033,075
General fund	\$5,263,621	\$1,573,021	\$6,836,642
FTE	33.00	1.00	34.00
Public Printing			
Total all funds	\$257,931	\$13,404	\$271,335
Less estimated income	0	0	0
General fund	\$257,931	\$13,404	\$271,335
FTE	0.00	0.00	0.00
Bill total			
Total all funds	\$13,827,126	\$5,313,926	\$19,141,052
Less estimated income	8,305,574	3,727,501	12,033,075
General fund	\$5,521,552	\$1,586,425	\$7,107,977
FTE	33.00	1.00	34.00

Senate Bill No. 2002 - Secretary of State - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$5,528,082	\$800,244	\$6,328,326
Operating expenses	3,308,424	3,175,907	6,484,331
Grants	25,000		25,000
Petition review	8,000		8,000
Election reform	4,699,689	1,324,371	6,024,060
Total all funds	\$13,569,195	\$5,300,522	\$18,869,717
Less estimated income	8,305,574	3,727,501	12,033,075
General fund	\$5,263,621	\$1,573,021	\$6,836,642
FTE	33.00	1.00	34.00

Department 108 - Secretary of State - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes ¹	Adds Funding for Salary and Benefit Increases ²	Adds Salary Equity Funding for Elected Officials ³	Adjusts Funding for Salaries and Wages ⁴	Adds Election Specialist FTE Position ⁵	Adds Funding for Changes in Employee Duties ⁶
Salaries and wages	\$260,050	\$413,446	\$26,748			\$100,000
Operating expenses						
Grants						
Petition review						
Election reform		9,478			\$200,950	
Total all funds	\$260,050	\$422,924	\$26,748	\$0	\$200,950	\$100,000
Less estimated income	208,745	60,442	0	(479,143)	200,950	0
General fund	\$51,305	\$362,482	\$26,748	\$479,143	\$0	\$100,000
FTE	0.00	0.00	0.00	0.00	1.00	0.00

	Adds Matching Funds ⁷	Adjusts Operating Funding ⁸	Adds One-Time Funding ⁹	Total Senate Changes
Salaries and wages				\$800,244
Operating expenses		\$1,675,907	\$1,500,000	3,175,907
Grants				
Petition review				
Election reform	\$200,000	(86,057)	1,000,000	1,324,371
Total all funds	\$200,000	\$1,589,850	\$2,500,000	\$5,300,522
Less estimated income	0	1,236,507	2,500,000	3,727,501
General fund	\$200,000	\$353,343	\$0	\$1,573,021
FTE	0.00	0.00	0.00	1.00

¹ Funding is adjusted for base payroll changes, including the cost to continue 2021-23 biennium salary increases.

² The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from \$1,429 to \$1,648 per month:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Salary increase	\$236,186	\$39,392	\$275,578
Health insurance increase	126,296	21,050	147,346
Total	\$362,482	\$60,442	\$422,924

³ Funding is added for providing a salary equity increase for the Secretary of State. The Secretary of State's annual salary is increased from the current level of \$114,486 to \$130,000 (13.6 percent) effective July 1, 2023. This funding is in addition to the funding added for the general 4 percent annual salary increases for state employees.

⁴ Funding of \$479,143 for salaries and wages is provided from the general fund instead of from special funds.

⁵ Funding of \$200,950 from federal funds is added for a new FTE election specialist position and related operating expenses.

⁶ Funding of \$100,000 from the general fund is added for increased salaries and wages relating to changes in employee responsibilities and duties.

⁷ Funding of \$200,000 from the general fund is added to match federal Help America Vote Act funds.

⁸ Operating funding is adjusted as follows:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Election reform		(\$86,057)	(\$86,057)
Capitol space rent model	\$201,331		201,331
Text messaging software and ongoing maintenance	165,000	165,000	330,000
Various operating adjustments, including an increase in information technology expenses	(12,988)	1,157,564	1,144,576
Total	\$353,343	\$1,236,507	\$1,589,850

⁹ One-time funding is added as follows:

- \$1 million from the strategic investment and improvements fund is added for a new campaign system and contracted information technology services to redesign the Secretary of State's website;
- \$500,000 from the strategic investment and improvements fund is added for information technology system enhancements to FirstStop, the Central Indexing System, and other systems; and
- \$1 million from federal funds derived from the Help America Vote Act is added for election reform expenses.

This amendment also:

- Adds a section to allow the Secretary of State to transfer up to \$100,000 between line items; and
- Adds a section to provide the statutory changes necessary to increase the Secretary of State's annual salary to \$130,000 (13.6 percent) effective July 1, 2023, and to \$135,200 (4 percent) effective July 1, 2024.

Senate Bill No. 2002 - Public Printing - Senate Action

	<u>Base Budget</u>	<u>Senate Changes</u>	<u>Senate Version</u>
Public printing	\$257,931	\$13,404	\$271,335
Total all funds	\$257,931	\$13,404	\$271,335
Less estimated income	0	0	0
General fund	\$257,931	\$13,404	\$271,335
FTE	0.00	0.00	0.00

Department 109 - Public Printing - Detail of Senate Changes

	Increases Funding for Public Printing ¹	Total Senate Changes
Public printing	\$13,404	\$13,404
Total all funds	\$13,404	\$13,404
Less estimated income	0	0
General fund	\$13,404	\$13,404
FTE	0.00	0.00

¹ Funding of \$13,404 from the general fund is added for public printing expenses.

REPORT OF STANDING COMMITTEE

SB 2024: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2024 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, replace lines 9 through 13 with:

	Base Level	Adjustments or Enhancements	Appropriation
Ethics commission	\$623,984	\$427,992	\$1,051,976
Total general fund	\$623,984	\$427,992	\$1,051,976
Full-time equivalent positions	1.00	1.00	2.00"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2024 - Ethics Commission - Senate Action

	Base Budget	Senate Changes	Senate Version
Ethics commission	\$623,984	\$427,992	\$1,051,976
Total all funds	\$623,984	\$427,992	\$1,051,976
Less estimated income	0	0	0
General fund	\$623,984	\$427,992	\$1,051,976
FTE	1.00	1.00	2.00

Department 195 - Ethics Commission - Detail of Senate Changes

	Adjusts Funding for Base Payroll and Budget Changes ¹	Adds Funding for Salary and Benefit Increases ²	Converts Temporary Position to FTE Position ³	Adds Funding for Temporary Salaries ⁴	Increases Operating Funding ⁵	Total Senate Changes
Ethics commission	\$3,072	\$32,524	\$60,798	\$100,000	\$231,598	\$427,992
Total all funds	\$3,072	\$32,524	\$60,798	\$100,000	\$231,598	\$427,992
Less estimated income	0	0	0	0	0	0
General fund	\$3,072	\$32,524	\$60,798	\$100,000	\$231,598	\$427,992
FTE	0.00	0.00	1.00	0.00	0.00	1.00

¹ Funding is adjusted for base payroll and budget changes.

² The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from \$1,429 to \$1,648 per month:

General Fund	
Salary increase	\$27,262
Health insurance increase	5,262
Total	\$32,524

³ Funding from the general fund is added to convert a temporary FTE position to an

executive assistant FTE position.

⁴ Funding is added for temporary salaries to assist with education and outreach efforts.

⁵ Funding from the general fund is increased for the following operating expenses:

- Travel funding is increased by \$6,724 to provide total funding of \$22,016.
- Information technology funding is increased by \$8,874 to provide total funding of \$48,939.
- Professional fee services funding is increased by \$216,000 to provide total funding of \$236,000.

REPORT OF STANDING COMMITTEE

SB 2025: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2025 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, remove line 24

Page 2, remove lines 1 through 3

Page 2, line 7, replace "6." with "5."

Page 2, line 13, replace "7." with "6."

Page 2, line 18, replace "8." with "7."

Page 2, line 22, replace "9." with "8."

Page 2, replace lines 24 through 26 with:

"Grand total general fund	\$41,529,057
Grand total special funds	<u>285,000,000</u>
Grand total all funds	\$326,529,057"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT

This amendment removes the \$430,101 general fund deficiency appropriation for the University of North Dakota.

REPORT OF STANDING COMMITTEE

SB 2149, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO NOT PASS** (11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2149 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2155: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2155 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 8, replace "\$2,000,000" with "\$1,000,000"

Page 1, line 9, remove "and"

Page 1, line 10, remove "grants to establish federally qualified health centers"

Page 2, remove lines 1 through 3

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2160: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2160 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

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 54-52.1 of the North Dakota Century Code, relating to public employee telehealth benefits; to provide for a report; to provide for application; to provide an expiration date; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 54-52.1 of the North Dakota Century Code is created and enacted as follows:

Coverage of telehealth services.

1. As used in this section:
 - a. "Behavioral health" has the same meaning as provided under section 50-06-01.
 - b. "Distant site" means a site at which a health care provider or health care facility is located while providing medical services by means of telehealth.
 - c. "Health care facility" means any office or institution at which health services are provided. The term includes hospitals; clinics; ambulatory surgery centers; outpatient care facilities; nursing homes; nursing, basic, long-term, or assisted living facilities; laboratories; and offices of any health care provider.
 - d. "Health care provider" includes an individual licensed under chapter 43-05, 43-06, 43-12.1 as a registered nurse or as an advanced practice registered nurse, 43-13, 43-15, 43-17, 43-26.1, 43-28, 43-32, 43-37, 43-40, 43-41, 43-42, 43-44, 43-45, 43-47, 43-58, or 43-60.
 - e. "Originating site" means a site at which a patient is located at the time health services are provided to the patient by means of telehealth.
 - f. "Store-and-forward technology" means asynchronous electronic transfer or transmission of a patient's medical information or data from an originating site to a distant site for the purpose of diagnostic and therapeutic assistance in the care of a patient.
 - g. "Telehealth":
 - (1) Means the delivery of health services or consultations through the use of real-time two-way interactive audio and visual communications to provide or support health care delivery and facilitate the assessment, diagnosis, consultation, treatment, education, and care management of a patient's health care.
 - (2) Includes the application of secure video conferencing, store-and-forward technology, and synchronous interactions between a patient located at an originating site and a health care provider located at a distant site.
 - (3) Includes audio-only communication between a health care provider and a patient as authorized under this section.

- (4) Does not include communication between health care providers which consists solely of a telephone conversation, electronic mail, or facsimile transmission.
 - (5) Does not include communication between a health care provider and a patient which consists solely of an electronic mail or facsimile transmission.
 - (6) Includes telemonitoring services if the:
 - (a) Telemonitoring services are medically appropriate based on the patient's medical condition or status;
 - (b) Patient is cognitively and physically capable of operating the monitoring device or equipment, or the patient has a caregiver who is willing and able to assist with the monitoring device or equipment; and
 - (c) Patient resides in a setting suitable for telemonitoring services and not in a setting that has health care staff on site.
 - h. "Telemonitoring services" means the remote monitoring of clinical data related to the patient's vital signs or biometric data by a monitoring device or equipment that transmits the data electronically to a health care provider for analysis. Telemonitoring is intended to collect a patient's health-related data for the purpose of assisting a health care provider in assessing and monitoring the patient's medical condition or status.
2. The board shall provide health insurance benefits coverage that provides coverage for health services delivered by means of telehealth which is the same as the coverage for covered medically necessary health services delivered by in-person means.
- a. This subsection does not require a health care provider to provide telehealth services if the provider determines the delivery of a health service through telehealth is not appropriate or if a patient chooses not to receive a health care service through telehealth.
 - b. The coverage may provide criteria a health care provider is required to meet to demonstrate safety or efficacy of delivering a health care service through telehealth if the coverage does not already reimburse other health care providers for delivery of that health service through telehealth.
 - c. The coverage may provide reasonable medical management techniques if a particular technique is not unduly burdensome or unreasonable for a particular health service.
 - d. The coverage may require documentation or billing practices designed to protect the insurer or patient from fraudulent claims if the practices are not unduly burdensome or unreasonable for a particular health service.
 - e. This section does not require coverage of an audio-only communication unless the communication was a scheduled appointment and the standard of care for that service can be met through the use of audio-only communication.
 - f. The coverage may not require a patient to pay a fee to download a specific communication technology or application.
3. Payment or reimbursement of expenses for covered health services delivered by means of telehealth under subsection 2 may be established

- through negotiations with the health services providers in the same manner as the coverage establishes payment or reimbursement of expenses for covered health services that are delivered by in-person means.
4. The coverage must provide the same rate of reimbursement for behavioral health services delivered by means of telehealth as the rate of reimbursement for the same behavioral health services delivered by in-person means.
 - a. Under this subsection, the coverage may not deny or limit the rate of reimbursement based solely on the technology and equipment used by the health care provider to deliver the behavioral health services or consultation through telehealth, if the technology and equipment used by the behavioral health provider meets the requirements of this section and is appropriate for the health service.
 - b. This subsection does not prohibit a value-based reimbursement arrangement for the delivery of covered health services that may include services delivered through telehealth, and the arrangement does not constitute a violation of this section.
 - c. Under this subsection, notwithstanding subsection 2, behavioral health services delivered through telehealth are covered regardless of whether provided by means of audio-only communication and regardless of whether provided as part of a scheduled appointment if the communication was initiated by the patient while in an emergency or crisis situation and a scheduled appointment was not possible due to the need for an immediate response.
 5. Coverage under this section may be subject to deductible, coinsurance, and copayment provisions that are no different from the provisions for in-person means. Coverage under this section may be subject to prior authorization if prior authorization is required before the delivery of the same health care service by in-person means. Coverage may include utilization review for health services delivered through telehealth if the utilization review is conducted in the same manner and uses the same clinical review criteria as a utilization review for the same services delivered through in-person means.
 6. This section does not require:
 - a. Coverage for health services that are not medically necessary, subject to the terms and conditions of the health benefits coverage;
 - b. Coverage for health services delivered by means of telehealth if the coverage would not provide coverage for the health services if delivered by in-person means;
 - c. Reimbursement of a health care provider or health care facility for expenses for health services delivered by means of telehealth if the coverage would not reimburse that health care provider or health care facility if the health services had been delivered by in-person means; or
 - d. A health care provider to be physically present with a patient at the originating site unless the health care provider who is delivering health services by means of telehealth determines the presence of a health care provider is necessary.

SECTION 2. APPLICATION. This Act applies to public employees retirement system health benefits coverage that begins after June 30, 2023, and which does not extend past June 30, 2025.

SECTION 3. PUBLIC EMPLOYEES RETIREMENT SYSTEM - EXPANDED TELEHEALTH COVERAGE - REPORT. Pursuant to section 54-03-28, the public employees retirement system shall prepare and submit for introduction a bill to the sixty-ninth legislative assembly to repeal the expiration date for this Act and to extend the coverage of expanded telehealth coverage to all group and individual health insurance policies. The public employees retirement system shall append a report to the bill regarding the effect of the expanded telehealth benefits requirement on the system's health insurance programs, information on the utilization and costs relating to the coverage, and a recommendation regarding whether the coverage should be continued.

SECTION 4. EXPIRATION DATE. This Act is effective through July 31, 2025, and after that date is ineffective.

SECTION 5. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2237: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2237 was placed on the Eleventh order on the calendar. This bill affects workforce development.

REPORT OF STANDING COMMITTEE

SB 2238, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (13 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2238 was placed on the Eleventh order on the calendar. This bill affects workforce development.

REPORT OF STANDING COMMITTEE

SB 2248, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2248 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, replace the second "and" with a comma

Page 1, line 1, after "19-03.1-23.6" insert ", and a new section to chapter 50-06"

Page 1, line 3, replace the first "and" with a comma

Page 1, line 3, after "reporting" insert ", and an opioid settlement fund"

Page 3, after line 17, insert:

"SECTION 3. A new section to chapter 50-06 of the North Dakota Century Code is created and enacted as follows:

Opioid settlement fund.

There is created in the state treasury an opioid settlement fund. The fund consists of opioid litigation funds received by the state. Moneys received by the state as a result of opioid litigation must be deposited in the fund. Moneys in the fund may be used as authorized by legislative appropriation. The legislative assembly shall consult with the governor in determining the use of the moneys in the fund. As used in this section, "opioid litigation" means civil litigation, demand, or settlement in lieu of litigation alleging unlawful conduct related to the marketing, sale, or distribution of opioids in this state or other alleged illegal actions that contributed to the excessive use of opioids."

Page 3, line 18, replace "ATTORNEY GENERAL" with "DEPARTMENT OF HEALTH AND HUMAN SERVICES"

Page 3, line 19, remove "opioid-related lawsuit settlement"

Page 3, line 20, replace "proceeds" with "the opioid settlement fund"

Page 3, line 21, replace "attorney general" with "department of health and human services"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2274: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2274 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 23-12-20 of the North Dakota Century Code, relating to vaccination and infection information.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 23-12-20 of the North Dakota Century Code is amended and reenacted as follows:

23-12-20. COVID-19 vaccination and infection information. (Repealed effective August 1, 2023)

1. Neither a state government entity nor any of its political subdivisions, agents, or assigns may:
 - a. Require documentation, whether physical or electronic, for the purpose of certifying or otherwise communicating the following before providing access to property, funds, or services:
 - (1) An individual's COVID-19 vaccination status or vaccination status for a vaccine that is under emergency use authorization from the federal food and drug administration;
 - (2) The presence of COVID-19 pathogens, antigens, or antibodies; or
 - (3) An individual's COVID-19 post-transmission recovery status;
 - b. Otherwise publish or share an individual's COVID-19 vaccination record or similar health information, except as specifically authorized by the individual or otherwise authorized by statute; or
 - c. Require a private business to obtain documentation, whether physical or electronic, for purposes of certifying or otherwise communicating the following before employment or providing access to property, funds, or services based on:
 - (1) An individual's COVID-19 vaccination status or vaccination status for a vaccine that is under emergency use authorization from the federal food and drug administration;
 - (2) The presence of COVID-19 pathogens, antigens, or antibodies; or
 - (3) An individual's COVID-19 post-transmission recovery status.
2. Subsection 1 does not apply to the department of corrections and rehabilitation, a correctional facility as defined under section 12-44.1-01, the state hospital, or a public health unit.

3. A private business located in this state or doing business in this state may not require a patron, client, or customer in this state to provide any documentation certifying COVID-19 vaccination or vaccination authorized by the federal food and drug administration under emergency use authorization, the presence of COVID-19 pathogens, antigens, or antibodies, or COVID-19 post-transmission recovery to gain access to, entry upon, or services from the business. This subsection does not apply to a developmental disability residential facility or a health care provider, including a long-term care provider, basic care provider, and assisted living provider. As used in this subsection, a private business does not include a nonprofit entity that does not sell a product or a service.
4. This section may not be construed to interfere with an individual's rights to access that individual's own personal health information or with a person's right to access personal health information of others which the person otherwise has a right to access.
5. Subsection 1 is not applicable to the state board of higher education, the university system, or institutions under the control of the state board of higher education to the extent the entity has adopted policies and procedures governing the type of documentation required, the circumstances under which such documentation may be shared, and exemptions from providing such documentation.
6. This section is not applicable during a public health disaster or emergency declared in accordance with chapter 37-17.1.
7. As used in this section, the term "COVID-19" means severe acute respiratory syndrome coronavirus 2 identified as SARS-CoV-2 and any mutation or viral fragments of SARS-CoV-2."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2277, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (9 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2277 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2287: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO NOT PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2287 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2317: Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2317 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2322, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO NOT PASS** (13 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2322 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2323, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO NOT PASS** (15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2323 was placed on the Eleventh order on the calendar. This bill affects workforce development.

REPORT OF STANDING COMMITTEE

SB 2333: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO**

PASS (9 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). SB 2333 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2335: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2335 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, after "enact" insert "a new section to chapter 1-03,"

Page 1, line 1, after "50-06" insert a comma

Page 1, line 3, replace the first "and" with a comma

Page 1, line 3, replace "fetal alcohol spectrum disorder council" with "cross-disability advisory council, and establishing an annual day of awareness for fetal alcohol spectrum disorder"

Page 1, line 4, remove "section 15.1-32-01,"

Page 1, line 4, remove ", and section 27-20.3-04"

Page 1, line 5, remove "; and to provide a report"

Page 1, remove lines 7 through 24

Page 2, replace lines 1 through 18 with:

"SECTION 1. A new section to chapter 1-03 of the North Dakota Century Code is created and enacted as follows:

Fetal alcohol spectrum disorder awareness day.

To celebrate the life of all affected by fetal alcohol spectrum disorder, reaffirm the dignity and value of every human being, and to create awareness of the number of people affected by the disorder, the ninth day of September of each year is designated and established as fetal alcohol spectrum disorder awareness day for the state of North Dakota."

Page 3, remove lines 9 through 30

Page 4, remove lines 1 through 29

Page 5, remove lines 1 through 31

Page 6, replace lines 1 through 3 with:

"SECTION 3. A new section to chapter 50-06 of the North Dakota Century Code is created and enacted as follows:

Cross-disability advisory council - Appointment - Duties.

1. The cross-disability advisory council shall participate with and provide feedback to the department regarding the implementation, planning, and design of the cross-disability children's waiver and level of care reform for the comprehensive developmental disabilities Medicaid home and community-based waiver.
2. The department shall contract with a qualified, independent third party to facilitate and provide support services to the council. The contracted facilitator shall appoint the cross-disability advisory council members in accordance with subsection 3 and establish the length of members terms and the structure of the cross-disability advisory council. A representative

- from the contracted facilitator shall serve as the presiding officer of the advisory council.
3. The cross-disability advisory council consists of up to fifteen voting members. A majority of the members of the council must be family members of individuals with a disability, or must be individuals with a disability, who receive Medicaid home and community-based services. The remaining members of the council must be appointed based on their professional subject matter expertise in or knowledge of the needs and interests of individuals with disabilities. The council's membership must represent different regions of the state and a broad range of disabilities that pertain to the Medicaid home and community-based services. Upon request of the department, state agency representatives shall participate with the cross-disability advisory council in a nonvoting role.
 4. The cross-disability advisory council shall meet at least quarterly and may appoint subcommittees to address specific topics or disabilities, which may include autism, traumatic brain injury, and fetal alcohol spectrum disorder. A majority of the voting members of the council constitutes a quorum.
 5. The cross-disability advisory council shall:
 - a. Discuss strategies to address gaps or needs regarding individuals with disabilities and Medicaid home and community-based services;
 - b. Provide for the active participation of stakeholders, including consumers and providers; and
 - c. Receive information from the department and its consultants.
 6. The cross-disability advisory council members, excluding the contracted facilitator, are entitled to reimbursement from the department for travel and lodging at the same rate as provided for state officers and employees."

Page 6, remove line 7

Page 6, line 8, remove "complete a course of instruction related to fetal alcohol spectrum disorder."

Page 6, line 9, replace "create the training or provide the training through a third-party vendor" with "integrate fetal alcohol spectrum disorder instruction into the training programs for public and private child welfare providers and foster parents, and further shall integrate a formal fetal alcohol spectrum disorder screening into the early and periodic screening diagnostic and treatment services"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2341: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2341 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 19, remove "\"Certified family foster home for children\" means an occupied private residence in which foster care for children is regularly provided by the owner or lessee of the residence to no more than three children, unless the department approves otherwise.

5."

Page 1, line 23, remove the overstrike over "5."

Page 1, line 23, remove "6."

Page 1, line 24, remove "certified family foster home for children."

Page 2, line 3, remove the overstrike over "6:"

Page 2, line 3, remove "7."

Page 2, line 6, remove the overstrike over "7:"

Page 2, line 6, remove "8."

Page 2, line 10, remove the overstrike over "8:"

Page 2, line 10, remove "9."

Page 2, line 17, remove ", certified."

Page 2, line 19, remove the overstrike over "9:"

Page 2, line 19, remove "10."

Page 2, line 23, remove the overstrike over "40:"

Page 2, line 23, remove "11."

Page 3, line 1, remove the overstrike over "44:"

Page 3, line 1, remove "12."

Page 3, line 3, replace "13." with "12."

Page 3, line 6, replace "14." with "13."

Page 3, after line 7, insert:

**"SECTION 2. DEPARTMENT OF HEALTH AND HUMAN SERVICES -
STANDARD FRAMEWORK OF SERVICES FOR CHILD VICTIMS OF HUMAN
TRAFFICKING - REPORT TO LEGISLATIVE MANAGEMENT.**

1. During the 2023-24 interim, the department of health and human services shall study and implement, in collaboration with other stakeholders, a standard framework for youth services for children impacted or potentially impacted by human trafficking, which includes residential treatment.
2. The department of health and human services shall collaborate with other stakeholders, including the children and family services section of the department of health and human services, the office of the attorney general, and the human trafficking task force.
3. Before January 2, 2024, the department of health and human services shall report its findings and recommendations to the interim human services committee."

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2344, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2344 was placed on the Sixth order on the calendar. This bill affects workforce development.

Page 2, after line 20, insert:

"g. For a registered nurse:

- (1) The loan repayment may not exceed four thousand dollars per year, and may not exceed twenty thousand dollars over five years; and
- (2) The matching funding must equal ten percent of the amount required in paragraph 1."

Page 3, line 14, replace "\$60,000" with "\$96,000"

Page 3, line 15, replace "five" with "four"

Page 3, line 16, after "professionals" insert "and four slots for registered nurses"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2378: Human Services Committee (Sen. Lee, Chairman) recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2378 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2389: Human Services Committee (Sen. Lee, Chairman) recommends **DO NOT PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2389 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

MOTION

SEN. KLEIN MOVED that SB 2389 be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, SB 2389 was rereferred.

CONSIDERATION OF AMENDMENTS

SB 2282: SEN. SICKLER (Judiciary Committee) MOVED that the amendments on SJ pages 600-603 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2282: A BILL for an Act to create and enact a new section to chapter 28-01 of the North Dakota Century Code, relating to the limitation on claims for sexual assault; and to amend and reenact sections 28-01-18, 28-01-22.1, 28-01-25.1, and 32-12.1-10, and subsection 1 of section 32-12.2-04 of the North Dakota Century Code, relating to limitations on civil actions alleging sexual assault, sexual abuse, gross sexual imposition, or childhood sexual abuse, and the notice requirement for claims against the state.

ROLL CALL

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

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

Engrossed SB 2282 passed.

CONSIDERATION OF AMENDMENTS

SB 2251: SEN. MAGRUM (Energy and Natural Resources Committee) MOVED that the amendments on SJ page 600 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2251: A BILL for an Act to amend and reenact section 32-15-06 of the North Dakota Century Code, relating to the surveying process during eminent domain proceedings; and to declare an emergency.

ROLL CALL

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

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

NAYS: Hogan

Engrossed SB 2251 passed and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SCR 4014: SEN. KESSEL (Energy and Natural Resources Committee) MOVED that the amendments on SJ page 605 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4014: A concurrent resolution urging the Secretary of the Interior and the Director of the National Park Service to modify its proposed livestock management plan, to recognize the benefits of livestock grazing, and to continue to allow for interpretative, cultural, and historical purposes a herd of longhorn steers in the North Unit of the Theodore Roosevelt National Park and the presence of a wild horse herd in the South Unit of the Theodore Roosevelt National Park.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed SCR 4014 was declared adopted on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2313: SEN. KANNIANEN (Energy and Natural Resources Committee) MOVED that the amendments on SJ page 603 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2313: A BILL for an Act to provide for a legislative management study regarding fair and just compensation and increased damages in eminent domain proceedings.

ROLL CALL

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

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

Engrossed SB 2313 passed.

CONSIDERATION OF AMENDMENTS

SB 2341: SEN. K. ROERS (Human Services Committee) MOVED that the amendments on SJ pages 628-629 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2341: A BILL for an Act to amend and reenact section 50-11-00.1 of the North Dakota Century Code, relating to definitions for foster homes for children and treatment centers for trafficked youth.

ROLL CALL

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

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

Engrossed SB 2341 passed.

CONSIDERATION OF AMENDMENTS

SB 2155: SEN. CLEARY (Appropriations Committee) MOVED that the amendments on SJ page 620 be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

SEN. LEE REQUESTED a verification vote, which request was granted on a verification vote.

The proposed amendments to SB 2155 were adopted on a verification vote.

SECOND READING OF SENATE BILL

SB 2155: A BILL for an Act to provide an appropriation to the department of health and human services for federally qualified health center grants; and to provide for a legislative management study on expanding the number of federally qualified health centers.

ROLL CALL

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

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

NAYS: Magrum

Engrossed SB 2155 passed.

CONSIDERATION OF AMENDMENTS

SB 2274: SEN. K. ROERS (Human Services Committee) MOVED that the amendments on SJ pages 624-626 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2274: A BILL for an Act to amend and reenact section 23-12-20 of the North Dakota Century Code, relating to vaccination and infection information.

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 24 YEAS, 23 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Beard; Burckhard; Clemens; Conley; Dwyer; Elkin; Estenson; Hogue; Kannianen; Kessel; Klein; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Paulson; Rust; Vedaa; Wanzek; Weston; Wobbema

NAYS: Axtman; Barta; Bekkedahl; Boehm; Braunberger; Cleary; Davison; Dever; Erbele; Hogan; Krebsbach; Kreun; Lee; Mathern; Patten; Piepkorn; Roers, J.; Roers, K.; Rummel; Schaible; Sickler; Sorvaag; Weber

Engrossed SB 2274 passed.

CONSIDERATION OF AMENDMENTS

SB 2335: SEN. CLEARY (Human Services Committee) MOVED that the amendments on SJ pages 626-628 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2335: A BILL for an Act to create and enact a new section to chapter 1-03, a new section to chapter 50-06, and section 50-11-01.7 of the North Dakota Century Code, relating to training and screening for fetal alcohol spectrum disorder, creating a cross-disability advisory council, and establishing an annual day of awareness for fetal alcohol spectrum disorder; and to amend and reenact subsection 3 of section 25-01.2-01 of the North Dakota Century Code, relating to fetal alcohol spectrum disorder.

ROLL CALL

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

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

NAYS: Magrum

Engrossed SB 2335 passed.

CONSIDERATION OF AMENDMENTS

SB 2248, as engrossed: SEN. DWYER (Appropriations Committee) MOVED that the amendments on SJ page 624 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2248: A BILL for an Act to create and enact a new section to chapter 19-03.1, section 19-03.1-23.6, and a new section to chapter 50-06 of the North Dakota Century Code, relating to a special penalty for death or injury through distribution of illegal drugs, fentanyl reporting, and an opioid settlement fund; to provide a penalty; and to provide an appropriation.

ROLL CALL

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

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

Reengrossed SB 2248 passed.

CONSIDERATION OF AMENDMENTS

SB 2160: SEN. K. ROERS (Human Services Committee) MOVED that the amendments on SJ pages 620-623 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2160: A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to public employee telehealth benefits; to provide for a report; to provide for application; to provide an expiration date; and to declare an emergency.

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 4 YEAS, 43 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Braunberger; Hogan; Mathern; Piepkorn

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

Engrossed SB 2160 failed.

CONSIDERATION OF AMENDMENTS

SB 2025: SEN. DAVISON (Appropriations Committee) MOVED that the amendments on SJ pages 619-620 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2025: A BILL for an Act to provide an appropriation for defraying the expenses of various state departments and institutions; and to declare an emergency.

ROLL CALL

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

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

Engrossed SB 2025 passed and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2002: SEN. ERBELE (Appropriations Committee) MOVED that the amendments on SJ pages 615-618 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2002: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the secretary of state and public printing; to amend and reenact section 54-09-05 of the North Dakota Century Code, relating to the salary of the secretary of state; to provide an exemption; and to provide for a transfer.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 4 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Beard; Boehm; Larsen; Magrum

Engrossed SB 2002 passed.

CONSIDERATION OF AMENDMENTS

SB 2024: SEN. DAVISON (Appropriations Committee) MOVED that the amendments on SJ pages 618-619 be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

SEN. LARSEN REQUESTED a verification vote, which request was granted on a verification vote.

The proposed amendments to SB 2024 were adopted on a verification vote.

SECOND READING OF SENATE BILL

SB 2024: A BILL for an Act to provide an appropriation for defraying the expenses of the ethics commission.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 30 YEAS, 17 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Bekkedahl; Braunberger; Burckhard; Cleary; Davison; Dever; Dwyer; Erbele; Hogan; Hogue; Klein; Krebsbach; Kreun; Larson; Lee; Mathern; Meyer; Patten; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek

NAYS: Beard; Boehm; Clemens; Conley; Elkin; Estenson; Kannianen; Kessel; Larsen; Lemm; Luick; Magrum; Myrdal; Paulson; Weber; Weston; Wobbema

Engrossed SB 2024 passed.

CONSIDERATION OF AMENDMENTS

SB 2344, as engrossed: SEN. SCHAIBLE (Appropriations Committee) MOVED that the

amendments on SJ page 629 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2344: A BILL for an Act to amend and reenact section 43-12.3-06 of the North Dakota Century Code, relating to the health care professional student loan repayment program; and to provide an appropriation.

ROLL CALL

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

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

NAYS: Beard; Magrum

Reengrossed SB 2344 passed.

CONSIDERATION OF AMENDMENTS

SB 2360: SEN. MYRDAL (Judiciary Committee) MOVED that the amendments on SJ pages 603-605 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2360: A BILL for an Act to create and enact a new subsection to section 12.1-27.1-01 and a new section to chapter 12.1-27.1 of the North Dakota Century Code, relating to the definition of a public library and required safety policies and technology protection measures; to amend and reenact subsection 5 of section 12.1-27.1-01, sections 12.1-27.1-03.1, and 12.1-27.1-11 of the North Dakota Century Code, relating to obscenity control; to provide a penalty; 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 PASS, the roll was called and there were 38 YEAS, 9 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Braunberger; Cleary; Davison; Hogan; Krebsbach; Lee; Mathern; Piepkorn; Rummel

Engrossed SB 2360 passed.

SECOND READING OF SENATE BILL

SB 2123: A BILL for an Act to amend and reenact section 12.1-27.1-03.1 of the North Dakota Century Code, relating to displaying objectionable materials or performance to minors; and to provide a penalty.

ROLL CALL

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

YEAS: Magrum

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

SB 2123 failed.

SECOND READING OF SENATE BILL

SB 2287: A BILL for an Act to create and enact subdivision f of subsection 1 of section 43-12.3-06 of the North Dakota Century Code, relating to the health care professional student loan repayment program; and to provide an appropriation.

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 2 YEAS, 45 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Boehm; Roers, K.

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

SB 2287 failed.

SECOND READING OF SENATE BILL

SB 2265: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to a dual special needs plan for Medicaid; and to provide an appropriation.

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 42 YEAS, 5 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Beard; Boehm; Lemm; Magrum; Myrdal

Engrossed SB 2265 passed.

SECOND READING OF SENATE BILL

SB 2347: A BILL for an Act to amend and reenact section 48-01.2-02.1 of the North Dakota Century Code, relating to the threshold for procuring plans, drawings, and specifications from an architect or engineer for construction of a public improvement.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 35 YEAS, 12 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Clemens; Conley; Dwyer; Elkin; Erbele;

Estenson; Hogue; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Braunberger; Burckhard; Cleary; Davison; Dever; Hogan; Kannianen; Lee; Mathern; Meyer; Piepkorn; Sickler

Engrossed SB 2347 passed.

SECOND READING OF SENATE BILL

SB 2363: A BILL for an Act to amend and reenact subsection 3 of section 5-02-06 of the North Dakota Century Code, relating to prohibitions on access to a brewer taproom for an individual under twenty-one years of age; and to provide a penalty.

ROLL CALL

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

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

NAYS: Clemens

Engrossed SB 2363 passed.

SECOND READING OF SENATE BILL

SB 2371: A BILL for an Act to create and enact a new section to chapter 11-11 and a new section to chapter 40-05 of the North Dakota Century Code, relating to the power of counties and municipalities to prohibit local development by a foreign adversary; to amend and reenact section 47-01-09 of the North Dakota Century Code, relating to the prohibition on ownership of real property by a foreign adversary; and to declare an emergency.

ROLL CALL

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

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

Engrossed SB 2371 passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2212: A BILL for an Act to amend and reenact subsection 10 of section 32-15-02 and section 49-19-12 of the North Dakota Century Code, relating to eminent domain and carbon dioxide pipelines; and to declare an emergency.

MOTION

SEN. MAGRUM MOVED that SB 2212 be amended as follows.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 49-22.1-03 of the North Dakota Century Code, relating to avoidance areas for carbon dioxide pipelines.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 49-22.1-03 of the North Dakota Century Code is amended and reenacted as follows:

49-22.1-03. Exclusion and avoidance areas - Criteria.

The commission shall develop criteria to be used in identifying exclusion and avoidance areas and to guide the site, corridor, and route suitability evaluation and designation process. Except for oil and gas transmission lines in existence before July 1, 1983, areas within five hundred feet [152.4 meters] of an inhabited rural residence must be designated avoidance areas. For carbon dioxide pipelines, areas within one thousand feet [304.8 meters] of an inhabited rural residence must be designated avoidance areas. This criterion does not apply to a water pipeline. The five hundred foot [152.4 meter] and one thousand foot [304.8 meter] avoidance area criteria for an inhabited rural residence may be waived by the owner of the inhabited rural residence in writing. The criteria also may include an identification of impacts and policies or practices which may be considered in the evaluation and designation process."

Renumber accordingly

REQUEST

SEN. MAGRUM REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2212, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to SB 2212, the roll was called and there were 12 YEAS, 35 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Clemens; Hogan; Klein; Larsen; Lemm; Magrum; Mathern; Paulson; Piepkorn; Vedaa; Weber; Weston

NAYS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Krebsbach; Kreun; Larson; Lee; Luick; Meyer; Myrdal; Patten; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Wanzek; Wobbema

The proposed amendments to SB 2212 failed on a recorded roll call vote.

SB 2212: A BILL for an Act to amend and reenact subsection 10 of section 32-15-02 and section 49-19-12 of the North Dakota Century Code, relating to eminent domain and carbon dioxide pipelines; and to declare an emergency.

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 11 YEAS, 36 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Beard; Hogan; Klein; Larsen; Lemm; Luick; Magrum; Mathern; Paulson; Vedaa; Weber

NAYS: Axtman; Barta; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Krebsbach; Kreun; Larson; Lee; Meyer; Myrdal; Patten; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Wanzek; Weston; Wobbema

SB 2212 failed.

SECOND READING OF SENATE BILL

SB 2209: A BILL for an Act to amend and reenact section 49-19-12 of the North Dakota Century Code, relating to eminent domain and carbon dioxide pipelines; and to declare an emergency.

MOTION

SEN. MAGRUM MOVED that SB 2209 be amended as follows.

Page 1, line 18, remove the underscored colon

Page 1, line 19, replace "a. Eighty-five" with "seventy-five"

Page 1, line 20, remove ": or"

Page 1, remove lines 21 through 23

Page 2, remove line 1

Page 2, line 2, remove "landowners"

ReNUMBER accordingly

REQUEST

SEN. MAGRUM REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2209, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to SB 2209, the roll was called and there were 10 YEAS, 37 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Dwyer; Hogan; Larsen; Luick; Magrum; Mathern; Paulson; Piepkorn; Vedaa; Weber

NAYS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larson; Lee; Lemm; Meyer; Myrdal; Patten; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Wanzek; Weston; Wobbema

The proposed amendments to SB 2209 failed on a recorded roll call vote.

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 7 YEAS, 40 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Hogan; Larsen; Luick; Magrum; Mathern; Vedaa; Weber

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

SB 2209 failed.

SECOND READING OF SENATE BILL

SB 2314: A BILL for an Act to create and enact section 49-19-12.1 of the North Dakota Century Code, relating to common carrier use of eminent domain; and to amend and reenact section 49-19-12 of the North Dakota Century Code, relating to common carrier use of eminent domain.

MOTION

SEN. MAGRUM MOVED that SB 2314 be amended as follows.

Page 1, line 1, remove "to create and enact section 49-19-12.1 of the North Dakota Century Code,"

Page 1, line 2, remove "relating to common carrier use of eminent domain; and"

Page 1, remove the overstrike over line 8

Page 1, line 9, remove "1. 49-19-12.1, every" Subject to approval from the commission under section

Page 1, remove lines 19 through 23

Page 2, remove lines 1 through 18

Renumber accordingly

REQUEST

SEN. DAVISON REQUESTED a verification vote on the motion to adopt the proposed amendments to SB 2314, which request was granted on a verification vote.

The proposed amendments to SB 2314 failed on a verification vote.

SB 2314: A BILL for an Act to create and enact section 49-19-12.1 of the North Dakota Century Code, relating to common carrier use of eminent domain; and to amend and reenact section 49-19-12 of the North Dakota Century Code, relating to common carrier use of eminent domain.

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 9 YEAS, 38 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Dwyer; Hogan; Klein; Larsen; Luick; Magrum; Mathern; Piepkorn; Weber

NAYS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Krebsbach; Kreun; Larson; Lee; Lemm; Meyer; Myrdal; Patten; Paulson; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weston; Wobbema

SB 2314 failed.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2023, SB 2033, SB 2066, SB 2089, SB 2136, SB 2227, SB 2241, SB 2267, SB 2281, SB 2321, SB 2330, SB 2379.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SCR 4009, SCR 4011, SCR 4016.

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

MADAM PRESIDENT: The House has passed, and your favorable consideration is requested on: HB 1010, HB 1019, HB 1082, HB 1249, HB 1273, HB 1376, HB 1489, HB 1510, HCR 3006, HCR 3013, HCR 3014, HCR 3015.

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

MADAM PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1334.

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, February 17, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2177: Finance and Taxation Committee (Sen. Kannianen, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2177 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2187: Workforce Development Committee (Sen. Wobbema, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2187 was placed on the Eleventh order on the calendar. This bill affects workforce development.

REPORT OF STANDING COMMITTEE

SB 2203: Workforce Development Committee (Sen. Wobbema, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2203 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2244: Finance and Taxation Committee (Sen. Kannianen, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2244 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2309: Finance and Taxation Committee (Sen. Kannianen, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2309 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2346: Finance and Taxation Committee (Sen. Kannianen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2346 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, after the second comma insert "15.1-27-04.2,"

Page 1, line 2, after the second comma insert "and"

Page 1, line 3, remove ", subsection 1 of section 57-39.2-02.1, and subsection 1 of section 57-40.2-02.1"

Page 1, line 6, remove "15.1-27-04.2,"

Page 1, remove the overstrike over line 22

Page 1, line 23, remove the overstrike over "~~of public instruction the taxable valuation and mill levy certifications~~" and insert immediately thereafter ", which must be separated by property classification"

Page 1, line 23, remove the overstrike over "~~. If a district fails to~~"

Page 1, remove the overstrike over line 24

Page 2, remove the overstrike over lines 1 through 3

Page 14, line 15, remove the overstrike over the overstruck colon

Page 14, line 16, remove the overstrike over "~~a. Subtract an amount equal to~~"

Page 14, line 16, after "sixty" insert "thirty"

Page 14, line 16, remove the overstrike over "~~mills multiplied by the taxable valuation of~~" and insert immediately thereafter "agricultural, commercial, and centrally assessed property in"

Page 14, line 16, remove the overstrike over "~~the~~"

Page 14, remove the overstrike over line 17

Page 14, line 18, remove the overstrike over "~~b. Subtract~~"

Page 14, line 18, remove "subtract"

Page 14, line 22, remove the overstrike over "~~(1)~~"

Page 14, line 22, remove "a."

Page 14, line 23, remove the overstrike over "~~(a)~~"

Page 14, line 23, remove "~~(1)~~"

Page 15, line 3, remove the overstrike over "~~(b)~~"

Page 15, line 3, remove "~~(2)~~"

Page 15, line 8, remove the overstrike over "~~(2)~~"

Page 15, line 8, remove "b."

Page 15, line 20, remove "on an annual basis"

Page 15, line 20, remove the overstrike over "~~the following~~"

Page 15, line 21, remove the overstrike over "~~on an annual basis:~~"

Page 15, line 22, remove the overstrike over "~~a. The~~"

Page 15, line 22, remove "the"

Page 15, line 24, remove the overstrike over the overstruck semicolon

Page 15, remove the overstrike over line 25

Page 15, line 26, remove the overstrike over "~~district for all purposes~~" and insert immediately thereafter ", separated by property classification"

Page 15, line 26, remove the overstrike over "~~;- and~~"

Page 15, remove the overstrike over line 27

Page 15, line 28, remove the overstrike over "~~for sinking and interest fund purposes~~" and insert immediately thereafter ", separated by property classification"

Page 15, line 28, remove the overstrike over the overstruck period and insert immediately thereafter:

" **SECTION 3. AMENDMENT.** Section 15.1-27-04.2 of the North Dakota Century Code is amended and reenacted as follows:

15.1-27-04.2. State aid - Minimum local effort - Determination.

If a district's taxable valuation of agricultural, commercial, and centrally assessed property per student is less than twenty percent of the state average valuation of agricultural, commercial, and centrally assessed property per student,

the superintendent of public instruction, for purposes of determining state aid in accordance with subsection 4 of section 15.1-27-04.1, shall utilize an amount equal to ~~sixty~~thirty mills times twenty percent of the state average valuation of agricultural, commercial, and centrally assessed property per student multiplied by the number of weighted student units in the district."

Page 19, line 18, after "district" insert "and thirty mills on the dollar of the taxable valuation of agricultural, commercial, and centrally assessed property in the school district"

Page 20, line 29, remove the overstrike over "~~The board of a school district may levy a tax not exceeding the amount in dollars that~~"

Page 20, line 30, after "to" insert "would be generated by"

Page 20, line 30, remove the overstrike over "~~a levy of~~"

Page 20, line 30, after "seventy" insert "thirty"

Page 20, line 31, remove the overstrike over "~~mills on the taxable valuation of~~" and insert immediately thereafter "agricultural, commercial, and centrally assessed property in"

Page 20, line 31, remove the overstrike over "~~the district, for~~"

Page 21, line 1, after "services" insert "the school district's local contribution to the costs of education"

Page 21, line 2, after "and" insert "may be"

Page 21, line 2, remove the overstrike over "~~used~~"

Page 21, line 2, after "~~subsection~~" insert "for any purposes related to the provision of educational services"

Page 21, line 2, remove the overstrike over "~~.The proceeds may~~"

Page 21, line 3, remove the overstrike over "~~not be transferred into any other fund.~~" and insert immediately thereafter:

"2."

Page 21, line 8, overstrike "2." and insert immediately thereafter "3."

Page 21, line 13, overstrike "3." and insert immediately thereafter "4."

Page 21, line 16, overstrike "4." and insert immediately thereafter "5."

Page 21, line 21, overstrike "5." and insert immediately thereafter "6."

Page 21, line 26, overstrike "6." and insert immediately thereafter "7."

Page 22, line 9, overstrike "by multiplying" and insert immediately thereafter "as follows:
(a) For residential property."

Page 22, line 10, after "statement" insert "multiplied"

Page 22, line 10, overstrike "number" and insert immediately thereafter "lesser"

Page 22, line 10, after the first "of" insert "one hundred eighty-five"

Page 22, line 10, after "mills" insert "or the sum"

Page 22, line 10, after the second "of" insert "the"

Page 22, line 11, overstrike "plus" and insert immediately thereafter "and"

Page 22, line 12, remove the overstrike over "~~2012 taxable year mill~~"

Page 22, line 13, remove the overstrike over "~~rate of the school district~~"

Page 22, line 13, overstrike "in which the parcel is located the lesser of:"

Page 22, line 14, overstrike "(a)"

Page 22, line 14, overstrike "Fifty"

Page 22, line 14, remove "One hundred ten"

Page 22, line 14, overstrike "mills; or" and insert immediately thereafter an underscored period

Page 22, line 15, overstrike "The" and insert immediately thereafter "For agricultural, commercial, and centrally assessed property, the taxable value for the taxable year for each parcel shown on the tax statement multiplied by the lesser of one hundred fifty-five mills or the sum of the mill levy reduction grant under chapter 57-64 for the"

Page 22, line 15, after "year" insert "and the 2012 taxable year"

Page 22, line 15, after "sixty" insert "excluding thirty"

Page 22, line 15, remove the overstrike over "mills"

Page 22, remove lines 21 through 31

Page 23, remove lines 1 through 31

Page 24, remove lines 1 through line 27

Page 24, line 28, remove "15.1-27-04.2,"

Page 24, remove lines 30 and 31

Page 25, remove lines 1 through 4

Page 25, line 20, remove "3,"

Page 25, line 20, after the second comma insert "5,"

Page 25, line 20, replace "5" with "6"

Page 25, line 21, remove "Sections 7 and 8 of this Act are effective for taxable"

Page 25, remove line 22

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2357: Finance and Taxation Committee (Sen. Kannianen, Chairman) recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2357 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2369: Finance and Taxation Committee (Sen. Kannianen, Chairman) recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2369 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2387: Finance and Taxation Committee (Sen. Kannianen, Chairman) recommends **DO NOT PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2387 was

placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SCR 4008: State and Local Government Committee (Sen. K. Roers, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4008 was placed on the Eleventh order on the calendar. This resolution does not affect workforce development.

REPORT OF STANDING COMMITTEE

SCR 4010: State and Local Government Committee (Sen. K. Roers, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4010 was placed on the Eleventh order on the calendar. This resolution does not affect workforce development.

REPORT OF STANDING COMMITTEE

SCR 4014: Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4014 was placed on the Eleventh order on the calendar. This resolution does not affect workforce development.

FIRST READING OF HOUSE BILLS

HB 1045: A BILL for an Act to amend and reenact section 23-01-37 of the North Dakota Century Code, relating to a life safety survey process of any health care facility licensed by the department of health and human services.

Was read the first time and referred to the **Human Services Committee**.

HB 1108: A BILL for an Act to create and enact a new section to chapter 23.1-01 of the North Dakota Century Code, relating to international climate control regulations.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

HB 1134: A BILL for an Act to amend and reenact subdivision c of subsection 12 of section 20.1-02-05 of the North Dakota Century Code, relating to hunting and fishing license for national guard members.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

HB 1166: A BILL for an Act to create and enact a new section to chapter 61-04.1 of the North Dakota Century Code, relating to requirements to cease cloud seeding; to amend and reenact subsection 10 of section 61-04.1-03, section 61-04.1-23, subsection 3 of section 61-04.1-24, and sections 61-04.1-26, 61-04.1-27, 61-04.1-30, 61-04.1-38, and 61-04.1-39 of the North Dakota Century Code, relating to state funding requirements for county weather modification operations and a prohibition on the use of state funds for weather modification; and to provide a penalty.

Was read the first time and referred to the **Agriculture and Veterans Affairs Committee**.

HB 1168: 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 the provision of an income tax credit for purchases of manufacturing and animal agricultural machinery and equipment to automate a manufacturing or animal agricultural process; and to provide an effective date.

Was read the first time and referred to the **Workforce Development Committee**.

HB 1175: A BILL for an Act to provide for a legislative management study regarding the posting of school trust lands during big game hunting seasons.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

HB 1200: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to COVID-19 vaccinations and emergency-use authorized vaccines for students at institutions of higher education; and to amend and reenact subsection 1 of section 23-07-17.1 and section 23-12-20 of the North Dakota Century Code, relating to school and day care immunizations and COVID-19 vaccination and infection information.

Was read the first time and referred to the **Human Services Committee**.

HB 1207: A BILL for an Act to create and enact a new section to chapter 23-12 of the North

Dakota Century Code, relating to publication of vaccine adverse event data.
Was read the first time and referred to the **Human Services Committee**.

HB 1218: A BILL for an Act to amend and reenact sections 61-24.6-02, 61-24.6-03, 61-24.6-04, and 61-24.6-06 of the North Dakota Century Code, relating to the creation of the northwest area water supply authority; and to provide for application.
Was read the first time and referred to the **Energy and Natural Resources Committee**.

HB 1224: A BILL for an Act to amend and reenact sections 20.1-01-02 and 20.1-05-04 of the North Dakota Century Code, relating to the possession of handguns and use of dogs in the recovery of big game animals.
Was read the first time and referred to the **Energy and Natural Resources Committee**.

HB 1230: A BILL for an Act to amend and reenact section 16.1-01-12 of the North Dakota Century Code, relating to invalid signatures on an initiated petition; and to provide a penalty.
Was read the first time and referred to the **State and Local Government Committee**.

HB 1293: A BILL for an Act to amend and reenact sections 40-04.1-01, 40-04.1-05, 40-08-06, 40-08-10, 40-09-04, 40-09-09, 40-14-03, 40-15-03, 40-49-05, 40-49-07, and 40-49-08 of the North Dakota Century Code, relating to election of city commissioners, city council members, and park district commissioners.
Was read the first time and referred to the **State and Local Government Committee**.

HB 1337: A BILL for an Act to create and enact a new section to chapter 15.1-27 of the North Dakota Century Code, relating to school safety and security measures; and to provide for a report.
Was read the first time and referred to the **Education Committee**.

HB 1358: A BILL for an Act to amend and reenact subsection 1 of section 23.1-01-02 of the North Dakota Century Code, relating to the composition of the environmental review advisory council.
Was read the first time and referred to the **Energy and Natural Resources Committee**.

HB 1390: A BILL for an Act to create and enact a new section to chapter 23-07 of the North Dakota Century Code, relating to the creation of a suicide fatality review commission; and to provide an appropriation.
Was read the first time and referred to the **Workforce Development Committee**.

HB 1391: A BILL for an Act to amend and reenact section 61-16.1-04 of the North Dakota Century Code, relating to the publication and distribution of water resource board meeting minutes.
Was read the first time and referred to the **Agriculture and Veterans Affairs Committee**.

HB 1393: A BILL for an Act to create and enact chapters 4.1-58, 4.1-59, 4.1-61, and 4.1-62 of the North Dakota Century Code, relating to grain and seed warehouses, grain buyers, insolvent grain warehousemen, uniform accounting for public elevators and warehouses, and credit-sale contracts indemnity from title 60; to amend and reenact subsection 4 of section 41-07-10 and section 51-23-04 of the North Dakota Century Code, relating to cross-references to repealed laws; to repeal chapters 60-02, 60-02.1, 60-04, 60-05, and 60-10 of the North Dakota Century Code, relating to grain and seed warehouses, grain buyers, insolvent grain warehousemen, uniform accounting for public elevators and warehouses, and credit-sale contracts indemnity; to provide a penalty; and to provide a continuing appropriation.
Was read the first time and referred to the **Agriculture and Veterans Affairs Committee**.

HB 1409: A BILL for an Act to amend and reenact section 20.1-03-07.2 of the North Dakota Century Code, relating to nonresident youth hunting licenses for small game and waterfowl.
Was read the first time and referred to the **Energy and Natural Resources Committee**.

HB 1413: A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to out-of-pocket expenses for health care services.
Was read the first time and referred to the **Human Services Committee**.

HB 1434: A BILL for an Act to amend and reenact section 50-24.8-12 of the North Dakota Century Code, relating to investigative demands and administrative subpoenas of the Medicaid fraud control unit.

Was read the first time and referred to the **Judiciary Committee**.

HB 1448: A BILL for an Act to amend and reenact section 15-06-02, subsection 7 of section 15.1-11-04, and section 54-01-13.2 of the North Dakota Century Code, relating to the composition of the county board of appraisers, required annual training, and land appraisal requirements.

Was read the first time and referred to the **Industry and Business Committee**.

HB 1450: A BILL for an Act to amend and reenact subsection 2 of section 14-02.4-03 of the North Dakota Century Code, relating to the definition of pregnancy in our discrimination laws.

Was read the first time and referred to the **Industry and Business Committee**.

HB 1459: A BILL for an Act to amend and reenact section 19-03.1-23.1 of the North Dakota Century Code, relating to increased penalties for drug offenses within three hundred feet of a public park; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

HB 1465: A BILL for an Act to amend and reenact sections 43-03-03, 43-03-04, and subsections 4 and 5 of section 43-03-13 of the North Dakota Century Code, relating to membership of the state board of architecture and landscape architecture; and to provide for application.

Was read the first time and referred to the **Industry and Business Committee**.

HB 1488: A BILL for an Act to create and enact a new section to chapter 15.1-19 of the North Dakota Century Code, relating to permission for a student to participate in extracurricular activities, cocurricular activities, and clubs.

Was read the first time and referred to the **Education Committee**.

HB 1492: A BILL for an Act to amend and reenact section 14-09-22 of the North Dakota Century Code, relating to defining mental injury for the crime of child abuse; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

HB 1501: A BILL for an Act to create and enact a new section to chapter 54-10 of the North Dakota Century Code, relating to state audits of commodity groups; and to amend and reenact subsection 2 of section 4.1-44-04 of the North Dakota Century Code, relating to the presentation of state audit reports.

Was read the first time and referred to the **Agriculture and Veterans Affairs Committee**.

HB 1502: A BILL for an Act to create and enact a new section to chapter 23-16 of the North Dakota Century Code, relating to access to hospital care.

Was read the first time and referred to the **Human Services Committee**.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3010: A concurrent resolution urging public schools and public entities, including agencies or departments that collect vital statistics, to protect women's rights by distinguishing between the sexes according to biological sex at birth for the purpose of providing equal opportunities and ensuring the privacy and safety of women and girls.

Was read the first time and referred to the **Human Services Committee**.

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

Shanda Morgan, Secretary